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No. 200

House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. ESPAILLAT).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
November 17, 2021.

I hereby appoint the Honorable ADRIANO ESPAILLAT to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 4, 2021, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with time equally allocated between the parties and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 11:50 a.m.

BIDEN'S BORDER CRISIS IS ADDING TO THE COVID CRISIS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Tennessee (Mr. ROSE) for 5 minutes.

Mr. ROSE. Mr. Speaker, 10 months into the Biden administration and crisis defines this Presidency.

Since President Biden took office, we have faced crisis after crisis, not the least of which is at our southern border. Right now, the United States is experiencing the highest number of attempted illegal border crossings in 21 years. Some 1.7 million people were ap-

prehended attempting to enter the U.S. illegally in fiscal year 2021, ending September 30, which is a new record. Over 164,300 attempted to cross just in October. This is 128 percent increase from last October.

Since March 20, 95,000 illegal immigrants were released with notices to report on their honor. President Biden recently announced a hotly debated approach to limiting the spread of COVID-19, mandating vaccinations for Federal workers, Federal contract workers, healthcare workers, and anyone who works for a private business with over 100 employees. But take a guess as to who is not included in this wide-spread vaccine mandate—illegal immigrants.

While President Biden blames American citizens for the increase in COVID cases, he refuses to call out the record number of illegal immigrants entering the United States from COVID hotspots around the world who are potentially contributing to the spread of new and dangerous variants of the virus, like the delta, lambda, and mu strains.

On September 20, when White House Press Secretary Jen Psaki was asked about this double standard, she is quoted as saying, illegal immigrants didn't need to comply because "they are not intending to stay." What a laughable statement.

Once again, we are seeing the Biden administration choosing to put the interests of illegal immigrants above the interests of the American people. Why is President Biden allowing this ever-growing burden on the already strained resources of this country to continue unabated?

Our southern border is an ongoing, full-blown catastrophe and it should be treated as one. That is why I am calling on President Biden to finally address this historic disaster of his own making and at least make a good-faith effort to stem the flow of illegal immi-

gration, dangerous illicit drugs, and human trafficking in this country. And while he is at it, to implement stricter, more comprehensive and more effective COVID protections at our southern border.

SYSTEMIC RACISM IN THE JUDICIAL SYSTEM

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. GREEN) for 5 minutes.

Mr. GREEN of Texas. Mr. Speaker, and still I rise, a proud, liberated Democrat.

Mr. Speaker, I rise today to address systemic racism in the judicial system. I believe one of the best ways to explain this and help persons understand with some degree of clarity is to use an example.

Let's use an example of a 25-year-old White man. Let us assume that he is jogging through a neighborhood near his home. Let's assume that he is accosted by three Black men in a truck with a liberation flag on it. And let us assume that when they accost him, one of them has a shotgun and there is an encounter with this person, who happens to be a Black man. The White man is jogging, the Black men are pursuing, and now there is an encounter.

Let's assume that this Black male shoots the White man, and in so doing, a case is brought to court by way of a video. Let's assume that in this case, the prosecutor is Black, that the judge is Black, and let's assume that the defense attorneys are able to select a jury that has 11 Black people, one White person.

Mr. Speaker, this happens quite often in our country. As a matter of fact, it can happen regularly in our country to Black people. Black people don't have the luxury of being tried by juries with 11 Black people on them. They are likely to be fewer than three. Black people don't have the luxury of being in a

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Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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courtroom where the judge is Black, the prosecutor is Black, the court reporter is Black, and the witnesses are Black. We have a moral imperative to address this level of systemic discrimination. We should do more than simply talk about it, however. Addressing it with words is important, but we have to do more than this. We must do more than desire to manage systemic racism. We want to end it. If we don't end systemic racism, too many persons of color will continue to suffer, as is the case in this country today.

We, in this Congress, can do something about this. We have a duty to do something about it, and that something has to entail dealing with what is called a peremptory challenge, which allows a lawyer to simply draw a line through the name of a person and have that person removed from the jury, assigning some specious reason for doing so, and end up with a Black person being tried by a jury that is almost White—11 Whites and one Black.

The peremptory challenge is not something that is embedded in the Constitution. It is not something that is required. Persons can be removed from a jury for cause, but this cause, this peremptory challenge, is the cause that we should take a look at because it is absolute and it allows systemic racism to rear its ugly head in our courtrooms.

I hope to present legislation addressing systemic racism by way of the peremptory challenge.

BUILD BACK BETTER

The SPEAKER pro tempore. The Chair recognizes the gentleman from Nebraska (Mr. BACON) for 5 minutes.

Mr. BACON. Mr. Speaker, I rise today in strong opposition to the Build Back Better Act.

President Biden, Leader SCHUMER, Speaker PELOSI, and Chairman BERNIE SANDERS have made it clear they want to transform America. In fact, those are their words. They want to transform America using reconciliation, the so-called Build Back Better Act. They are trying to do it with a 50-50 Senate, a 3-seat majority in the House out of 435 Members, and a President that won by just two States.

Last November, the country did not vote for transformation, but for middle-of-the-road centrist policies and steady leadership. That is not what they got, and voters are mad.

Just look at the polling. The President sits at a 38 percent favorable rating. The generic ballot for the House favors Republicans by 11 points—the biggest margin seen in the history of this polling.

If there is any doubt, just review the recent results of Virginia where a Republican was elected; in New Jersey where a Democrat squeaked by in his reelection. A 12-point swing in Virginia and a 14-point swing in New Jersey in just one year.

Our Nation does not desire to be a giant welfare State with cradle-to-

grave government oversight controlling their lives. Last year, the country didn't vote to give amnesty and government payouts for adults who illegally crossed our borders and jumped to the front of the line of those trying to come here through legal channels. The country did not vote to hire 87,000 more IRS agents for auditing every-day Americans to raise \$400 billion to pay for their reckless spending spree.

We need IRS agents to provide customer service to those still waiting for their tax refunds, sometimes a year late, but not for more audits. Americans didn't vote to raise taxes on a third of the middle class, which is what the left-leaning Tax Policy Center stated is the case, while it also found that two-thirds of millionaires will now get a tax break at the same time because of the changes made to the SALT deductions in this bad bill.

Americans didn't vote to remove the Hyde amendment that prevented our tax dollars from paying for abortions, and they did not vote to remove work requirements for able-bodied adults to receive welfare benefits. Americans did not vote to impede and ban domestic energy and mineral production, or to increase our reliance on China and OPEC. Our citizens did not vote to raise taxes on natural gas that Americans use to heat their homes, and we did not vote to undermine our research and discovery of new drugs that can save people's lives.

Finally, Americans did not vote to give people earning up to \$500,000 tax breaks for buying electric vehicles. The authors of this legislation have either misjudged or ignored where the country is at on these issues. This legislation is a total transformation, is what the President is saying, but it is a giant, welfare-State transformation. For these reasons, and many more, I will be voting "no" on the Build Back Better Act, and I urge my colleagues to do the same.

Mr. Speaker, I pray that moderate Democrats will say no, and like many Americans, I am grateful that Senators MANCHIN and SINEMA have been voices of reason and commonsense. We need more of their voices.

HONORING HERB BARRET FOR A REMARKABLE LIFE OF SERVICE

The SPEAKER pro tempore (Mr. RUIZ). The Chair recognizes the gentleman from New York (Mr. ESPAILLAT) for 5 minutes.

Mr. ESPAILLAT. Mr. Speaker, last week, we celebrated Veterans Day. In that spirit, I rise today to honor a man of exemplary service, unwavering dedication to our country, and someone I am proud to call a constituent, Mr. Herb Barret.

Mr. Barret is someone who has lived a remarkable life of service. He is a veteran and a former member of the Marine Corps who risked his life for our country in the Korean war—sadly, but often known, as "the forgotten

war." Marines live by a set of values and principles, such as honor, courage, commitment. They are the bedrock of our Nation's character, and what Mr. Barret embodies every single day in our community. Throughout his esteemed career, Mr. Barret has shined bright as a beacon of perseverance and commitment, inspiring all of us with his valor along the way.

Mr. Barret is a dedicated member of our community in New York City and has laid the groundwork for the next generation of public servants to follow in his footsteps. He is a living example that anything that is possible in this country through hard work, dedication, and perseverance, through the physical, mental, and moral battles faced during combat and while serving in our communities on behalf of our great Nation. He is a man of great integrity, courage, and humility, and I am proud to call him a member of our community.

HONORING DR. JUAN TAPIA-MENDOZA

Mr. ESPAILLAT. Mr. Speaker, I also rise today to honor Dr. Juan Tapia-Mendoza, a fellow Dominican immigrant and New Yorker who has fought tirelessly to achieve the American Dream—and that he did.

Before Dr. Tapia-Mendoza opened his pediatric practice, he was a graffiti artist known only as "C.A.T. 87," whose work was found all over the subway cars and across the city of New York in empty lots, particularly in northern Manhattan and beyond.

Though he dropped out of school at a young age, his art showcased a strong motivation, and he was able to channel that motivation into his studies and return back to Santo Domingo to study medicine.

Upon his return, Dr. Tapia-Mendoza, opened Pediatrics 2000 group, which now has two locations in my district and serves over 20,000 children, supporting not only the health of our children, but their education and literacy as well, fostering the next generation of young leaders in our community.

His clinic is also an art gallery, a center that brings together young people in our neighborhood for healthy activities; uniting medicine and art to uplift our children.

Dr. Tapia-Mendoza's incredible story was the subject of a recent documentary titled, "The Graffiti Artist Who Became a Doctor," which was recently awarded an Emmy award.

Mr. Speaker, I am here not only because he won that Emmy but because he also was there for the entire community during this horrible pandemic.

He is a shining example of how tenacity, artistry, and community intersect. I commend Dr. Tapia-Mendoza for his work and for using his story to inspire a new generation of our Latino youth.

□ 1015

DEFENDING RIGHTS OF
ESSENTIAL CAREGIVERS

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from New York (Ms. TENNEY) for 5 minutes.

Ms. TENNEY. Mr. Speaker, the COVID-19 pandemic exposed so many vulnerabilities in our communities, our economy, and our healthcare system. None of us were prepared for the endless virtual meetings, school closings, and weeks spent in quarantine. Nor could we have been ready for the tragic loss of our neighbors and loved ones who were living in long-term care facilities across the Nation.

Mr. Speaker, I rise today about the grave impact the negligent policies implemented during the COVID-19 pandemic had on the most vulnerable in our communities.

Over the past nearly 2 years, we watched our grandparents in nursing homes and our family and friends in group homes struggling to maintain their health, dignity, and will to go on as they were left without the care and attention they deserved over long periods of isolation.

When I was sworn in to serve in the 117th Congress, one of the first bills I introduced was the bipartisan Essential Caregivers Act. This bill is a critical step to ensure that residents of long-term care facilities are not left to suffer in isolation during this or any future public health emergency.

While shut out from their family and loved ones in isolation, many long-term care residents began suffering from depression, extreme loneliness, and a major decline in mental and physical health. It is the injustice of this century that this is going unaddressed by Congress.

Since introducing the Essential Caregivers Act, we have started a coalition of passionate and tenacious fighters across the country. It is the Essential Caregivers Movement.

With me today, I have a book authored by Karla Abraham-Conley, an amazing constituent of mine who also was prohibited from providing the needed care for her mother because of negligent policies in place by our former Governor. This is her great book. It is absolutely beautiful. "Protecting Them to Death" is the title.

Folded into each page of Karla's book are harrowing stories from individuals who either lost a loved one in a long-term care facility or witnessed from a distance as their loved ones suffered from serious declines in their mental and physical health.

These are not just the stories of New Yorkers. These are accounts from all across the Nation as you go through each part of this book. I could flip every page of this book and tell you a story from every single State. They are heartbreaking. They are cruel. Most importantly, they motivate those with the power and responsibility to make a meaningful change for our future.

When I see this book, I see the ways our laws have failed our constituents. I see the pain, but I also see the opportunity on every page, a chance for this Congress to stand up on behalf of these hurting Americans and boldly say: I will act. I will defend your rights as an essential caregiver.

Before I close, I would like to share an excerpt from Karla's personal story. "I was my mother's essential caregiver every single day prior to the lockdown. Suddenly, I wasn't there anymore, and she was incapable of understanding why."

Karla continues by saying her mother "was left to die alone in her bed, and not from COVID-19. She said to me via a virtual visit, 'Get me outta here. They're going to kill me,' which is exactly what happened."

When Karla was shut off from her mother, her mother's state of health rapidly declined. Karla's mother developed sepsis, renal failure, high sodium levels, swelling of the brain, and other symptoms that went unnoticed. After Karla fought tooth and nail to admit her mother to the emergency room, her mother passed away a week later.

Mr. Speaker, what you have heard is unacceptable by all standards, but it is just one of thousands of stories I wanted to share.

I thank Karla and so many essential caregivers, including our own VoicesForSeniors, another advocacy group in New York State, for sharing this dark chapter in their lives.

Not many people can turn grief into action and start a nationwide movement. Yet, in a time of incredible sadness and loss, so many strong men and women chose to stand up and do just that. I applaud their courage, their bravery, and their tenacity in this fight. I introduced the Essential Caregivers Act for each of them and their loved ones.

Mr. Speaker, I am honored to lead this fight in Congress, but I am not leading it alone. I am joined by our colleagues from both sides of the aisle, including the bill's cosponsor and co-lead, Congressman JOHN LARSON of Connecticut. We are so grateful for his advocacy as well.

Mr. Speaker, I urge more of my colleagues to join us to pass this bill, to make it a reality and help these people who are advocating across the Nation to protect those who could be in this jeopardy in the future. I will remain committed to this fight for so many families who were forced to comply with the careless policies that prevented them from caring for their loved ones.

BENEFITS FOR BURN PIT-EXPOSED
VETERANS

The SPEAKER pro tempore (Mr. ESPAILLAT). The Chair recognizes the gentleman from California (Mr. RUIZ) for 5 minutes.

Mr. RUIZ. Mr. Speaker, I rise in support of my bill, the Burn Pit Registry

Enhancement Act, which passed the House unanimously yesterday, and to urge a vote in the Senate.

The Burn Pit Registry Enhancement Act would strengthen the registry by allowing a registered veteran's data to be updated by their family with his or her cause of death.

This data is crucial to identify the vast array of illnesses that are causing young burn pit-exposed veterans to die and will help doctors recognize early symptoms of life-threatening conditions and save lives.

As a Nation, we have a responsibility to provide our veterans with the benefits they have earned and deserve. We bear that responsibility even more heavily when the use of burn pits by our own military is causing veterans to develop rare pulmonary conditions and cancers.

Mr. Speaker, I urge the Senate to take up my legislation and uphold our commitment to taking care of our veterans.

ALEJANDRO CAMACHO'S STORY

Mr. RUIZ. Mr. Speaker, I rise today to tell the story of my constituent, Alejandro Camacho, of Palm Desert, a veteran who has been affected by our military's use of toxic burn pits, and to call for action.

After graduating from La Quinta High School, Alejandro served our Nation in the U.S. Marine Corps. From March to September 2009, he was stationed in south Sinjar, Iraq.

At great personal sacrifice to himself, Alejandro served as a member of the 3rd Light Armored Reconnaissance Battalion, even missing the birth of his own son, Jacob, while he was stationed overseas.

Every single day in south Sinjar, Alejandro breathed in toxic fumes, particulate matter, and carcinogens from the batteries, medical waste, and jet fuel that was burned in large burn pits on his base.

When he returned home, the effects of breathing in those toxic fumes started taking a toll on his body. In 2019, Alejandro was diagnosed with embryonal carcinoma, an aggressive form of testicular cancer. He and his doctor believed his diagnosis to be linked to his exposures to fumes from burning jet propulsion 8 fuel, a known human carcinogen.

When Alejandro underwent the excruciating chemotherapy process, his body fell apart. He lost 50 pounds. He lost feeling in his hands and feet, and he constantly heard ringing in his ears.

Despite being deemed 40 percent disabled, despite his repeated exposure to jet fuel fumes, and despite the diagnosis, the VA denied his claim for coverage. Do you know why? Because the VA said there wasn't "enough evidence" to establish a connection between his burn pit exposure and the cancer he developed.

Mr. Speaker, I am an emergency medicine physician and a public health expert, and in public health and in medicine, it is practice that if there is

a high enough suspicion based on the evidence available of a harm that causes a severe enough illness, then we need to act on that suspicion.

We can't afford to wait decades, like we did with Agent Orange, for that perfect study to establish a perfect causality between burn pit exposure and cancers and pulmonary conditions our veterans are developing and dying from right now. There is enough evidence to act.

We must act for veterans like Alejandro and help him get the healthcare and benefits he earned when we sent him to war for our country. Alejandro is now cancer free, but the fight continues to get him the benefits he deserves.

We are making real bipartisan progress on this front, with legislation like the Honoring our PACT Act, which takes an aggressive and comprehensive approach to the urgent healthcare crisis that veterans like Alejandro are facing.

This legislation will keep our Nation's promise to our veterans that we will take care of them after they serve our Nation. It contains my bill, the Presumptive Benefits for War Fighters Exposed to Burn Pits and Other Toxins Act. It creates a presumption of service-related illnesses due to burn pits in order to take care of our veterans.

Mr. Speaker, I urge this body to take up this bill to support Alejandro and the rest of our heroes in uniform.

INFLATION CRUSHING HOLIDAY BUDGETS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. MEUSER) for 5 minutes.

Mr. MEUSER. Mr. Speaker, Americans are feeling the pinch of rising prices as they are gearing up to both host and visit their families and friends this holiday season.

Thanksgiving is just around the corner, and it is shaping up to be the most expensive meal in the history of the holiday due to rising costs, largely from President Biden and Democrats' failed economic policies.

Inflation is at a 30-year high, crushing American holiday budgets from the cost of travel, food, and gifts. The price of gasoline, Mr. Speaker, is up 61 percent—nearly \$4 nationally—from a year ago, causing the price of driving and flying to see relatives skyrocket. Many Americans are now facing the decision to cancel holiday travel due to these rising costs.

Most holiday staple foods are significantly more expensive as well, if Americans are lucky enough to find them on the grocery shelves due to the supply chain crisis we are facing.

The cost of turkey is up about 20 percent. Potatoes are up about 15 percent. Carrots are up almost 50 percent. Cranberries and biscuits are up nearly 10 percent. And even pumpkin pie is way up.

On average, a Thanksgiving meal this year will cost families between 15 to 20 percent more than it did just 1 year ago today. With the rising cost of energy and essential goods, nearly one-third of working families' earnings are going to food and energy costs.

Instead of finding ways to offset this, mitigate it, improve and fix the supply chain crisis, and bring domestic energy back to minimize these skyrocketing energy costs, President Biden and my colleagues in the Democratic Caucus in this House continue to push for a historically large multitrillion-dollar spending bill called Build Back Better that will raise taxes and seriously damage domestic energy production, which I completely don't understand, nor does anyone in my district.

As well, it has special interest tax cuts, and it will not cost zero. Can we please stop insulting the people? It will cost trillions, all the while suppressing our economy and opportunity.

When you are in a hole, Mr. Speaker, you don't keep digging, but our Democrat friends continue to push for far-left policies that will further drive inflation by creating excess demand with no building of supply, which hurts low-income and middle-class families the hardest.

Now is the time for Congress to pass pro-growth, free market legislation that will actually empower our economy and put more money into the pockets of the American taxpayer, not in the coffers of Washington.

Mr. Speaker, the solutions are actually kind of simple. We must follow our rule book, which is known as the Constitution. We must respect and abide by our oath to the Constitution, not with some crazy mandates coming out of Washington. We must strengthen our national security, including securing our borders.

We must strengthen our economy, not grow our government. No one in my district is saying, hey, the Federal Government is not big enough. Let's expand it by 30 percent.

We must continue to focus on making America the land of opportunity, the land of independence, not the land of dependence. That is not what we wrote way back when. This is done through education and through driving career opportunities.

Mr. Speaker, we, as well, need to have an understanding that it is our job to be the adults in the room and be fiscally responsible with the taxpayers' money. It is not our money; it is the taxpayers' money.

So the American people deserve better. They deserve better from this House. We need to deliver. Truly, the idea of America depends upon it.

□ 1030

INFRASTRUCTURE INVESTMENTS IN THE STATE OF TEXAS

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Texas (Ms. GARCIA) for 5 minutes.

Ms. GARCIA of Texas. Mr. Speaker, I rise today to celebrate the critical investments coming to my home State of Texas.

This week, the President signed the Infrastructure Investment and Jobs Act. This bipartisan bill is bringing over \$35 billion to Texas for important projects that will rebuild our communities. The fact is, Mr. Speaker, that this is long overdue.

When I was a Harris County commissioner, I built a few roads. I saw firsthand how badly our roads and bridges had deteriorated. We regularly scored Cs and Ds on infrastructure that my precinct relied on every day, creating extra costs and putting lives in danger. In fact, roads in terrible condition have forced Texas drivers to pay over \$700 in extra costs each year. Since 2011, Texans have seen their commute increase to about half an hour because our roads haven't kept up with our growth.

In that same time, Texans were hit with 60 extreme weather events that cost taxpayers over \$200 billion. More than that, crumbling infrastructure has taken the lives of thousands in our great State. Just this February our electric grid nearly collapsed, and over 200 people—many of them seniors—froze to death in their homes.

We are past due in the work to improve our State's infrastructure. That is why I am proud to have voted for this jobs bill and for all of the investments coming to Texas.

The bill that we passed is over \$3.5 billion to weatherize our grid and prepare it for future crises. We also invest \$27 billion in our State's highways and bridges. We will also get \$3 billion to bring safe, clean water to every Texan, especially in our rural communities. This is not small potatoes.

We know how dangerous lead pipes are for growing children. Lead contamination can cause developmental problems, mental health issues, and serious medical emergencies. Because of this funding, we can remove lead pipes from Texas schools and ensure that every child can drink clean, safe water.

Thanks to all of these investments, Texans will have safer commutes, cleaner water, and lower bills for reliable electricity.

But this law does not solve just today's problems. It prepares us for tomorrow's opportunities. Thanks to this law, Texas will receive nearly half a billion dollars to expand the electric vehicle charging network. We will also receive over \$1 billion to improve our State's airports which are some of the Nation's busiest. We can also expect over \$100 million to bring internet access to 1 million Texans who currently lack it. This is especially important to rural Texans like my sister who has to drive all the way into town to get to the library to access the internet.

Mr. Speaker, it is time to solve these problems and create jobs for our community. That is what this law is going to do. The bill will create thousands of jobs in my State from construction

workers and laborers to engineers and scientists, and all of these are good-paying jobs. For every mile of road that is repaved from Houston to El Paso, we will be supporting roadway workers and construction workers. For every electrical line that is repaired to be more reliable in the cold, we will be supporting electricians and engineers. And for every lead pipe that is replaced to keep our children safe, we will be supporting plumbers, laborers, and other workers.

Altogether, the Infrastructure Investment and Jobs Act is just about that: rebuilding our infrastructure, investing in the future, and bringing jobs, jobs, jobs to our communities.

I am looking forward to seeing these projects come together in my home State, and I am grateful for the leadership of our President and this Congress in making sure that this can get to all communities in our country.

Together we will truly build back better for Texas.

HISTORIC INFRASTRUCTURE INVESTMENTS

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Massachusetts (Mrs. TRAHAN) for 5 minutes.

Mrs. TRAHAN. Mr. Speaker, I rise in strong support of the Build Back Better Act.

Together with the historic infrastructure investments signed into law by President Biden earlier this week, working families like the one I grew up in will be able to get back on their feet and succeed in an economy that finally works for them.

Now, I have talked about my childhood on the floor of the people's House before. My dad was a union ironworker, and like his union brothers and sisters have done for decades, he worked long, hard hours to provide for my three sisters and me. When there wasn't work for him at home in Massachusetts, he would travel out of State erecting bridges and buildings in New York, Maine, and other places, sometimes for months at a time.

As a first generation American, a union job with benefits was better than most had, and it is certainly the reason I am standing here today. But the demands of my dad's job placed limitations on what my mom could do for work. Despite the wages and benefits secured by his union, my parents couldn't afford childcare for four girls. So my mom picked up jobs where she could to help make ends meet. Whether it was clerical work, cleaning homes, hostessing, or caring for kids, she did anything and everything possible to pay the bills while also making sure she was home to care for us when my dad was away.

Here is the thing: My family's story is not unique, not in the slightest. In fact, it is a story shared by millions of working families across our country who show up to work each day but

don't have the support they need to get ahead.

My mom's story is one that is shared by millions of working moms who want nothing more than to return to work and support their families but can't because the math doesn't work, giving them no choice but to stay at home and care for their families instead.

Mr. Speaker, under President Biden's leadership we are going to flip that script.

The infrastructure package he signed into law earlier this week will create millions of jobs with family sustaining wages and benefits by repairing our roads, our bridges, our water systems, and more.

But creating millions of jobs only works if workers are ready to fill them. That is why we are also working to pass the Build Back Better Act which will make unprecedented investments in working families. Families that continue to be the backbone of our country that we all have the honor of representing.

By expanding access to quality childcare, providing paid family and medical leave, establishing universal pre-K, and making home care affordable for our seniors, this legislation will propel parents—especially our working moms—back into the workforce and full participation in our economy.

By lowering healthcare costs and driving down prescription drug prices, the Build Back Better Act will ensure that families no longer have to choose between their health and their ability to put food on the table. By cutting taxes for low-income and middle-class Americans and extending the child tax credit payment that has served as a lifeline for so many, this package will keep money in families' pockets.

Passage of the Build Back Better Act will ensure that no one is left behind as we defeat COVID and rebuild our economy. That is why these provisions are supported by an overwhelming majority of Americans—Democrats, Republicans and Independents alike. Like President Biden, they recognize that when we invest in working families, America wins.

Now, if my colleagues on the other side of the aisle need to hear more about why they should support this bill, please let me know. My mom, Linda Loureiro, is happy to call you and tell you what the Build Back Better Act would have done for her and moms like yours 40 years ago and why we need to get it done for her children and her grandchildren today.

NATIONAL APPRENTICE WEEK

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from North Carolina (Ms. FOXX) for 5 minutes.

Ms. FOXX. Mr. Speaker, our colleagues on the other side of the aisle who believe that the Build Back Better Act is going to make this country bet-

ter are trying to sell snake oil to the American people. There is an old saying, Mr. Speaker: You can fool some of the people all of the time, all of the people some of the time, but you can't fool all of the people all of the time.

Frankly, the American people—some of them—have seen the light, and they understand that Build Back Better is going to bankrupt this country and that is not the way most Americans want to go. So we will see if the people who vote for Build Back Better have the real support of the American people next year if that bill passes.

Mr. Speaker, this is National Apprenticeship Week, and it is fitting that as the lead Republican on the Education and Labor Committee that we talk about the importance of apprenticeships.

As we know, apprenticeships have been around since the beginning of time and they have been much more used in other countries. They were much used in our country for a long, long time. Then the numbers of them decreased. However, in recent years more and more Americans have found that apprenticeship programs are an effective option to help achieve their career goals.

I have had people in my family go through apprenticeship programs, and I know for a fact how valuable they are. These earn-and-learn programs offer students and workers a viable path toward the American Dream, and it is very fitting that we should celebrate National Apprenticeship Week and highlight the apprenticeship programs across the country.

However, unfortunately, the Biden administration is proposing to end the program dedicated to expanding apprenticeships, cutting off this important pathway to sustainable and rewarding careers. By ending Industry-Recognized Apprenticeship Programs, or IRAP, President Biden is hurting workers and businesses nationwide. This decision moves our country backward and will keep many Americans from being able to prepare for their future.

Instead of ending IRAPs, we should be working to inject innovation and flexibility into the apprenticeship model so that more Americans can get back to work and achieve the American Dream, no putting roadblocks in their way. Unfortunately, it is becoming more and more clear with every action of the Biden administration that the American worker is always going to take a backseat in President Biden's America.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 10 o'clock and 43 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

PRAYER

The Chaplain, the Reverend Margaret Grun Kibben, offered the following prayer:

Keep us alert, O God, in body, mind, and spirit, that in all that the day presents, we would remain attentive and faithful to the calling to which You have called each of us.

Give strength to those among us whose bodies are burdened with the strain of long hours of weighty work, miles of travel to stay connected with constituents, or the vestiges of illness or injury.

Give inspiration to those whose minds are wrought with innumerable issues for which they are held accountable, facts and figures and derivative impacts that confound reason and tax the brain.

Give respite to those whose spirits are weary from the challenges to their integrity, misgivings of their sense of purpose, and threats to their moral and ethical underpinnings.

In You, O Lord, we find our strength, our inspiration, and our respite. May we turn to You throughout this day that we would find all that we need to remain steadfast and faithful in our service to You and to this Nation.

In the power of Your name we pray.
Amen.

THE JOURNAL

The SPEAKER. Pursuant to section 11(a) of House Resolution 188, the Journal of the last day's proceedings is approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from South Carolina (Mr. WILSON) come forward and lead the House in the Pledge of Allegiance.

Mr. WILSON of South Carolina 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.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

PRIORITIZING LOCAL HIRES

(Ms. BASS asked and was given permission to address the House for 1 minute.)

Ms. BASS. Madam Speaker, I rise today to celebrate the bipartisan Infrastructure Investment and Jobs Act,

which includes a local hire provision that I offered to allow local transportation projects like the Los Angeles Metro to prioritize the hiring of local Angelenos for projects that are taking place in their own backyard.

My district has recently had two major construction projects. On the Westside, it is the Purple Line, which is going to connect UCLA to downtown L.A. In South L.A., it is the Crenshaw Line, which is going to bring a vital means of public transportation to neighborhoods historically neglected when it comes to economic investment.

It really didn't make sense that people living in the neighborhoods where the projects were going through could not be prioritized for the jobs. That is why this provision is so important.

With the local hire provision signed into law, people in Los Angeles neighborhoods can be prioritized for jobs in L.A. We are bringing thousands of well-paying jobs to Los Angeles and putting tax dollars back into the communities that paid for the projects in the first place.

THREAT TAGS

(Mr. CLINE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CLINE. Madam Speaker, being a parent is a sacred responsibility, and every parent simply wants what is best for their kids. That is why, over the past year, we saw parents speak up at local school board meetings all across the country.

Whether it was pushing back against the radical teachings of critical race theory or voicing their opposition to mask mandates or allowing boys in girls' bathrooms, parents were standing up for their kids.

However, the National School Board Association deemed people exercising their First Amendment rights as domestic terrorists, and the Department of Justice used this narrative to launch investigations into parents.

Now we are learning from a whistleblower that the FBI was using antiterror tools to monitor parents and adding threat tags to files to track them. This is absurd. We should never criminalize parents for speaking up for their children.

To make matters worse, we now know the Attorney General lied under oath when he said there was no coordination between the DOJ and the National School Board Association. This administration has weaponized the DOJ for political gain and has chosen to stand with teachers unions over parents and students.

These actions are tyrannical, and Congress must know the extent to which parents were spied on.

BUILD BACK BETTER AGENDA PUTS FAMILIES FIRST

(Ms. SEWELL asked and was given permission to address the House for 1 minute.)

Ms. SEWELL. Madam Speaker, I rise today to urge my colleagues to vote in favor of President Biden's historic Build Back Better agenda.

Already, congressional Democrats have come together to pass part one of the Build Back Better agenda. The bipartisan Infrastructure Investment and Jobs Act is the largest investment in United States infrastructure in nearly a century, and it will benefit my State of Alabama in so many ways.

It will provide \$5.2 billion to repair Alabama's roads, \$225 million to fix Alabama's bridges, and \$100 million to connect every Alabamian to high-speed internet.

Now we have the opportunity to pass part two, the Build Back Better Act. That, too, will invest in Alabama by creating millions of good-paying jobs; providing affordable childcare for over 300,000 Alabamians; lowering healthcare costs for families, including 300,000 Alabamians who fall into the Medicaid coverage gap; and delivering universal pre-K to over 110,000 Alabama 3- and 4-year-olds.

As co-chair of the Ways and Means Racial Equity Initiative, I have fought to ensure that equity remains a central focus, and I am proud that these bills will uplift our most vulnerable communities in so many transformative ways.

It is fully paid for. I ask my colleagues to vote in favor of the Build Back Better Act.

BIDEN INFLATION CRISIS

(Mr. WILLIAMS of Texas asked and was given permission to address the House for 1 minute.)

Mr. WILLIAMS of Texas. Madam Speaker, the Biden inflation crisis has hit the poor and middle-income families the hardest.

Inflation just reached a 30-year high, and consumer prices have increased to an astonishing 6.2 percent compared to 12 months ago. This has serious impacts on hardworking families as they try to make ends meet and prepare for the holiday season.

Are you planning on buying a 16-pound turkey? Be prepared to pay 18 percent more this year. That does not even include the stuffing.

Are you planning on driving to visit family for the holidays? Plan on paying 61 percent more in gas prices than last year.

Instead of taking action to rein in wasteful government spending and address rising costs, the White House is claiming a vote for the Build Back Better plan will solve the inflation crisis, which is a complete lie any way you look at it.

Their socialist spending plan will add more fuel to the inflation crisis and worsen their self-made supply chain crisis.

It is no wonder a majority of Americans disapprove of President Biden's handling of the economy, and it gets worse every single day.

Americans cannot afford to fund the Democrats' liberal wish list, and it is

time that Washington bureaucrats take real action to get back to fiscal responsibility and save our country.

In God we trust.

INVESTING IN BROADBAND IS ESSENTIAL

(Mr. HIGGINS of New York asked and was given permission to address the House for 1 minute.)

Mr. HIGGINS of New York. Madam Speaker, high-quality, high-speed broadband is essential in today's interconnected and interdependent world. Underserved communities throughout America need internet access for education, transportation, and healthcare services and to realize the full potential of all of our citizens.

The American Rescue Plan provides money, lots of money, for State and local governments to expand broadband. The bipartisan infrastructure law builds on that effort by making a \$65 billion investment in broadband.

Madam Speaker, I urge the Federal Government and local governments in western New York to move quickly and effectively to ensure everyone can realize their full potential with access to quality, high-speed broadband.

HONORING THE CAREER OF ROBERT LARSON

(Mr. NEWHOUSE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. NEWHOUSE. Madam Speaker, I rise today to honor the career of one of my constituents, Robert Larson, and congratulate him on his retirement.

For 27 years, Bob served as commissioner of the Port of Benton and has dedicated himself to serving his neighbors and his community.

Thanks to Bob's efforts, the U.S. Navy and the Port of Benton were able to partner to bring a section of the USS *Triton* submarine to Richland in honor of veterans who served in Navy submarines.

From strengthening local supply chains to preserving the history of the Hanford Site and so much more, Bob's contributions to the Port of Benton, the greater Tri-Cities, the State of Washington, and our country are a true testament to his spirit of service.

As a lifelong Washingtonian, on behalf of the people of the Fourth Congressional District, I extend my heartfelt thanks to Bob for his decades of public service and wish him all the best in retirement.

OIL COMPANIES' COSTS GO DOWN WHILE FUEL PRICES GO UP

(Mr. LIEU asked and was given permission to address the House for 1 minute.)

Mr. LIEU. Madam Speaker, I am upset about inflation. As our economy

reopens and demand surges, big corporations have taken advantage. They have squeezed consumers for profit and raised costs on everyday Americans.

Corporate greed is a primary reason why costs for American businesses and families have gone up. I will give you one example.

The cost of refining oil has gone down, yet gas prices went up. Let me repeat that again. The costs to oil companies have gone down, and fuel prices went up.

That is why I am joining President Biden in calling on the Federal Trade Commission to investigate whether oil and gas companies are engaging in anticompetitive or potentially illegal behavior to jack up your gas prices.

REJECT CRADLE-TO-GRAVE SOCIALISM

(Mr. WALBERG asked and was given permission to address the House for 1 minute.)

Mr. WALBERG. Madam Speaker, shortly, this body will begin debating the most radical and expensive spending bill in our Nation's history.

Shockingly, Democrats are intent on moving forward without the CBO's final cost analysis. But independent estimates put the bill's price tag around \$4 trillion, twice what Democrats claim. This level of reckless and unpaid-for spending is unsustainable.

On top of that, the problematic provisions in this bill are a mile long. It will heighten the border crisis, undermine American energy, and worsen the inflation crisis. It will raise taxes on hardworking families and calls for hiring 87,000 new IRS agents.

Unbelievably, one of the biggest parts of this bill is a special tax break for the wealthy. The list of problems goes on and on, but the bottom line is this massive bill represents cradle-to-grave socialism. That is not what America stands for.

Madam Speaker, please join me and reject this radical legislation.

HONORING DONALD L. HARRIS

(Mr. PAYNE asked and was given permission to address the House for 1 minute.)

Mr. PAYNE. Madam Speaker, I rise today to praise a great man from my district after his passing recently. Donald Harris was a developer with a conscience, a visionary, a dreamer, a thinker. He helped rebuild Newark and created housing projects in areas that needed redevelopment.

His housing projects were more than just buildings. Mr. Harris used them to educate new residents on proper homeownership and how to move forward in this economy to sustain their lives. He made sure his projects created more opportunities for African Americans and other minorities. That is why he earned the Golden Broom Award for improving Newark's quality of life.

He was a man whose faith guided him to help those in need. He was an example for all of us to follow.

Madam Speaker, I am here to honor Donald Laverne Harris for a life well lived.

REQUESTING RESPONSE ON CENTRAL VALLEY PROJECT

(Mr. VALADAO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. VALADAO. Madam Speaker, last month, I led the California Republican delegation in a letter to Secretary of the Interior Haaland and Secretary of Commerce Raimondo regarding the reinitiation of consultation on the 2019 biological opinions for the long-term operations of the Central Valley Project and the State Water Project.

Despite our request for a response, we did not receive an answer by the set deadline. This issue is critical to my constituents in the Central Valley. Failure to provide answers to our urgent questions is unacceptable.

This week, I led another letter to Secretaries Haaland and Raimondo. Once again, we are demanding answers regarding the administration's antiscience decision, which threatens the livelihoods of Central Valley farmers and families.

Madam Speaker, my colleagues and I will not back down, and I urgently request attention and response to this issue.

RECOGNIZING THE CAREER OF RANDY ROSENBAUM

(Mr. LANGEVIN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LANGEVIN. Madam Speaker, I rise today to recognize the distinguished career of an extraordinary Rhode Islander, my friend Randy Rosenbaum.

For 27 years, Randy has served as the executive director of the Rhode Island State Council on the Arts, where he helped Rhode Island artists to share their gifts and talents with the rest of the world.

From the up-and-coming artist to the well-established, the young artists to the old, Randy lifted up the work of a diverse, new generation of Rhode Island artists.

To put it simply, he is to the Rhode Island arts community what the smile is to the Mona Lisa.

Randy has left an indelible mark on the Rhode Island arts scene, increasing RISCA funding ninefold, putting the Ocean State on the map as a film location, and supporting Rhode Island's \$2 billion arts economy.

Randy's leadership, now that he is retiring after 30 years at the helm of RISCA, will surely be missed, but his legacy lives on through his countless accomplishments.

Madam Speaker, I congratulate Randy on his retirement, and I wish him all the best in his next chapter.

□ 1215

BIDEN INFLATION THANKSGIVING
TAX

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Madam Speaker, Thanksgiving 2021 will be the most expensive meal in the history of the holiday. You pay with Biden inflation, build back bankrupt. A typical meal will cost more than ever.

The Aiken Standard newspaper cartoon today is correct. Some specific price increases include turkey up 27 percent, carrots up 47 percent, potatoes 13 percent, and cranberries up 5.2 percent, in addition to gas up 61 percent and home heating bills up 54 percent.

These are brutal realities for families as we celebrate being an American with Thanksgiving.

Democrat elite think they are smarter than anyone, and they think Democrat voters are ignorant to believe \$5 trillion in spending costs zero dollars. You pay with Biden inflation.

In conclusion, God bless our troops who successfully protected America for 20 years in the global war on terrorism as it continues moving from the Afghanistan haven to America.

Congratulations to the mayor-elect of Columbia, Republican Daniel Rickenmann, who is the first Republican in 40 years for the capital city elected yesterday.

EASING INFLATION

(Mr. COHEN asked and was given permission to address the House for 1 minute.)

Mr. COHEN. Madam Speaker, contrary to the remarks from my friend from South Carolina, leading economists in this country say that the Build Back Better bill will help on inflation. It will ease inflationary measures. It is important that we pass the Build Back Better bill if we are going to deal with inflation.

Build Back Better, the Reuters Agency says Biden's spending plan will not add to inflationary pressure.

Mark Zandi, the chief economist at Moody's Analytics, said, "The bills do not add to inflation pressures, as the policies help to lift long-term economic growth via stronger productivity and labor force growth, and thus take the edge off of inflation."

Madam Speaker, 17 Nobel Prize winners in economics have already stated they believe the Build Back Better bill will ease longer term inflationary pressures.

So it is not an inflation problem. In fact, by passing the bipartisan infrastructure bill, we make it easier for people to get to work and for goods to get to market. Improving our ports, our airports with cargo, our highways, and our rail, all of those things, make it easier for us to work against inflation and to get goods to market and improve the economy.

So we should pass Build Back Better, and hurray Biden.

RAISE THE FLAG OF FREEDOM

(Mr. CAWTHORN asked and was given permission to address the House for 1 minute.)

Mr. CAWTHORN. Madam Speaker, the Halls of this hallowed Republic have become darkened with the smut and filth of corrupted justice.

Imagine: a predawn raid. Waking from a dead sleep in sheer terror to men with guns screaming and searching furiously for damning evidence against their authoritarian master.

This horrifying vision is not pulled from the pages of some graphic novel. This was last week's headlines.

A dedicated group of whistleblowing journalists, including James O'Keefe, faced illegal raids by the FBI to confiscate personal cellphones and crucial documents that incriminate tyrant Joe Biden.

Madam Speaker, why do you sit in silence while the White House's secret police round up dissenters?

Why do you sit in silence while diligent journalists face harassment at the hands of left-wing enforcers?

There is no greater tyranny than that which is perpetrated under the shield of law and in the name of justice. The flag of freedom lies in tatters when liberty is crushed beneath the heavy hand of a totalitarian regime.

Hear my message loud and clear: The American people will raise that flag of freedom, and it will fly high again very soon.

The SPEAKER pro tempore (Ms. MCCOLLUM). Members are reminded to refrain from engaging in personalities toward the President.

HOLD MEMBERS ACCOUNTABLE
FOR VIOLENT SPEECH

(Ms. WILLIAMS of Georgia asked and was given permission to address the House for 1 minute.)

Ms. WILLIAMS of Georgia. Madam Speaker, I rise in support of the House resolution calling for the immediate censure of Representative PAUL GOSAR. Posting an edited video on social media depicting violence against another Member of this body is reprehensible.

Make no mistakes, violent speech breeds violent actions. On my third day of Congress, I learned exactly how dangerous words of leaders in this country can be. Allowing this type of dangerous messaging to go unchecked puts all of our lives at risk. Following the January 6 attacks, my family had to get security for our safety. I never imagined having to drop my kindergartner off at school with security in tow.

This routine brand of violence against women in politics is a direct attempt to silence us. We can hold different opinions and disagree, but violent hate speech is unacceptable in any party. Leaders in Congress must be held accountable for their actions.

Madam Speaker, I urge my colleagues to support this basic standard of conduct and join me in holding my colleague accountable.

CATTLE MARKET INTEGRITY

(Mrs. MILLER of Illinois asked and was given permission to address the House for 1 minute.)

Mrs. MILLER of Illinois. Madam Speaker, our Nation's cattle ranchers are going bankrupt and yet, the price of beef remains expensive and continues to rise.

The price disparities between live cattle prices and wholesale beef rise in tandem with historic levels of consolidation in the meat packing sector and minimal levels of competition in the marketplace.

My colleagues and I, along with cattle producers nationwide, are asking for action to strengthen the integrity of the cattle market and are requesting an update on the Department of Justice's investigation into the four largest meatpackers in the United States. We must determine if any manipulation, collusion, or other illegal activity may be occurring in order to ensure market transparency.

It is vital for the continuation of the American beef industry that market manipulation is identified. We must stand with our farmers and ranchers for fair, competitive, and free market business practices.

BIPARTISAN INFRASTRUCTURE
BILL

(Ms. JACKSON LEE asked and was given permission to address the House for 1 minute.)

Ms. JACKSON LEE. Madam Speaker, there was such exhilaration across the Nation as Democrats came together last week and moved forward on the bipartisan infrastructure bill with their vote and to catapult forward the build back America bill as well.

Let me say how happy my constituents are for the \$2.3 billion that will clean the water of old schools, homes, and apartments. This is something that we all fought together for.

But I am excited about the future of this week passing BBB because I fought to reinsert the family medical leave and as well to ensure that all of us have an opportunity to have healthcare across America; Texas being the poster child for the uninsured. Madam Speaker, 766,000 will get insurance now because of the Build Back Better Act.

There is breaking news, and the breaking news is inflation is not caused by the Build Back Better or the bipartisan bill. It is caused by corporate greed; they put the price on goods.

But, Madam Speaker, with the work of the Biden administration and Democrats in Congress, we are going to see the economy drive for all of America, inflation no more.

COLLABORATION BETWEEN THE KINGDOM OF THE NETHERLANDS AND THE UNITED STATES

(Mr. HUIZENGA asked and was given permission to address the House for 1 minute.)

Mr. HUIZENGA. Madam Speaker, I rise today to recognize a symbol of true bilateral relations and collaboration between the Kingdom of the Netherlands and the United States.

One hundred years ago, a group of Dutch Americans, including Franklin D. Roosevelt, established the Netherland-America Foundation. The creation of this foundation, commonly known as NAF, has spurred innovation and cooperation between our two nations through engagement with the arts, business, and public policy.

NAF works alongside the Caucus on the Kingdom of the Netherlands, which I am proud to co-chair, to strengthen the existing relationship between the United States and the Kingdom of the Netherlands.

The Dutch-American network has established deep connections throughout both of our nations, which is evident by the many NAF chapters spread from coast to coast here in the United States, including in my home area of west Michigan, as well as the Netherlands.

One of the greatest examples of exchanges between our nations is the prestigious NAF-Fulbright Fellowships that enable the foundation to offer awards to Dutch and American scholars pursuing graduate study degrees.

I am honored to recognize the Netherland-America Foundation and its 100-year record of success in celebrating our shared heritage and enhancing our cultural exchange. These strong bonds will continue to build on our past successes and develop a more prosperous and mutually beneficial relationship in the future.

BOLSTERING OUR NATION'S CRUMBLING INFRASTRUCTURE

(Ms. BROWNLEY asked and was given permission to address the House for 1 minute.)

Ms. BROWNLEY. Madam Speaker, since day one, Democrats have diligently worked with the Biden administration to bolster our economy and rebuild our Nation's crumbling infrastructure.

Earlier this month Democrats delivered on their promise to the American people by passing the bipartisan Infrastructure Investments and Jobs Act. The need for this historic investment in our roads and bridges and public transit and rail systems is clear in every State and every community throughout our country.

Democrats not only delivered one of the largest Federal investments in our Nation's infrastructure, but we are delivering access to broadband and high-speed internet, and we are delivering clean and reliable drinking water to America's families.

The bipartisanship infrastructure deal makes bold investments in our future by creating good-paying American jobs, fighting back against the climate crisis, and rebuilding our economy from the middle out.

We must continue to build on this success—ensuring our democracy delivers for the people—by passing President Biden's transformative Build Back Better Act.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, November 17, 2021.

HON. NANCY PELOSI,
Speaker, House of Representatives,
Washington, DC.

DEAR MADAM SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on November 17, 2021, at 11:22 a.m.:

That the Senate agreed to Relative to the death of the Honorable Joseph Maxwell Cleland former United States Senator from the State of Georgia—S. Res. 451.

With best wishes, I am,
Sincerely,

CHERYL L. JOHNSON,
Clerk.

PROVIDING FOR CONSIDERATION OF H. RES. 789, CENSURING REPRESENTATIVE PAUL GOSAR

Ms. SCANLON. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 795 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 795

Resolved, That upon adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the resolution (H. Res. 789) censuring Representative Paul Gosar. The amendment to the resolution printed in the report of the Committee on Rules accompanying this resolution shall be considered as adopted. The resolution, as amended, shall be considered as read. The previous question shall be considered as ordered on the resolution and preamble, as amended, to adoption without intervening motion or demand for division of the question except one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Ethics or their respective designees.

The SPEAKER pro tempore. The gentlewoman from Pennsylvania is recognized for 1 hour.

Ms. SCANLON. Madam Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Oklahoma (Mr. COLE), who is the distinguished ranking member of the Rules Committee, pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Ms. SCANLON. Madam Speaker, I ask unanimous consent that all Members be given 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Pennsylvania?

There was no objection.

Ms. SCANLON. Madam Speaker, yesterday the Rules Committee met and reported a rule, House Resolution 795, providing for consideration of H. Res. 789, Censuring Representative PAUL GOSAR, under a closed rule. The rule self-executes a manager's amendment from Chairman DEUTCH and provides 1 hour of general debate equally divided and controlled by the chair and ranking minority member of the Committee on Ethics or their respective designees.

□ 1230

Madam Speaker, in any other Congress, the actions of Representative PAUL GOSAR might be easier to dismiss. After all, every single minute of every single day, 5,000 minutes of content are uploaded onto YouTube.

So my colleagues across the aisle or the public might ask, who cares about one YouTube video post by Representative GOSAR? He is just one of many Americans posting his fantasies online, even if his involve a violent scene in which he attacks and murders people that he has labeled as enemies of the American people, a colleague in Congress, and the President of the United States.

But it is just an anime video, so it is not a big deal, right?

Actually, it is a big deal. And here is why: People listen to PAUL GOSAR. He is an elected official; and that gives him credibility, whether justified or not. So while there are indeed 5,000 minutes of content uploaded every single minute of every single day, Mr. GOSAR's video got real attention, just as he intended.

American citizens stopped what they were doing to watch something that a Member of the U.S. Congress had fashioned. He posted it on his official Congressional social media, where he has hundreds of thousands of followers, and where the video was viewed over 3 million times.

And what he posted was violence; fantasized violence. A wish made in a very specific way.

As I said, in any other decade, or any other Congress, this public endorsement of violence by a Member of Congress might have been excused as a lapse in judgment, or even possibly a bad joke.

But this Congress knows what happens when members of the radical right get stirred up by their leaders.

Just a few months ago, this Congress had to hide in safe rooms under the protection of police and soldiers, or barricade ourselves in our offices because our place of work was overwhelmed by armed citizens who wanted to hang some of us.

This Congress has seen threats against Members of Congress more than double, forcing Members to pay for additional security for their homes, offices, and families; rethink how to engage with constituents; and even wear bulletproof vests to public events.

So when a Member of this Congress fantasizes in public about beheading another Member of Congress, it is not fantasy to think that there are Americans out there who will take such a video as a call to action.

A recent poll reported that 85 percent of Americans get their news from Facebook, while only 13 percent of Americans get their news from print. Are we really to believe that during this moment in time, that among that 85 percent, there are no Americans who will see this video and indulge in fantasies of their own?

Every single day Members of this body receive death threats. I have gotten them. We all have. Our staffs and families have to deal with abusive and violent phone calls, emails, letters, and social media posts. And these threats are particularly numerous and violent for Members who are women of color.

So every day we have to deal with the threat that somewhere out there is a radicalized American who has been taught to hate us, to regard us as evil, to fantasize, and even mobilize using that same social media, to eliminate us, taught by conspiracy theorists and far-right extremists; or by a fellow Member of Congress.

That is not imagination; that is fact.

In any other context, and especially in any other workplace, someone posting a video of himself killing a co-worker would not be acceptable, and an employee who did that would almost certainly be fired.

In any other context, and especially in a school, a student using school resources to post a video of himself beheading a classmate and attacking a school official would not be acceptable, and that student would face disciplinary charges, if not criminal charges, and would likely be referred for a mental health evaluation.

But for the privileges traditionally afforded to Members of Congress, in any other context, someone posting a video of himself killing a Member of Congress and attacking the President of the United States would almost certainly be reported to the Secret Service and U.S. Capitol Police.

We must condemn this celebration of political violence because, in addition to upholding the honor and integrity of the U.S. Congress, every Member of this body deserves to come to work and feel safe. That is true for any worker in any part of this country.

It is unacceptable that our colleague would have to sit across from someone who has threatened her life in such a vivid way, and it is unacceptable for this body to let that action go unpunished.

This is the House of Representatives of the United States Congress. We are

all elected to be the leaders of this great country, and with that role comes immense responsibilities. People look up to us, they take our lead.

So when a Member posts a video of himself killing his colleague, that is obviously going to have an impact on the way people approach their politics.

So we cannot dismiss Representative GOSAR's violent fantasies as a joke because, in this decade, in this America, someone is going to take him seriously. He is a public figure and, as we vividly saw on January 6, the words and actions of public figures can readily act as a spark to the tinder of radical extremism. And God help us all when that happens.

Madam Speaker, I reserve the balance of my time.

Mr. COLE. Madam Speaker, I yield myself such time as I may consume.

I thank the gentlewoman from Pennsylvania (Ms. SCANLON), my friend, for yielding me the customary 30 minutes.

Madam Speaker, today's rule covers one item, a resolution censuring Representative PAUL GOSAR for a video posted on his official Twitter account last week, and removing him from his seat on the Committees on Oversight and Reform and Natural Resources.

Madam Speaker, today's action, once again, tramples on the traditional norms of the House; the idea that the majority and the minority have the right to appoint their own members to committees as they see fit. It sets a dangerous and disturbing precedent that will likely change the character of the House in the years to come, and not for the better.

And the majority is doing so solely to play politics with this moment and to score a cheap political point at the expense of a Member of the minority.

But before I go into all of that, I do think it is important to lay out the sequence of events that occurred here, since I believe they are instructive.

Last week, Representative GOSAR posted a video on his official Twitter account. This video was certainly provocative and, in my opinion, inappropriate.

Upon being informed of the video's existence, Leader MCCARTHY immediately took action and called Congressman GOSAR, conveying the message that this video was inappropriate. After that conversation, Congressman GOSAR took the video down and issued a statement explaining and clarifying its meaning, and stating that he certainly didn't approve of violence against any person.

Yesterday, Congressman GOSAR took the additional step of appearing before the Republican Conference to further explain his actions. He described that his intention was for a depiction in the video to be symbolic of the policies he opposes, not actual people. He clarified that he did not intend it to be an endorsement of violence and, further, that he does not condone violence.

But not content with his admission to a lapse in judgment, last night the

majority made the decision to convene the Rules Committee on short notice to consider a resolution censuring Representative GOSAR and removing him from his committee assignments. In doing so, the majority is acting in clear contrast to the existing precedent throughout the history of this institution; a precedent the majority has taken multiple deliberate steps to weaken in this Congress.

Throughout the history of the House of Representatives, the majority and the minority have respected the right of each of their conferences to assign their respective members to committees. The decision about whether to seat a member on a committee, or to remove a member from a committee, traditionally rests with the respective conferences.

Early this year, the majority took two actions to go against that tradition. First, the majority voted to remove a Republican Member of Congress from her committee assignments.

Second, the Speaker unilaterally refused to appoint two of Leader MCCARTHY's choices to be Republican members on the Select Committee on the January 6 attack and, instead, appointed Republicans she wanted on the committee. Both of these actions are in stark contrast to the norms and traditions of the House of Representatives.

Today, the majority is taking a third such action. This continues to set an extremely dangerous precedent for the future of the institution. In future years, the precedent may be used to give the majority veto power over the minority's committee assignments. That is a slippery slope for the institution to go down.

But to make matters worse, in acting today, the majority is setting a standard for Members of the minority that it does not set for itself. There have been plenty of instances of Members on the majority side using intemperate language, making statements that directly or could be construed as endorsing violence or taking controversial or inappropriate actions; yet, the majority has yet to act to remove one of its own members from their committee assignments.

This is a classic case of the old adage: "Rules for thee but not for me." That is deeply frustrating.

Madam Speaker, if action is truly necessary today, then there are two other options for addressing Representative GOSAR's actions than what the majority is proposing. First, the majority can and should leave the matter up to Leader MCCARTHY and the Republican Conference. Indeed, this was the topic of discussion at yesterday's Republican Conference meeting and, historically, neither Leader MCCARTHY nor the Republican Conference has shied away from disciplining Members.

Second, the House also has the option of referring Representative GOSAR to the Ethics Committee. This is also an appropriate course of action, particularly if the majority believes that

a violation of the Code of Ethics has occurred. Such a referral would give the bipartisan Ethics Committee the time to review the matter, allow Representative GOSAR to present his arguments, and give the committee the chance to make appropriate recommendations.

But once again, the majority is rushing forward with a resolution to strip a Republican member of a committee assignment without giving either of these two appropriate venues a chance to resolve the matter. In doing so, they are playing politics in the worst way, rushing to condemn a Republican Member for actions for which he has already sought to address.

It is disturbing to note the surprise on my Democratic colleagues' faces last night at the Rules Committee when I referenced the public statement Congressman GOSAR released after removing the video. They didn't seem to know about it. I think they are condemning his actions and didn't even know that he had already taken corrective action.

That goes to show, frankly, that we have not taken the appropriate care in looking at this matter, and certainly not given Representative GOSAR the opportunity to address it.

Madam Speaker, I urge opposition to the rule, and I reserve the balance of my time.

Ms. SCANLON. Madam Speaker, I yield myself such time as I may consume.

I would have to agree with my learned colleague that these are unusual actions, but these are also unusual times. Every time we have seen a new low in conduct from our colleagues across the aisle, we get crickets or excuses from the Republican Party. Indeed, it took 9 days before the minority leader publicly spoke about this threat; and his silence spoke volumes, both to the American people and those who were paying attention to Mr. GOSAR's post.

Instead, we have heard multiple reports that our colleagues are considering punishing their colleagues who voted for the bipartisan infrastructure package. I think that speaks volumes about where their priorities lie.

We will continue to see Members emboldened by the lack of accountability engaging in evermore outrageous conduct, placing both the integrity of Congress and the safety of its Members at risk.

While Mr. GOSAR has since taken down his post, he has not apologized. In fact, he said publicly on TV that he does not apologize. He has doubled down on his decision to post the video saying, the cartoon exposes the threats to America. It doesn't make a threat to anyone.

I would have to disagree with his assessment.

As to the claim that there hasn't been enough of a process, that this should have gone to the Ethics Committee; I will remind my colleagues

that we heard in the Rules Committee last night that the majority requested an emergency meeting of the Ethics Committee, which the minority denied.

And this isn't a case where there are facts to discover. The actions of Representative GOSAR were not hidden for an investigatory body to discover. His misconduct was paid for and produced with public resources and posted on an official public Twitter account, where it got more than 3 million views before it was taken down.

There is no dispute about whether Representative GOSAR posted the reprehensible video depicting the murder of one of his colleagues on his official channels. And the Republican Conference has had 2 weeks to decide to take action and hold him accountable. Instead, they are debating whether to punish their colleagues for voting for infrastructure for the American people.

So we have said that—it actually just strikes me as odd that our colleagues would argue that this forms a harmful precedent, and that the threat of violence or murder in the future might be cause to censure and strip members of their committees. If that is the case, then sign me up because I do think that is reprehensible and deserves censure.

Madam Speaker, I yield 1 minute to the gentleman from New York (Mrs. CAROLYN B. MALONEY), the distinguished chairwoman of the Committee on Oversight and Reform.

□ 1245

Mrs. CAROLYN B. MALONEY of New York. Madam Speaker, I rise in support of the rule and in support of the underlying resolution, H. Res. 789. This is an extraordinary measure, and I do not support it lightly.

As chair of the Committee on Oversight and Reform, I support and defend the rights of all committee members to express their views, even if I disagree with them. But the honest exchange of ideas cannot happen when one committee member promotes violence against another.

No other workplace in America would tolerate such dangerous conduct, and neither should the House of Representatives.

What Representative GOSAR did is both despicable and beneath the office he holds. But make no mistake about it: Promoting political violence has real consequences.

Many of our colleagues, including myself, and the Capitol Police have received credible death threats.

Rejecting violence should not be a partisan issue. I call on my Republican colleagues to join us today in demanding accountability for those who promote it.

Mr. COLE. Madam Speaker, I yield myself such time as I may consume simply to make a couple of quick points to some of my friends' concerns.

First of all, nobody has had 2 weeks to act. This incident occurred less than 2 weeks ago, and we were in recess last

week. So let's focus on the here and now.

I may be mistaken about this, but I don't think we have kept the Ethics Committee from meeting about this. Quite the opposite, we wish they had.

The chairman did say he would put in a request for an emergency meeting. The reality is, the majority moved ahead, I think, before that could happen. That process, I think, would have been the appropriate one to follow or an appropriate one to follow in this case.

So, I just simply posit those things for the record.

Madam Speaker, I yield 2 minutes to the gentleman from Florida (Mr. GAETZ).

Mr. GAETZ. Madam Speaker, I oppose political violence in all forms, regardless of the politics of the target.

I am no expert on Japanese anime, but I am told, and I do believe, that it is not real. What is real is the crisis on our border, the inflation crushing American families, unvetted Afghans in our country. What is definitely real is the violence that burned our cities and harmed our businesses in the summer of 2020, often encouraged by Democrats in Congress.

Anime is fiction to the point of the absurd. It is not really my thing, and it does glorify violence, but often to symbolize conflict, not realistic harm to another person.

In the last session week we had, we reviewed Steve Bannon's podcast. Today, we are critiquing PAUL GOSAR's anime. Next week, we might be indicting Wile E. Coyote for an explosive ordinance against Road Runner.

If you don't like PAUL GOSAR's tweets, tweet back at him. We know there are plenty of folks in Big Tech who will amplify your message.

The gentlewoman from Pennsylvania gave the game away. This really isn't about a tweet. It is about removing a powerful conservative, PAUL GOSAR, from the Committee on Oversight and Reform. It is about characterizing conservatives as threats to the country, dangerous, because despite the majority's references to the Biden infrastructure bill, they have received no bump from it. The American people are not really into the infrastructure bill, and so we are here reviewing mean tweets.

All of us in Congress—I shouldn't say all of us. Some of us have regretted things we have tweeted. I know I have. When we say uncouth things, we should resolve that. Congressman GOSAR removed the tweet, and I hope he regrets it.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. COLE. Madam Speaker, I yield an additional 30 seconds to the gentleman from Florida.

Mr. GAETZ. Madam Speaker, I would say I have regretted things I have tweeted. I hope that people who tweeted in support of violence in the summer of 2020 regret those tweets. I am not sure if they do or not.

I would just suggest we have better things to do on the floor of the House of Representatives than be the hall monitors for Twitter.

If we got a thousand Americans, in almost any district in America, and asked what was troubling them, I don't know that we would find two in any district that would put PAUL GOSAR on the list of things that matter to them more than the issues that they face at their kitchen table.

Ms. SCANLON. Madam Speaker, I yield 2 minutes to the gentleman from Maryland (Mr. RASKIN), a distinguished member of the Rules Committee.

Mr. RASKIN. Madam Speaker, is there a high school or a workplace in America that would do nothing if a student or a worker posted violently threatening material against a fellow student or a colleague? Please show it to me, if so.

Last month, a high school student in Michigan made threatening statements about a specific classmate. He was arrested.

In Boulder, Colorado, several high school students were expelled for posting violently threatening material online.

Last month, in Chicago, a firefighter was fired for his threatening social media posts, including a cartoon of someone running someone else over in a car.

A woman in Pennsylvania who made violent threats against a colleague on Facebook was fired, and the State court found she was ineligible for unemployment compensation because her violently threatening speech online constituted willful misconduct.

It is remarkable to me, Madam Speaker, that we have colleagues who think we should do nothing in the face of a Member of the United States House of Representatives who posts an animated cartoon video of him killing a colleague.

Congressman GOSAR is 62. Congresswoman ALEXANDRIA OCASIO-CORTEZ is 32.

Mr. COLE. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, if we defeat the previous question, I will offer an amendment to the rule to consider a resolution that would add a new House rule stating that any resolution proposing to remove a Member from a committee assignment shall not be in order unless offered by, or with the concurrence of, the leader of the party of the Member that is the subject of the resolution.

Madam Speaker, my amendment would reinforce the longstanding norm of basic fairness that today's resolution does not comply with. Throughout the entire history of the House of Representatives, it has been an unwritten rule, or norm of conduct, that one party does not attempt to exercise a veto over the other party's committee assignments. The reasons for this are obvious. It protects the operations of the institution and ensures that politically motivated attempts to remove

Members from committees do not happen.

But the majority's actions, both today and earlier this Congress, threaten that norm and threaten to set off a new round of escalating partisan punishment anytime the majority changes hands. Establishing this as a written rule of the House would ensure that no Member ever faces this kind of partisan retribution again.

Madam Speaker, I ask unanimous consent to include in the RECORD the text of my amendment, along with the extraneous material, immediately prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. COLE. Madam Speaker, I reserve the balance of my time.

Ms. SCANLON. Madam Speaker, like the distinguished gentleman from Oklahoma, I, too, long for the times when the norms of civilized conduct in this House were observed. When, perhaps, our colleagues across the aisle can return to those norms, then motions and resolutions like the one we are considering today will not be necessary.

Madam Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. PAYNE).

Mr. PAYNE. Madam Speaker, I rise today to condemn the actions of Representative PAUL GOSAR of Arizona and support this resolution.

There have been many times when I have stood on this floor and disagreed with my Republican colleagues. At times, I have done so with passion. But I have never supported or promoted violence against any of them. The vast majority of my colleagues, Republican and Democrat, have shown that they feel the same way.

We know that there is a line that cannot be crossed when it comes to how we refer to our political rivals, and Representative GOSAR has crossed that line. He crossed it when he created a video that depicts attacking President Joe Biden and killing Representative ALEXANDRIA OCASIO-CORTEZ.

This behavior is unacceptable from any Member of Congress. It would not be tolerated in any workplace in the country, and it should not be tolerated here.

That is why we must censure Representative GOSAR and remove him from his committees. We must show the country that inappropriate actions, like his video, have consequences. We must remind all Members that there is a certain decorum to how we treat each other that must be respected at all times. We must show the country that we can debate as Democrats and Republicans but still respect each other as Americans.

Madam Speaker, I heard the gentleman from Florida mention Wile E. Coyote and the Road Runner. Yes, it is true that they are cartoons, but nei-

ther one of them can pick up a gun. Congressman GOSAR can.

Mr. COLE. Madam Speaker, I reserve the balance of my time.

Ms. SCANLON. Madam Speaker, I yield 3 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Madam Speaker, this is a very troubling moment in our history.

After the rule is passed, you will see other Members come to the floor to continue this debate.

I thought I would start out by holding up a most precious document, and that is the Constitution of the United States of America. I often get chills when I read its Preamble, which indicates that the body of people who started this Nation organized to create a more perfect Union.

I love to hear those words because what it suggests is that we wanted to be the standard-bearer for what is best and better in the world. We wanted to cease conflict. We wanted to be the defenders of peace. And even with the original sin, we wanted somehow to be better than others.

I get chills when I walk through the Halls of this very august place, to see the depictions of the debates in the early years, to realize how fragile democracy is, and how we could not last.

I hold this up because, interestingly, we can be so proud that Congress was listed as the first body of government, Article I.

As I read the charges in here, it gives us powers as the House of Representatives. Nowhere is there a privilege to kill. Nowhere is there the instruction to kill. Nowhere is there an instruction to be free to murder. Yet, with a great deal of trepidation and sadness, I am here because of a video.

This headline speaks to it: "House to vote on censuring Republican," Mr. GOSAR, "who shared violent video targeting" a Member of Congress.

That is the crux of why we are here. It is not speech of people supporting the right to be free in this Nation and supporting the George Floyd bill, where protesters, peaceful and otherwise, did rise up, young people, about 66,000 in Houston, completely peaceful, as it was around the Nation.

Don't try to compare the pain of protesters on an issue of justice with the actions of this gentleman. Yes, I call him that.

Mr. GOSAR is seen delivering a fatal blow to the back of the monster's head, and blood is seen gushing from the wound. The face is that of our colleague, and it is violent.

In addition, it is treasonous to be seen to attack the President of the United States of America.

In one scene, footage of migrants crossing the Rio Grande is overlaid with what appears to be splattered blood.

Who are we as a Nation?

In another, the words "drugs," "crime," "poverty," "money," "murder," "gangs," "violence," and "trafficking" flash across the screen. Mr. GOSAR knew what he was doing.

The 1 minute and 32 seconds was posted by him. It shows him battling a towering, naked monstrosity with the face of that Democratic Member. It is against women of color; it is against women; and it is against Members of Congress.

Last week, TED LIEU and I, and 30 other Members, sent a letter to Republican leadership asking if there was one person that would call this out and indicate shame, shame, shame.

I include in the RECORD the letter that was sent to Republican leadership.

CONGRESS OF THE UNITED STATES,
Washington, DC, November 12, 2021.

Hon. KEVIN MCCARTHY,
Republican Leader, House of Representatives,
Washington, DC.

DEAR REPUBLICAN LEADER MCCARTHY: We write as members of the United States House of Representatives to express our extreme concern, indignation, and fear regarding the recent actions of Representative Paul Gosar and to ask that you publicly request a House Ethics Committee investigation into Mr. Gosar's actions.

On November 7, 2021, Mr. Gosar shared a grotesque video on Twitter in which his face and those of several other Republican Members of the House are edited into the opening credits of the Netflix anime series *Attack on Titan*, and in which Mr. Gosar is depicted killing a giant monster with the face of a Democratic Member of Congress.

The one minute and thirty-two-seconds video depicts Mr. Gosar battling a towering, naked monstrosity with the face of a Democratic Member of the House superimposed over the monster's face. Mr. Gosar is then seen delivering a fatal strike to the back of the monster's neck, and blood is seen gushing from the wound. The video also depicts Mr. Gosar leaping at President Biden while brandishing two swords, and the video is interspersed throughout with real-life footage of Border Patrol officers rounding up migrants at the U.S.-Mexico border. In one scene, footage of migrants crossing the Rio Grande is overlaid with what appears to be splattered blood. In another, the words "drugs," "crime," "poverty," "money," "murder," "gangs," "violence" and "trafficking" flash across the screen.

Sharing the glorification of violence expressed in this video goes far beyond the protections afforded by the Speech and Debate Clause in the Constitution and is beneath the dignity of a person serving in the Congress of the United States. Mr. Gosar's actions display a breakdown of reasoned discourse not seen in the House since the summer of 1856, when South Carolina Congressman Preston Brooks attacked Massachusetts Senator Charles Sumner with a cane on the Senate floor. The beating nearly killed Sumner and contributed significantly to the country's polarization over the issue of slavery and to the use of violence that eventually led to the Civil War.

In a like manner, Mr. Gosar's actions serve solely to glorify the usage of violence against Members of the House. As we witnessed with Mr. Gosar's actions leading up to January 6, threats of violence and the glorification of violence lead to actual violence. Mr. Gosar has continuously been a strong proponent of the Big Lie that President Biden lost the 2020 Presidential election. As reported by several media outlets, Mr. Gosar was intimately involved with the planning of the January 6 rally and, following the January 6 attack, Mr. Gosar called the insurrectionists "peaceful patriots." Rather than condemn calls for violence against Congress and actual violence against Congress, Mr.

Gosar has instead shared an animated video of himself killing a fellow Member of Congress.

Less than one year has passed since Congress witnessed the January 6 domestic terrorists break into the Capitol building, vandalize and steal property, threaten our safety and lives, and attack and kill Capitol police officers. Less than one year has passed since we witnessed crowds chanting "Hang Mike Pence," and "Hang Nancy Pelosi" outside this bastion of democracy. If ever there was a time for the House to come together to promote civility, discourse, and cooperation, it is now.

For these reasons, we are asking that as the Leader of the Republican Conference you publicly request an investigation into Mr. Gosar's actions by the House Ethics Committee to determine whether Mr. Gosar has violated the Rules of the House to a degree sufficient to warrant disciplinary action, including ordering the cessation of conduct that threatens the lives of fellow Members of Congress and the President, removal from his Committee positions, censure, expulsion, or further disciplinary action as determined by the Committee or the House of Representatives.

We must act to protect the dignity and integrity of the House.

Very truly yours,

Sheila Jackson Lee, Alan Lowenthal, Grace F. Napolitano, Rashida Tlaib, Ted Lieu, Nanette Barragán, Sylvia R. Garcia, Grace Meng, Bonnie Watson Coleman, Jimmy Gomez, Dwight Evans, Mike Doyle, David N. Cicilline, John Larson, Henry C. "Hank" Johnson, Jr., Adriano Espallat, Mike Quigley, Ilhan Omar, J. Luis Correa, Stacey E. Plaskett, David Price, Linda Sánchez, André Carson, Earl Blumenauer, Troy A. Carter, Madeleine Dean, Mary Gay Scanlon, Jason Crow, Jim Cooper, Jerry McNeerney, Brenden F. Boyle, Steve Cohen, Members of Congress.

□ 1300

Ms. JACKSON LEE. This brings me to tears. There is no celebration on this floor. It is imperative that we pass this resolution and Mr. GOSAR is censured and removed from his seat. The reason is you cannot depict the murder of another Member of Congress or the President of the United States.

Madam Speaker, I stand here today as a senior member of the Committees on the Judiciary, on Homeland Security, and on the Budget, to support this Rule governing debate of H. Res. 789 to censure Rep. GOSAR and to remove him from his committee assignment.

I also stand here, Madam Speaker, to express my concern, indignation, and fear regarding Representative GOSAR's actions.

On November 7, 2021, Mr. GOSAR shared a grotesque video on Twitter in which his face and those of several other Republican Members are edited into an anime segment, and in which Mr. GOSAR is depicted killing a giant monster with the face of a Democratic Member of Congress.

Mr. GOSAR is then seen delivering a fatal strike to the back of the monster's neck, and blood is seen gushing from the wound.

The video also depicts Mr. GOSAR leaping at President Biden while brandishing two swords, and the video is interspersed throughout with real-life footage of Border Patrol officers rounding up migrants at the U.S.-Mexico border.

In one scene, footage of migrants crossing the Rio Grande is overlaid with what appears to be splattered blood.

In another the words "drugs" "crime" "poverty" "money" "murder" "gangs," "violence" and "trafficking" flash across the screen.

The one minute and thirty-two second video depicts Mr. GOSAR battling a towering, naked monstrosity with the face of a Democratic Member of the House superimposed over the monster's face.

This was a one minute and thirty-two second speech threatening violence against a member of the House.

Last week, my colleague TED LIEU and I, along with thirty other members of the House, sent a letter to Minority Leader MCCARTHY asking him to request an Ethics investigation into Mr. GOSAR's actions.

Rather than standing for the dignity of the House, Minority Leader MCCARTHY has done nothing.

I would like to submit into the record the November 12, 2021 letter sent to Minority Leader MCCARTHY by myself, TED LIEU, and thirty other members of Congress.

Sharing the glorification of violence expressed in this video goes far beyond the protections afforded by the Speech and Debate Clause in the Constitution and is beneath the dignity of a person serving in the Congress of the United States.

Mr. GOSAR's actions display a breakdown of reasoned discourse not seen in the House since the summer of 1856, when South Carolina Congressman Preston Brooks attacked Massachusetts Senator Charles Sumner with a cane on the Senate floor.

The beating nearly killed Sumner and contributed significantly to the country's polarization over the issue of slavery and to the use of violence that eventually led to the Civil War.

In a like manner, Mr. GOSAR's actions serve solely to glorify the usage of violence against Members of the House.

As we witnessed with Mr. GOSAR's actions leading up to January 6, threats of violence and the glorification of violence lead to actual violence.

Mr. GOSAR has continuously been a strong proponent of the Big Lie that President Biden lost the 2020 Presidential election.

As reported by several media outlets, Mr. GOSAR was intimately involved with the planning of the January 6 rally and, following the January 6 attack, Mr. GOSAR called the insurrectionists "peaceful patriots."

Rather than condemn calls for violence against Congress and actual violence against Congress, Mr. GOSAR has instead shared an animated video of himself killing a fellow Member of Congress.

Rather than uphold the dignity and sanctity of the House, Republican Leader MCCARTHY has done nothing

Less than one year has passed since Congress witnessed the January 6 domestic terrorists break into the Capitol building, vandalize and steal property, threaten our safety and lives, and attack and kill Capitol police officers.

Less than one year has passed since we witnessed crowds chanting "Hang Mike Pence" and "Hang Nancy Pelosi" outside this bastion of democracy. If ever there was a time for the House to come together to promote civility, discourse, and cooperation, it is now.

For these reasons, I urge all members to vote in favor of this Rule governing debate.

We must act to protect the dignity and integrity of the House.

Mr. COLE. Madam Speaker, I continue to reserve the balance of my time.

Ms. SCANLON. Madam Speaker, I yield 4 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), the distinguished chairman of the Rules Committee.

Mr. MCGOVERN. Madam Speaker, I want to thank the gentlewoman from Pennsylvania for yielding me the time and for her distinguished service on the Rules Committee.

Madam Speaker, the standard we have set is simple. When a Member uses taxpayer money to produce a video encouraging violence against another Member, they should lose the privilege of serving on a committee. That is what serving on a congressional committee is. It is a privilege. It is not a right.

I don't know what Congressman GOSAR has said in the privacy of Republican Conference meetings. I am not getting any invitations to those. Frankly, Madam Speaker, I don't really care because it is what he said publicly that counts, and publicly he has defended his actions.

Can we just be honest here, Madam Speaker? For once, can my colleagues on the other side stand up to their leadership and say in public what they know to be true?

After our colleague Gabby Giffords was shot, after the distinguished minority whip was shot, after what happened on January 6, after a record-breaking increase in threats against Members, will none of my colleagues on the other side admit that Congressman GOSAR should be held accountable?

And for all the talk from those on the other side about this standard somehow being a slippery slope, let me remind them that it is their own colleagues who have suggested removing Republicans not for advocating violence, but for voting for the bipartisan infrastructure bill.

Is this the state of the Republican Party today? If you vote for a bipartisan bill, your own colleagues will call for retribution, but if you tweet a video depicting the murder of a colleague and depicting violence against the President of the United States, that is somehow okay? Come on.

His office produced this video, and Congressman GOSAR defended it. We have people out there being influenced by garbage like this. We have Members being forced to pay for security. We have Members getting death threats. This is dangerous stuff that we are talking about here.

But last night in the Rules Committee we heard a lot of rationalization. We heard explanation. We heard whataboutism. Give me a break.

Madam Speaker, the dangerous standard, the real slippery slope would be for this Congress to do nothing here, to be satisfied with a stern, private

phone call from the Republican leadership and no accountability.

We cannot allow the normalization of political violence in America. Something is very, very wrong with that. And something is very, very wrong with anyone who thought posting this video was okay.

Now, the minority leader had a "stern, private call" with Congressman GOSAR. Guess what? That is not enough. There must be real consequences.

Censure and removing Congressman GOSAR from his committee assignments is appropriate here. This isn't about partisanship or anyone's voting record. This is about accountability, and at some point, we need to come together to uphold the integrity and the decency of this institution.

To be honest, Madam Speaker, unfortunately, I am not hearing a hell of a lot of willingness from many on the other side to do that.

Mr. COLE. Madam Speaker, I continue to reserve the balance of my time.

Ms. SCANLON. Madam Speaker, I am prepared to close if the gentleman is prepared to close. I reserve the balance of my time.

Mr. COLE. Madam Speaker, I yield myself the balance of my time to close.

Obviously, I oppose the rule. Today's action threatens one of the key norms of this institution, the right of the majority and minority to make committee assignments for their respective Members. It threatens to set a new, dangerous precedent for this institution, allowing the majority to have a veto over the minority's assignments.

Representative GOSAR has already addressed his misguided decision to post the video and has sought to rectify it.

Madam Speaker, I urge my colleagues to vote "no" on the previous question, "no" on the rule, and I yield back the balance of my time.

Ms. SCANLON. Madam Speaker, I yield myself the balance of my time.

Madam Speaker, I include in the RECORD a November 9 Insider article entitled: "GOP Lawmakers Want to Punish the 13 Republicans Who Voted for Biden's Infrastructure Bill By Kicking Them Off Congressional Committees, Report Says."

[From the Insider, Nov. 9, 2021]

GOP LAWMAKERS WANT TO PUNISH THE 13 REPUBLICANS WHO VOTED FOR BIDEN'S INFRASTRUCTURE BILL BY KICKING THEM OFF CONGRESSIONAL COMMITTEES, REPORT SAYS

(By Tom Porter)

Republican leaders in the US House of Representatives are expecting a bid to punish the 13 Republicans who voted for President Joe Biden's \$1.2 trillion infrastructure bill by stripping them of committee assignments, according to a report.

Punchbowl News reported that some Republican lawmakers were determined to take action against the 13, several of whom are ranking members or senior Republicans on House committees or subcommittees.

The report did not detail what level of support the move might have as of Tuesday morning.

Under House rules, a party's steering committee has the power to recommend that a lawmaker be removed from committee assignments, which is then subject to a vote by the caucus and the full House.

It is a punishment that has historically been reserved for lawmakers who have been accused of crimes, or been involved with extremism.

The support of the 13 Republicans was ultimately vital for the infrastructure bill passing into law last week, with six Democrats voting against it amid a months-long dispute in the party over a connected bill that is being stalled in the Senate. The infrastructure bill was passed by the Senate in a bipartisan vote in June.

The move to take action against the 13 Republicans who supported the infrastructure bill highlights the fury of some GOP lawmakers against party colleagues for backing Biden's legislation.

Several hard line loyalists to former President Donald Trump on the far right of the GOP House caucus, including Reps. Marjorie Taylor Greene and Matt Gaetz, have been publicly critical of the 13 lawmakers. Trump himself has also criticized them.

"Here are the 'Republicans' that just voted to help Biden screw America," Greene tweeted last week, branding them "traitors, and sharing pictures and phone numbers of them."

In an Monday CNN interview, Rep. Fred Upton of Michigan—one of the 13 Republicans who voted for the infrastructure bill—played a threatening message he'd received after the vote.

"I'll tell you it's a terrible way—we have seen civility really downslide here. I'm concerned about my staff. They are taking these calls," he said.

There has long been tensions in the GOP between centrists and Trump loyalists. In May, Rep. Liz Cheney was removed from her leadership role in the House GOP over her criticism of Trump and his baseless claims of fraud in the 2020 election.

Ms. SCANLON. Madam Speaker, as I indicated, there are some in the Republican Conference who want to kick 13 Republicans off their committees for voting for an infrastructure bill that will benefit their constituents, but when a Member of Congress publicly celebrates a video depicting the murder of a colleague, silence.

It is disgraceful that Congress is the one place in the United States where a video calling for the murder of a Member of Congress is not universally condemned, and it is a sad thing for this institution.

Madam Speaker, we are here to address the conduct of a Member of Congress who disseminated and celebrated a video that portrays him murdering another Member of Congress and attacking the President of the United States.

The evidence speaks for itself. There is nothing more to review. Nothing to investigate. No questions to answer or facts to find.

We have all seen the video. We have heard Mr. GOSAR's response, and we have seen the lack of response from the Republican Party leadership to condemn Representative GOSAR's celebration of violence to make clear that such actions are unacceptable, and that political violence is unacceptable in the United States of America.

In the absence of meaningful action by his own party, it is up to Members of the House of Representatives and the country as a whole to decide whether such actions deserve consequences.

Today, we ask ourselves, is this behavior acceptable to you? Is it acceptable to the American people? The way we vote today says a lot, not only about the integrity of the Members who are entrusted with the privilege of representing this great country, but also the direction in which we are headed.

I am grateful to the few Republican colleagues who have the integrity and the guts, quite frankly, to condemn Mr. GOSAR's actions. But, once again, Republican leadership lacks the courage to properly manage the actions of their conference, and so Congress must act.

Rejecting political violence should not be a partisan effort. How far has the party of Lincoln fallen that it would excuse this conduct? We must say that political violence is not acceptable in the United States of America.

Madam Speaker, I urge all of my colleagues to support the rule and underlying resolution.

The material previously referred to by Mr. COLE is as follows:

Strike all after the resolving clause and insert the following:

That immediately upon adoption of this resolution, the House shall proceed to the consideration in the House of the resolution (H. Res. 796), amending the Rules of the House of Representatives to prohibit the consideration of a resolution proposing to remove a Member from a standing committee unless the resolution is offered by, or with the concurrence of, the Leader of the party of the Member that is the subject of the resolution. The resolution shall be considered as read. The previous question shall be considered as ordered on the resolution to adoption without intervening motion or demand for division of the question except one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Rules. Clause 1(c) of rule XIX shall not apply to the consideration of House Resolution 796.

H. RES. 796

Resolved,

SECTION 1. REMOVAL OF A MEMBER FROM A STANDING COMMITTEE.

Clause 5(a)(1) of rule X of the Rules of the House of Representatives is amended to read as follows:

“(1)(A) The standing committees specified in clause 1 shall be elected by the House within seven calendar days after the commencement of each Congress, from nominations submitted by the respective party caucus or conference. A resolution proposing to change the composition of a standing committee shall be privileged if offered by direction of the party caucus or conference concerned.

“(B) A resolution proposing to remove a Member from a standing committee shall not be in order unless offered by, or with the concurrence of, the Leader of the party of the Member that is the subject of the resolution.

“(C) The Committee on Rules may not report a rule or order that waives the application of subdivision (B).”.

Ms. SCANLON. Madam Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. COLE. Madam Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 221, nays 207, not voting 5, as follows:

[Roll No. 377]

YEAS—221

Adams	Garamendi	Nadler
Aguilar	Garcia (IL)	Napolitano
Allred	Garcia (TX)	Neal
Auchincloss	Golden	Neguse
Axne	Gomez	Newman
Barragan	Gonzalez,	Norcross
Bass	Vicente	O'Halleran
Beatty	Gottheimer	Ocasio-Cortez
Bera	Green, Al (TX)	Omar
Beyer	Grijalva	Pallone
Bishop (GA)	Harder (CA)	Panetta
Blumenauer	Hayes	Pappas
Blunt Rochester	Higgins (NY)	Pascrell
Bonamici	Himes	Payne
Bourdeaux	Horsford	Perlmutter
Bowman	Houlihan	Peters
Boyle, Brendan	Hoyer	Phillips
F.	Huffman	Pingree
Brown (MD)	Jackson Lee	Pocan
Brown (OH)	Jacobs (CA)	Porter
Brownley	Jayapal	Pressley
Bush	Jeffries	Price (NC)
Bustos	Johnson (GA)	Quigley
Butterfield	Johnson (TX)	Raskin
Carbajal	Jones	Rice (NY)
Cardenas	Kahele	Ross
Carson	Kaptur	Roybal-Allard
Carter (LA)	Keating	Ruiz
Cartwright	Kelly (IL)	Ruppersberger
Case	Khanna	Rush
Casten	Kildee	Ryan
Castor (FL)	Kilmer	Sanchez
Castro (TX)	Kim (NJ)	Sarbanes
Cheney	Kind	Scanlon
Chu	Kinzinger	Schakowsky
Cicilline	Kirkpatrick	Schiff
Clark (MA)	Krishnamoorthi	Schneider
Clarke (NY)	Kuster	Schrader
Cleaver	Lamb	Schriener
Clyburn	Langevin	Scott (VA)
Cohen	Larsen (WA)	Scott, David
Connolly	Larson (CT)	Sewell
Cooper	Lawrence	Sherman
Correa	Lawson (FL)	Sherrill
Costa	Lee (CA)	Sires
Courtney	Lee (NV)	Slotkin
Craig	Leger Fernandez	Smith (WA)
Crist	Levin (CA)	Soto
Crow	Levin (MI)	Spanberger
Cuellar	Lieu	Speier
Davids (KS)	Lofgren	Stansbury
Davis, Danny K.	Lowenthal	Stanton
Dean	Luria	Stevens
DeFazio	Lynch	Strickland
DeGette	Malinowski	Suozzi
DeLauro	Maloney,	Swalwell
DelBene	Carolyn B.	Takano
Delgado	Maloney, Sean	Thompson (CA)
Demings	Manning	Thompson (MS)
DeSaulnier	Matsui	Titus
Deutch	McBath	Tlaib
Dingell	McCollum	Tonko
Doggett	McEachin	Torres (CA)
Doyle, Michael	McGovern	Torres (NY)
F.	McNerney	Trahan
Escobar	Meeks	Trone
Eshoo	Meng	Underwood
Espallat	Mfume	Vargas
Evans	Moore (WI)	Veasey
Fletcher	Morelle	Vela
Foster	Moulton	Wasserman
Frankel, Lois	Mrvan	Schultz
Gallego	Murphy (FL)	Waters

Watson Coleman	Wild
Welch	Williams (GA)
Wexton	Wilson (FL)

NAYS—207

Aderholt	Gimenez	Moore
Allen	Gohmert	Moore (AL)
Amodei	Gonzales, Tony	Moore (UT)
Armstrong	Gonzalez (OH)	Mullin
Arrington	Good (VA)	Murphy (NC)
Babin	Gooden (TX)	Nehls
Bacon	Gosar	Newhouse
Baird	Granger	Norman
Balderson	Graves (LA)	Nunes
Banks	Graves (MO)	Oberholte
Barr	Green (TN)	Owens
Bentz	Greene (GA)	Palazzo
Bergman	Grothman	Palmer
Bice (OK)	Guest	Pence
Biggs	Guthrie	Pfluger
Bilirakis	Hagedorn	Posey
Bishop (NC)	Harris	Reed
Boebert	Harshbarger	Reschenthaler
Bost	Hartzler	Rice (SC)
Brady	Hern	Rodgers (WA)
Brooks	Herrell	Rogers (AL)
Buchanan	Herrera Beutler	Rogers (KY)
Buck	Hice (GA)	Rose
Bucshon	Higgins (LA)	Rosendale
Budd	Hill	Rouzer
Burchett	Hinson	Roy
Burgess	Hollingsworth	Rutherford
Calvert	Hudson	Salazar
Cammack	Huizenga	Scalise
Carey	Issa	Schweikert
Carl	Jackson	Scott, Austin
Carter (GA)	Jacobs (NY)	Sessions
Carter (TX)	Johnson (LA)	Simpson
Cawthorn	Johnson (OH)	Smith (MO)
Chabot	Johnson (SD)	Smith (NE)
Cline	Jordan	Smith (NJ)
Cloud	Joyce (OH)	Smucker
Clyde	Joyce (PA)	Spartz
Cole	Katko	Stauber
Comer	Keller	Steel
Crawford	Kelly (MS)	Stefanik
Crenshaw	Kelly (PA)	Steil
Curtis	Kim (CA)	Steube
Davidson	Kustoff	Stewart
Davis, Rodney	LaHood	Taylor
DesJarlais	LaMalfa	Tenney
Diaz-Balart	Lamborn	Thompson (PA)
Donalds	Latta	Tiffany
Duncan	LaTurner	Lesko
Dunn	Letlow	Timmons
Ellzey	Long	Upton
Emmer	Lucas	Valadao
Estes	Mace	Van Drew
Fallon	Feenstra	Van Duyen
Ferguson	Malliotakis	Wagner
Fischbach	Mann	Walberg
Fitzgerald	Massie	Walorski
Fitzpatrick	Mast	Waltz
Fleischmann	McCarthy	Weber (TX)
Fortenberry	McCaul	Webster (FL)
Fox	McClain	Wenstrup
Franklin, C.	McClintock	Westerman
Scott	McHenry	Williams (TX)
Fulcher	McKinley	Wilson (SC)
Gaetz	Meijer	Wittman
Gallagher	Meuser	Womack
Garbarino	Miller (IL)	Young
Garcia (CA)	Miller (WV)	Zeldin
Gibbs	Miller-Meeks	
	Moolenaar	

NOT VOTING—5

Griffith	Luetkemeyer	Velazquez
Loudermilk	Perry	

□ 1345

Mrs. RODGERS of Washington and Mr. ROGERS of Alabama changed their vote from “yea” to “nay.”

Messrs. KRISHNAMOORTHY, NEGUSE, MALINOWSKI, and HORSFORD changed their vote from “nay” to “yea.”

So the previous question was ordered. The result of the vote was announced as above recorded.

Stated for:
Ms. VELAZQUEZ. Madam Speaker, on Wednesday, November 17, I regret not being present for one vote session due to a committee briefing. Had I been present, I would

have voted “aye” on the motion on ordering the previous question on the Rule H. Res. 795, roll No. 377.

MEMBERS RECORDED PURSUANT TO HOUSE RESOLUTION 8, 117TH CONGRESS

Table listing members recorded pursuant to House Resolution 8, 117th Congress, including names and their respective states.

Table listing members recorded pursuant to House Resolution 8, 117th Congress, including names and their respective states.

Table listing members recorded pursuant to House Resolution 8, 117th Congress, including names and their respective states.

So the resolution was agreed to. The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MEMBERS RECORDED PURSUANT TO HOUSE RESOLUTION 8, 117TH CONGRESS

Table listing members recorded pursuant to House Resolution 8, 117th Congress, including names and their respective states.

NAYS—208

Table listing members recorded pursuant to House Resolution 8, 117th Congress, including names and their respective states.

Table listing members recorded pursuant to House Resolution 8, 117th Congress, including names and their respective states.

The SPEAKER pro tempore (Ms. MCCOLLUM). The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. COLE. Madam Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 222, nays 208, not voting 3, as follows:

[Roll No. 378]

YEAS—222

Table listing members recorded pursuant to House Resolution 8, 117th Congress, including names and their respective states.

NOT VOTING—3

Table listing members recorded pursuant to House Resolution 8, 117th Congress, including names and their respective states.

□ 1407

Mr. MULLIN changed his vote from “yea” to “nay.”

CENSURING REPRESENTATIVE PAUL GOSAR

Mr. DEUTCH. Madam Speaker, pursuant to House Resolution 795, I call up the resolution (H. Res. 789) censuring Representative PAUL GOSAR, and ask for its immediate consideration.

The Clerk read the title of the resolution.

The SPEAKER pro tempore (Ms. DEGETTE). Pursuant to House Resolution 795, the amendment printed in House Report 117-174 is adopted, and the resolution, as amended, is considered read.

The text of the resolution, as amended, is as follows:

H. RES. 789

Whereas, on November 7, 2021, Representative Paul Gosar posted a manipulated video on his social media accounts depicting himself killing Representative Alexandria Ocasio-Cortez and attacking President Joseph Biden;

Whereas the video was posted on Representative Gosar’s official Instagram account and used the resources of the House of Representatives to further violence against elected officials;

Whereas Representative Gosar issued a statement on November 9, 2021, defending the video as a “symbolic cartoon” and spreading hateful and false rhetoric about immigrants;

Whereas the leadership of the Republican Party has failed to condemn Representative Gosar’s threats of violence against the President of the United States and a fellow Member of Congress;

Whereas the Speaker of the House made clear that threats of violence against Members of Congress and the President of the United States should not be tolerated and called on the Committee on Ethics of the House and law enforcement to investigate the video;

Whereas depictions of violence can foment actual violence and jeopardize the safety of elected officials, as witnessed in this chamber on January 6, 2021;

Whereas violence against women in politics is a global phenomenon meant to silence women and discourage them from seeking positions of authority and participating in public life, with women of color disproportionately impacted;

Whereas a 2016 survey by the Inter-Parliamentary Union found that 82 percent of women parliamentarians have experienced psychological violence and 44 percent received threats of death, sexual violence, beatings, or abduction during their term; and

Whereas the participation of women in politics makes our government more representative and just: Now, therefore, be it Resolved, That—

(1) Representative Paul Gosar of Arizona be censured;

(2) Representative Paul Gosar forthwith present himself in the well of the House of Representatives for the pronouncement of censure;

(3) Representative Paul Gosar be censured with the public reading of this resolution by the Speaker; and

(4) Representative Paul Gosar be, and is hereby, removed from the Committee on Natural Resources and the Committee on Oversight and Reform.

The SPEAKER pro tempore. The resolution, as amended, shall be debatable for 1 hour, equally divided and controlled by the chair and ranking minority member of the Committee on Ethics or their respective designees.

The gentleman from Florida (Mr. DEUTCH) and the gentlewoman from Indiana (Mrs. WALORSKI) each will control 30 minutes.

The Chair recognizes the gentleman from Florida.

GENERAL LEAVE

Mr. DEUTCH. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and to include extraneous material on H. Res. 789.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. DEUTCH. Madam Speaker, I yield 1 minute to the gentlewoman from California (Ms. PELOSI).

Ms. PELOSI. Madam Speaker, I thank the gentleman for his recognition and for his distinguished service as the chair of the Ethics Committee. I call it by its official name having served there for 7 years myself.

Madam Speaker, I rise today as the Speaker of the House of Representatives, an institution that was designed by our Founders to be the people's House, a House constantly invigorated by its accountability to the people every year. It is a place where slavery was abolished; a place where we have taken our men and women into service to protect freedom and democracy throughout the world; and a place where Medicare, Medicaid, Social Security, and so many institutions meeting the needs of the American people were established. The list goes on and on about the distinguished nature of the House of Representatives.

Maybe 12- or 13,000 people have been elected to this body over time—only a few hundred women—but all very distinguished, and great heroes of our country have served in this institution including President Abraham Lincoln. That was before the Chamber was the meeting ground. Statuary Hall is the place where his desk is memorialized to this day.

So, Madam Speaker, when we come to this great institution, we understand that there are 435 Members of Congress, but only one from each district. Only one of us represents the thoughts, aspirations, dreams, fears, and hopes of our constituents.

□ 1415

There is no bigger privilege for any one of us in the House, be it Speaker, whip, leader, any of the titles that our caucuses may bestow on us, that is as prestigious as saying that I speak for the people of my district, in my case, the district of San Francisco.

So when we come here, we have a responsibility to uphold a high standard of integrity, decency, and respect for this institution.

The Constitution charges us to be accountable to the people, and we must represent the United States House of Representatives in a spirit in which our constituents and all Americans should be very proud.

House rule XXIII provides for our Code of Official Conduct. This provision of our rules requires that we “shall behave at all times in a manner that shall reflect creditably on the House.”

Sadly, extremely disturbing actions taken last week by a Member of Congress, threatening another Member, wildly violate this standard. These actions demand a response.

We cannot have Members joking about murdering each other or threatening the President of the United States. This is both an endangerment of our elected officials and an insult to the institution of the House of Representatives.

It is not just about us as Members of Congress. It is the danger that it represents to everyone in the country. If you are viewing this and thinking, well, when you run for Congress, you get threats and the rest. You don't expect to get them from your colleagues.

But, nonetheless, the example set in this House is one that is viewed across the country. Women across the country particularly feel vulnerable if insults of the nature that exist in this House are allowed to stand. I will speak about that in a moment.

Again, when a Member uses his or her national platform to encourage violence, tragically, people listen to those words and they may act upon them. Words spoken by elected officials weigh a ton. People hear them very differently.

As the resolution that the committee is putting forth states: “Depictions of violence can foment actual violence and jeopardize the safety of elected officials, as witnessed in this Chamber on January 6, 2021.”

It is inconceivable that a member of our community here would wish to repeat the violence of that dark day, that deadly day.

As a woman Speaker of the House, I want to be clear. These threats specifically target a woman, a woman of color, which is part of, as the resolution states, a “global phenomenon meant to silence women and discourage them from seeking positions of authority and participating in public life.”

Again, this is about workplace harassment and violence against women.

Yet, the Member has never apologized for his actions. “It’s a cartoon. Relax,” he said.

Really? A cartoon? Relax?

And he wrote to supporters:

The hyperventilating and shrill accusations that this cartoon is dangerous are laughable or intentionally hyperbolic.

“I am entitled to speak to the people and to do so in a manner that is engaging,” he said.

Really? Is it engaging to depict killing a colleague or anyone? It is not just about Members of Congress; anyone, threatening anyone.

Disguising death threats against a Member of Congress and the President of the United States in an animated video does not make those death threats any less real or less serious. And indeed, conveying them this way makes them potentially more dangerous by normalizing violence.

It isn't funny. And yes, you have a right to speak; and so do we have a right to react to what you are saying when you are threatening the lives of Members of Congress and the President of the United States.

It is sad that this entire House must take this step because of the refusal of the leadership of the other party. Indeed, it took 9 days before the minority leader publicly spoke out about this threat; and when he did, he merely said:

It was not the Member's intent to ever harm anyone.

Really?

And many other Members on the other side of the aisle have refused to strongly condemn these actions. One member of leadership said: “Unfortunately, in this world we are in right now, we all get death threats, no matter what the issue is.”

Death threats from our colleagues? Death threats from Members of Congress? We all get death threats?

So Members think it is okay to use their platforms to directly encourage more death threats against their own colleagues?

The resolution on the floor today is about accountability. It is about integrity in this House. And it will serve as a reminder to this Congress and to this country that the House is committed to upholding the highest standards of decorum in all that we do, as is said in rule XXIII, “shall behave at all times in a manner that shall reflect creditably on the House.”

In our actions, we must be mindful of all who make up our congressional community, including not only Members, but also the committees, the committee staff, the institutional staff—and thank you for your service—the custodians of the Capitol, the Capitol Police, and others.

As we proceed to make progress for the people, let us be guided by our love of this institution, respect for this institution in which we serve and, again, an example that we wish to show to the world.

Again, a threat against anyone is wrong, whether you are a Member of

Congress or not. So this is just about the example, again, that is total violation by the action of the Member.

Yes, indeed, Madam Speaker, it is a sad day for the House of Representatives, but a necessary day, so that we can, again, behave at all times in a manner that shall reflect creditably on the House.

Madam Speaker, I thank the distinguished chairman, again. I thank Congresswoman JACKIE SPEIER for her leadership in bringing this legislation forward, this resolution forward.

Mrs. WALORSKI. Madam Speaker, I am pleased to yield 1 minute to the gentleman from California (Mr. MCCARTHY), the distinguished minority leader.

Mr. MCCARTHY. Madam Speaker, it is an old definition of abuse of power: "Rules for thee, but not for me." That is exactly what is happening here today.

House Democrats are preparing, once again, to break another precedent of the United States House of Representatives.

It is an open secret that the American people are facing substantial challenges today. Many of these challenges are Washington-inflicted, of one-party rule, caused by the Biden administration's incompetence and radicalism.

Absolute chaos on the southern border; out-of-control crime; record-breaking gas prices and inflation; a broken supply chain; a historic labor shortage; a failing education system and, of course, the humiliating surrender in Afghanistan.

Will this Congress be remembered as the Congress that addressed those serious challenges? Not a chance?

Instead, I believe this Congress will go down in history as the broken Congress.

For nearly 4 years, as the House Republicans have been voicing the needs of millions of Americans, House Democrats have broken nearly every rule and standard in order to silence dissent and stack the deck for their radical, unpopular agenda.

They broke the motion to recommit, the first time in the history of Congress. They broke impeachment, not once, but twice. They broke in-person voting and replaced it with proxy voting, for the first time in history. And they broke the minority's right to appoint members of its own choosing to committees.

The Speaker is burning down the House on her way out the door.

What's worse, we got to this point on the basis of a double standard. Democrats want to change the rules but refuse to apply them to their own caucus.

I listened to the Speaker talk about the highest standards.

Madam Speaker, when a Democratic chairwoman flew to Minneapolis and told an angry crowd during the trial to "stay on the streets," "get more active," "get more confrontational." "We've got to make sure they know we

mean business." That high standard, the Democrats refused to take action.

The trial judge actually singled her out on her comments on an ongoing basis, which he said could become an issue on appeal.

But this wasn't the first time. No. This is three times.

At a rally in Los Angeles, that same chairwoman, she told a mob: "If you see anyone from that Cabinet in a restaurant, in a department store, at a gasoline station, you get out and you create a crowd. And you push back on them. And you tell them that they're not welcome anymore, anywhere."

She later defended that comment in another speech in L.A., saying—this same chairwoman, of the high standards—

I did not threaten Trump constituents and supporters. I do that all the time, but I didn't do it that time.

This side of the aisle didn't ask that chairwoman to lose her committee. We simply asked for an apology.

Meanwhile, with that high standard, Speaker PELOSI and Leader HOYER defended her. When asked about her Minneapolis comment, Leader HOYER described her as "passionate—she believes in her issues." She believes she should get in your faces.

And Speaker PELOSI, oh, what did she do with that high standard? She compared her comments in Minneapolis to Dr. King's civil rights movement. You see, why would they do that? Rules for thee, but not for me.

Just this month, the dossier's principal source was arrested by Special Counsel Durham for lying to the FBI. Think about everything that dossier put this country through for 2 years, based on fabricated evidence. The infringements to due process; the spying on the Presidential campaign; and, of course, the \$32 million spent by hard-working taxpayers for a Mueller investigation.

And yet, the Democratic chairman says, "I don't regret it." Why? Rules for thee, but not for me.

When the Speaker of the House, on this very floor, engaged in personalities, the floor shut down for 3 hours because no one wanted to take it to the top. Her entire caucus that believed in the higher standard voted to keep her words in the RECORD rather than strike them down. Why?

Rules for thee, but not for me.

The Speaker said: "I stand by my statement. I'm proud of the attention that's being called to it."

Never happened before in the history of this body. Why? Because it is a broken Congress that believes in rules for thee, but not for me.

This is part of a larger pattern. When a Congressman on the Intelligence Committee was targeted by a suspected Chinese Communist Party agent for years, the Democrats kept him on the committee. Why? Rules for thee, but not for me.

When a Democrat Congresswoman said: "Israel has hypnotized the

world," supporting Israel is "all about the Benjamins," and that 9/11 was "some people did something," Democrats actually defended her. Why? Rules for thee, but not for me.

And when a Member of the Democratic leadership tweeted a week ago, "Lock up Kyle Rittenhouse and throw away the key," in an attempt to sway an ongoing trial, the Democrats said nothing. Why? Rules for thee, but not for me.

Let me be clear: I do not condone violence, and Representative GOSAR has echoed that sentiment. The video was deleted. Democrats won't listen because they will do anything to distract from the failures of one-party rule in 1 year destroying a Nation.

□ 1430

For Democrats, this vote isn't about a video; it is about control. That is the one and only thing Democrats are interested in—not condemning violence, not protecting the institution, not decorum or decency, just control.

The Democrats want control, and they don't care about the consequences. They are destroying this institution, silencing the minority, and, therefore, silencing millions of Americans.

When I talked to Democrat leadership when they told me what they wanted to do, I asked a simple question: Have you seen the video? No, haven't seen it. But they knew exactly what they wanted to do. It is interesting. Without even watching, they decide the punishment. Why? No need. Rules for thee but not for me.

What they have started cannot be easily undone. Their actions today and in the past have forever changed the way the House operates. It means that the minority rights that have served this body so well are a thing of the past. Furthermore, it means that, under the Pelosi precedent, all the Members that I mentioned earlier will need the approval of a majority to keep those positions in the future.

What was interesting is, it is not just the Speaker who is making those decisions. When the chairwoman incited those ideas three times, everyone in the Democratic Party had the ability to vote what they thought. Because of those high standards, they all voted to table. They all voted to table, not to remove this chairwoman from committees or ask for an apology. Why? Because you all believe in rules for thee but not for me.

That legacy is a real culmination of Speaker PELOSI's career. Make no mistake, the House is weaker, more partisan, more self-focused today than when Speaker PELOSI became Speaker less than 4 years ago. Future Congresses will suffer for it. More importantly, the American people have needlessly suffered because of it. They won't soon forget it.

It is about control. It is not about a standard that everybody lives by. It is a standard you enforce on one but not

upon yourself. You encouraged your own side to engage further when you all took a vote to table.

It would be interesting to see, if your leadership hasn't watched the video, how many of you who vote today have watched it.

When it was requested, I contacted the Member. He took the video down. He put out a statement that he does not believe in violence to anyone.

But, you see, when others on the other side of the aisle incite violence, it is okay because it is rules for thee but not for me.

Unfortunately, this body has suffered greatly, and a new standard will continue to be applied in the future.

The SPEAKER pro tempore. Members are reminded to address their remarks to the Chair.

Mr. DEUTCH. Madam Speaker, I yield 5 minutes to the gentlewoman from New York (Ms. OCASIO-CORTEZ).

Ms. OCASIO-CORTEZ. Madam Speaker, I have been serving in this body just under 3 years. In that 3 years, an enormous amount has happened.

In response to the Republican leader's remarks, when he says that this action is unprecedented, what I believe is unprecedented is for a Member of House leadership, of either party, to be unable to condemn incitement of violence against a Member of this body.

It is a sad day when a Member who leads a political party in the United States of America cannot bring himself to say that issuing a depiction of murdering a Member of Congress is wrong and instead decides to venture off into a tangent about gas prices and inflation.

What is so hard? What is so hard about saying that this is wrong?

This is not about me. This is not about Representative GOSAR. But this is about what we are willing to accept.

Not just the Republican leader, but I have seen other Members of this party advance the argument, including Representative GOSAR himself, the illusion that this was just a joke, that what we say and what we do does not matter so long as we claim a lack of meaning.

This nihilism runs deep, and it conveys and betrays a certain contempt for the meaning and importance of our work here; that what we do, so long as we claim that it is a joke, doesn't matter; that what we say here doesn't matter; that our actions, every day, as elected leaders in the United States of America don't matter; that this Chamber and what happens in it doesn't matter.

I am here to rise to say that it does. Our work here matters. Our example matters.

There is meaning in our service. As leaders in this country, when we incite violence with depictions against our colleagues, that trickles down into violence in this country.

That is where we must draw the line, independent of party identity or belief. It is about a core recognition of human dignity and value and worth.

When we talk about, as mentioned in the resolution, that these depictions are part of a larger trend of misogyny and racist misogyny, this has results in dampening the participation.

This vote is not as complex as, perhaps, the Republican leader would like to make folks believe. It is pretty cut and dry: Does anyone in this Chamber find this behavior acceptable? Would you allow depictions of violence against women, against colleagues, in your home? Do you think this should happen on a school board, in a city council, in a church? If it is not acceptable there, why should it be accepted here?

Lastly, when the Republican leader rose to talk about how there are all of these double standards and lists a litany of all of these different things, not once did he list an example of a Member of Congress threatening the life of another.

This is not about a double standard. What is unprecedented and what is tragic is the descent of transgression in this body.

I grew up as a little girl with awe about our Nation's Capitol, the reverence and the importance and the gravity of our work here.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. DEUTCH. Madam Speaker, I yield an additional 30 seconds to the gentlewoman from New York.

Ms. OCASIO-CORTEZ. So, Madam Speaker, the question I pose to this body in response is: Will we live up to the promises we make our children, that this is a place where we will defend one another, regardless of belief, that our core human dignity matters?

If you believe that this behavior is acceptable, go ahead, vote "no." But if you believe that this behavior should not be accepted, then vote "yes." It is really that simple.

Mrs. WALORSKI. Madam Speaker, I yield myself such time as I may consume.

First, let me say I am not here to defend any comments or actions made by Representative GOSAR or his staff. Let me be clear. I condemn all acts of violence.

In fact, I am a recent victim of violence. Just a few months ago, a political activist attempted to run me over with his car. When this happened, I immediately contacted law enforcement.

If a Member of Congress, anywhere, anytime, feels threatened, they should contact the police.

Unfortunately, this posted video is not the first video or statement by a Member of Congress inciting or depicting violence. Members on both sides of the aisle have made choices that I surely wouldn't have made.

But as the ranking member of the House Ethics Committee, I find myself on the floor now for the second time this year to address an issue that has been referred to the Ethics Committee but which has seen no committee process before coming to the floor for a vote.

Yesterday afternoon, the majority party drafted this resolution and scheduled this debate and floor vote today. The House Ethics Committee has had no time to consider this matter through the Ethics Committee process.

And there is a process. The non-partisan staff should have had the time to research and gather information, and the committee members should have conversations before making a decision on whether and how to move forward with any further investigation.

The chairman claims to have reached out to schedule an emergency committee meeting last night, but the reality is that he did so at a time when we had just been notified to appear on this resolution in front of the Rules Committee last night.

Just for the record, the majority controls when this resolution was introduced, when the Rules Committee was scheduled, when the Ethics Committee meets, and when the resolution comes to the floor for a vote. If there is a scheduling conflict or an excuse as to why we are standing here today rushing this to the floor, it is a conflict that was totally intended by the majority.

So, here we are today, voting to remove a Representative from his committee and censure him on the House floor.

Traditionally, Members are placed on committees by their own party, and they are removed from committees by their own party. Yet, this majority has broken precedent again and is removing a second Republican Member during this Congress from their committees.

Let me just say again: Members on both sides of the aisle have made choices that many of us would not have made.

By rushing this vote to the floor today and ignoring the institutional process, the majority is setting a precedent again that may not serve this institution well in the future.

Madam Speaker, I reserve the balance of my time.

Mr. DEUTCH. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, this resolution, which was referred to the Committee on Ethics, seeks to censure Representative GOSAR and remove him from his positions on committees.

We are acting on this resolution today because Representative GOSAR recently used House resources to disseminate and celebrate a video that depicts the murder of a fellow colleague.

I did see the video. I am sorry that the distinguished leader of the Republican side apparently chose not to or viewed it and deemed it something less than what it is, which is the horrific depiction of the murder of a fellow colleague and threats to the President of the United States.

We are acting on this resolution because Republican leadership has not

taken responsibility for members of its own Conference.

When a fellow Member of Congress has been threatened with violence, the House cannot wait indefinitely for Republican leadership to find its collective conscience and condemn the threat. When our colleague has been victimized, as women of color so often are, the House cannot ignore that threat.

The full House must roundly reject Representative GOSAR's conduct and prevent the normalization of violent imagery and rhetoric directed against Members of Congress.

Just 10 months ago, this very Chamber was attacked in an act of brutal, bloody savagery. All of us experienced it firsthand. Some of us were trapped in the upper gallery while an angry mob, wielding weapons, tried to beat down the Chamber doors to disrupt certification of President Biden's electoral college victory.

□ 1445

Since January 6, death threats against Members of Congress have multiplied, and several individuals have been arrested. The threat of actual violence against Members is real, and it is growing.

So this resolution is vital to protecting our Members' safety, but it is also vital to stemming the pernicious wave of political violence rising across this country, which is why Representative GOSAR's video and his subsequent failure to publicly apologize or take full responsibility must be swiftly condemned.

Any Member who uses his public platform to depict physical violence against another Member and the President reflects extreme discredit on this body. Such conduct violates the most basic standards of collegiality, civil discourse, and public decency.

Clause 1 of our code of conduct requires Members to behave "at all times in a manner that shall reflect creditably on the House." If that rule is to have any meaning whatsoever, and if we are to fulfill our responsibility to uphold the reputation of the House, Representative GOSAR must face consequences for his conduct.

Our Republican colleagues make hollow appeals to process, claiming that this resolution wrongly bypasses the Ethics Committee. But the ultimate power to censure a Member and remove that Member from a committee rests with this House.

The committee can recommend such a sanction to the full House, but nothing in our rules requires the House to wait, nor should the House wait in this instance. Not when there is a clear and present need to remove Representative GOSAR from a committee on which Representative OCASIO-CORTEZ herself serves.

There are no unresolved questions of intent. It is clear from the video, and from Representative GOSAR's public comments minimizing it, that censure

is appropriate and his immediate removal from the Natural Resources and Oversight and Government Reform Committees is warranted.

That is why the House must take this action today and why I urge my colleagues to support the resolution. Madam Speaker, I reserve the balance of my time.

Mrs. WALORSKI. Madam Speaker, I yield 2 minutes to the gentleman from Arizona (Mr. GOSAR).

Mr. GOSAR. Madam Speaker, I rise today to address and reject the mischaracterized accusations from many in this body that the cartoon from my office is dangerous or threatening. It was not, and I reject the false narrative categorically.

I do not espouse violence toward anyone. I never have. It was not my purpose to make anyone upset.

I voluntarily took the cartoon down not because it was itself a threat, but because some thought it was. Out of compassion for those who genuinely felt offense, I self-censored.

Last week, my staff posted a video depicting a policy battle regarding amnesty for tens of millions of illegal aliens. This was an anime that speaks to young voters who are too often overlooked.

Even Twitter, the left's mouthpiece, did not remove the cartoon, noting it was in the public's interest for it to remain. The cartoon directly contributes to the understanding and the discussion of the real-life battle resulting from this administration's open border policies.

This body is considering passage of Mr. Biden's reckless, socialist/Marxist \$4.9 trillion spending bill that provides \$100 billion for amnesty to tens of millions of illegal aliens already in this country. This is what the left doesn't want the American people to know.

Our country is suffering from the plague of illegal immigration. I won't stop pointing this out.

Millions of illegal aliens, drugs, and human traffickers are being let in and moved around our country in the dead of night, all condoned by this administration.

For this cartoon, some in Congress suggest I should be punished. I have said decisively there is no threat in the cartoon other than the threat that immigration poses to our country, and no threat was intended by my staff or me.

The American people deserve to have their voices heard in Congress. No matter how much the left tries to quiet me, I will continue to speak out against amnesty for illegal aliens, defend the rule of law, and advance the America First agenda.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mrs. WALORSKI. Madam Speaker, I yield an additional 30 seconds to the gentleman.

Mr. GOSAR. If I must join Alexander Hamilton, the first person attempted to be censured by this House, so be it. It is done.

Mr. DEUTCH. Madam Speaker, I yield 3 minutes to the gentlewoman from California (Ms. SPEIER), the author of this resolution.

Ms. SPEIER. Madam Speaker, I take no pleasure in introducing this resolution. No one asked me to introduce it, no one tapped me on the shoulder.

I am a victim of violence. I know what it is like. I also was in the gallery clamoring for life when the shots rang out in the Speaker's lobby.

We are here today because a sitting Member thought it was okay to post a deranged, animated video of himself killing a fellow Member of this House and also attacking the President of the United States. That video has been seen by three million people. It was up for over 2 days before it was taken down.

Inciting violence begets violence. Congresswoman OCASIO-CORTEZ has become the go-to subject of the radical right to stir up their base, as too often is the case for women of color. It is disgusting and profoundly unacceptable. Tragically, the minority leader has not condemned the video. For 8 days, he said nothing. Silence speaks volumes. Silence normalizes violence.

Violence against women in politics is a global phenomenon. A 2016 survey by the Inter-Parliamentary Union found that 82 percent of women parliamentarians have experienced psychological violence, and 44 percent have received threats of death, rape, beatings, or abduction.

The intent of these online threats against women is clear: Silence them, strip them of their power, and discourage them from running for office.

The Congressman defends his post, published with House resources and posted on his official Twitter and Instagram accounts. It didn't stop there. He sent an email to supporters that weekend stating that the "faux outrage" was "infantile"—this is not faux outrage. This is not infantile—and the accusations are "shrill" and "hyperventilating."

It doesn't take a rocket scientist to glean that this is gendered, coded language. The Congressman shows no remorse. In fact, yesterday the Congressman said, "I did not apologize."

Twenty-three Members of the House in the history of this country have been censured for actions including insulting the Speaker or using unparliamentary language. Certainly, conduct by a Member depicting murdering another Member of the House deserves censure.

Let me be clear. If a Democrat did the same thing, I would introduce the same resolution.

Mrs. WALORSKI. Madam Speaker, I yield 1 minute to the gentleman from Indiana (Mr. BAIRD).

Mr. BAIRD. Madam Speaker, today I rise because, in light of recent events, I no longer feel like I can stay silent.

The hypocrisy of this body considering the censoring and stripping of committee assignments of Representative GOSAR is illustrative of the inability of this body to effectively legislate.

It demonstrates why many Americans have lost all confidence in our ability to be and provide effective leadership.

I have found Mr. PAUL GOSAR to be an honorable and effective legislator, and I have found him to care deeply for his colleagues and America.

Mr. DEUTCH. Madam Speaker, I yield 1 minute to the gentleman from Rhode Island (Mr. CICILLINE).

Mr. CICILLINE. Madam Speaker, I rise in strong support of this censure resolution.

I watched this video, and I was sickened when I saw Mr. GOSAR depicting the killing of another Member of this body and brandishing swords at the President of the United States.

This kind of rhetoric is not just unfitting of a U.S. Representative, it is dangerous, and it can be deadly, as we saw on January 6 and in 2011 when an individual shot then-Congresswoman Gabby Giffords after Sarah Palin sent out a video with shooting targets on various congressional districts, including Gabby's.

This is not a joke. This is not about politics. It is about safety.

While healthy debate on the issues, on policy, is important, it is what keeps our democracy alive. This is not that. We cannot allow Members to encourage and incite violence, period.

Mr. GOSAR, you are no Alexander Hamilton. You must be held accountable.

The SPEAKER pro tempore. Members are again reminded to address their remarks to the Chair.

Mrs. WALORSKI. Madam Speaker, I yield 2 minutes to the gentleman from Arizona (Mr. BIGGS).

Mr. BIGGS. Madam Speaker, let's take a look at what Democrats are ignoring so they can censure a conservative Republican because he posted a cartoon they found offensive and which he took down himself:

More than two million illegal aliens crossing our border this calendar year;
Attorney General Garland deploying Federal agents to spy on parents;

Inflation driving gas prices up;
Everybody's Thanksgiving dinner is going up;

A vax mandate that is clearly unconstitutional;

A bankruptcy-inducing, bureaucracy-bloating spending bill by Democrats;
Supply chain in shambles;

Democrats consistently ignoring calls to violence and anti-Semitic statements of their own;

Foreign policy embarrassments;
Americans languishing behind in Taliban-controlled Afghanistan;

China, Iran, North Korea on the move.

Yeah, we have been ignoring those things. But we are here today.

I lived in Japan for several years. I speak Japanese. I read and write Japanese. This is an anime. It is "Shingeki no Kyojin", highly popular, stylized, intended to demonstrate the alienation people feel, particularly young people in their cultures.

Now, does anime have violence? Yes. It is highly stylized violence. It is not meant to induce people to violence.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mrs. WALORSKI. Madam Speaker, I yield an additional 30 seconds to the gentleman.

Mr. BIGGS. It was not Mr. GOSAR's intention, I believe, and he has made that clear, to induce anyone to violence. Like he, I also condemn violence, but I would ask you to reconsider further usurping and taking control of this body for political purposes because that is what is happening here today.

The SPEAKER pro tempore. Members are again reminded to address their remarks to the Chair.

Mr. DEUTCH. Madam Speaker, I yield 1 minute to the gentleman from Maryland (Mr. HOYER), the House majority leader.

Mr. HOYER. Madam Speaker, I think all of us would wish that we were not here on a subject of this gravity, on a subject so present in our society at large: The exhortation to violence to accomplish one's objectives.

I have been sitting here since we started the debate, which was about 45 minutes ago. So many get up and say, "I do not support violence," "I do not support this action," but I will do nothing about it.

Now, of course, they don't say the last sentence. They just don't do anything.

As I sat there as Mr. MCCARTHY was talking, I was thinking that he was getting up in my face and up in NANCY PELOSI's face. I think that is what he was doing. I expect that in vigorous debate.

They focused on a non-analogous action by a Member of this House, the chairman of the Financial Services Committee. Why did they do that? Because there is no analogous event to this one. In the 40-plus years that I have served here, there has never been a case like this. Never.

□ 1500

This is not about control, as the majority leader would represent. It is about decency, democracy, and security, and the rule of law.

We have seen, Madam Speaker, over and over again in our politics that words matter, and actions matter even more. Vitriol, the glorification and promotion of violence, hate speech, and the failure to condemn all of these when they occur have created an atmosphere in our country, which sadly has now and too frequently been visited on this floor, that is not conducive to the exercise of free constitutional politics.

A former leader of my party Dick Gephardt said that democracy was a substitute for war, that we should settle our differences peacefully and non-violently.

The speech that has been the subject of this resolution whittles away at the

rule of law and the civility needed for constructive debate.

Indeed, violent words and images are too often a precursor to the practice of violence. We have seen that. We saw it on January 6 as the President of the United States incited and urged people to come to the Congress to stop democracy in its tracks.

And people wanted to hang the Vice President of the United States as a result of those words because he was not doing that because he thought it was not legal. He wanted to follow the law.

My friend Gabby Giffords and Senator KELLY know that all too well, that violent words and images are too often a precursor, as does Representative SPEIER who worked for the late Representative Leo Ryan and was herself badly injured in the shooting that took his life. My friend, the Republican whip, and his family know that words can encourage and result in violence. Last month, the family and constituents of Sir David Amess in the United Kingdom experienced the same pain.

All of us who were in this Capitol on January 6 and those who stood in defense of it know that pain.

The loved ones of Officers Sicknick, Liebengood, Smith, DeFreytag, and Hashida carry that pain with them every day.

Officer Evans' family, as well, has been carrying that pain since April.

Madam Speaker, so do the families of elected officials, journalists, and civil society leaders who have been killed or maimed by political violence across the world incited by rhetoric that is rationalized as acceptable in the political environment. And then, oh, I don't support violence. I don't know how that happened. Yes, I said in front of the White House, "Go down to the Capitol," and although it wasn't the exact words of "be violent," it is what those who came down here expected the exhortation to be.

It would be naive, Madam Speaker, to suppose that we can eradicate the promotion of violence in wider society, either in our country or abroad.

Such evil has always existed, and the internet and social media make it easier to disseminate that malicious type of speech.

But constitutional parliamentarians worldwide have long understood that in order to maintain the level of civility required to carry out the business of legislating for the people, we must have rules of decorum and limits on speech that would cause civil debate to devolve into uncivil attacks and political violence.

That is why we have rules in this House to enforce decorum and ensure civility. That is why we have rules of conduct, which the chairman of the Ethics Committee read a little earlier. It should be and is undebatable that this conduct violated that rule.

Those rules apply not only to this floor but everywhere a sitting Member engages in work relating to his or her service as a Representative.

When those rules were written, they did not anticipate that a Member would threaten violence directly against another Member. Not because it has never happened. A Congressman from South Carolina nearly beat to death a Senator from Massachusetts, Senator Sumner, because he wanted to abolish slavery. That, of course, was a crime.

In some countries threatening public officials is a crime. They didn't have to spell that out explicitly because it has always been understood that such behavior is unacceptable in this institution and incompatible with our service.

Indeed, any kindergartner, frankly, Madam Speaker, will tell you that such behavior is wrong anywhere.

The actions of Representative GOSAR this week and in weeks previously—much like the actions of Representative GREENE earlier this year—would convey a dangerous lesson to our children and teenagers that the opposite is true, that threatening violence against those with whom one disagrees is acceptable. It is not. That bullying and encouraging one's followers to menace another person or another group is somehow compatible with citizenship in a democracy and indeed a civilized society. It is not.

The resolution before us today is necessary because we in this House who speak for the American people must reflect, as the Speaker said, the highest standards of American society.

I just came from the Speaker's office not too long ago. I don't know how many of you have been there, but over the door it says it is Robert H. Michel Rooms.

I had the opportunity to serve with Robert Michel. Robert Michel was a Republican, and he was from Peoria, Illinois. He was one of the finest, most decent men that I have known, not just serving in the Congress of the United States, but have known. He said this: "Civility means being tough without being mean, being witty without being malicious, and . . . believing in the power of reason to influence public debate while still being aware of the power"—hear these last words—"being aware of the power of irrationality in public life."

This resolution, Madam Speaker, is necessary because when Members of Congress and other elected officials speak and act, our constituents and followers give great weight to our words and actions.

It is a way for them to rationalize unacceptable behavior as was done on January 6. It is disgusting, Madam Speaker, whenever someone out in the world tweets a threat of violence or hateful content.

But when a Member of this House does so, no matter how you rationalize it, no matter how you try to put lipstick on that pig, it is a threat of violence.

What Representative GOSAR did last week is not just worthy of censure, it demands it.

And for anyone who threatens to apply the same standard to Democrats in the future, as Ms. SPEIER said, I am with you. This is not about Republicans or Democrats; this is about decency. This is about security for our Members. This is about democracy, not violent overthrow or opposition.

I, for one, will join you in enforcing that standard on any Democrat who violates it. But I will tell you this, Madam Speaker, the analogies that the Republicans have been making limp badly.

I am certain my fellow Democrats will do the same. Because this is not about party, it is not about politics, it is not about partisanship. It is about decorum, civility, safety, and, yes, the rule of law that was trampled upon on January 6.

But this is not about January 6. This is about this incident of a Member using whatever medium you want to say on the public dime threatening and showing the killing of a Member of this House. Can't that appall you, even that act? Do you have no shame? Madam Speaker, those are the questions that I would ask.

No one—Democrat or Republican—ought to be allowed to engage in the promotion of violence against a fellow Member, or indeed, a fellow American. Because we know where the glorification and promotion of violence leads, and we have seen it. We have seen it this year and in previous years.

Piercing tweets become sharp knives. Fiery words bring out deadly firearms.

And cartoon killing begets real life bloodshed.

This resolution specifically addresses Representative GOSAR's actions, but it also reflects more generally, Madam Speaker, what I hope is a sentiment shared by Members from both parties that we have seen too much of violent speech in our politics and in this country, and it must end.

In February, when we considered a resolution relating to the violence-promoting and undecorous actions of Representative GREENE, I recalled the famous words of Edmund Burke, who viewed service in his nation's Parliament as the highest calling.

He said the only thing necessary for the triumph of evil is for good men and women—he did not add that but would today, certainly—that good men and good women do nothing.

Once again, the Republican leadership in this House has chosen to do nothing. It is interesting because a far lesser offense resulted in the removal of a Republican by the Republicans from committee, STEVE KING of Iowa.

So, again, the House, in light of that void, must take action.

I urge my colleagues to vote "yes" on both sides of the aisle to uphold a standard that should be critical to us all. Some modicum of respect for those who are political opponents, Madam Speaker, and some restraint is in the way we depict them and ourselves.

Vote "yes" on this resolution.

Mrs. WALORSKI. Madam Speaker, I yield 2 minutes to the gentleman from Kentucky (Mr. COMER), the ranking member of the Oversight and Reform Committee.

Mr. COMER. Madam Speaker, during Democrat's leadership of the House, we have seen an unprecedented exercise of authority that only a Democrat could wield due to the authoritarian nature of the actions.

Democrat leadership has fined Republican Members for not masking, installed metal detectors, stripped another Republican of committee assignments, issued and sought to enforce sweeping subpoenas against the former President and his top advisers, and I am not just talking about subpoenas related to the events of January 6.

Democrats on the Oversight Committee are chilling, if not infringing, the First Amendment rights of advocacy groups, corporations, and individuals.

They have asked for communications between certain nonprofit organizations and certain Members' offices. These communications fall squarely within the right to petition and freely associate.

And today, we are debating a resolution to censure Dr. GOSAR for something he posted to his Twitter account.

While Republicans certainly do not condone violence and extreme behavior, my question for this body is: When will we exact punishment in an equitable—that is one of the favorite words of my Democrat colleagues—equitable manner?

Madam Speaker, we have Democrat colleagues who routinely call for violence in the streets, make anti-Semitic comments on Twitter, launch obscenities at our elected officials, and engage in inappropriate relationships with Chinese operatives.

Yet, Madam Speaker, these Democrats maintain even their leadership positions on prestigious and sensitive committees like the Intelligence Committee.

The last time we took this extraordinary step to censure a member of this House it was Congressman Rangel, and that was after a thorough Ethics Committee investigation into tax evasion, improper use of official resources, and other improper benefits.

Instead of solving America's crises—drugs flowing across the southern border, rising gas prices and grocery prices, and this ongoing pandemic—we are here on the floor debating the censure of Dr. GOSAR.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mrs. WALORSKI. Madam Speaker, I yield an additional 30 seconds to the gentleman.

Mr. COMER. Madam Speaker, I urge my colleagues to vote against this resolution.

Mr. DEUTCH. Madam Speaker, I yield 1½ minutes to the gentlewoman from Texas (Ms. ESCOBAR), a member of the House Ethics Committee.

□ 1515

Ms. ESCOBAR. Madam Speaker, like Representative OCASIO-CORTEZ, I, too, have served in this House for 3 years, and I have found the dignity and respect that we deserve and owe one another in this Chamber has been severely lacking.

While my Democratic colleagues and I continue to work on critical legislation that improves the lives of Americans, Mr. GOSAR, a Member of the Republican Conference, has decided to focus on promoting xenophobia and fetishizing violence, fanning the flames of hate.

Words have power. My community knows that only too well. And the example we set as Members of Congress is followed by millions of Americans. Mr. GOSAR's actions continue to lower the bar, obliterate standards for respect and civility, and make this workplace unsafe by targeting a colleague—a woman of color. I would like to note that women of color are frequent targets of hateful rhetoric and attacks like these.

In any other environment, someone like Mr. GOSAR would have immediately faced termination, would have to live with the consequences of his dangerous actions and words, but not in the Republican Conference.

Mr. GOSAR's video, which glorifies the gruesome killing of our colleague and a violent attack against our President should have sparked immediate condemnation and action by the minority leader and his entire conference. But instead, we are told to relax, and we are threatened, told that if we dare take action, we will face retaliation.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. DEUTCH. Madam Speaker, I yield an additional 15 seconds to the gentlewoman.

Ms. ESCOBAR. Madam Speaker, I thank the chairman.

Madam Speaker, I say to my colleagues, when you give hate, racism, and violence cover, you give it life. With this vote, we are saying “not on our watch.”

Madam Speaker, I invite my Republican colleagues to do what is right and support this resolution.

Mrs. WALORSKI. Madam Speaker, I yield 2 minutes to the gentleman from Texas (Mr. ROY).

Mr. ROY. Madam Speaker, I thank the gentlewoman for yielding.

Madam Speaker, my colleague just referenced the phrase “any other environment” that there would be some consequences. Well, this is not any other environment. This is the House of Representatives. We have constituents who elect us, send us to Washington to represent them, engage in debate, engage in often heated discussions with each other. This is not the same.

One of the fundamental problems we have as a Chamber right now is that it is being treated that way. It is being treated that way by the majority.

Shutting down our ability to engage in actual debate; shutting down our ability to move about the Chamber wearing these masks; talking about right now with CMS and what is happening, as early as December 5, doctors in San Antonio, Texas, which I represent, being unable to perform their tasks as doctors, potentially resulting in loss of life and being able to carry out their livelihoods through vaccine mandates.

We have got untold harm occurring in South Texas with bodies in body trailers. We have got people dying. We have got actual consequences from these vaccine mandates causing people to lose their jobs, whether it is OSHA-related, private-sector jobs, military, defense, border patrol; all this happening as we head towards December 3 with a potential government shutdown. And this is what we are having an actual debate on the floor of the House for.

I have not seen this Chamber look like this since I have been in Congress where we are debating an issue and we have got 100 Members on the floor. We are down here usually giving speeches to an empty Chamber.

Now, look, let me be clear. I would not have posted that video. I would have told my staff I don't want to do that, if I knew what was in it, okay? But the video that was posted was an effort to make a point.

The SPEAKER PRO TEMPORE. The time of the gentleman has expired.

Mrs. WALORSKI. Madam Speaker, I yield an additional 30 seconds to the gentleman.

Mr. ROY. And we are now getting into the business of chilling debate and discussion about censuring our Members and going down the road of pulling each other off of committees. Where is this going to end? When Republicans are back in majority, where is that going to end?

When my colleague, Ms. OCASIO-CORTEZ, in January called my former boss and my good friend, TED CRUZ, an attempted murderer, and I sent a letter to the leader saying, I am not asking for her to be stripped from committees but just to apologize, it was met with utter silence.

I called then and I call now for us to drop that down and actually engage in debate on the issues that matter, actually engage in debate on what is occurring right now in America where people are getting harmed with vaccine mandates, tyranny, and open borders.

Mr. DEUTCH. Madam Speaker, I yield 1 minute to the gentlewoman from Texas (Ms. GARCIA).

Ms. GARCIA of Texas. Madam Speaker, Representative GOSAR's behavior is alarming, unacceptable, and should never, ever be tolerated.

The official communication accounts of a Member of the United States Congress should never in any way show or encourage violence against a colleague or threaten the President of the United States.

On January 6, we personally experienced the consequences of allowing this

kind of viciousness and vulgarity. Put simply, violent images in our politics encourages violence against any of us. No one, especially women and women of color, should fear coming to do the work they were elected to do for the people.

We must encourage our women to lead, not silence them by tolerating threats like Congressman GOSAR's. As Members of Congress, we must set an example for the entire country instead of encouraging violence against others. It is our moral imperative to be collegial to one another. It is our responsibility to hold ourselves accountable. And it is our obligation to protect the integrity and honor of the United States Congress.

Madam Speaker, children are watching. The world is watching. We must do better.

Mrs. WALORSKI. Madam Speaker, I yield 2 minutes to the gentleman from North Dakota (Mr. ARMSTRONG).

Mr. ARMSTRONG. Madam Speaker, I was in Minneapolis the Saturday that speech was given, so to say that it wasn't analogous, I think, is fairly uncertain. The entire town was a tinderbox.

So as we continue to move through this, I would appreciate a little less of the self-righteous indignation. What is really damaging here and what is really unfortunate is that we have abandoned any recognition of institutional integrity, any pretense of fairness, any notion that something should be above partisanship.

Because I got news—and I believe this—I thought what was said in Minneapolis doesn't rise to incitement of violence. Jury tampering, possibly. Irresponsible, absolutely. The same thing goes for this post. It was dumb. It was silly. It was stupid. It was mean-spirited. But you know what it is not? It is not incitement of violence. And when we use hyperbole in those words, we cause ourselves problems, but there is no point and attempt with the majority at this point to follow through on any rules or procedures.

The U.S. House of Representatives looks significantly more like a junior high lunchroom than a legislative body. If you are in our clique, you are okay. If not, tough. If we like you, no fines. If we don't, we will take it out of your paycheck. A Member on your side calls for violence, motion to table; a Member on our side, stand in the well and answer for your sins. Rules matter, process matters, the institution matters.

Madam Speaker, this will be the fourth Member of the minority stripped of their committees by the majority this Congress. That has never happened before, but it is going to happen again.

And that is what I don't understand. I understand completely why the majority's leadership is willing to do anything to maintain control over the caucus until the next election. But in the process, you are all negatively and permanently changing the way this body

functions—forever. You are weaponizing the gavel against minority Members. And if you think it stops at the next election, I have no doubt that the leadership in the majority has no intention of going back to being a rank-and-file Member in the minority, but the rest of you all will. And how do you think this ends? When the pendulum swings, and it will, we are all going to suffer the consequences.

The SPEAKER PRO TEMPORE. The time of the gentleman has expired.

Mrs. WALORSKI. Madam Speaker, I yield an additional 30 seconds to the gentleman.

Mr. ARMSTRONG. Madam Speaker, the institution is going to suffer for it, and it is already suffering for it.

Committee structures, scheduling hearings, witness lists, these are all purviews of the majority. But rules of conduct and decorum have to be applied equally to all Members or the institution continues to degrade.

Madam Speaker, the rules are not being applied equally. It is noticed by us. It is noticed by the American people. It is unfortunate, and it is sad.

The SPEAKER pro tempore. Members are again reminded to address their remarks to the Chair.

Mr. DEUTCH. Madam Speaker, I yield 1 minute to the gentleman from South Carolina (Mr. CLYBURN), the House majority whip.

Mr. CLYBURN. Madam Speaker, I thank the gentleman for yielding me the time.

Madam Speaker, I rise in strong support of this censure resolution. Today's action is necessary due to Representative GOSAR's shocking depiction of a murder of a colleague and a violent attack against the President of the United States. This incendiary behavior cannot go unaddressed. The minority leader's failure to hold his conference Member accountable leaves us no choice but to proceed with this action.

I often refer to the Hall of this House as America's classroom. As Members of this august body, we should conduct ourselves in the way that we want our students to emulate. Mr. GOSAR's behavior fails our students, fails our colleagues, and fails our Nation and ideals we espouse.

Madam Speaker, I urge a unanimous vote for this resolution.

Mrs. WALORSKI. Madam Speaker, I yield 2 minutes to the gentleman from Virginia (Mr. GOOD).

Mr. GOOD of Virginia. Madam Speaker, as my colleagues before me have said, this is not about Mr. GOSAR. This is about hypocrisy from the majority and the double standard. Does anyone in this Chamber think we would be here today if the exact situation was reversed? Clearly, we would not be here today.

Madam Speaker, the American people don't care about what we are doing here today. When we get back to our districts next week, no one will ask us, Well, what about the cartoon video?

What happened with that? The media cares—as we can see here today—my colleagues across the aisle care because they have an opportunity again here. But what our hardworking constituents care about is the disastrous policies enacted by this administration and the majority; the disastrous policies, none of which are working.

We cannot point to one thing in the country that is going well under these disastrous policies. The border invasion, the rising gas prices, the out-of-control inflation, the reckless spending of our children's future, the failure in Afghanistan, the failure of our standing around the world. There is not one issue—rising crime—nothing they can point to.

So instead, we point to a distraction here today to pretend that this matters to the American people. We have got this faux outrage, as others who have said, because the Rasmussen poll said just this week that on the generic ballot Republicans are up by 13 percent, but the tone-deaf majority is trying to ram through as much of their partisan agenda as they can.

But what they are going to find out is America spoke two weeks ago in the election, and there are many of their constituents, and now former Democrats who spoke two weeks ago as well, and they are saying, what in the world are we doing here on the House floor today? We are stalling before we try to pass a radical build back bankrupt Bernie and AOC's budget bill. And here we are today trying to punish a Member, another ounce of flesh, trying to silence Republican voices on committees.

Madam Speaker, I urge all of my colleagues to vote against this sham bill and resolution.

Mr. DEUTCH. Madam Speaker, I yield 1½ minutes to the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ).

Ms. WASSERMAN SCHULTZ. Madam Speaker, I thank the gentleman for yielding.

Madam Speaker, I rise to urge the censure and the removal from committees of Mr. GOSAR for portraying the murder of a fellow colleague and promoting violence against immigrants. We know that promoting visions of violence and spreading false, hateful rhetoric foments actual violence. January 6 taught us that. And surely, we cannot use taxpayers' own money to promote violent images and conduct directed at other Members.

I still see bedside visions of my friend, Gabby Giffords, fighting for her life after being shot at a district event, her aide already dead. I shudder to recall our own colleague, Mr. SCALISE, limping to this very Chamber on a cane because someone tried to assassinate him. Explosive residue still clings to a stairwell outside my district office where a pipe bomb, sent by a deranged Trump supporter and handled by my staff later, had to be safely detonated.

The history of violence aimed at women and people of color and those

who defend them are among humankind's worst chapters.

Madam Speaker, it is ironic that Mr. GOSAR compares himself to Alexander Hamilton and another Member condones the stylized violence portrayed by Mr. GOSAR, because Hamilton was actually killed by accepted high-class violence in his day in a duel.

Madam Speaker, promoting and glorifying such conduct cannot be condoned or ignored by this body. Voting to censure Mr. GOSAR today firmly denounces it unequivocally.

□ 1530

Mrs. WALORSKI. Madam Speaker, I yield 2 minutes to the gentleman from Louisiana (Mr. HIGGINS).

Mr. HIGGINS of Louisiana. Madam Speaker, America is being crushed under the oppressive weight of the Democrats' greed for lust and power. They want totalitarian control over every aspect of American life, and they are ruling the people's House as if they were royalty. America is dissolving under our feet, and Democrats are worried about cartoons.

In Afghanistan, Democrats led the betrayal of American honor and abandonment of American citizens, granting control of the Afghan theater to Taliban terrorists and arming those jihadist terrorists with billions of dollars worth of American weapons systems.

Our southern border control has disintegrated, American sovereignty lost, and control of our own border completely ceded to criminal cartels.

American parents are tracked like terrorists and persecuted by our own FBI because parents had the audacity to challenge government indoctrination of their children, assembling to redress their grievances at their own school boards in their own communities. American parents are treated like criminals.

Americans are dealing with unbelievable inflation. Families cannot afford groceries and fuel.

Millions of Americans are being commanded by Federal decree to choose between losing their job or kneeling to comply with an unconstitutional, mandated medical procedure.

And the oppressors intend to distract you with cartoons.

Over the Speaker's podium are forever etched the words "In God We Trust." Scripture says: A friend loveth at all times, and a brother is born for adversity.

Madam Speaker, I stand today with my brother PAUL GOSAR because I stand against oppression and persecution.

Mr. DEUTCH. Madam Speaker, I yield 1 minute to the gentleman from New York (Mr. JONES), an Ethics Committee member.

Mr. JONES. Madam Speaker, not since the Civil War has Congress operated under the constant threat of violence from some of its own Members, but here we are. That is the behavior that Mr. GOSAR has encouraged.

Maybe I shouldn't be surprised, having watched so many of my colleagues on the other side of the aisle incite and then express support for the insurrectionists who nearly killed us in this Chamber on January 6.

We cannot let the Republican Party make Congress the only workplace in America where violence against your coworkers is not a crime but a credential.

If we don't hold people like Mr. GOSAR accountable, we will only embolden the worst people in our politics to bring their fever dreams to life.

That is why, today, we are standing up for the safety of our colleagues, for the safety of Congresswoman OCASIO-CORTEZ, and for the future of our democracy.

Mrs. WALORSKI. Madam Speaker, I yield 2 minutes to the gentleman from Texas (Mr. GOHMERT).

Mr. GOHMERT. Madam Speaker, I looked at the video anime and was trying to figure it out. I couldn't see it. I am told if you stop it frame by frame, you can see what my Democrat friends are talking about. I couldn't see it. I tried to freeze-frame, and I saw what I was told was supposed to be our colleague, Congresswoman OCASIO-CORTEZ. I was insulted for her. If that is supposed to be her, that is really unfair.

Madam Speaker, I didn't see the violence being talked about. We should not condone violence. The reason it is so hard to sit here and listen to the condemnation from the other side is because when there was violence against us, there was no condemnation.

My wife and I went to a speech at the White House, and I have yet to hear anybody condemn the attempted violence on us. We were chased for two blocks. RAND PAUL was on TV when he was chased because he had cameras and Secret Service around him. We didn't have that.

If it weren't for a guy popping up and opening a locked door, we would have—I told Kathy: Look, I am afraid they are going to get here before this door is opened. You run on down to Pennsylvania Avenue. There are cops down there. They will be beating on me; you just get away.

Nobody has condemned all that violence that I have ever heard.

This is where we ought to be able to come together. Oh, and by the way, people who committed violence and did crimes in this building need to be punished. For many of them, the most serious crime was obstructing an official session of Congress.

I didn't know it was a crime in 2016, but most of the Democratic Party committed a felony right here in this Chamber by obstructing an official session of Congress, not 6 hours like January 6, but 26 hours.

Mr. DEUTCH. Madam Speaker, I yield 1 minute to the gentlewoman from California (Ms. LEE).

Ms. LEE of California. Madam Speaker, I thank Congresswoman

SPEIER for her leadership as well as Chairman DEUTCH and the Speaker for bringing this with urgency.

Representative GOSAR used taxpayer-funded resources to publicize a cartoon of him killing one of our House colleagues, Congresswoman OCASIO-CORTEZ, and threatening to kill the President.

When Republicans don't condemn death threats against their colleagues and the President, it sends a message to the public that these threats are condoned. Their silence and misrepresentation in light of these threats speak volumes.

Now, it might be easy for Mr. GOSAR to shrug this off as a joke, but it is not only Members of Congress but women and people of color throughout the country who deal daily with the threat of physical violence. This is no laughing matter.

As someone who for decades has had to live with death threats, this is a moment when we need to say enough is enough. Hate speech leads to hate violence. Death threats can lead to death. Threats to murder people can lead to criminal charges.

This is the minimum we need to do. It reinforces that this behavior will not be tolerated.

Madam Speaker, I urge my colleagues to support this resolution.

Mrs. WALORSKI. Madam Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. JORDAN), the ranking member on the Judiciary Committee.

Mr. JORDAN. Madam Speaker, as we speak, the FBI is treating parents as terrorists. The Department of Justice is getting ready to pay people \$450,000 who illegally entered our country. And Democrats in Congress later this week plan to spend \$2 trillion more, which we all know will only exacerbate the already 30-year-high inflation.

What are they doing today? Censuring a Member for a cartoon. You have got to be kidding me. You have got to be kidding me.

What scares me most about all of this is the attack that we have seen on the First Amendment over the last year from the left, from the Democratic Party. They are attacking moms for standing up and speaking at a school board meeting. There are still places in this country where a full congregation cannot meet on a Sunday morning, stopping Americans from exercising their First Amendment freedom of religion rights.

The Speaker of the House stopped Americans from petitioning their Member of Congress to redress their grievances and wouldn't even let them in their own Capitol.

Now, here we go again, censoring speech. The most fundamental liberty we have is our right to speak, our right to talk, our right to communicate, and they are going after that today because they don't like freedom. You can see it. They don't like it.

This is wrong. We know it is wrong, what they are doing to our colleague,

Mr. GOSAR. I hope they will have second thoughts and that we will vote this down.

Mr. DEUTCH. Madam Speaker, I yield 1¼ minutes to the gentleman from Minnesota (Mr. PHILLIPS), an Ethics Committee member.

Mr. PHILLIPS. Madam Speaker, I love freedom. I love George Washington. I keep this book on my desk, "George Washington's Rules of Civility and Decent Behaviour." I encourage every colleague in this body—every one of us—to keep this on your desk and refer to it.

I have heard everything talked about today—inflation, Afghanistan, schools—except the issue we are here for: a censure of a Member of Congress who issued a despicable video showing the killing of a fellow Member of Congress.

Worst of all, most despicable of all, the object of the censure said it was to attract a new generation. Think about that: to attract a new generation of Americans.

We have to do better, my friends. Come on.

To my friend from Virginia who said, if Democrats had done this, what would we do? Rest assured, my friends, every one of you, we would do the same thing because I will never ever allow a fellow Member of Congress to threaten or distribute a video showing the killing of one of us, let alone another American.

Mrs. WALORSKI. Madam Speaker, I yield 1 minute to the gentlewoman from Colorado (Mrs. BOEBERT).

Mrs. BOEBERT. Madam Speaker, Democrat policies are so pathetic and have done so poorly that the left has nothing else to do but troll the internet, looking for ways to get offended, and then try to target Members and strip them of their committees. This is a dumb waste of the House's time. But since the Speaker has designated the floor to discuss Members' inappropriate actions, shall we?

The jihad squad member from Minnesota has paid her husband—and not her brother husband, the other one—over a million dollars in campaign funds. This Member is allowed on the Foreign Affairs Committee while praising terrorists.

A Democrat chairwoman incited further violence in the streets outside of a courthouse.

Then the cherry on top, my colleague and 3-month Presidential candidate from California, who is on the Intelligence Committee, slept with Fang Fang, a Chinese spy. Let me say that again. A Member of Congress who received classified briefings was sleeping with the enemy.

Mr. DEUTCH. Madam Speaker, I yield 1 minute to the gentlewoman from Pennsylvania (Ms. WILD), an Ethics Committee member.

Ms. WILD. Madam Speaker, as Maya Angelou said, "When someone shows you who they are, believe them the first time."

Despite PAUL GOSAR's history of dangerous rhetoric, and despite his conduct showing him to be a dangerous extremist, he is still here in Congress. Now he has depicted himself killing one of our colleagues and the President of the United States.

Never doubt that leaders' calls for violence can lead to actual violence. We have seen it throughout the world, and we have seen it right here on January 6.

Nor should the actions of his taxpayer-paid staff in creating and disseminating this vile video be ignored. They are grown adults, and they have cultivated a hostile work environment for the subject of this disgusting video and for her staff.

PAUL GOSAR has glorified violence against a duly elected official who came here to serve her district. She, nor any of us, sign up for this kind of abuse. Our families should not have to live with the fear that we will be the subject of violent attacks.

PAUL GOSAR has shown who he is. Believe him. Censure him.

Mrs. WALORSKI. Madam Speaker, I am pleased to yield 2 minutes to the gentleman from South Carolina (Mr. RICE).

Mr. RICE of South Carolina. Madam Speaker, with so many real problems facing Americans created by the Biden administration—open borders, soaring gas prices, sky-high grocery bills, and our embarrassment in Afghanistan—my friends across the aisle assemble us here today to debate a cartoon.

Political cartoons routinely depict violence. It is not new. Cartoons have depicted violence since there were cartoons.

If you don't believe me, google "political cartoons 2021." You will see a depiction of Joe Biden killing a Republican with a steamroller and a Republican elephant trampling voters, among many others.

Now, I will ask all of you out there to watch the Gosar cartoon that is occupying the floor of the United States Congress for over an hour today. Is it inappropriate? Yes. Childish? Of course. Stupid? Without question. But is it a threat? Absolutely not.

Now, I know some Members may need to seek therapy because they saw this cartoon. But is it a threat? Absolutely not.

Mr. DEUTCH. Madam Speaker, I yield 1 minute to the gentlewoman from Massachusetts (Ms. CLARK), the Assistant Speaker of the U.S. House of Representatives.

Ms. CLARK of Massachusetts. Madam Speaker, it started with a white supremacist online fringe movement, and it turned into a deadly January 6 insurrection.

Now I stand before you because a Member of this body has once again had her life threatened, but this time by a colleague who posted a video of killing her on his official account. Think about that.

It is no coincidence that the recipients of this violence are most often

women and women of color because this violence is directly connected to sexism and racism.

We cannot and must not accept this behavior. Silence and excuses are condoning it. And the excuses we have heard today—this is okay because it is a highly stylized killing; it is a cartoon; it was some sort of youth outreach—are grotesque.

Enough is enough. Vote for this resolution. Vote for censure. Vote for decency.

Mrs. WALORSKI. Madam Speaker, I reserve the balance of my time.

□ 1545

Mr. DEUTCH. Madam Speaker, I yield 1 minute to the gentleman from California (Mr. AGUILAR), who is the vice chair of the Democratic Caucus.

Mr. AGUILAR. Madam Speaker, when an armed mob stormed the Capitol earlier this year, they did so under the belief that political violence was an acceptable means to an end. As leaders and as Members of this body, every one of us has a responsibility to stand up and to make clear that way of thinking is unacceptable.

We have a responsibility here to work together to keep our colleagues, our staff, and all of the people who work in this building safe. That goal becomes more difficult when Members are making open threats of violence on social media.

It is not acceptable for a Member of Congress to insinuate that they want to violently kill another Member, and we need to directly respond to this threat.

Today, we have an opportunity to send a strong, unified, bipartisan message against this kind of conduct.

Madam Speaker, I urge my colleagues to vote "yes" on the resolution to ensure accountability and recommit ourselves to the safety of every Member and future Member of this body.

Mrs. WALORSKI. Madam Speaker, I reserve the balance of my time.

Mr. DEUTCH. Madam Speaker, I yield 1 minute to the gentleman from New York (Mr. JEFFRIES), who is the chairman of the House Democratic Caucus.

Mr. JEFFRIES. Madam Speaker, I rise in strong support of this censure resolution. Inciting violence is unacceptable. Threatening to kill a colleague, the President of the United States, or any American, is unacceptable.

I rise to make it clear that we have an opportunity today to choose decency over demonization, to choose civility over cynicism, and to choose the rule of law over recklessly violent behavior. That is why the House of Representatives is acting and acting decisively. We cannot normalize violence today, we cannot normalize violence tomorrow, and we cannot normalize violence at any point moving forward in our future. The House will hold PAUL GOSAR accountable for his violent and deplorable behavior whether the cover-up caucus likes it or not.

Madam Speaker, vote "yes" on this censure resolution.

Mrs. WALORSKI. Madam Speaker, I reserve the balance of my time.

Mr. DEUTCH. Madam Speaker, I yield 45 seconds to the gentlewoman from New Mexico (Ms. LEGER FERNANDEZ).

Ms. LEGER FERNANDEZ. Madam Speaker, serving in public office is and should be a sacred responsibility, and that responsibility calls upon us to condemn hate when we see it. If we let hate fester and spread, then it will destroy us. That is why one in three women have been attacked violently in this country and around the world.

But instead of apologizing today, Republicans chose to vilify immigrants yet again which is an outrage when the victim is herself a Latina.

Madam Speaker, do you remember the gunman who traveled to El Paso to kill Mexicans after Republican politicians demonized them?

Scripture says: Love thy neighbor as thyself.

And we must also love this institution. It is the love for this institution and the love for our fellow Members which is calling upon us to pass this resolution.

Mrs. WALORSKI. Madam Speaker, I am prepared to close. I reserve the balance of my time.

Mr. DEUTCH. Madam Speaker, I have no further speakers, and I reserve the balance of my time.

Mrs. WALORSKI. Madam Speaker, I yield myself the balance of my time.

Madam Speaker, I absolutely reject violence and calls for violence against any Member of Congress or anyone else. But by rushing this vote to the floor today and ignoring the process, the majority is setting a precedent that I fear may not serve this institution well in the future.

The majority should withdraw this resolution, and, if it chooses, pursue this matter properly through law enforcement and/or the Ethics Committee.

If the resolution is not withdrawn, then I am going to vote "no" and hope at some point that the Ethics Committee will, once again, serve this body as it was intended.

Madam Speaker, I ask my colleagues to vote "no," and I yield back the balance of my time.

Mr. DEUTCH. Madam Speaker, I yield myself the balance of my time to close.

Madam Speaker, none of us wants to be here today revisiting the violent imagery and the vile, hateful content that Representative GOSAR delighted in disseminating over his official social media accounts—material defended over and over and over today by our colleagues.

Had Republican leadership acted as they should have to hold their own Members accountable when they breach the most basic standards of decorum and decency, we wouldn't be here. Yet, the House cannot ignore

Representative GOSAR’s conduct as Republicans would have us do.

January 6 must serve as a reminder of just how important this action is that we are about to take. On January 6, violence stoked by hateful imagery and inflammatory rhetoric over social media found its way to the steps of the United States Capitol and the doors of this Chamber.

On that day, insurrectionists broke those windows right near where I stand. Capitol Police officers drew their weapons, and Members bravely blocked the entrance. Heroes valiantly repelled the attack on our democracy.

On this day, with our votes on this resolution, let us reject the notion that it is ever acceptable for a Member of Congress to threaten the safety of a fellow Member or depict the murder of a fellow Member. Let this resolution serve as an unwavering statement that never in this House should this type of horrific, violent imagery be deemed acceptable.

Madam Speaker, I ask my colleagues on the other side of the aisle to smash the partisan lens through which they view this behavior and this debate. I ask all of my colleagues to support safety, civility, and decency by voting for H. Res. 789.

Madam Speaker, I yield back the balance of my time.

Ms. VELÁZQUEZ. Madam Speaker, Representative GOSAR is a member of this institution as am I, and as is Representative OCASIO-CORTEZ, and so are roughly fifty other women of color.

We all walk the same hallways and took the same oath of office. We are here to serve our districts and the American people. The graphic video that Rep. GOSAR posted violates every sense of mutual respect that we should have for one another. Not only that, but it also dangerously promotes violence towards a sitting member of Congress who is a powerful Latina. It’s exactly the type of misogynistic and racist recklessness that the previous President deployed, and social media companies eventually stripped him of his accounts.

Rep. GOSAR needs to be held accountable for this and that’s what we are doing today. We need to deliver a message that in the people’s house, this dangerous behavior will not be tolerated.

The SPEAKER pro tempore. Pursuant to House Resolution 795, the previous question is ordered on the resolution and the preamble, as amended.

The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mrs. WALORSKI. Madam Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 223, nays 207, answered “present” 1, not voting 3, as follows:

[Roll No. 379]

YEAS—223

Adams
Aguilar
Allred
Auchincloss
Axne
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Bourdeaux
Bowman
Boyle, Brendan F.
Brown (MD)
Brown (OH)
Brownley
Bush
Bustos
Butterfield
Cárdenas
Carson
Carter (LA)
Cartwright
Case
Casten
Castor (FL)
Castro (TX)
Cheney
Chu
Cicilline
Clark (MA)
Clarke (NY)
Cleaver
Clyburn
Cohen
Connolly
Cooper
Correa
Costa
Courtney
Craig
Crist
Crow
Cuellar
Davids (KS)
Davis, Danny K.
Dean
DeFazio
DeGette
DeLauro
DelBene
Delgado
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Escobar
Eshoo
Españillat
Evans
Fletcher
Foster
Frankel, Lois
Gallego
Garamendi
Garcia (IL)
Garcia (TX)

NAYS—207

Aderholt
Allen
Amodei
Armstrong
Arrington
Babin
Bacon
Baird
Balderson
Banks
Barr
Bentz
Bergman
Bice (OK)
Biggs
Bilirakis
Bishop (NC)
Boebert

Golden
Gomez
Gonzalez,
Vicente
Gottheimer
Green, Al (TX)
Grijalva
Harder (CA)
Hayes
Higgins (NY)
Himes
Horsford
Houlahan
Hoyer
Huffman
Jackson Lee
Jacobs (CA)
Jayapal
Jeffries
Johnson (GA)
Johnson (TX)
Jones
Kafele
Kaptur
Keating
Kelly (IL)
Khanna
Kildee
Kilmer
Kim (NJ)
Kind
Kinzinger
Kirkpatrick
Krishnamoorthi
Kuster
Lamb
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee (CA)
Lee (NV)
Leger Fernandez
Levin (CA)
Levin (MI)
Lieu
Lofgren
Lowenthal
Luria
Lynch
Malinowski
Maloney,
Carolyn B.
Maloney, Sean
Manning
Matsui
McBath
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Mfume
Moore (WI)
Morelle
Moulton
Mrvan
Murphy (FL)
Nadler
Napolitano
Neal
Neguse
Newman
Norcross

Bost
Brady
Brooks
Buchanan
Buck
Bucshon
Budd
Burchett
Burgess
Calvert
Cammack
Carey
Carl
Carter (GA)
Carter (TX)
Cawthorn
Chabot
Cline

Feenstra
Ferguson
Fischbach
Fitzgerald
Fitzpatrick
Fleischmann
Fortenberry
Foxy
Franklin, C.
Scott
Fulcher
Gaetz
Gallagher
Garbarino
Garcia (CA)
Gibbs
Gimenez
Gohmert
Gonzales, Tony
Gonzalez (OH)
Good (VA)
Gooden (TX)
Gosar
Granger
Graves (LA)
Graves (MO)
Green (TN)
Greene (GA)
Grothman
Guest
Guthrie
Hagedorn
Harris
Harshbarger
Hartzler
Hern
Herrell
Herrera Beutler
Hice (GA)
Higgins (LA)
Hill
Hinson
Hollingsworth
Hudson
Huizenga
Issa
Jackson
Jacobs (NY)
Johnson (LA)
Johnson (OH)
Johnson (SD)
Jordan

ANSWERED “PRESENT”—1

Joyce (OH)

NOT VOTING—3

Griffith
Loudermilk
Perry

□ 1627

So the resolution was agreed to. The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MEMBERS RECORDED PURSUANT TO HOUSE RESOLUTION 8, 117TH CONGRESS

Amodei	Kildee	Reed (Walorski)
(Balderson)	(Butterfield)	Rice (NY)
Auchincloss	Kirkpatrick	(Murphy (FL))
(Clark (MA))	(Stanton)	Roybal-Allard
Banks (Walorski)	Lawrence	(McCollum)
Blumenauer	(Beatty)	Rush (Quigley)
(Beyer)	Lawson (FL)	Stevens (Lee
Carter (LA)	(Evans)	(NV))
(Kafele)	Lesko (Joyce	Swalwell
Cawthorn (Nehls)	(PA))	(Gomez)
DeFazio (Brown	Levin (MI)	Tlaib (Bowman)
(MD))	(Raskin)	Underwood
Dingell (Clark	Lowenthal	(Casten)
(MA))	(Beyer)	Waltz (Salazar)
Gonzalez (OH)	McEachin	Wilson (FL)
(Armstrong)	(Wexton)	(Hayes)
Kelly (IL)	Nunes (Garcia	
(Clarke (NY))	(CA))	
Khanna (Gomez)	Porter (Wexton)	

The SPEAKER. Will the gentleman from Arizona (Mr. GOSAR) present himself in the well.

By its adoption of House Resolution 789, the House has resolved that Representative PAUL GOSAR of Arizona be censured; that Representative PAUL GOSAR forthwith present himself in the

well of the House for the pronouncement of censure; that Representative PAUL GOSAR be censured with the public reading of this resolution by the Speaker; and that Representative PAUL GOSAR be, and is hereby, removed from the Committee on Natural Resources and the Committee on Oversight and Reform.

MOMENT OF SILENCE HONORING THE LIFE AND SERVICE OF THE HONORABLE LARRY HOPKINS

(Mr. BARR asked and was given permission to address the House for 1 minute.)

Mr. BARR. Madam Speaker, I rise today with my colleagues from the Kentucky delegation to honor the life of a true American patriot, former Congressman Larry Hopkins, who served in this body from 1979 to 1993 and passed away early yesterday.

Throughout his extraordinary career in public service, Larry served in the Kentucky State legislature and for over a decade in Congress in the seat I now hold.

Larry's career in public service began as a U.S. marine in 1954. It was that love for the military that Larry would bring with him to the Congress, where he rose to become the top Republican on the Armed Services Committee.

Larry's humor was famous with both his constituents and his colleagues, always offering a disarming joke to lighten the mood or evoking a good laugh.

Above all, Madam Speaker, Congressman Hopkins was proud of his work across the aisle and the relationships he had with all his colleagues, Republicans and Democrats alike.

In these divided times, let us be inspired by the legacy of Congressman Larry Hopkins to come together and solve the problems of our day not as Republicans or Democrats, but as Americans who all love our country.

On behalf of a grateful Nation, I invite my colleagues in the House to join me in praying for Larry's family: his wife, Carolyn; and three children, Shae, Tara, and Josh.

I now ask that the House observe a moment of silence to honor the life of Congressman Larry Hopkins. God bless Larry Hopkins.

BUILD BACK BETTER IS HISTORIC LEGISLATION

(Ms. NORTON asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. NORTON. Madam Speaker, Build Back Better not only meets long-awaited critical needs, such as clean energy technology, it is fully paid for, unlike the 2001 and 2017 tax cuts under Republican Presidents.

This is because the largest corporations and the highest income Americans will pay their fair share, are not rewarded for shipping jobs and profits

overseas, and will have more difficulty avoiding IRS compliance.

Moreover, 17 Nobel Prize-winning economists say the bill's investments enhance productive participation in our economy and ease the long-term inflation pressure that is the frontline concern of Americans today.

Congress will make history by passing this historic legislation.

DADS ON DUTY

(Mr. JOHNSON of Louisiana asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. JOHNSON of Louisiana. Madam Speaker, I rise today to offer much-deserved recognition to the group of faithful fathers known as Dads on Duty, who have stepped up to serve as role models for the students at Southwood High School in my hometown of Shreveport. Since the dads came to school, instances of disruptive behavior have plummeted, and spirits have been raised to new heights.

These Dads on Duty walk the halls every day and talk to students about personal responsibility, self-discipline, and strong work ethic. They are there to encourage the kids and set an example in their words and in their actions. It is irrefutable the role that fathers play in the life of a child. And now since these dads have made it a point of engaging directly with the kids at Southwood, school fights haven't been a problem, grades and attitudes have risen, and the whole Nation's attention has been drawn to this inspirational endeavor.

They have made an incredible difference in the lives of everyone involved. So we want to say thank you to the Dads on Duty for their incredible work and extraordinary example. May it be duplicated nationwide.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Ms. MANNING). Members are reminded not to traffic the well while another Member is under recognition.

WE MUST ACT ON THE OPIOID EPIDEMIC

(Mr. SCHNEIDER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SCHNEIDER. Madam Speaker, I rise today to call on my colleagues to act on the opioid epidemic roiling our Nation.

Today, we learned that between May of 2020 and April of 2021, more than 100,000 Americans died of drug overdoses, a grim, grim record.

Drug overdoses now surpass deaths from car crashes and gun violence. Fentanyl alone was responsible for more overdoses than there were in all of 2016, just five years ago.

We must expand access to medications like naloxone, which reverse an opioid overdose, and mental health services to crack down on overdose deaths from synthetics and opioids. Congress cannot do it alone.

In every community across the country, there are dedicated public servants and committed groups working to combat these figures and help individuals and families. Groups like the Lake County Opioid Initiative in my district, cofounded by Mike Nerheim and Chelsea Laliberte-Barnes.

After 8 years, Mike is stepping down as chair, and Chelsea is stepping up. I thank Mike for his leadership, and as the cofounder and advocacy strategist for Live4Lali. I know Chelsea will continue the great work of LCOI at this critical time.

Now Congress must help Mike, Chelsea, and the countless others around the country for whom this fight is so personal.

PARENTS HAVE A RIGHT TO VOICE THEIR OPINIONS

(Mr. ROSENDALE asked and was given permission to address the House for 1 minute.)

Mr. ROSENDALE. Madam Speaker, I rise to condemn Merrick Garland targeting parents who express their views on how their children are educated.

Recently, parents have risen up to voice their opposition to schools indoctrinating their children with critical race theory, but Merrick Garland won't stand for folks exercising their parental rights.

Merrick Garland testified before the Senate Judiciary Committee that he didn't think parents getting angry at school boards constitute domestic terrorism, and that he could not imagine a circumstance where they would be labeled as domestic terrorism.

Despite this, it is now clear Garland has weaponized the FBI's counterterrorism division against concerned parents, using threat tags to label and surveil them as domestic terror threats.

Parents have a right and an obligation to voice their opinion on how their children are educated, and I wholeheartedly agree critical race theory has no place in our classrooms.

Weaponizing the FBI against concerned parents is dangerous and an absolute disgrace.

Merrick Garland must resign immediately. Thank God he isn't on the Supreme Court.

MINNESOTANS NEED BUILD BACK BETTER

(Ms. OMAR asked and was given permission to address the House for 1 minute.)

Ms. OMAR. Madam Speaker, I rise today on behalf of Minnesotans who are facing the highest housing affordability and childcare affordability crisis, a massive racial wealth and education gap.

I rise because Minnesotans spend an average of \$16,000 a year on childcare, as much as they spend on mortgage payments, and Build Back Better would address it.

I rise because the people of my district have faced the worst housing shortage in the entire country and Build Back Better would create a housing acquisition fund to address it.

I rise because we need good union jobs and Build Back Better would invest in a civilian climate corps, AmeriCorps, and home healthcare workers being paid fair wages.

I rise because the people of my district need the Build Back Better, and they can't wait any longer.

CONGRATULATING KATIE HEARN

(Mr. CARTER of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CARTER of Georgia. Madam Speaker, I rise today to congratulate Katie Hearn for her appointment to the Georgia State Rehabilitation Council.

Beginning as an intern for the Atlanta Braves, this year's world champions, Katie's passion for the Braves community propelled her to a full-time position within the organization. However, at the age of 28, Katie was diagnosed with a rare brain disorder that caused her to lose her sight.

Her illness forced her to step down from her position as she adjusted to her new normal, but Katie is resilient and soon returned to the Atlanta Braves, where she currently works as a senior coordinator for digital and accessible services.

Katie has always been committed to ensuring every visitor has an incredible experience in Truist Park.

In 2018 the Braves awarded her with the Walker Banks Award for her extraordinary customer service.

Katie's passion for providing opportunities to Georgians with disabilities to live, work, and thrive in our State is truly inspiring.

I am honored to recognize Katie for this prestigious accomplishment, and I am grateful for her service.

HISTORIC LEGISLATION EMPOWERS THE GREAT LAKES REGION

(Ms. KAPTUR asked and was given permission to address the House for 1 minute.)

Ms. KAPTUR. Madam Speaker, I rise today to applaud President Biden's bipartisan Infrastructure Investment and Jobs Act. This historic legislation is an enormous win for the American people.

Finally, from coast to coast, in every State, district, and territory of our Nation, the Infrastructure Investment and Jobs Act will deliver significant new resources. Together, America will restore our Nation's crumbling infrastructure. Together, we will create millions of good-paying jobs over the next decade.

The Great Lakes region will be empowered with billions of dollars to rebuild our roads, bridges, rail lines, revitalize our water infrastructure and airports. We will deploy modern broadband connectivity and new carbon-free energy systems.

By properly rewarding those who make and build what makes and builds America, we will create a fairer, more just, and more prosperous future for our middle-class workers, families, and communities.

For years there has been talk about infrastructure. President Biden is delivering and building back better for Americans from coast to coast.

□ 1645

NOTHING COMES FOR FREE

(Mr. LAMALFA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAMALFA. Madam Speaker, this Friday the Congressional Budget Office allegedly will release their assessment of President Biden's Build Back Better agenda under budget reconciliation.

Their assessment will determine whether the Democrats have come up with enough tax increases and other measures that will actually cover the cost of the bill over the next 10 years.

But the White House seems to now believe that the nonpartisan Congressional Budget Office isn't qualified to provide us with an objective cost estimate, even though that is the entire point of the CBO.

As the Congressional Budget Office is forcing the Biden administration to acknowledge that their Build Back Better agenda will certainly cost a lot more than the zero dollars he initially claimed, Biden is still telling Democrats to disregard the report.

Madam Speaker, nothing comes for free; and so far, initial estimates from the Congressional Budget Office show that the Build Back Better agenda will increase our national deficit by more than \$150 billion each year.

Had it not been for some Democrats listening to the Republicans' insistence that we don't vote until we at least have a price tag, President Biden probably would have been able to sneak this through the House without having to admit its true cost.

REPORT ON THE SOUTHERN BORDER

(Mr. GROTHMAN asked and was given permission to address the House for 1 minute.)

Mr. GROTHMAN. Madam Speaker, I haven't seen the Vice President at the border lately. I was down there about a month ago, and I just want to share a few things that I learned down there that maybe somebody else can pass on to her.

First of all, when you're at the Yuma center, when you walk along the path

the people walk to get in this country, it is littered with photo IDs. Obviously, people do not want the United States Government or Border Patrol to know who they are. So this is a sign we are getting people in this country who have a lot to hide.

The second thing to point out that I was not aware of until I talked to the Border Patrol, is they feel they don't have the right to test somebody for COVID. We know that some people who are testing positive are already let in the country. I was not aware until I went down there that it is the current policy if you say, I want to test you for COVID, and you refuse, they just let you in.

The third thing I want to point out is that apparently they are advertising on Central American TV for people to come here.

Obviously, if we had a better relationship with those Central American countries, this wouldn't be going on, but if you wonder why so many people are coming here, it is because the drug gangs are advertising on TV.

THANKSGIVING TAX

(Mrs. STEEL asked and was given permission to address the House for 1 minute.)

Mrs. STEEL. Madam Speaker, we are just 1 week away from Thanksgiving, and American families are bracing for one of the most expensive in history.

The cost of almost everything is up; from the turkey to the pumpkin pie, your Thanksgiving meal will cost you significantly more than last year's.

Rising costs aren't just making it hard to put food on the table. The price of a gallon of gas is up 61 percent nationally from last year, making it more expensive for families to travel to loved ones this holiday season.

Inflation is a hidden tax that hurts the lowest income Americans the most.

This Thanksgiving tax is just the latest example of bad economic policies that are making life for Americans more expensive.

Throwing trillions of dollars at the problems we are facing is not the solution and will only make these issues worse.

VACCINE MANDATES ARE UNCONSTITUTIONAL

(Mr. FALLON asked and was given permission to address the House for 1 minute.)

Mr. FALLON. Madam Speaker, I rise today to discuss the unconstitutional overreach shown by this President in his recent vaccine mandate. And don't be fooled, this is nothing more than an attack on frontline workers, small businesses, and the rights of every American.

OSHA's regulatory powers are limited to the workplace and the workplace alone.

Joe Biden is now trying to use OSHA as an instrument in his political game;

mandating a vaccine, and taking away medical freedoms from millions of Americans.

This goes far beyond OSHA's jurisdiction, and it is incomprehensible.

It affects employees' ability to make life-changing, personal healthcare decisions.

This is the textbook definition of "tyranny," and it must be stopped.

The policies this administration continues to hand out are rising prices, bottlenecking our supply chain, and causing a historic labor shortage.

What do they think a draconian fine of \$14,000 per employee will do to employers? I will tell you what it will do; it will bury our economy.

Big Government is not the solution. It is the problem.

APPOINTMENT OF MEMBERS TO THE HOUSE DEMOCRACY PARTNERSHIP

The SPEAKER pro tempore. The Chair announces the Speaker's appointment, pursuant to section 4(a) of House Resolution 8, 117th Congress, and the order of the House of January 4, 2021, of the following Members of the House to the House Democracy Partnership:

Mr. PRICE, North Carolina, Chair
 Ms. MOORE, Wisconsin
 Ms. TITUS, Nevada
 Mr. CONNOLLY, Virginia
 Mr. LIEU, California
 Mrs. TORRES, California
 Ms. KELLY, Illinois
 Ms. SEWELL, Alabama
 Ms. DEGETTE, Colorado
 Ms. LEE, California
 Mr. CICILLINE, Rhode Island

SELF-INFLICTED CRISES OF THE BIDEN ADMINISTRATION

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 2021, the gentleman from Louisiana (Mr. JOHNSON) is recognized for 60 minutes as the designee of the minority leader.

GENERAL LEAVE

Mr. JOHNSON of Louisiana. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the subject of my Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. JOHNSON of Louisiana. Madam Speaker, during what should be a period of sustained economic recovery, job growth has stalled, consumer prices are skyrocketing, and many shelves are empty thanks to supply chain chokepoints.

Nevertheless, House Democrats are forging ahead to pass their 2,100-page reckless tax and spending spree before they even know how it impacts the budget and before the American people

can understand even what is in it, which is certain to drive up consumer prices even further and make job growth that much harder.

Make no mistake, this bill is a clunker. If you can stomach the price tag and look underneath the hood, you will see tax breaks for the rich; you will see incentives to stay home instead of going back to work; massive taxpayer subsidies for inefficient green energy sources; and fewer cures for rare diseases.

The bill eliminates jobs. It reduces paychecks. It increases government dependency. It crushes small businesses. It repeals longstanding protections against taxpayer funding of abortions. And it taxes American companies at a higher rate than Communist China. Yes, that is all in the bill.

During our time this afternoon, in addition to the House Democrats' disastrous left-wing agenda, my colleagues and I will be discussing the many self-inflicted crises of the Biden administration. Whether it is the most expensive Thanksgiving in history, inflation, skyrocketing gas prices, or our overwhelmed southern border, one thing is for certain, the answer to the countless Democrat-caused crises is not more Democrat-authored policies.

I thank my colleagues for being here today, and I yield to the gentleman from Ohio (Mr. JOHNSON).

Mr. JOHNSON of Ohio. Madam Speaker, this administration's assault on American energy—oil, natural gas, and coal—is causing energy prices to surge. They say they are doing this to address climate change, but make no mistake, this is not about carbon, it is about control. President Biden and his liberal allies in this body do not want our Nation to return to the energy independence we had just 2 short years ago because it means they would have less control over our daily lives.

They want working families to feel economic pain in order to force them to change their behavior and reject fossil fuel generated electricity.

Consider this. Gas prices are up 61 percent over last year.

It is estimated American families could face a 54 percent increase in their home heating bills this winter.

When asked about its plan to lower energy prices, the Biden administration essentially told us that high energy prices are punishment for using fossil fuels—oil, gas, natural gas, coal—and that sacrifices must be made to make progress on the climate crisis, something China and Russia are absolutely not willing to do.

Surging energy prices in the Biden administration's out-of-control government spending that is causing inflation to surge to more than 6 percent is causing everything to cost more, from gasoline to groceries.

Yet, while this Thanksgiving could be the most expensive in history, one administration official called this inflation tax a "high-class problem."

Put simply, when inflation increases, wages decrease. Everyday goods cost

more. It hurts the poor, the middle class, our seniors, and those living day-to-day on a fixed income the most.

Make no mistake, hardworking Americans can't afford this administration's agenda and its complete lack of compassion and respect for working families any longer.

I urge my colleagues to stand up to this administration's far-left social re-engineering agenda and the assault on fossil fuels that will continue harming the very Americans they claim so much to want to help the most.

Mr. JOHNSON of Louisiana. Madam Speaker, I yield to the gentleman from Florida (Mr. C. SCOTT FRANKLIN).

Mr. C. SCOTT FRANKLIN of Florida. Madam Speaker, I rise today on behalf of families who will enjoy Thanksgiving with their loved ones next week. This American tradition is an opportunity to give thanks for all our many blessings.

Yet through no fault of their own, millions of hardworking families are struggling to count their blessings this year. Thanks to liberal policies enacted by the Biden administration and congressional Democrats, inflation is soaring, gas prices have spiked more than 50 percent, and supply chain disruptions are leaving store shelves empty. The cost of Thanksgiving dinner this year will be the highest in history, and it will cost more for folks to drive or fly to spend their holidays with loved ones.

American families are hurting.

My Democrat colleagues and their liberal elite mouthpieces in the media claim to be champions of the poor and the working class, yet an NBC correspondent claims it's a dirty little secret that Americans can afford to pay more for their groceries because they saved money when they were trapped in their homes during the COVID pandemic. She also had the audacity to say that because more than half of Americans are invested in the stock market and it has been doing well that most people are actually better off now.

How out of touch can she be? First, clearly she has zero regard for the half of the country that isn't fortunate enough to have a stock portfolio. Second, good luck trying to eat your 401(k) for Thanksgiving. Those are designed for retirement so tax penalties for early withdrawals are harsh. Here is the real dirty little secret: She knows that, but she is so beholden to the left that she is willing to provide them free cover.

Washington Post and Bloomberg op-ed writers are telling us we should lower our expectations and live more like Europeans by simply getting used to the idea of empty store shelves. These out-of-touch elites are channeling a let them eat cake mentality while American families are suffering.

Recent elections have shown that Americans reject these attempts to fundamentally change our Nation from a prosperous environmental country into a suffering socialist regime.

Inflation, intrusive government regulations, and overreaching policies have left American families with less money and limited buying power.

No American should ever have to lower their expectations while living in the most prosperous country in the world. As Americans, we are blessed to live in a country where we are free to pursue economic prosperity, even during difficult times.

Many of the economic challenges faced by American families today were created by the policies of an out-of-touch liberal ruling class, yet we stand on the brink of ramming through the largest and most expensive tax and spend initiative in history.

It reminds me of the final scene in the movie "Thelma and Louise" when the lead characters drive their car off a cliff rather than face the consequences of their actions. Democrat Party leaders are willing to figuratively drive our country off the cliff if that is what it takes to pass the build back broke program in an electric car, I am sure.

As we prepare to celebrate Thanksgiving, I ask my Democrat colleagues and media elites to take a long, hard look at what their policies are doing to working-class Americans.

Just say no.

Mr. JOHNSON of Louisiana. Madam Speaker, I yield to the gentleman from Texas (Mr. BABIN).

Mr. BABIN. Madam Speaker, I thank my friend and colleague and neighbor from Louisiana across the Sabine River for hosting this Special Order tonight.

Madam Speaker, it has been 10 months since Joe Biden took office, and look at the state of our country. Our southern border is eroding before our very eyes. Gas prices are skyrocketing. Inflation has gone up every month. Our currency is diminishing at an alarming rate. And now Americans are about to sit down to the most expensive Thanksgiving in history.

How can anyone justify the fact that a bag of carrots has a price tag 48 percent higher than just a year ago?

My colleagues across the aisle know full well that every American is hurting because of their bad policies. They conveniently avoid the topic, telling people that inflation is actually a good thing.

Give me a break. Try telling that to those hardworking Americans at the grocery store or at the gas pump now.

What will it take for the left to finally come to their senses and say no more?

□ 1700

Is commonsense and wisdom something of the past? Outdated and disregarded? Democrats criticize us for telling the American people that they are destroying the country. They try to divert the American people's attention by censuring a Republican congressman over a cartoon; but I would ask them to simply look around. We are in a state of crisis and decay; and hardworking, law-abiding, freedom-loving

Americans fear the inevitable outcome should we continue down this path. That outcome, what is it? Socialism, folks.

Today, I ask my Democrat colleagues to look at the burden that they have put on the American people and face the fact that history has so clearly written—a socialist utopia simply does not exist.

Today, I ask them, on behalf of every single American in this Nation, to find the courage and rise and say enough.

Mr. JOHNSON of Louisiana. Madam Speaker, I thank my friend for that reminder that socialism never worked and never has. It is a fool's errand.

Madam Speaker, I yield to the gentleman from Tennessee (Mr. ROSE).

Mr. ROSE. Madam Speaker, I thank my colleague from Louisiana for the opportunity to address the House today.

This week, President Biden signed into law the \$1.2 trillion Infrastructure and Investment Jobs Act, which focuses more on pushing Democrats' far-left socialist policies than on America's crumbling infrastructure needs.

Madam Speaker, the signing of this bill comes on the heels of Democrats' reckless taxing-and-spending spree and senseless policies that have created an economic crisis of monumental proportions.

As the Biden administration takes a victory lap, the American people are in no mood to celebrate. Inflation is at a 30-year high as prices on everything are more now than they were just 1 year ago. Gas is up 49 percent; beef is up 20 percent; home heating bills are up 28.1 percent.

Under the Biden administration, working families are getting crushed. Increased costs at the grocery store and the gas pump and higher home heating bills are squeezing Americans dry. Skyrocketing inflation is driving down real wages for hardworking middle-class families and making it more difficult for those living on fixed budgets to make ends meet.

Instead of addressing the root cause of inflation—which, by the way and for the RECORD, is largely caused by out-of-control government spending—House Democrats are continuing to push their sweeping \$1.75 trillion build back broke act.

This package would once again hand out cash to households and create new paid leave benefits with no expectation of work. However, as we all know, an engaged workforce is key to invigorating economic recovery and slowing inflation. Make no mistake, wasteful and increased spending by Democrats, much of which is being funded by even more borrowed money, won't slow inflation; it will supercharge it.

Madam Speaker, I strongly urge President Biden and Democrats in Congress to reconsider the devastating economic consequences they are proposing to enact.

Mr. JOHNSON of Louisiana. Madam Speaker, I thank my friend. He is so

right about that. The hardworking American families are feeling the pain from Tennessee all the way to California.

Madam Speaker, I yield to the gentleman from California (Mr. OBERNOLTE), my good friend.

Mr. OBERNOLTE. Madam Speaker, I thank the gentleman for yielding.

Madam Speaker, I rise today deeply concerned that this body is scheduling a vote on what will likely be the most expensive spending package in the history of the United States without knowing the true cost of that package.

Our own House rules, House rule XIII, requires us to wait for a score from the Congressional Budget Office before voting on a budget bill, and the budget reconciliation and Impoundment Control Act of 1974 requires the CBO to issue that score. But unfortunately, we are rushing through this vote without even knowing the true cost of the bill.

Last week, I led a group of almost half of the House of Representatives in sending a letter to the Speaker urging her not to vote on this bill until its true costs are known. I am sure most Americans saw the President of the United States go on television two weeks ago and tell the American public that this spending bill will not add a single dollar to the national deficit. And our response to that is, if that is the case, Mr. President, prove it. Prove it by waiting for the CBO to issue a score on that bill.

The reason why we are so concerned about this issue is that any economist will tell you that deficit government spending is dangerously inflationary, and we are already seeing the highest inflation in the United States in over 40 years.

Folks in my district are paying over \$20 more today to fill the gasoline tank on their cars just to go to work than they were just a year ago. This inflation is hurting everyday Americans and it will hurt them more if this bill spends more than it takes in in taxes, and every indication is that it will.

Madam Speaker, I urge this body to wait for the Congressional Budget Office to score this bill before voting on it. It is the responsible thing to do. Anything less would be an abdication of our responsibility to the people that we represent.

Mr. JOHNSON of Louisiana. Madam Speaker, I thank the gentleman.

Madam Speaker, I yield to the gentleman from New Jersey (Mr. VAN DREW).

Mr. VAN DREW. Madam Speaker, I thank the gentleman from Louisiana for doing this and for yielding and for all of his good work.

Madam Speaker, I rise today, a week before one of America's oldest, most deeply rooted holidays, ashamed of what this administration is doing to our great United States of America. American families look forward to a Thanksgiving feast where they are finally able to see distant relatives, reflect on their lives and, of course, share

a table covered in food made from old family recipes.

Yet, this year, families aren't thinking about that. They are not thinking about what they will cook, but rather, how they will afford a Thanksgiving meal. Turkey prices are up 18 percent. Pumpkin pie is up 17 percent. Carrots, strangely enough, up 50 percent. Some families might not even have to worry about these rising food costs because they might not be able to travel to see their families due to soaring gas prices. A gallon of gas is up 61 percent, on average. If they are able to travel despite the price increases, they may enter a frigid home, as the cost to heat our homes has increased by 54 percent.

The root cause of these price increases is no big secret to anyone. They are the direct result of failed Biden policies. Policies that have led to rampant inflation, a crippled supply chain, and labor shortages on a scale that we never would have ever imagined.

Despite recent comments made by this administration and the media, inflation is a bad, bad thing. Buying a home? More expensive. Building a home? More expensive. Renting an apartment? More expensive. Gas, groceries, turkeys, and presents, more expensive. This is the Biden Thanksgiving tax.

Americans deserve a joyous Thanksgiving after the suffering our Nation has endured over the past 2 years. And this administration is on track to be known as the grinch who not only stole Christmas, but the grinch that stole Thanksgiving as well.

Mr. JOHNSON of Louisiana. Madam Speaker, I appreciate the comments of the gentleman.

Madam Speaker, I yield to the gentleman from Texas (Mr. PFLUGER).

Mr. PFLUGER. Madam Speaker, I thank my colleague from Louisiana.

Madam Speaker, I rise today to address a very important issue in our country. Crisis after crisis after crisis that we see, including last week where the President gathered with world leaders to discuss a fairytale climate agenda that will literally dismantle America's national security based on disinformation.

If we continue down this path, all Americans should worry about one thing: Where is our energy going to come from? We are told that we must dismantle the American oil and gas production to save the planet, but in 2019, U.S. harmful emissions were 13 percent less than they were in 2005. No other country has cut their footprint more in that short amount of time.

And what is responsible for this? Well, it is not electric vehicles. It is not unreliable energy sources. It's the American shale revolution. Clean-burning natural gas is critical in allowing us to achieve affordable, reliable energy supply without the harmful emissions and the increases like we see from major polluters like Russia and China. But instead of building on that

progress, President Biden and Democrats are crippling the American energy sector and emboldening our foreign adversaries.

I am proud to represent the men and women of the Permian Basin and the job that they do to keep the lights on to make sure that we have that affordable, reliable energy, and that it is running every single day.

It is time to put Midland over Moscow. Any vote for reconciliation might as well be a vote for Russia. I am urging my colleagues to vote "no."

Mr. JOHNSON of Louisiana. Madam Speaker, I thank my friend. Midland over Moscow, we ought to print T-shirts with that one.

Madam Speaker, I yield to the gentleman from Tennessee (Mr. BURCHETT), where they are deeply concerned about this as well.

Mr. BURCHETT. Madam Speaker, I thank Vice Chairman JOHNSON for yielding to me and the adequate job that he is doing.

Madam Speaker, I recently overheard some East Tennesseans talking at the gas pumps at the local Pilot station. And a fellow said, it is almost like these politicians want to make gas more expensive. Well, I think my constituents are on to something.

Conversations like this one I have heard at my local Pilot station have been happening everywhere all across this country. Americans are so displeased with gas prices, they are slapping these Biden "I did that" stickers on the pumps. I don't recommend doing that, but it seems to me somebody is taking the initiative to do it.

Madam Speaker, Joe Biden's war against affordable energy is hurting millions of Americans' ability to travel. Commutes to work, family road trips, trips to the park, airline travel—all are soaring in costs. The White House lacks any and all sympathy for what this crisis means for working Americans.

Joe Biden's Energy Secretary even laughed when asked how her department planned to stabilize gas prices. I thought that was the ultimate act of arrogance. It is the "let them eat cake too" kind of thing.

I guess this is easy for Joe Biden and his Cabinet to ignore. American taxpayers fund all their travel in those fancy private cars and jet airplanes they fly around in. Their attitude is insulting and it is arrogant. No wonder Joe Biden is blind to what is going on. He never sees a bill for any of it, not a doggone bit.

The holiday season is right around the corner, people will be celebrating Hanukkah and Christmas, and I predict holiday travel this year will be the most expensive on record. Americans will have Joe Biden's war on affordable energy to thank for their enormous travel expenses.

Madam Speaker, I thank Chairman JOHNSON for the adequate work he is doing.

Mr. JOHNSON of Louisiana. Madam Speaker, I appreciate the gentleman's

adequate comments. And I will tell the gentleman that they are going to have to amend and print new stickers for the gas pumps because if our Democrat colleagues vote for this monstrosity, they are going to have to make a new sticker that says, "I and the House Democrats did that." That is what is going down.

Madam Speaker, I yield to the gentleman from Georgia (Mr. HICE).

Mr. HICE of Georgia. Madam Speaker, the House Democrats have done this. It is all one big party. And while we are going to be celebrating Thanksgiving next week, families gather together giving thanks, I am absolutely confident there will not be one family in America giving thanks for the economic crisis created by President Joe Biden and the Democrats—the crisis, economically, that they are serving the American people.

According to the U.S. Department of Agriculture, this is going to be the most expensive Thanksgiving in history. From turkey to potatoes, pumpkin pie—you name it—this is going to be the most expensive Thanksgiving ever; probably a whole lot fewer second trips for food, or thirds, or whatever your family is accustomed to.

Meanwhile, what is the answer that our Democrat friends are giving us? Democrats here in Washington have a great solution: Let's spend trillions of more dollars. Let's make inflation go up even more. Let's put more pain and suffering around the Thanksgiving tables and the pocketbooks of the American people. While Americans are pinching their pennies, literally, to live within their means, President Biden and his socialist cronies from the other side of the aisle here in Washington are wanting to spend even more of the hard-earned money of the American taxpayer and the American worker.

□ 1715

The Democrat socialist gravy train has left the station, and the American people, I assure you, are not at the table. They are not on board with what is happening in this country.

Americans are the ones paying the price for this. They are paying the price for President Biden's budget-busting policies—more money at the gas pumps, more money at the Thanksgiving table this year, more money for everyday goods. We can go down the list.

It is high time—it is past time—that President Biden and the Democrats stop this reckless, runaway spending. Our economy cannot afford trillions more dollars that we don't have for unnecessary spending for socialist, Marxist spending, robbing us not only of our hard-earned income but our liberties, our freedoms that we love and cherish in this country.

It is time that we put a stop to this nonsense.

Mr. JOHNSON of Louisiana. Madam Speaker, that voice from Georgia is so

strong. I think we are going to stick with that theme.

Madam Speaker, I yield to the gentleman from Georgia (Mr. CLYDE).

Mr. CLYDE. Madam Speaker, too many falsehoods have been spread about the Democrats' multitrillion-dollar tax and spend bill, the most radical and expensive piece of legislation in our history.

The American people deserve to know the truth about the grave ramifications of passing this fiscally irresponsible liberal wish list.

Let's unpack some of these egregious Pinocchios.

For starters, the left has erroneously claimed that the so-called Build Back Better Act is fully paid for and will cost American taxpayers zero dollars. This is false.

While we have not yet received the official CBO score, models show that Biden's Big Government socialist spending package should cost more than double what Democrats have previously reported. The number could be upward of \$4.5 trillion, with \$3 trillion of it being in new debt.

Additionally, President Biden has touted for months that this legislation will not raise taxes on Americans earning less than \$400,000 a year. According to early reports from the Congressional Budget Office, this is completely false as well.

A recent analysis from the Tax Policy Center found that the reckless reconciliation bill would hike taxes for 20 to 30 percent of middle-class families next year, yet taxpayers in the top 5 percent will see a combined total tax cut of \$32 billion. What a slap in the face to millions of small businesses, hardworking employees, and their families.

Lastly, the President and his Democrat allies have absurdly stated that passing their pricey package will help ease inflation. Ease inflation? Really? This is completely illogical and defies all reason unless, of course, your intent is to deceive.

Injecting trillions of dollars of borrowed Federal money into the economy, with billions of it going to climate change, will only worsen the already burdensome effects of record-high inflation. The result will be Americans struggling to afford gas, groceries, and heating bills.

Keep in mind, the sole intent of the Biden, Bernie bankruptcy act's enormous cost is to fund unpopular and radical policies, such as taxpayer-funded abortion, weaponizing the IRS, and mass amnesty for illegal migrants. Oh, and don't forget about the 150-plus new government programs that will further expand the Federal Government's size and scope.

Simply put, the unfortunate truth is that by ramming through their Big Government socialist spending spree, Democrats are selfishly prioritizing their dangerous, far-left agenda over the needs of the American people.

Mr. JOHNSON of Louisiana. Madam Speaker, I yield to the gentleman from Alabama (Mr. MOORE).

Mr. MOORE of Alabama. Madam Speaker, I appreciate your leadership on this.

Madam Speaker, I rise today alarmed by the unprecedented wasteful spending from Washington that is fueling inflation and risking the future of our Republic.

Last week, this Congress passed a \$1.2 trillion infrastructure bill. Despite the bill's characterization, less than 10 percent went to traditional—what us southerners and commonsense people call roads and bridges. But \$200 million went back to a park in Speaker PELOSI's own backyard.

According to The New York Times, certainly not an ally of the Republicans, the Democrats' reconciliation bill before us this week includes a \$4.1 billion tax break for people who buy electric bicycles; \$2.5 billion for tree equity—I am not sure what that is; and another \$2.5 billion to help contingency fee lawyers recoup expenses.

Madam Speaker, this captures exactly what is wrong with Washington. Too many politicians up here will gladly endorse trillions in new spending for a few pennies of pork to come back to their district. They put their political futures above our own Nation.

Well, I am sick of it, and the American people are, too. Congress is bleeding the American people dry with waste and pet projects it claims is being spent in their own best interests.

Sure, I would love for the Federal Government to build a new road in my district, but I refuse to sacrifice the health and viability of this Nation to get it. Most patriotic Americans would agree with me.

Roads and bridges come and go, but if we foolishly squander the Nation our forefathers fought so hard to create, we will selfishly allow this great American experiment to die because of our own greed. Shame on us because we will have ultimately failed those who elected us and sent us here to protect their best interests.

Mr. JOHNSON of Louisiana. Madam Speaker, I yield to the gentleman from Georgia (Mr. CARTER).

Mr. CARTER of Georgia. Madam Speaker, the spending spree continues this week as Democrats continue to try to ram their ridiculous reconciliation bill down our throats.

The radicals have been back-seat driving far too long. Our holiday cheer is now being threatened by this administration's refusal to cut up the credit cards. It is truly astonishing.

We are all set to experience the most expensive Thanksgiving in our country's history, thanks to these reckless spending habits perpetrated by the White House. Turkey prices are up 27 percent. Potatoes are up 13 percent. Carrots are up 47 percent. The beloved pumpkin pie from Costco is up 17 percent.

The Consumer Price Index is up 6.2 percent overall. This is an indicator of how much extra people are having to pay for their goods.

In addition, natural gas is up 40 percent, and home heating oil is up 60 percent. Americans are being forced to pay more to heat their homes at a time when the weather is at its coldest. Nowhere in America should hardworking taxpayers have to choose between heating their home and putting food on the table.

These are not pandemic-related issues anymore. They are government-created issues. This is what socialism looks like. Joe Biden says: Get used to it.

Empty shelves, runaway inflation, and government control—this no longer looks like America. It looks like a failed socialist nation. That is what it looks like.

We will not cave to the desires of the far left. We will push back. America will remain free, and we will prevail.

Mr. JOHNSON of Louisiana. Madam Speaker, I thank Mr. CARTER for that optimistic close. As Ronald Reagan said, we are the "last best hope of man on Earth." We better hold it.

Madam Speaker, I yield to the gentlewoman from Illinois (Mrs. MILLER).

Mrs. MILLER of Illinois. Madam Speaker, the only thing President Biden, Speaker PELOSI, and the Democrats in Congress will be building back better is China's economy. Truly, they are building Beijing back better.

A new report released today shows that China has officially surpassed the U.S. as the richest nation in the world because Congress gave China most favored nation status under the Clinton administration. They have definitely tipped the scales for Chinese manufacturing.

D.C. politicians themselves have been enriched off of China, while the American middle class suffers. Now Democrats are pushing the Green New Deal policies that will make the middle class suffer even more with higher gas prices and home heating bills this winter.

Biden's policies enrich China because they manufacture solar panels, lithium batteries, and windmills, and taxpayers are going to be forced to subsidize this.

China mines these minerals for batteries and solar panels with child labor and slave labor. When asked about the slave labor behind the Green New Deal, John Kerry said it was "not my lane." That is despicable.

Mr. JOHNSON of Louisiana. Madam Speaker, I thank my friend. It is a shame that China is being assisted by these Democrat policies, even as they openly challenge us. Another thing Ronald Reagan warned us about is that weakness invites aggression. This is a dangerous game.

Madam Speaker, I yield to the gentleman from Oregon (Mr. BENTZ).

Mr. BENTZ. Madam Speaker, American families and businesses across our country are facing a crisis, a crisis of inflation, the likes of which we have not seen for more than 30 years. Last month, the Consumer Price Index hit a 30-year high.

What does this mean for everyday Americans? Gas prices are up 50 percent from last year. Food prices are rising to the highest level in 12 years. The price of eggs is up 42 percent. The price of milk is up 17 percent. The price of a new car is up \$5,000. Home prices are going through the roof.

Last week, I met with farmers and ranchers in central Oregon who are paying far more for fertilizer, feed, fuel, herbicides, and all crop inputs. This is on top of the incredible difficulties caused by historic drought, supply chain disruptions, and a shocking shortage of labor.

Given all this, what are President Biden and Speaker PELOSI doing to address the biggest inflationary spike in decades? Well, they have no plan except to spend even more trillions of our tax dollars on more and probably irreversible welfare programs.

The \$2 trillion spending bill would raise taxes, increase our national debt, and drive inflation even higher. Sadly, American families will pay for this bill one way or another—but most immediately, right now, through inflated prices on everything from diesel fuel to the Thanksgiving turkey.

The \$2 trillion Build Back Better bill is on top of the \$1.9 trillion spent in March and the \$1.2 trillion spent a few weeks ago. Even former officials from the Obama administration have warned that these unprecedented levels of spending will result in higher inflation. American farmers are now warning that this spending bill could result in the demise of many family farms and ranches.

Spending trillions upon trillions of dollars will cause more crippling inflation for American families and businesses. This radical reconciliation bill would not help us build back better. Instead, it will damage my State and our Nation for generations to come.

Mr. JOHNSON of Louisiana. Madam Speaker, it will damage all of our States.

Madam Speaker, I yield to the gentleman from Tennessee (Mr. KUSTOFF).

Mr. KUSTOFF. Madam Speaker, I thank my friend from Louisiana for arranging the time to talk to the Nation today about these very important issues.

Madam Speaker, I rise today to talk about the reckless spending plans put forward by Democrats, which I think, without a doubt, have put our country in a real economic crisis.

Let me take you back to March when, along purely partisan lines, Democrats pushed through a \$1.9 trillion spending plan. Just 2 weeks ago, Democrats pushed through another \$1.2 trillion in spending. This week, we may likely vote on the Democrats' social spending plan, which would drive the total spending to almost \$5 trillion when you add together all three of these spending bills.

Now, if you will focus for a moment on the runaway inflation that has really been exacerbated and inflamed by

this massive spending, it was reported just last week that the Consumer Price Index, which measures this data, rose over 6 percent. That is the highest level in 30 years.

This means that the price of everyday goods has skyrocketed. I am talking about everything: cars, appliances, food, gas. Estimates are that the price to heat your home this winter could be 54 percent higher this year compared to last winter. Americans—our constituents—are getting hit really hard financially, and there is no end to it in sight.

Without a doubt, the huge social spending bill that we may vote on this week will leave severe and long-lasting consequences.

Madam Speaker, I want to point you to a story that ran yesterday in *The Washington Times*. Here is the headline: "Biden's social welfare bill breaks pledge to not raise taxes on people making less than \$400,000." The newspaper cites the Joint Committee on Taxation.

□ 1730

Now, here is the deal: with the social spending bill beginning in 2023, taxpayers making between \$50,000 and \$75,000 annually would see a tax increase. For people earning between \$75,000 and \$100,000 a year, the tax increase is 2.9 percent. Folks making between \$100,000 and \$200,000 per year would see a tax increase of 7.4 percent in 2023.

Madam Speaker, let's listen to our constituents. Let's focus on the real-world problems that they are dealing with every day and that they talk to us about. Let's work on the supply chain. Let's focus on the threat from China. Let's stop this massive spending.

Mr. JOHNSON of Louisiana. Madam Speaker, I thank my friend for prosecuting the case. That was his background.

Madam Speaker, may I inquire how much time is remaining in the hour.

The SPEAKER pro tempore. The gentleman has 20½ minutes remaining.

Mr. JOHNSON of Louisiana. Madam Speaker, I yield to the gentlewoman from Oklahoma (Mrs. BICE).

Mrs. BICE of Oklahoma. Madam Speaker, I rise today to address the record-breaking inflation that will make next Thursday the most expensive Thanksgiving in history due to Biden's and Democrats' detrimental policy decisions. The American people will feel the impact of rising inflation this Thanksgiving and holiday season.

Prices of ingredients for the traditional Thanksgiving dinner are sky-high, with turkey costs up 27 percent, pumpkin pie up 17 percent, and carrots up 47 percent. Beyond the pricey meal, travel costs are surging because a gallon of gas costs 61 percent more than a year ago and airfare is expected to increase 18 percent, placing a burden on families to visit loved ones for the holidays. On top of this, simply staying warm this winter will cost more. Heat-

ing bills are projected to rise as much as 54 percent compared to last winter.

While these everyday prices are skyrocketing, wages are stagnant, which means decreased purchasing power for hardworking Americans. Not only will they have less money to spend on Thanksgiving traditions and holiday gifts that will have a damaging impact on our small businesses and our overall economy, but the livelihoods of Americans will be harmed by the difficulty to afford day-to-day necessities.

Madam Speaker, Biden's failed policies are hitting home. As shown through the significant drop in his approval rating, Americans are desperate for a solution to fix these insane price increases.

Instead, what is Biden's response?

Continue to push the partisan reconciliation bill that would pump the economy with trillions more dollars in spending for social programs that are not paid for, further exacerbating this inflation crisis and causing American taxpayers to suffer the effects for generations to come.

There are grave consequences to careless actions. I urge my colleagues and the American people to recognize this Thanksgiving as a direct result of excessive government spending and shutting down our country's energy production.

Mr. JOHNSON of Louisiana. The gentlewoman has said it very well.

Madam Speaker, I yield to the gentleman from Wisconsin (Mr. GROTHMAN).

Mr. GROTHMAN. Madam Speaker, I would like one more time to address the reconciliation package. We know that it is a very large spending package and will result in more welfare and, inevitably, we will have to have more taxes which will put a damper on the economy.

But let's look at the type of vision that the Democratic Party has for our country given what they are spending the money on. We know we have a big, illegal immigration crisis in this country—everybody knows 8,000 people in the country last July, 105,000 this July.

What are we going to do with it?

We have record amounts of fentanyl coming across the southern border. We respond with a provision giving 7 million people a path to amnesty which is a magnet to get more people here. We make it more difficult to remove people from the country if they commit crimes, including sex offenses and firearm convictions without any discretion from DHS. So, Madam Speaker, you want to make it more difficult to get even the criminal element out of the country.

But, finally, we promised anybody coming into the country free college. Pell grants that are designed for poor Americans are going to go to people who come here illegally. We want the average American to sit there at home paying \$30,000 or \$40,000 tuition, in debt until they are 30 or 40 years old, but if you come here illegally, boom, free college.

The second thing we get out of here is a new welfare problem in this country. We are encouraging people not to work. We are encouraging people not to get married.

How do they respond?

Look at the recent increase in food stamp benefits, the massive amount of money going to low-income housing, the increase in the earned income tax credit, and the larger Pell grants. Everywhere you look in this bill, Madam Speaker, is more money for people of a certain lifestyle at the expense of the person who is getting married and working harder.

Race preferences are throughout this bill. It seems like they are incapable of doing a program that benefits all Americans. It is always targeting somebody from this race or that race or this gender or that gender. It is a very divisive bill.

There is a great increase in government's role in raising children. It is the government that pays for all the 3- and 4-year-old kids. It is kind of the opposite of what America is supposed to be where the child's upbringing is family centered. Now we want to make the child's upbringing government centered.

Finally, it creates more of a surveillance state. There are 87,000 new IRS agents.

What could they possibly do?

But, obviously, Madam Speaker, you can see where we are headed as a country. At a time when our factories and farms can't find anybody to work, we are going to take unemployed people and make them IRS agents.

In any event, I urge Americans to pay attention to where the money is going in this bill because it is the type of America our forefathers never would have imagined.

Mr. JOHNSON of Louisiana. I thank my friend for his common sense. We will continue with that theme.

Madam Speaker, I yield to the gentleman from Indiana (Mr. BAIRD).

Mr. BAIRD. Madam Speaker, I want to thank my colleague for giving me the opportunity to speak.

Madam Speaker, at a time when Americans are facing the highest inflation rates in decades and small businesses are struggling to recover from the devastating impact of COVID-19, House Democrats will soon consider the most radical spending package in American history.

Unfortunately, instead of giving families and businesses a hand up by getting able-bodied Americans back to work and taking steps to resolve our supply chain crisis, Democrats' far left socialist package will do little more than exacerbate our inflation crisis and harm the growth of small businesses.

Earlier this month the University of Pennsylvania's Wharton School of Business released a model that found the bill will cost more than twice the estimated cost. If that is not bad enough, the Tax Policy Center recently found that this spending spree would

raise taxes on middle-class Americans by up to 30 percent.

This anti-growth package will destroy thousands of jobs, burden many business owners with restrictive taxes intended to help pay for this bloated spending bill, and will surely be a death knell for many businesses on struggling Main Street and hard-working Americans struggling to contend with soaring inflation rates.

Month after month we have watched the Biden administration deliver disappointing jobs reports with the labor force participation rate falling to 61.6 percent in September alone. This labor shortage is only fueling our economy and supply chain crisis, but instead of encouraging Americans to get back to work, President Biden and House Democrats are including provisions that discourage unemployed Americans from finding a job.

If Democrats really want to build back better, they should be championing policies that actually help our small business owners and the middle class, not exacerbating the problems they are struggling to overcome.

Mr. JOHNSON of Louisiana. Any time a Bronze Star and Purple Heart recipient speaks, we ought to listen.

Madam Speaker, I yield to the gentleman from Virginia (Mr. CLINE.)

Mr. CLINE. Madam Speaker, I want to thank my friend for yielding and for sponsoring this evening's Special Order.

Madam Speaker, this week the Labor Department's consumer price index jumped 6.2 percent in October from a year earlier, reflecting an increase in the cost of goods and services as well as energy and food. Fuel costs surged 30 percent.

I have a quote from someone here in Washington about that. This politician said, "By all accounts, the threat posed by record inflation to the American people is not transitory and is instead getting worse. From the grocery store to the gas pump, Americans know the inflation tax is real and DC can no longer ignore the economic pain Americans feel every day."

Now, that wasn't my colleague, Congressman JOHNSON. That wasn't Minority Leader KEVIN MCCARTHY or Congressman JIM JORDAN. No. That was Senator JOE MANCHIN who said that just today. He is recognizing that not just West Virginians, but all Americans are feeling the pain at the pump, at the grocery store, and all across the economy.

It is coming from legislation that our President pushed earlier this year and that House Democrats helped get behind—the so-called American Rescue Plan. No less than our President himself said this about public frustration, "And people are feeling it. They're feeling it. Did you ever think you'd be paying this much for a gallon of gas? In some parts of California, they're paying \$4.50 a gallon."

"That's why it's so important that we do everything in our power to stabilize the supply chain."

But what he did through passage of this American Rescue Plan is actually cause inflation to jump that much further forward, and he conceded on Wednesday that inflation is at a three-decade high because people have more money now as a result of the \$1.9 trillion stimulus legislation.

And what has he proposed to do now?

Double down and spend an additional \$2 trillion.

What does he think that will do to inflation in this country, Madam Speaker?

He has already said, "And the irony is: People have more money now because of the first major piece of legislation I passed. You all got checks for \$1,400. You got checks for a whole range of things. . . . It changes people's lives."

"But what happens if there's nothing to buy and you got more money? . . . It creates a real problem."

He did say that, and it did create a real problem. It creates a problem to the tune of inflation rates at a 30-year high and gas prices up 61 percent from last year.

So if the President recognizes that his last multitrillion-dollar bill caused the economics peril we are facing, then why is he proposing spending an additional \$2 trillion on social programs we don't need and we can't afford—150 new government programs?

Propping up the Green New Deal won't solve the economic crisis. Weaponizing the IRS against Americans won't lower inflation. Taxing middle-class families won't put more money in the people's pockets.

Do you know what would actually help get this country's economy back on track, Madam Speaker?

Fiscal responsibility. Americans want a Thanksgiving meal that won't be the most expensive in the history of the holiday, not a progressive wish list that will only make the situation worse.

Mr. JOHNSON of Louisiana. We are going to feel the pain. My friend is exactly right.

Madam Speaker, I yield to the gentleman from Texas (Mr. SESSIONS).

Mr. SESSIONS. Madam Speaker, I thank Congressman JOHNSON for this opportunity.

Madam Speaker, we are here to talk to the American people about ideas that roam across our Nation. They are conversations that take place around every table, and next week at Thanksgiving we will have those conversations at my table and others around the country.

Madam Speaker, you just heard a good discussion about inflation. But part of inflation comes from government spending, and part of government spending comes from policy that this President and this administration's Democratic Party supports.

Madam Speaker, 1.6 million people have come to our borders and come across, and we are doing things that will encourage them to come here. We

are doing things that will encourage them when we give them free education, free healthcare and to pay for them to do those things.

□ 1745

So, Madam Speaker, tonight we want to speak specifically about this thing that is called inflation. Inflation is related to Federal monetary and fiscal policy. Inflation is that thing that occurs in the economy when the price of goods and services rise and rise exponentially.

Normally, an administration would look at about a 2 percent growth, a 2 percent inflation rate, which would be, generally speaking, an acceptable growth for a GDP model as well as inflation rate.

This administration, however, began with President Biden going down and visiting the king of inflation, former President Jimmy Carter, talking to this Nation about how great Jimmy Carter's service was. Well what he really meant to say was I admired his policies, progressive liberal policies that took this country to have 16 and 18 percent interest rates, interest rates that raised prices an excessive amount of money for families for a generation that could not buy homes.

Madam Speaker, the Republican Party is here speaking, just as the American people are, and we recognize that this administration has made dear and great friends with the conditions that create inflationary spiral.

This administration knows exactly—they have smart people there, but it is their policies that they demand to have, and those policies bring about results that end up making friends with inflation: Higher prices for goods and services; more government spending. This is big expensive government spending across the board.

And so the American people will have the most expensive Thanksgiving in years; the highest inflation rate in 30 years. Oh, that would be back to Jimmy Carter. No wonder President Biden visited his favorite—or second favorite President, Jimmy Carter, because he wants to make friends with the conditions that create inflation: Big government spending, prices rising, government control of the goods and services.

And just like Jimmy Carter, he had a Senate, a House, and a Presidency to be very successful.

Madam Speaker, the American people spoke again last night in local elections down in South Carolina. They spoke a week ago in State elections.

Madam Speaker, the American people deserve better. Better comes from policy, and better comes from adults who will recognize that it is not just politics, it is about the American people who want and need to have more take-home pay and more ability to take care of themselves; not big, expensive socialist government that even breaks the laws of this country.

Madam Speaker, I thank the gentleman for his service to this con-

ference but, more importantly, for making sure that the American people hear the other side of the story.

Mr. JOHNSON of Louisiana. Madam Speaker, that was so well said, and the American people are going to speak again next fall; we know that for certain.

Madam Speaker, I am happy to yield to the gentleman from Georgia (Mr. CLYDE).

Mr. CLYDE. Madam Speaker, I rise today to honor the life and service of Jackson County Deputy Lena Marshall, whose picture is displayed beside me right here.

Last week, Jackson County lost a mother and a heroic law enforcement officer. After responding to a domestic call that spiraled into a violent shootout, Deputy Marshall tragically lost her life while serving to keep Georgians in our community safe.

While I never had the privilege of meeting Deputy Marshall personally, I am deeply moved by her immeasurable sacrifice and willingness to put Georgians' safety above her own.

As a resident of Jackson County myself, I believe I can speak for all of us in the county in saying that we are forever thankful for Deputy Marshall's dedication, her service, and her bravery.

My wife, Jennifer, and I continue to pray for Lena's family and for her fellow Jackson County officers during this difficult time.

May God bless our men and women in blue who selflessly put their lives on the line every day to keep us safe.

Mr. JOHNSON of Louisiana. Madam Speaker, I yield to the gentleman from California (Mr. LAMALFA).

Mr. LAMALFA. Madam Speaker, I rise tonight as we talk about this issue with our upcoming Thanksgiving holiday, expected, of course, to be the most expensive meal in the history of that holiday.

This is more proof that the Democrats are driving up inflation with their spending policies. Spending piles of dollars does not create an economy, it actually hurts the value of the dollars.

USDA's Turkey Market News Report showed the price of turkey itself is going to be up 22 percent from last year. Pumpkin pie, potatoes, cranberries, all up in price.

Inflation, of course, is the most regressive of actual taxes on the people because it hits those on a fixed income the hardest. Low and middle-income have tough decisions to make on whether it is going to be—how they are going to handle their food costs and upcoming heating oil and gas to stay warm this winter.

Democrats have been touting that they will tax billionaires and the rich and corporations but, instead, we have seen them advocating for policies that lead to inflation, directly harming those low and middle-income Americans, as well as making tax breaks for the rich while they are touting them.

Congress cannot spend its way out of a problem, as some in the administration have suggested. It would only make the issue worse.

We must stop passing massive spending bills and, instead, work on the burdensome regulations and get out of businesses way so they can thrive, expand their businesses, and hire employees.

Indeed, we need to work on the important supply chain issues that are still clogging our ports, keeping our products from being exported, from agriculture, all those things that need to be shipped out. Instead, we aren't cutting very good deals with China when they can just send their stuff over to us.

So that would insulate our economy from inflation by having a real economy at home that is not dependent upon borrowed dollars for big spending.

Indeed, I keep asking, Biden administration, whose side are you on?

Mr. JOHNSON of Louisiana. Madam Speaker, how much time is remaining?

The SPEAKER pro tempore. The gentleman has 5 seconds remaining.

Mr. JOHNSON of Louisiana. Madam Speaker, I thank my friends for participating tonight, and I yield back the balance of my time.

PROGRESSIVE CAUCUS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 2021, the gentlewoman from New Mexico (Ms. LEGER FERNANDEZ) is recognized for 60 minutes as the designee of the majority leader.

GENERAL LEAVE

Ms. LEGER FERNANDEZ. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the subject of my Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New Mexico?

There was no objection.

Ms. LEGER FERNANDEZ. Madam Speaker, Monday was such an exciting day for our country. President Biden signed the Infrastructure Investment and Jobs Act into law, and we came one step closer toward making the necessary investments to help our communities thrive; to help them thrive, not just survive.

And I want to point out that, although it is called the bipartisan infrastructure act, we had very few Republicans in this House vote for that bill. In my State, the Republican Congresswoman did not vote for the infrastructure act; so she voted against the clean water. She voted against the broadband. She voted against the infrastructure that we need to keep our roads safe and our bridges strong enough so that kids can cross them in their school buses to get to school.

But the Democrats delivered that bill, and the Democrats are going to deliver the Build Back Better agenda.

And the reason why we need to pass the Build Back Better Act, it is *para la gente*. It is for the people. It is for our communities.

Just a few weeks ago, my Progressive Caucus colleagues and I held a Special Order hour dedicated to the many great things in the Build Back Better Act. But, there is so much in there that is good that we are back here tonight to continue to highlight the benefits for our communities.

Madam Speaker, throughout the pandemic, New Mexicans lost their livelihoods. They put savings toward just surviving. If it wouldn't have been for the American Rescue Plan, they would have lost their homes. The eviction moratorium helped them.

Housing—I want to talk a little bit about housing because that is something I have worked on for many, many years in my district. We know that housing instability and the shortage of affordable housing hurts our working families.

Many saw their dreams of home ownership vanish with the pandemic and the recession. But, with Build Back Better, we have an opportunity to change that. We know that the biggest barrier to purchasing a home is the lack of savings needed for a downpayment. People just don't have \$10,000 or \$20,000 to put down on a downpayment.

And current benefits like mortgage deductions don't help low-income families looking to buy a home. They don't help middle-class families, because you need the money at the time you are buying the house, at closing.

So, to successfully address the affordable housing shortage and the growing racial gap that comes along with it, we need to make sure there is access to home ownership, especially for communities like in New Mexico, or Native American, Latino, African American, Black, Indigenous communities, we need to make sure that we provide them with the homeownership assistance when it is needed, which is at closing.

And you know what? Build Back Better does just that. It makes one of the largest investments in housing downpayment assistance in history.

I am proud to have been one of those many in our caucus who advocated for the \$10 billion that is in Build Back Better to help first-generation homeowners purchase their home.

In my beautiful New Mexico, we are lucky to have an organization that I have worked with for 20 years. It is called Homewise, an organization that helps create successful homeowners so that families can improve their long-term financial wealth. We have financial fitness classes. We also help people with downpayment assistance. But we could use more of that. We never have enough downpayment assistance.

But one of the people that we helped was Maria Luisa. Maria Luisa first came to the United States from Mexico. She had a dream to own a home of her own and to create that better life

for herself. She found that dream hard. She found herself living on the streets of Santa Fe, but she turned her life around. She got her GED. She got her residency, her green card. She took classes at the Santa Fe Community College in community health, and she found Homewise, and she found her first home with our help.

She says that being a homeowner lifts her spirits and gives her confidence in her own future. She knows that she will be able to pass along the savings that are incorporated into that home of her own to her children.

Spirit and confidence in the future, that is what Democrats are about. We are about opportunity. We are about creating that belief in the future and making it possible for working families.

I am glad to be on the floor with my progressive colleagues to talk about the many opportunities that Build Back Better has.

But I want to take a little moment right now and have us walk back a year. Thanksgiving. Do we remember what Thanksgiving was like a year ago?

In my household, we always have a sit-down dinner for about 24 people. You know, we believe in those extended tables. And everybody comes. Somebody will make the turkey, somebody else will make the green chili and the red chili, because you can't do without red chili and green chili if you are from New Mexico. And everybody brings what they made with such love to the table, and we sit around together and share stories and share good food and laugh and tease.

Last year, did we do that? No. Last year, we had a Zoom Thanksgiving. Last year, we were living in despair. We were living with our former President, who made fun of COVID. We were living with politicians from the other side of the aisle who called it a hoax. And we could not gather. We could not celebrate.

What a difference a year makes. What a difference leadership makes. Under President Biden and the American Rescue Plan, we have made it possible for our families to gather together once again because we made sure that they didn't get kicked out of their homes; that they had a place to invite their family too with the money that we put into rental assistance.

We made sure that they could get that vaccination; that they could have those shots. And anybody who wants it in the United States can get a shot, can be vaccinated, can get their booster, so that they protect everybody in their community. And that is what we need to celebrate, and that is what we need to respect because a year later, the American Rescue Plan has done so much for our communities.

□ 1800

But, yes, it is true. As those on the other side of the aisle state, we are seeing inflation. But gas prices, who con-

trols gas prices? Oil and gas companies do. Who protects oil and gas companies? Republicans protect oil and gas companies.

They protect those corporations. They do not let us attack their corporations or tax those corporations. So Democrats have to do it themselves.

We need to remember that it is greedy corporations that are raising the prices and profiting off of working families.

We need to remember that it is Grubhub that is increasing the price of deliveries by 30 percent, and none of that is going back to the mom-and-pop restaurants. It is going to those corporations that don't want to pay taxes.

But in the Build Back Better Act, we are going to make sure that corporations pay their fair share so they can stop fueling the inflation that the Republicans protect. They are fueling the inflation, and Republicans are protecting those corporations. Let's call it like it is.

But right now, I want to go back to all the amazing things that are in the Build Back Better Act. I am going to call on our wonderful Representative WATSON COLEMAN, my colleague, who always stands ready to tell the stories of what it means on the ground in our community, for our people, from visions like Build Back Better.

Madam Speaker, I yield to the gentlewoman from New Jersey (Mrs. WATSON COLEMAN).

Mrs. WATSON COLEMAN. Madam Speaker, first of all, I thank Representative LEGER FERNANDEZ for managing this very important Special Order hour. I want to tell her and you, Madam Speaker, that I have been totally inspired by my colleague's comments thus far on the benefits of the Build Back Better Act, on helping us to remember and to reimagine.

I remember Thanksgiving as well. I come from a big family, and there are about 30 of us that get together. It didn't happen last year. But because of this leadership out of this administration, the Democratic Caucus in this House and in the Senate, we were able to deliver resources so that people could get the things that they need to stay in their homes and get vaccinated.

I, for one, am happy to say that my whole family is vaccinated, and we also have the booster, so we are going to get together for this Thanksgiving dinner. I am grateful to the visionary President, Joe Biden, for this.

I am here tonight to speak about something that I am passionate about. I want you to know, Madam Speaker, that I am rising today because I feel that the way our country has treated working people has just been unacceptable.

Billionaires pay a smaller share of their wealth in Federal taxes than the middle-class and the working-class people who built this country.

Our system is antithetical to our country's founding principles, and, yes, it is broken. Our country has failed its

people, and we must do better. We can't do better, though, without building back better.

Although the current bill does not include all that we had hoped it would, it is still going to transform the lives of those who need it most.

For example, it will give working parents the freedom to raise their newborn children and make a living. That is why Build Back Better extends the already extremely successful child tax credit expansion Democrats first passed in the American Rescue Plan earlier this year.

It also incorporates my Healthy MOM Act to ensure new mothers have 12 months of postpartum healthcare coverage so they are supported when they need it most.

It will also make an unprecedented investment in putting floors beneath our feet and roofs above our heads. The Build Back Better Act includes \$65 billion for safer, more accessible public housing. It also invests an additional \$25 billion to construct and rehabilitate low-income family housing and another \$9 billion for lead remediation to safeguard our children's health.

This bill also puts us back on the right path to prepare against the threat of climate change. It makes a historic \$29 billion investment in greenhouse gas reduction and \$3 billion for climate justice block grants. It will also ban new offshore oil and gas leasing along our coasts to create a cleaner, brighter future where all of our children can thrive.

Right now, the American Dream is just that, a dream, for far too many people. Building back better is a crucial step toward making that dream a reality.

Since our Nation's founding, working Americans have paid more than their fair share. It is time we finally reward them.

Today's Build Back Better Act is not the bill we had in mind when the President first announced his agenda, but we are still on the verge of making the biggest investment in working American families in more than half a century.

I am very proud of that. We all ought to be very proud of that. We ought to be proud that we can work hard. We stood together; we fought together; and together, we can make it happen.

Ms. LEGER FERNANDEZ. Madam Speaker, New Jersey is so lucky to have Representative WATSON COLEMAN because she knows what is needed on the ground.

Yes, indeed, it is together, and that is what I like about our Caucus and what we are doing. We are doing it together. We are not about division. We are about unity.

That is what we represent, right? Because we know that community working together, living together, and growing together is how we succeed in life.

I want to raise another part of where Build Back Better is very important. I am chair of the Indigenous Peoples

Subcommittee. I am so lucky to have the Jicarilla Apache Nation, the Navajo Nation, and 16 different Puebloan Tribes in my district. They tell me about their needs. I have walked in their villages. I have sat at their feast days.

I know the pandemic hit them hardest of all. We saw the death and despair in our Tribal communities. So what we did in Congress, what we did in the Natural Resources Committee, was to make sure that their voices were heard. We provided \$14 billion in the American Rescue Plan and another \$12 billion for their communities.

We have been hearing lately about the incredible, sad stories that come from the fact that there was a time in America's history when we took children away from their Tribes, away from their culture, and we put them in boarding schools, and many died. We were trying to erase the savage Indian, and those were the words that were used. It didn't work. The Tribes are alive and with us. We must respect that history.

I am proud that both the American Rescue Plan and the Build Back Better Act have \$200 million for Native American languages because it is through language that you preserve a culture and that you preserve an identity.

Add that together with the fact that we are going to have \$470 million for Tribal climate resilience because we have moved Tribes from their homelands and put them in places where they are at the greatest risk from the climate crisis. We include money for drought relief because they are at the greatest risk of thirst because of the droughts that will be caused.

We have \$2.3 billion for the Indian Health Service. This will help us address the backlog. 1993 is when we started setting out the list of Indian Health Service buildings that needed repair, and we still have a 1993 list that we have not met.

I am very proud of what we have done in Build Back Better to address the needs of our Native Americans and our urban Native Americans in our Tribes.

Madam Speaker, I yield to the gentlewoman from Massachusetts (Ms. PRESSLEY), my colleague in the Congressional Progressive Caucus, a gentlewoman but fierce and proud.

Ms. PRESSLEY. Madam Speaker, I thank my dear and fierce colleague from New Mexico for convening us this evening.

Madam Speaker, I rise today on behalf of the communities in my district and across our Nation who for too long have been asked to wait, for those who have had their justice delayed, time and again, by inaction, obstruction, or the status quo.

I rise today because I support the worker and their family, caregivers and childcare workers, parents and essential frontline workers, our disabled siblings, our environmental justice communities, and our immigrant neighbors.

For months, we held the line to ensure that we leave no family, no worker, and no community behind. I rise so that we can secure the strongest policies and investments for our most marginalized communities, to deliver meaningful, tangible change to improve their conditions and to impact their daily lives.

This week, the House has the opportunity and the obligation to legislate justice and begin rebuilding as a stronger, more just Nation that takes care of its people, not because it is good politics—I will let the pundits speak to that—but because as lawmakers we have a decisive mandate from the people to deliver policies and budgets that value the lives and livelihoods of everyone in our communities. That means passing the President's full agenda, which is the people's agenda.

I represent Massachusetts' Seventh District, one of the most unequal districts in the country and in the Commonwealth, where in a 3-mile radius, life expectancy drops from 92 years in Back Bay to 59 years in Roxbury, and the median household income drops by \$50,000; where childcare costs remain some of the highest in the entire Nation, \$21,000 a child for center-based care; where the rising rates of asthma, extreme heat, and sea level rise disproportionately impact frontline environmental justice communities like Chinatown, East Boston, and Chelsea.

The hurt and harm in my community run deep, and I see it every day. These inequities and disparities are not naturally occurring. They are the direct result of decades of precise and intentional policy violence and underinvestment that has been codified into our laws and our budgets for generations.

In this moment, as we do the work to build back better and do so equitably, we must be just as precise and just as intentional in legislating and investing in justice, equity, and healing. That is why we can't afford to leave any worker, any family, or any community behind.

Madam Speaker, the Build Back Better Act is our chance to chart a new path forward and reverse the generations of policy violence inflicted on our most vulnerable, to finally make universal paid leave a reality for the millions of workers, disproportionately Black and Brown women, who have been pushed out of the workforce, left to make the impossible choice between keeping food on the table or caring for themselves or a sick loved one; for the childcare worker taking care of our babies but can't make enough to take care of their own; to finally invest in home- and community-based services for the elderly and disabled as the critical infrastructure that it is; to finally make affordable childcare and universal pre-K a reality; to combat climate change; to close the homeownership gap; to rebuild our crumbling housing stock; and finally to honor our promises to our immigrant neighbors.

These investments are possible; they are popular; and they are necessary.

We can wait no more. There is no deficit of resources in this country, only a deficit of empathy and political courage.

We must pass the Build Back Better Act this week and make the long-overdue investments that our workers, families, and communities have been denied for too long.

Our Nation is in crisis. The urgency could not be more clear. How we meet this moment will have lasting impacts, and history will remember us for it.

Ms. LEGER FERNANDEZ. Madam Speaker, I think this reference to how history will judge us is important because we are facing a historical moment right now. The decisions we make on the floor of this House this week will determine whether our future is one that is inclusive and that includes every single family and community in this great Union of the United States or whether it continues to leave people behind.

Right now, those who are being left behind include the vast majority of Americans. What we are doing with this legislation is creating the kind of opportunity, creating the kind of jobs so that everybody can come forward and thrive.

□ 1815

We are focusing on women. This is a women's agenda. The Build Back Better Act is a women's agenda because it is the women who had to drop out of the workforce to care for their children because there wasn't enough childcare available or it was too expensive.

In New Mexico, we just learned that almost 21 percent of the women in New Mexico dropped out of the workforce because they could not afford childcare.

Build Back Better addresses that. It is going to make sure that no family pays more than 7 percent of their income on childcare. That is the kind of agenda that every family wants, because they want to make sure that their children are cared for and are either in a great childcare center or are in that pre-K that is so essential so that they can succeed later in life.

We know that the science has shown us that if you have quality pre-K for your 3-year-olds, for your 4-year-olds, you are going to have a successful life, you are going to earn more in income, you are going to graduate from high school, you are going to earn additional degrees. It is going to be better.

So we are taking the investments today and we will recoup the benefits 12 years from now, 18 years from now. And that is believing in our future. We are investing in what we believe in.

I also want to take a moment to address the fact that this bill is fully paid for, so when anybody ever says that it is going to increase our deficit, know that it is not true what they say because this bill is fully paid for.

It is paid for by making sure that tax cheats don't get to cheat anymore. We are going to invest in the IRS so that

they can audit and go after tax cheats. Who wants to defend tax cheats? Do you really want to be defending tax cheats? I hope not because everybody should pay their fair share.

We are going to make sure that nobody earning less than \$400,000 a year pays any more in taxes. Indeed, this is one of the biggest tax cuts that we are doing for regular people. Not like the tax cut they passed in 2017 which benefited only the wealthy and the corporations. This tax cut is a benefit to our working families, to our middle-class families.

The child tax credit is available to all now. Everybody who is receiving that \$300-per-child payment every month, that is going to continue because of the American Rescue Plan and because of Build Back Better. If anybody says it is going to add to the debt, know that they are not speaking the truth.

The other thing that Build Back Better does is it has the biggest impact on addressing and combating climate change in American history. Anybody who has lived through this summer, through last winter, the storms, the climate disasters knows that it is not a hoax, as some have argued.

Climate deniers have been proven wrong because we all witness what is happening with our climate. We all know that it will cost us billions and trillions of dollars if we do not act.

In my beautiful New Mexico, if we do not act to combat the climate crisis, we will become an extension of the Sonoran Desert. I love my mountain streams. I love the snowfall that falls on our ski resorts and in our mountains and trickles down to our rivers and provides us with the water we need for our farms and our fields and to quench our thirst.

I love that snow. If we do not address the climate crisis, we will not see that snow in winters to come. We might not see it this winter. So I am very pleased at the investments that we are making to combat the climate crisis in the Build Back Better Act.

The infrastructure bill also included some key provisions. It included provisions for my Orphaned Well Cleanup and Jobs Act to plug orphaned wells and protect our communities from the dangerous methane they spew into the air. We know that methane is many times, 35 times more dangerous to our climate than carbon, and so it is important to plug up those orphaned wells that oil and gas companies have abandoned. Not all of them, but there are too many that have abandoned those wells, and they are called orphaned. They are spewing methane into the air right now.

I visited one with our Labor Secretary. It was right next door to a school. The methane that leaks from that abandoned and dirty well is breathed into the lungs of our students. The infrastructure bill will help clean it up, but the Build Back Better bill will say we don't want this to happen over and over again.

Build Back Better says: You can't walk away, oil and gas companies, you can't walk away from those wells and leave the mess for the taxpayers to clean up.

We asked the Interior Department to strengthen the bonding requirements so that the bonds cover the cost of cleaning them up. We also establish an idled-well fee so that oil and gas companies don't have and don't let these wells just sit unattended. If you are not going to be pumping from the well, close it down. Don't just let it spew methane into the air.

I also helped secure \$240 million for a Just Transition investment fund to create new economic opportunities in our energy communities. New Mexico relies on oil and gas for jobs and tax revenues. I am acutely aware of the benefits that this industry has brought to our State, but I am also acutely aware of the need to transition in a way that honors our communities and our workers who have worked in this industry, who have fueled our economy.

We now need a transition to renewable energy and to a clean energy economy, but in that transition we cannot leave any worker behind. And so Build Back Better includes money to invest in those communities so we can see new businesses arise. It also includes money to invest in the workers so that if they need to gain new skills that we are there for them, that our community colleges are there for them, that our apprenticeships are there for them.

But many of the skills that we need, like cleaning up the orphaned wells, are the same skills that you would use in the industry itself. So we are going to be creating good-paying jobs, and we are making sure in the Build Back Better plan that those jobs are union, if they want to be. We are making sure that we prioritize the jobs that pay well and that treat their workers well.

We also are investing in a civilian climate corps. I am very proud to have had my first job in the conservation corps, the Youth Conservation Corps. It taught me that cleaning and protecting our environment is hard work. I went out there with my boots and my shovel and my pickaxe, and we helped create trails, and we helped clean up those trails. It taught me about work ethic, but it also taught me about the importance of caring for the land that we love.

The civilian climate corps will do the same, but it will grow it. I have met with those who are engaged, like the Rocky Mountain Youth Corps. I give a shout-out to the Rocky Mountain Youth Corps because they are there managing our forests, working to protect our forests, and earning their degrees, starting new businesses coming from that experience in the climate corps, in the Rocky Mountain Youth Corps.

We are going to be investing in thousands and thousands of jobs for young people who will be able to go on and secure education, if that is what they

want, or start a business, if that is what they want, from the skills that they will have learned from the climate corps.

We also are going to be strengthening domestic manufacturing and the supply chains for critical goods because it is only when you address the root cause of the problems, which is our supply chains that you solve the problem.

We want to bring back manufacturing to this continent, to this country. There are those who talk about it the same way they talked for years about infrastructure week, but it doesn't help if all you do is talk about it. What you need to do is deliver. In the infrastructure plan, we are delivering to bring back the jobs that are needed to build those bridges. We are building that infrastructure.

We are delivering because Democrats deliver. In Build Back Better, we are going to be delivering the jobs of the future. We are going to be delivering the investments in manufacturing. We are going to be delivering the investments so our consumers can realize the benefits so that they are paid more and can really have the respect that comes along with a job that has the kind of benefits you need.

We are going to be delivering prescription drug price negotiation. We are going to be delivering the lowering of healthcare costs because for too long we have had those who would stand for Big Pharma instead of for those who need insulin, those who need Humira, those who need the kinds of drugs that make their life bearable, those who need the kinds of drugs that allow them to survive.

What we are doing in Build Back Better is making sure that we can negotiate to reduce those drug prices. That is something that we know Americans want. And so when we do not get a single Republican vote for lowering drug prices, remember that, that Republicans were unwilling to vote to lower drug prices because that is what this bill does.

Remember that Republicans were unwilling to vote for infrastructure, because that is what the infrastructure plan did.

I am asking, however, that we receive those votes, that we receive bipartisan support for the kinds of investments that we are going to be doing for our people.

I yield now to the gentleman from Rhode Island (Mr. CICILLINE), an amazing colleague in the Congressional Progressive Caucus, an amazing colleague from the Equality Caucus who has fought for the rights of all Americans. He has fought for the Equality Act. He is one of the drafters of the Equality Act.

Mr. CICILLINE. Madam Speaker, I thank the gentlewoman for yielding, and I appreciate the opportunity to speak about the President's vision for really investing in working families in this country and doing it in a way, par-

ticularly after COVID, that the economy is rebuilt so that everyone has opportunities and that not only people at the top realize their full potential and reap all the benefits, but that everyone in this country can benefit from the economic recovery that the President has articulated in the Build Back Better plan.

I have been in Congress now 11 years. I don't know that we have ever had a better example of what leadership from the President means in terms of understanding that the best way to grow the economy is to invest in working families, to invest in middle-class families by making sure they can access all of the opportunities that exist in this country.

And what are those struggles? Affordable childcare, universal pre-K, job training, lowering prescription drug costs, lowering the cost of healthcare.

When the President made his address to the joint session of Congress, what struck me in that speech was that President Biden identified virtually every single struggle I hear about from my constituents in Rhode Island—the high cost of prescription drugs, the high cost of healthcare, the high cost of childcare, the inability to access pre-K, difficulty retraining because of the absence of job training programs. It is as if the President put together everything I have heard that folks struggle with every day in this country, and he drafted and included all those in the Build Back Better provisions.

When you take the bipartisan infrastructure bill along with the Build Back Better legislation which we are about to pass, we are going to create 1½ million jobs a year for a decade, and that is extraordinary. These are good-paying, union jobs.

We are going to, for the first time, take on in a serious way the climate crisis. We are going to drive down costs of everything from prescription drugs to childcare to healthcare, and the best part about it is it is paid for by making sure the wealthiest people in this country and the most profitable corporations pay their fair share. My constituents pay their fair share. They expect everyone to do the same.

And so we have this extraordinary investment in working families that is going to give people an opportunity, move so many of the obstacles that allow folks to return to the workforce, particularly women. Women were devastated by the pandemic, particularly devastated.

□ 1830

If we did the bipartisan infrastructure bill alone, a lot of that economic recovery would escape women in this country. The Build Back Better provisions are going to ensure many of those obstacles that prevent women from reentering the workforce are addressed so that our economy can realize the full benefit of the extraordinary talent of women in the workforce.

This economic recovery that we are all craving after 2 years of a very difficult time with this pandemic, that economic recovery is going to reach everyone in this country. It is going to begin with working families and middle-class families, who for the first time, I think, are going to be the focus of a very comprehensive strategy.

I am excited. I feel particularly honored to be in Congress at this moment, and I thank the President for his leadership in developing a plan to rebuild the middle class and address so many of the challenges that working families face.

I thank you for giving me an opportunity to speak during this Special Order hour, and I look forward to the passage of Build Back Better and all it is going to mean for families in my State and all across this country.

Ms. LEGER FERNANDEZ. Madam Speaker, I do love it when this President always says we are going to rebuild this economy from the bottom up and the middle out because that is exactly who he is focused on. He is focused on giving us the opportunities, my constituents as well.

You know, there could not be two States that are more different than Rhode Island and New Mexico, but these are the same things we hear in New Mexico. We are addressing those in Build Back Better, and I can't be more excited as a freshman to be able to be here on the floor of the House and to vote for the American Rescue Plan because that really was the first step.

The American Rescue Plan saved our economy. It saved families from homelessness. It lowered hunger. It addressed the pandemic by giving us the vaccine.

The second step was the infrastructure bill. We talked earlier about how, last Thanksgiving, we were apart. This Thanksgiving, we are together because of the American Rescue Plan.

But the infrastructure bill, that is about repairing our infrastructure, which has been too long ignored.

Then this last one, Build Back Better, I am just overjoyed that I get to serve in Congress in this historic moment to work on these things that will be benefiting my grandchildren and their grandchildren. I want to leave them with this beautiful place we call home intact.

Madam Speaker, I yield back the balance of my time.

VACCINE MANDATES NEED TO STOP

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 2021, the Chair recognizes the gentleman from Pennsylvania (Mr. KELLER) for 30 minutes.

GENERAL LEAVE

Mr. KELLER. Madam Speaker, I ask unanimous consent that each Member have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. KELLER. Madam Speaker, I have said it before and I will say it again: The greatest threat that this pandemic has imposed on the American people is growing government control over their lives.

A stalled supply chain, exploding inflation, and a crisis at our southern border are all issues that require immediate attention. Yet, the Biden administration is not addressing any of these issues.

Instead, President Biden thinks it is a good idea to ignore the crisis he created and impose a crushing Federal vaccine mandate on businesses that will affect more than 80 million Americans and decimate our workforce.

My colleagues and I have had enough with President Biden's tone-deaf mandates.

Today, I was joined by all 50 Republican Senators and 107 Members in the House in introducing a Congressional Review Act to nullify President Biden's vaccine mandate on America's workers and businesses.

This mandate is illegal, and we are fighting to stop it. I am joined by my colleagues this evening to explain why we need to stop this.

Madam Speaker, I yield to the gentlewoman from Illinois (Mrs. MILLER).

Mrs. MILLER of Illinois. Madam Speaker, I thank Representative KELLER for yielding. It has been great starting the day today in prayer for our country and now finishing with this Special Order.

The Fifth Circuit blocking OSHA's COVID mandate is a huge win for the American people, but Biden and the far left aren't going to give up this power grab without a fight.

This vaccine mandate would destroy what is left of our economy and make Americans less safe.

We are forcing people to quit their jobs with unconstitutional mandates from an out-of-control Federal Government.

This mandate is causing the American people to be less safe by making firefighters, police officers, Border Patrol, and nurses to choose between the job or their job.

If U.S. military members are discharged, China and our adversaries stand to be the beneficiaries.

Natural immunity is completely ignored because natural immunity doesn't have a lobbyist here in D.C.

We cannot sit idly by while the government works to centralize the personal health information of Americans. Americans have the God-given right to the pursuit of happiness, and we will not bow to king Biden and his unconstitutional edicts.

Mr. KELLER. Madam Speaker, I yield to the gentleman from Kansas (Mr. MANN).

Mr. MANN. Madam Speaker, I thank Congressman KELLER for hosting this Special Order and for his hard work and leadership.

I rise today with you and scores of our colleagues to call for congressional

review of President Biden's vaccine mandates.

During his tenure in the White House, President Biden has circumvented this Congress to issue multiple executive orders imposing vaccine mandates on all Federal employees, Federal contractors, healthcare workers, and even private businesses with more than 100 employees.

These mandates are forcing Americans to choose between their paychecks and their principles.

I have heard from multiple agents at the USDA's Farm Service Agency who have chosen to resign rather than receive the vaccine. Just a year ago, these same agents were deemed essential, connecting vital resources to farmers and ranchers, and today, they are out of a job.

Congress should immediately review these mandates in full and take up legislation like my bill, the Stop Vaccine Mandates Act, which would have prohibited OSHA from implementing a vaccine mandate on private businesses altogether.

Anyone who wants to receive a vaccine should do so, but that is a personal healthcare decision. It is not an arena for mandates from the government, and I am deeply disappointed by President Biden's policies and lack of responsible, legitimate concerns surrounding them. I will continue to push against these overreaching mandates with all of us and will fight to protect the freedoms of the American people.

Mr. KELLER. Madam Speaker, I yield to the gentleman from Georgia (Mr. ALLEN).

Mr. ALLEN. Madam Speaker, I thank my colleague, Mr. KELLER, for leading this important effort in letting the American people know that we are fighting for you.

As I said since day one, folks should consult with their doctor and get the vaccine if they are able. But instead of allowing local healthcare providers and communities to instill confidence in the vaccine, the Biden administration is choosing to push a top-down government mandate, which does not work and will never work.

It comes down to this: Workers across the country are facing the choice to get vaccinated or lose their job.

This is the epitome of government overreach. Every American has the right to earn a living.

While I believe this mandate is likely unconstitutional, I look forward to watching it continue moving through the courts.

It is also our duty as Members of Congress to fight this legislatively. That is why it is important to exercise our authority under the Congressional Review Act to nullify this rule.

I am proud to fight for over 80 million workers who will be impacted by this overreaching mandate by ensuring this rule has no force or effect.

Mr. KELLER. Madam Speaker, I yield to the gentleman from Wisconsin (Mr. GROTHMAN).

Mr. GROTHMAN. Madam Speaker, like all other Congressmen, I am sure, my office has received many calls from people objecting to the OSHA rules and the CMS rules related to employees of hospitals.

It amazes me, the number of articulate doctors and nurses and other employees out there who have good reasons not to take the vaccine. Whether their doctors have told them don't take it because you already have antibodies, you have too many antibodies, the vaccine is going to make you sick; whether it is doctors who tell their patients you better not take the vaccine, your cancer is in remission, the vaccine can weaken you and bring it back.

Again and again, it appalls me that doctor Biden decides to weigh in and knows better for these people than what their own doctors do, not to mention there are plenty of things on the internet—which may be true even though they try to take them down and keep us in the dark—indicating that some very articulate people believe the vaccines are not for you anyway, and there are other ways to deal with the problem.

It is such a gross grab of power to think you can tell other people what they have to do with their own bodies. I sure hope America stands up and says no to this kind of hatred and arrogance.

Mr. KELLER. Madam Speaker, I yield to the gentleman from Oklahoma (Mr. HERN).

Mr. HERN. Madam Speaker, I thank the gentleman from Pennsylvania (Mr. KELLER) for hosting this Special Order this evening and for leading the charge on the Congressional Review Act.

President Biden is characterizing his agenda with three simple words: Build Back Better. More appropriately, it should be build back broke.

Our economy is in shambles, our supply chain strained to the breaking point, and inflation is out of control, and our friends across the aisle refuse to recognize that. At the heart of all these lies, lies a devastating labor shortage.

A few commonsense measures would address these problems to bring an end to the many crises, but President Biden instead chose to mandate vaccinations for workers, forcing small businesses to either fire their workers or face large fines.

Earlier today, OSHA announced that it will suspend enforcement of Biden's immoral and unconstitutional vaccine mandate after being blocked by the Fifth Circuit Court. Biden and his puppets knew that this mandate would likely not be held up in court but still went through with it anyway, proving their allegiance to the radical socialist mob rather than to the Constitution of these great United States.

To every American who raised your voice up and stood up to the gross Federal overreach, this victory is for you. I am proud to stand with my colleagues in opposition to this government overreach.

Mr. KELLER. Madam Speaker, I yield to the gentleman from Georgia (Mr. CARTER).

Mr. CARTER of Georgia. Madam Speaker, I thank the gentleman for yielding.

I rise today in opposition of the President's unconstitutional vaccine mandate.

Today, OSHA finally suspended enforcement of its vaccine mandate in response to the Fifth Circuit Court's ruling earlier this month. The only reason this happened is because Republicans and the people demanded that our rights be protected and used the power given to us by our Constitution to defend those rights.

And we can't stop now.

If these mandates are about public health, why do one-third of physicians disagree with them?

If these mandates are responding to an emergency, why do they not take effect until January 4?

If the mandates are based on science, why are we only looking at vaccine status and not natural immunity?

It is because Washington Democrats are trying to control you, not protect you.

Democratic leaders can't seem to follow their own rules and expectations. They party and gather with no masks, yet they expect their constituents to wear a mask at gatherings or even not gather at all.

President Biden, hypocrisy is not a viable COVID-19 mitigation strategy.

Mr. KELLER. Madam Speaker, I yield to the gentleman from Alabama (Mr. CARL).

Mr. CARL. Madam Speaker, I thank my colleague from Pennsylvania for his leadership on this issue.

Madam Speaker, I rise to oppose President Biden's unconstitutional vaccine mandates on our businesses.

I believe this vaccine is effective. That is why I took it, and that is the reason my family has taken it. But I strongly believe getting the vaccine should be a personal choice, not a mandated choice.

The Federal Government has no right to mandate the vaccine on job creators or workers who are already struggling to recover from this pandemic and to get our supply chain back working properly again. The last thing they need right now is more government rules and regulations, and that is all we are seeing out of this administration.

The American people are fed up with it. They are fed up with Big Government overreach in our lives.

That is why I am proud to stand with so many of my colleagues to introduce this Congressional Review Act resolution, which would officially strike down President Biden's illegal vaccine mandate on our businesses.

We will continue doing all we can to fight back against President Biden's war on American workers, and I urge my colleagues on both sides of the aisle to stand with us.

Mr. KELLER. Madam Speaker, I yield to the gentleman from Michigan (Mr. WALBERG).

□ 1845

Mr. WALBERG. Madam Speaker, I thank the gentleman for yielding.

Madam Speaker, today, we are here to take a stand against President Biden's unconstitutional vaccine mandate on private businesses and their employees. And in the end, I think it is clear that we need to make sure we understand this is unconstitutional, this goes against the American way and the American ideals.

By invoking the Congressional Review Act, we are taking an important step to protect the liberties of millions of Americans in the workforce, and more importantly, to protect American ideals and the freedoms that we expect.

In his first year as President, President Biden has led a lackluster economic recovery plagued by record inflation, supply chain backlogs, and workforce shortages. The President's coercive mandate will only worsen issues within the workforce as millions could face termination—wrongly and unnecessarily.

I have heard from many constituents concerned about their livelihoods. Small businesses concerned about keeping their doors open. Rural healthcare providers concerned about meeting staffing demands and even staying in business. While I am encouraged to see the early court rulings on this issue, and OSHA's step to back up a little bit today, Congress must not stand on the sidelines.

Madam Speaker, I thank my colleague from Pennsylvania for his leadership in introducing this legislation, and I am proud to be a cosponsor.

We have had enough topdown mandates.

Mr. KELLER. Madam Speaker, I thank the gentleman from Michigan.

Madam Speaker, I yield to the gentlewoman from North Carolina (Ms. FOXX), a great mentor, an outstanding person, my good friend.

Ms. FOXX. Madam Speaker, I thank the gentleman for yielding, and I thank him for leading this Special Order tonight.

Madam Speaker, the Biden administration's unprecedented OSHA vaccine mandate is a massive power grab. This national diktat was recently found likely to be unlawful by the Fifth Circuit and it stretches the power of the Federal Government beyond recognition. Requiring employers to be the vaccine and testing police and telling them who they can and cannot employ is a bridge too far.

Further, this mandate will crush businesses with exorbitant costs while exacerbating the worker shortage. Why would the Biden administration make this crisis worse? It is clear that the Biden administration is using this pandemic as an excuse to inflate the power of the Federal Government as far as possible. That is what we must resist.

To get our economy back on track, we don't need more crippling mandates and regulations, we need to support workers and job creators.

Mr. KELLER. Madam Speaker, I thank the gentlewoman.

Madam Speaker, I yield to the gentleman from Tennessee (Mr. BURCHETT), my friend and colleague.

Mr. BURCHETT. Madam Speaker, I thank the gentleman from Pennsylvania (Mr. KELLER), and thank him for his better-than-lackluster handling of this event tonight. It is much appreciated.

Madam Speaker, for the past several weeks, I have been coming down here to make the point over and over again that Joe Biden's vaccine mandate is ridiculous and unconstitutional. Many of my colleagues have done the same. We all agree that no American should lose their job for deciding not to take the coronavirus vaccine.

Today, our efforts paid off. Biden's Occupational Safety and Health Administration announced just a few hours ago that it is suspending plans to implement a vaccine mandate on large employers. The bureaucrats saw the writing on the wall after a court blocked the vaccine mandate last weekend.

The victory doesn't mean the fight is over. Joe Biden's administration will try again to punish Americans who decide not to take the shot. As a matter of fact, they are even advising some to just disregard the court order.

Madam Speaker, I appreciate Mr. KELLER for leading this effort to overturn Biden's vaccine mandate. It is good to know we have this legislative measure ready to go if Biden launches another attack on unvaccinated Americans.

Madam Speaker, many Americans still have questions about the coronavirus vaccine. They should have the freedom to make the choice that is right for them without government threatening their jobs. Our country is a symbol of personal liberty and freedom, a government vaccine mandate is out of touch with these values.

We have a responsibility to preserve our Nation's values to protect our constituents from extreme government overreach.

Mr. KELLER. Madam Speaker, I thank the gentleman.

Madam Speaker, I yield to gentleman from Texas (Mr. PFLUGER).

Mr. PFLUGER. Madam Speaker, I thank the gentleman from Pennsylvania (Mr. KELLER), my colleague.

Madam Speaker, I rise today to shed light on the outrageous overreaching vaccine mandate that is devastating the lives of Americans, including those that I represent.

Everywhere I go in my district, I hear from workers across all sectors who are facing the prospect of being fired. And why? Simply because Joe Biden and the White House think that they know better, that they have made a different medical decision than the powers that be in the White House.

A few examples of calls that I have received just this week: A soon-to-be-mother who doesn't want to take the vaccine until after she gives birth is facing termination. The countless healthcare workers who have sacrificed so much for the last year-and-a-half-plus to save the lives of all of us to be there to serve us, and now they are facing termination. A married couple recently moved to San Angelo during the pandemic in search of freedom and personal liberty that Texas so desperately promises the rest of the country. And now the husband, an Air Force veteran and a Border Patrol agent, faces termination due to President Biden's egregious Federal overreach.

It is about control. This is about control. This vaccine mandate is another example of Democrats' belief that the government should control every aspect of our lives.

America, wake up. The message is the same: That the President thinks he knows better for you than you know for yourself. We must strike down Biden's unconstitutional vaccine mandate now.

Mr. KELLER. Madam Speaker, I thank the gentleman very much for those remarks.

Madam Speaker, I yield to the gentleman from Utah (Mr. MOORE).

Mr. MOORE of Utah. Madam Speaker, I thank my colleague from Pennsylvania.

Madam Speaker, today, I stand in opposition to President Biden's vaccine mandate on businesses issued by the Occupational Safety and Health Administration, or OSHA.

The Fifth Circuit Court of Appeals confirmed that the Biden administration is severely misusing his power. While OSHA's delegated authority was intended to be used with precision and tact, President Biden has wielded it carelessly.

Just yesterday, in keeping with the Fifth Circuit's ruling, OSHA itself suspended implementation of this mandate. Even so, my colleagues and I in Congress know we, too, must fight against this mandate.

The COVID-19 vaccines are miracles of modern medicine and has saved lives and quickened the end of the pandemic.

My family has embraced it. I am comfortable with my parents having used this to live a more outward life, but we cannot forget that America is founded upon principles enshrined in our Constitution that protect an individual's ability to make their own decisions.

When I swore to uphold the Constitution, I promised to fight against efforts to undermine these rights, and I stand by that oath today.

Madam Speaker, I urge support for this CRA.

Mr. KELLER. Madam Speaker, I thank the gentleman for those comments.

Madam Speaker, I yield to the gentleman from Kansas (Mr. ESTES), my good friend and colleague.

Mr. ESTES. Madam Speaker, I thank the gentleman for hosting this Special Order.

Madam Speaker, following the Biden administration's overreaching mandates, hundreds of Kansans have shared their concerns with me about how this would affect their jobs, livelihoods, and families.

One vaccinated individual wrote saying, "I would love for people to be vaccinated, but mandating a vaccination, and even worse, making the employers the enforcers, is yet another example of government pushing more onto the plates of business managers."

Others tell me how they have been at the same company for decades, some near retirement and some who continue to work faithfully in person each day through the pandemic, especially our first responders and healthcare workers, yet they are being demoted or forced to retire or resign because they made some personal healthcare choices. One teacher wrote, "My doctor and I discussed the vaccine and deemed it would not be good for me to get it."

Madam Speaker, these Kansans aren't anti-vaccine, they just don't believe that the Federal Government should be forcing them and their neighbors to make a healthcare decision or lose a job.

My colleagues and I are utilizing the Congressional Review Act to attempt to strike down one of these mandates, hopefully putting an end to this overreach by the administration and the Federal Government.

Mr. KELLER. Madam Speaker, I thank the good gentleman from Kansas.

Madam Speaker, I yield to the gentleman from Pennsylvania (Mr. SMUCKER), my good friend and fellow Pennsylvanian.

Mr. SMUCKER. Madam Speaker, I thank Mr. KELLER for his leadership on this issue. My wonderful colleague from Pennsylvania introduced the Congressional Review Act, and I rise today in strong support of this act, which would block President Biden's misguided and, frankly, I think unconstitutional mandate. I thank him for his efforts and I am very, very happy to be able to support that.

Madam Speaker, I will say first, that I think the U.S. and what we have accomplished in developing a vaccine through Operation Warp Speed was a remarkable achievement of science and of a system in our country that develops the best medical system and the best drugs from across the world. And to be able to do that in the amount of time that it was done and to manufacture those drugs in a large scale is nothing short of amazing.

Personally, for myself, my family, we have discussed this with our doctor. We got the vaccine early on when it became available. And I have encouraged Pennsylvanians to speak with their own doctors and make their own decisions about the direction they want to take. And many Pennsylvanians have,

and I think Mr. KELLER knows this as well.

We now are at over 70 percent of our Commonwealth vaccinated, which begs the question for me: What ever happened to herd immunity? What ever happened?

Every one of us were in the room early on during this vaccine when we heard from Dr. Fauci and heard from other experts who talked about herd immunity. And they were talking about herd immunity being achieved when about 70 percent—or even less after we learned that COVID was not as fatal as was originally feared. At that point, we could do away with government mandates—many that were unnecessary in the first place, by the way—but we could reopen the economy and could control COVID; 70 percent. We are there, but nobody is talking about it anymore. CDC doesn't talk about it. This administration doesn't talk about it. What happened?

Madam Speaker, so I agree, there has got to be something else going on. And other speakers tonight have talked about it. There has got to be something more, and I fear it is control. It is control that people want.

I think we should trust the science. I think you should listen to your medical professionals. Certainly, it shouldn't be government topdown mandates.

I hear from employers every day who are worried that this mandate will further harm their ability to hire and retrain staff. They are already having a lot of problems due to some of the policies of this administration, but this will make it a lot worse. And I also hear from employees every day that are worried that this mandate may threaten their jobs and may threaten their livelihoods.

I have been heartened that over half of States have sued the administration to reverse this mandate, and I have also joined with my Republican colleagues from Pennsylvania to call on our attorney general in our State to join that litigation.

Madam Speaker, I stand ready to oppose this mandate; do everything that I can to block this and any vaccine mandates that this White House puts forth.

Madam Speaker, I thank Mr. KELLER for his leadership.

Mr. KELLER. Madam Speaker, I thank the gentleman from Pennsylvania.

Madam Speaker, I yield to the gentleman from California (Mr. LAMALFA), my good friend.

Mr. LAMALFA. Madam Speaker, I thank the gentleman and appreciate him hosting this Special Order for us here tonight.

Madam Speaker, so what do we have? The Biden administration has been trying to keep their fingerprints off of it for a long time. They have been trying to let others do their dirty work; the airlines, the hospitals, forcing these vaccines on people. Why is that? They

don't want to have their fingerprints on it.

So now they are getting impatient. You can go back and look at clips where they say, Oh, it is not the role of the Federal Government, by Jen Psaki, by others in the administration. It is not our job. We are not supposed to do this. Now they don't care. They are pushing forward.

So the Fifth Circuit came in and said, You are going overboard by getting OSHA to do the dirty work for you. They said it was "staggeringly overbroad," and they told them take no steps to implement or enforce the mandate until further court order. It raises serious constitutional questions. It likely exceeds the Federal Government's authority.

So they have stepped out of line and they have been slapped back. It is amazing, because the people on the front lines this year-and-a-half our nurses, doctors, and others that are called the essential employees, have been playing good ball. Now, they are being told, Oh, that is not good enough anymore. You can't have your job anymore unless you take this vaccine.

Personal decisions. You can't undo a vaccine once you have had it taken. And so the aggressiveness of this administration towards people's personal decisions is just amazingly overbroad. I am really pleased we are doing this Congressional Review Act to nullify OSHA's mandate that has been, at least for a while, set aside by the Fifth Circuit Court and hopefully joined across the street by the Supreme Court.

Madam Speaker, I thank the gentleman for the time.

□ 1900

Mr. KELLER. Madam Speaker, I appreciate the remarks from the gentleman of California and all the Members who stood here today. I thank my colleagues in both the House and the Senate for standing with the American people in opposition to this blatant overreach by President Biden.

Our Congressional Review Act resolution puts every Member of Congress on record. You are either for this blatant government overreach and control, or you are against it. You are either with this kind of control, or you are with the American people.

Well, I will tell you right now, my colleagues who spoke here today, the people who are helping with this Congressional Review Act, my colleagues in the Senate, we are with the people for whom we work. We are with the American people, saying they know best.

It is not government that runs things here in America. It is we the people. We stand with the people in opposing this overreach by the Biden administration.

Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Members are reminded to refrain from en-

gaging in personalities toward the President and to direct their remarks to the Chair.

TRANSGENDER DAY OF REMEMBRANCE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 2021, the Chair recognizes the gentlewoman from Illinois (Ms. NEWMAN) for 30 minutes.

GENERAL LEAVE

Ms. NEWMAN. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the subject of my Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Illinois?

There was no objection.

Ms. NEWMAN. Madam Speaker, I rise today on behalf of the transgender Americans who must fight every day for their right to live as their authentic selves.

This Saturday, November 20, marks Transgender Day of Remembrance, a day to honor the memory of the transgender and nonbinary people whose lives were lost this year in acts of violence.

Tomorrow, I am proudly joining my colleagues and fellow Transgender Equality Task Force co-chairs, Representatives PRAMILA JAYAPAL and JENNIFER WEXTON, to formally introduce a resolution to nationally commemorate this very somber annual observance.

At least 375 transgender or nonbinary individuals across the globe have been killed this year—375. In our Nation alone, it breaks my heart to say that, so far this year, the Human Rights Campaign has reported at least 46 transgender or gender nonconforming people were killed by violent means. We say "at least" because we believe this number is actually much higher due to the unfortunate prevalence of underreporting or misreporting violence against this community.

They were friends, family, loved ones, parents. They were taken far too soon. We must honor their memory with a commitment to fight anti-trans hate and violence anywhere it exists.

It is with this commitment that I now read the names of each of these Americans into the CONGRESSIONAL RECORD. May their memory serve as a call to action for all of us:

Tyianna Alexander
Samuel Edmund Damian Valentin
Bianca "Muffin" Bankz
Dominique Jackson
Fifty Bandz
Alexus Braxton
Chyna Carrillo
Jeffrey "JJ" Bright
Jasmine Cannady
Jenna Franks
Diamond Kyree Sanders
Rayanna Pardo
Jaida Peterson

Dominique Lucious
Remy Fennel
Tiara Banks
Natalia Smut
Iris Santos
Tiffany Thomas
Keri Washington
Jahaira DeAlto
Whispering Wind Bear Spirit
Sophie Vasquez
Danika "Danny" Henson
Serenity Hollis
Oliver "Ollie" Taylor
Thomas Hardin
Poe Black
EJ Boykin
Aidelen Evans
Taya Ashton
Shai Vanderpump
Tierramarie Lewis
Miss CoCo
Pooh Johnson
Disaya Monae
Briana Hamilton
Kier Lapri Kartier
Mel Groves
Royal Poetical Starz
Zoella "Zoey" Rose Martinez
Jo Acker
Jessi Hart
Rikkey Outumuro
Marquisha Lawrence
Jenny De Leon

Madam Speaker, may we honor their memory today and every day.

Madam Speaker, I yield to my colleague from the great State of Rhode Island (Mr. CICILLINE), the chair of the congressional LGBTQ-Plus Equality Caucus.

Mr. CICILLINE. Madam Speaker, I thank the gentlewoman for yielding, for leading us in this Special Order hour, and for saying out loud the names of the individuals who we have lost.

I am proud today to rise in recognition of Transgender Day of Remembrance, which we will mark this Saturday, November 20, and in remembrance of the transgender and gender nonconforming people whose lives were taken this year.

Madam Speaker, 52 years ago, in the early morning hours of June 28, 1969, New York City Police raided the Stonewall Inn, a popular gay bar in Greenwich Village. It had become a refuge and a well-known gathering place for LGBTQI-plus individuals.

This was the third such raid on Greenwich Village bars in a short period of time. Tired of harassment and blatant discrimination, patrons began clashing with law enforcement outside the Stonewall Inn on Christopher Street.

This was not the first time LGBTQI-plus people fought back, but these clashes sparked an uprising that would unfold over the next 6 days and fundamentally change LGBTQI-plus activism in the United States and around the world.

At the forefront of this uprising were transgender and gender nonconforming people like Marsha P. Johnson, the P standing for "pay it no mind," a common response Marsha would say to questions about her gender.

Too often, transgender individuals are left out of the story of the LGBTQ-plus rights movement, especially transgender women of color like Marsha, as well as Sylvia Rivera and Miss Major Griffin-Gracy.

These three icons and so many other activists like them were and continue to be the backbone of the LGBTQ-plus civil rights movement. Miss Major, currently in her eighties, continues to fight against the disproportionate incarceration rates of transgender people.

Tragically, so far this year, at least 46 transgender or gender nonconforming people have been fatally shot or killed by other violent means in our own country. 2021 marks an alarming milestone for the transgender community: the deadliest year on record for transgender and gender nonconforming people. Let me say it again: the deadliest year on record for trans and gender nonconforming people.

This epidemic of violence particularly affects transgender women of color, specifically Black and Latinx transgender women, who make up more than three-quarters of the recorded 46 violent deaths this year. These deaths are horrific, and we must act to end this violence.

The right to live freely without fear of persecution or discrimination is one that every person needs and deserves. The Equality Act adds sexual orientation and gender identity as protected classes through existing civil rights law, ensuring that the transgender community would have the same protections as everyone else. I am so proud that we have passed that out of the House, and it is awaiting action from the Senate.

The 2021 Transgender Day of Remembrance House resolution, of which I am a proud cosponsor, commemorates November 20, 2021, as a day of remembrance and memorializes the lives lost at the hands of anti-transgender violence in the United States and around the world. I urge all of my colleagues to support this resolution.

Now is the time to show solidarity with the trans community. They have done the work to bring injustice wrought against the LGBTQI-plus community to light. They bear the brunt of violence, abuse, and even death. It cannot continue. We must not let it continue.

Madam Speaker, as we remember the names of the transgender individuals who gave their lives for this cause, we honor their legacy by continuing the fight to ensure that all people, regardless of gender and gender identity, are treated equally and justly in this country.

Madam Speaker, the forces working against progress are strong, but we are stronger. I thank Congresswoman NEWMAN for being one of the co-chairs of the Transgender Equality Task Force of the Equality Caucus, for the good work in developing this resolution, and for leading this Special Order hour tonight.

Ms. NEWMAN. Madam Speaker, I thank Congressman CICILLINE, who is an amazing champion for the Equality Act and all things LGBTQI. I couldn't be more pleased to be his colleague.

Madam Speaker, I yield to the gentleman from California (Mr. TAKANO), a co-chair of the Congressional LGBTQ-plus Equality Caucus and the chairman of the House Veterans Affairs' Committee, where he champions legislation to serve our LGBTQ-plus veterans.

Mr. TAKANO. Madam Speaker, I thank Congresswoman NEWMAN for yielding. It is a great honor to be here today under such somber circumstances.

Madam Speaker, I rise today in recognition of Transgender Day of Remembrance and Transgender Awareness Week. It is with a heavy heart that I recognize that this has been the deadliest year on record for our transgender sisters, brothers, and siblings. I want to share with you the names of three individuals that we lost in my home State of California. I grieve with the families, loved ones, and communities that lost these young people far too early for no reason other than hate.

Rayanna Pardo, age 26, was a beloved daughter and sister living in East Los Angeles who left behind a family and community that loved her deeply. She was lost in March of this year.

Natalia Smut, age 24, was a celebrated drag artist from Milpitas, California. She gave captivating performances and had a courageous and creative spirit, and she was described by those who knew her as a jewel in her community. She was lost in April.

Poe Black, also known as Oliver Jackson and Legion, was an indigenous, trans-masculine and two-spirit activist and artist. He was a tireless advocate who used his social media platform to support various social justice causes, including by documenting his transition to educate and inspire his followers. He was lost in May.

Each of these young people leaves behind a network of family, friends, and community upon which they have made an indelible impression. I join their communities in honoring their light and legacy and share in the grief that they were taken from the people who loved them.

It is in remembrance of these three individuals that I say this: Transgender Week of Awareness cannot only be about awareness. It also must be about action.

We cannot pretend that the rhetoric heard here in this Chamber and in statehouses across the country does not have a direct impact on the lives of transgender people. This year, we have seen the introduction of over 100 anti-trans bills in State legislatures, whipping up a moral panic around the identities of adults and targeting children.

The dehumanizing debates over whether an individual should have control over their own body, whether they should be allowed to compete on the

athletic field, whether they even exist, these arguments all connect directly to the types of attacks that killed Rayanna, Natalia, Poe Black, and so many more.

It is not enough to only recognize the devastating statistics. We must also make policy decisions that recognize transgender people for who they are.

Who are they? They are loved ones, community members, family members, individuals who add depth and richness to our society and are defined by far more than statistics, hatred, or bigotry.

So this Transgender Remembrance Day, remember those who were lost by making noise. Raise your voice against the persistent and dangerous misinformation about transgender identity. Raise your voice in celebration of loved ones, friends, family, and community members who are transgender.

Raise your voice to support the next generation of transgender and non-binary young people so that they may recognize the great beauty and joy in their identity rather than living in fear or shame.

□ 1915

Now, we cannot bring those who have been lost back to their loved ones, but we can play a role in ensuring that other friends, families, and communities do not have to suffer a loss like Rayanna's, Natalia's and Poe Black's communities did. So I call on my colleagues this year to turn awareness into action because making policy that centers on safety, equity, and prosperity for transgender people should not be an effort that lasts only a week, but it should be all year round and throughout the rest of our lives.

Madam Speaker, I thank my friend for yielding.

Ms. NEWMAN. Madam Speaker, I thank Congressman TAKANO for all his advocacy and leadership.

Madam Speaker, I yield to the gentlewoman from the great Commonwealth of Massachusetts (Ms. PRESSLEY), who is a champion of LGBTQ-plus rights and whose intersectional approach is simply inspirational.

Ms. PRESSLEY. Madam Speaker, I rise in recognition of Transgender Day of Remembrance.

In 1999, Rita Hester, a transgender woman, was murdered in Allston, a neighborhood in my district, the Massachusetts Seventh. In response to this horrific tragedy, this day was created to memorialize the loss of her life and far too many others due to transphobic violence.

The cruelty of transphobia is a threat that we must confront and root out wherever it exists. Whether in music or on television or in the hallowed Halls of the Nation's Capitol, there is no place for hatred because someone is brave enough to show up exactly as they are and to live their truth.

Yet in 2021, we have seen at least 46 transgender or gender nonconforming

people killed. We have been robbed of at least 46 souls, disproportionately Black and Latinx transwomen, and these are only the ones who have been properly reported.

On the floor of Congress, we speak their names:

Tyianna Alexander
 Samuel Edmund Damian Valentin
 Bianca “Muffin” Bankz
 Dominique Jackson
 Fifty Bandz
 Alexis Braxton
 Chyna Carrillo
 Jeffrey “JJ” Bright
 Jasmine Cannady
 Jenna Franks
 Diamond Kyree Sanders
 Rayanna Pardo
 Jaida Peterson
 Dominique Luscious
 Remy Fennell
 Tiara Banks
 Natalia Smut
 Iris Santos
 Tiffany Thomas
 Keri Washington
 Whispering Wind Bear Spirit
 Sophie Vasquez
 Danika “Danny” Henson
 Serenity Hollis
 Oliver “Ollie” Taylor
 Thomas Hardin
 Poe Black
 EJ Boykin
 Aidelen Evans
 Taya Ashton
 Shai Vanderpump
 Tierramarie Lewis
 Miss CoCo
 Pooh Johnson
 Disaya Monae
 Briana Hamilton
 Kier Lapri Kartier
 Mel Groves
 Royal Poetical Starz
 Zoella “Zoey” Rose Martinez
 Jo Acker
 Jessi Hart
 Rikkey Outumuro
 Marquiisha Lawrence
 Jenny De Leon

And Jahaira DeAlto who was murdered in my district.

Jahaira, a friend, a mother, and an activist spoke out 22 years ago when Rita Hester was killed. As a survivor of domestic violence, she advocated for gender affirming shelters and, with kindness in her heart, opened her home to queer and trans people with nowhere to go.

Jahaira DeAlto’s compassion will forever be her legacy, alongside her legendary status in the ballroom community for serving “everyday realness.”

While we grieve the loss of loved ones, neighbors, and colleagues, we must also hold space to celebrate their lives and the differences they make in ours.

Transgender people are community organizers, military soldiers, and justice seekers who have put their bodies on the line domestically and abroad to fight for a safe and equitable society. They are artists, healers, and entertainers who nurture our soul and

spread joy wherever they go. Most importantly, transgender people are beacons of hope and pillars of courage serving as living testaments of what it means to be unapologetically you.

While transphobia seeks to erase these truths, we must affirm the dignity of every member of the trans community.

So I rise today to remember Transgender Day of Remembrance and recommit myself to the work of justice and equity for all people, including my transgender siblings in the movement for liberation. Our destinies are tied.

Ms. NEWMAN. Madam Speaker, I thank Congresswoman PRESSLEY for all her great work.

Madam Speaker, I yield to the gentlewoman from the great State of California (Ms. JACOBS), who is a proud sister to a trans brother and gender non-conforming sibling.

Ms. JACOBS of California. Madam Speaker, I thank Congresswoman NEWMAN for yielding and thanks to the Equality Caucus for organizing this Special Order.

As the gentlewoman mentioned, I am the proud sister of a trans brother and a gender nonconforming sibling. I am also the proud Representative of Hillcrest, the heart of San Diego’s LGBTQ+ community, so this issue is deeply personal to me and to the people whom I love.

Every time that we hear about another trans person being murdered, I think about my siblings and my constituents, and my heart breaks because this epidemic of violence has gone on for too long.

For too long, trans voices have been silenced, ignored, and disrespected. Whether they are trying to access healthcare, trying to find housing, or even when they are just trying to go about their daily lives, our trans neighbors and friends face discrimination, harassment, and a pervasive lack of resources.

Even in this body, we have colleagues actively working to prevent equality for the trans community who continue to misgender and dehumanize our trans friends and family and continue denying them the support they need and are trying to keep them on the margins of our society.

This rhetoric and this anti-trans legislation making its way through the country has real-world consequences. With the recent news of the killing of Marquiisha Lawrence in South Carolina, 2021 just became the deadliest year on record for trans and nonbinary people. This year alone at least 45 trans people have been killed.

It is, at least, because all too often when trans people are killed, the details of their lives are misreported. They are misgendered or deadnamed in police reports and death certificates. So not only are their lives being taken from them, their authentic identity—who they really were and fought so hard to be—is also being erased. So we must continue to say the names of peo-

ple like Poe Black and Natalia Smut who were killed this year in California.

Their lives are a reminder that we must continue to fight for trans equality especially for transwomen of color.

As important as it is for us to celebrate the lives of the trans people who were taken from us, we also need to celebrate trans people when they are still alive. So this Transgender Awareness Week, let us commit to uplifting trans people when they are still here not only after they are gone.

I honor the strength and resilience of the trans community. I will continue to make their voices heard in the Halls of Congress, and I will continue to advocate for the support that they have been denied for far too long.

I want any young person who is watching this to know that they are perfect, they are loved, and they are needed in this world exactly the way they are, and I will be here every day fighting for them.

Ms. NEWMAN. Madam Speaker, I thank Congresswoman JACOBS for her kind remarks.

I have one more speaker, Madam Speaker. We have Representative AL GREEN, who is an LGBTQ ally.

Madam Speaker, I yield to the gentleman from Texas (Mr. GREEN).

Mr. GREEN of Texas. Madam Speaker, I thank the gentlewoman for yielding.

And still I rise, Madam Speaker, as a proud ally of the transgender community. And I rise tonight with a special message. This message means a lot to me because I truly believe that the pledge is correct. We pledge allegiance to the flag of the United States of America, and to the Republic for which it stands, one nation under God with liberty and justice for all.

All cannot exclude the trans community. All has to include the trans babies and the children in Texas who are having to suffer through debates about what they can do athletically. All has to include people who lose their lives simply because they are being who they are.

I rise with a message of I am with you, I am your ally, and I live today to live to see the day that transwomen will not have to live in fear of dying because of who they are and trans children can grow up and simply be children in this country where we pledge liberty and justice for all.

Ms. NEWMAN. Madam Speaker, I thank Congressman GREEN. He is absolutely right. All is all and love is love.

That concludes our Special Order hour. I want to thank each of my colleagues this evening for their participation.

Madam Speaker, I yield back the balance of my time.

AND STILL I RISE

The SPEAKER pro tempore. Under the Speaker’s announced policy of January 4, 2021, the Chair recognizes the gentleman from Texas (Mr. GREEN) for 30 minutes.

Mr. GREEN of Texas. Madam Speaker, and still I rise. And I rise on this occasion to bring to the attention of this House H. Res. 746, the Original National Domestic Violence Awareness Month Resolution of 2021.

H. Res. 746 expresses support for National Domestic Violence Awareness Month and that Congress should continue to raise awareness of this issue.

This resolution has 160 original cosponsors including 18 Republicans. It is a bipartisan resolution. I am honored to say that the lead cosponsor from Louisiana, Mr. GARRET GRAVES, is a person who has been very helpful in helping to get this resolution presented and get signatures of persons who would be supportive.

Domestic violence is a more prolific problem than many realize. Domestic violence is a problem that too often is concealed. Many people don't report the fact that they are being abused. People are locked in. They find themselves having to live with abuse because the abuse is being perpetrated by someone that they love and someone whom they care for but someone who does not care as much for them.

Nearly one in three college women say they have been in an abusive dating relationship. Ninety-two percent of homeless women experience severe physical or sexual abuse at some point in their lifetimes.

A 2020 survey by the National Network to End Domestic Violence reported that 76,525 violence victims were served by domestic violence shelters and programs around the Nation in a single day. Additionally, 11,047 requests for services went unmet—went unmet—because of a lack of resources. We have to do more to help the victims of domestic violence. Congress can do more to help the victims of domestic violence. Congress should do more to help the victims of domestic violence.

Domestic violence impacts individuals of any gender. One in four women and one in seven men ages 18 and older will experience domestic violence at some point in their lives. Women ages 18 to 34 experience the highest rates per capita of intimate partner violence.

Domestic violence impacts individuals of any race. African-American women experience intimate partner violence at a rate 35 percent higher than that of White women and about 2.5 times the rate of women of other races.

□ 1930

Twenty-one to 55 percent of Asian and Pacific Islander women report experiencing domestic violence; that is, physical assault, sexual assault, or both, during their lifetimes.

37.1 percent of Latinx females are victimized by intimate partner violence in a lifetime. One in three Native American women will be raped, and 6 in 10 will be physically assaulted in their lifetimes.

Domestic violence impacts individuals of any sexual orientation. Sixty-one percent of bisexual women, 43.8

percent of lesbian women, 37.3 of bisexual men, and 26 percent of homosexual men experience intimate partner violence during their lifetimes.

Too often, children are affected by domestic violence and sexual assault. One in 15 children are exposed to intimate partner violence each year, and 90 percent of these children are eyewitnesses to such violence.

Children exposed to domestic violence are more likely to attempt suicide, abuse drugs and alcohol, run away from home, and become victims of human trafficking. Our children are suffering. Those who witness these acts of domestic violence need help. We need to provide more counseling for children.

Even when this tragedy occurs, it is shameful for children to have to witness it. But more tragic than that, when children themselves are victimized, they have to carry that memory with them for a lifetime.

One in 10 District of Columbia high school students reported experiencing physical violence from a dating partner in the past year. Half of youth who have been victims of both dating violence and rape attempt suicide, compared to 12.5 percent of non-abused girls and 5.4 percent of non-abused boys.

One large study found that men exposed to physical abuse, sexual abuse, and adult domestic violence as children were almost four times more likely than other men to have perpetrated domestic violence as adults.

The point to be made is, those who suffer from domestic violence and abuse are likely to perpetrate domestic violence and abuse; not all, but a good many.

There is a need for primary schools, secondary schools, and postsecondary schools to educate students about the issues of domestic violence, sexual assault, dating violence, and stalking. Education is the means by which many can avoid becoming victims. We must do more to educate our young.

The term domestic violence is often inadequate because it fails to capture the full extent of the impacts that the event can have on a victim's life. The average cost of intimate partner violence over a victim's lifetime for medical and mental healthcare services is about \$103,000-plus—that is for women—and \$23,000-plus for men.

The term domestic violence also fails to capture how, in some instances, domestic violence literally means domestic murder because, on average, more than three women are murdered by their husbands or their boyfriends in the United States every day.

Most murdered transgender women are killed by intimate partners.

However, in spite of all of this, there is hope. Survivors of domestic violence are strong, courageous, and resilient, but they need help. Surviving the physical and mental abuse requires more than simply relocating. Many times, counseling is needed.

The strength that they have is something that we can admire, but that strength can be fortified if they can have proper counseling so that they can get the assistance that they need, not only to stabilize themselves mentally, but also to understand that they are not the reason for the violence being perpetrated upon them. Too often, the victims believe that they are responsible for the actions of the persons who are abusing them. They need help.

This is what we can do. We can help to make sure people understand that victims are not responsible for what perpetrators do.

A recently released multistate study shows that the Nation's domestic violence shelters are addressing victims urgent and long-term needs, and are helping victims protect themselves and their children. Domestic violence advocates provide lifesaving essential services. There is a need to increase, not reduce funding for programs aimed at intervening in and preventing domestic violence in the United States.

So therefore, I am so proud tonight to say that we should resolve that the goals and ideals of Domestic Violence Awareness Month are important; that these goals and ideals should be pursued; that this House of Representatives can do more to help the victims of domestic violence.

I would also add that this resolution expresses the sense that the House of Representatives—that Congress—should continue to raise awareness of domestic violence and its devastating effects on individuals, families, communities, and support programs designed to end domestic violence in the United States.

Madam Speaker, people ought not have to live in fear because they happen to be in an abusive relationship. Yes, people can take their issues to the police. Women can. But too often they have to debate within themselves the consequences of going to the police, the authorities, because they understand, many of them, that they have no other place to turn to.

But thank God this Congress has provided enough money for shelters so that many can leave the environment where the abuse is being perpetrated.

This is a serious issue that we should all be concerned with. If we allow the perpetration and perpetuation of domestic violence to continue, it does not bode well for the fiber and fabric of our country. This is a great country, and a great country can protect people who are being abused in their own homes.

Madam Speaker, I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. GRIFFITH (at the request of Mr. MCCARTHY) for today on account of a funeral for a slain officer in his district.

BILL PRESENTED TO THE PRESIDENT

Cheryl L. Johnson, Clerk of the House, reported that on November 2, 2021, she presented to the President of the United States, for his approval, the following bill:

H.R. 1899. To amend the Controlled Substances Act to provide for the modification, transfer, and termination of a registration to manufacture, distribute, or dispense controlled substances or list I chemicals, and for other purposes.

ADJOURNMENT

The SPEAKER pro tempore. Pursuant to section 11(b) of House Resolution 188, the House stands adjourned until 10 a.m. tomorrow.

Thereupon (at 7 o'clock and 39 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, November 18, 2021, at 10 a.m.

EXECUTIVE COMMUNICATIONS,
ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

EC-2689. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the national emergency with respect to the threat from securities investments that finance certain companies of the People's Republic of China that was declared in Executive Order 13959 of November 12, 2020, pursuant to 50 U.S.C. 1641(c); Public Law 94-412, Sec. 401(c); (90 Stat. 1257) and 50 U.S.C. 1703(c); Public Law 95-223, Sec 204(c); (91 Stat. 1627); to the Committee on Foreign Affairs.

EC-2690. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the national emergency with respect to Syria that was declared in Executive Order 13338 of May 11, 2004, pursuant to 50 U.S.C. 1641(c); Public Law 94-412, Sec. 401(c); (90 Stat. 1257) and 50 U.S.C. 1703(c); Public Law 95-223, Sec 204(c); (91 Stat. 1627); to the Committee on Foreign Affairs.

EC-2691. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the national emergency with respect to the Central African Republic that was declared in Executive Order 13667 of May 12, 2014, pursuant to 50 U.S.C. 1641(c); Public Law 94-412, Sec. 401(c); (90 Stat. 1257) and 50 U.S.C. 1703(c); Public Law 95-223, Sec 204(c); (91 Stat. 1627); to the Committee on Foreign Affairs.

EC-2692. A letter from the Assistant Legal Advisor, Office of Treaty Affairs, Department of State, transmitting a report concerning international agreements other than treaties entered into by the United States to be transmitted to the Congress within the sixty-day period specified in the Case-Zablocki Act, pursuant to 1 U.S.C. 112b(a); Public Law 92-403, Sec. 1(a) (as amended by Public Law 108-458, Sec. 7121(b)); (118 Stat. 3807); to the Committee on Foreign Affairs.

REPORTS OF COMMITTEES ON
PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Ms. SCANLON: Committee on Rules. House Resolution 795. Resolution providing for con-

sideration of the resolution (H. Res. 789) censuring Representative Paul Gosar (Rept. 117-174). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. ARRINGTON (for himself, Mr. ELLZEY, Mr. WILLIAMS of Texas, Mr. ESTES, Mr. JACKSON, Mr. COLE, Mr. WEBER of Texas, Ms. CHENEY, Mr. STEWART, and Mr. BABIN):

H.R. 5991. A bill to direct the Administrator of the Environmental Protection Agency to ensure the completion of a marginal well study by the Secretary of Energy so as to inform the development of certain rules under the Clean Air Act, and for other purposes; to the Committee on Energy and Commerce.

By Mrs. AXNE (for herself, Mr. FEENSTRA, Mrs. HINSON, Mrs. MILLER-MEEKS, Mrs. HARTZLER, and Mr. FORTENBERRY):

H.R. 5992. A bill to amend the Agricultural Marketing Act of 1946 to establish a cattle contract library, and for other purposes; to the Committee on Agriculture.

By Mr. BUTTERFIELD:

H.R. 5993. A bill to direct the Secretary of Health and Human Services, acting through the Commissioner of Food and Drugs, to establish a competitive grant program under which the Secretary will award grants to certain institutions to establish American Biopharmaceutical Manufacturing Worker Training Centers of Excellence, and for other purposes; to the Committee on Energy and Commerce.

By Ms. CLARK of Massachusetts (for herself, Ms. PRESSLEY, Ms. SLOTKIN, Ms. GARCIA of Texas, Ms. STRICKLAND, Ms. BARRAGAN, Ms. BASS, Ms. BLUNT ROCHESTER, Ms. BONAMICI, Mr. BOWMAN, Ms. BROWNLEY, Mr. CARSON, Mr. CARTWRIGHT, Mr. CASTEN, Ms. CHU, Mr. COHEN, Mr. DANNY K. DAVIS of Illinois, Ms. DEAN, Mr. DEFazio, Ms. DELBENE, Mrs. DINGELL, Mr. ESPAILLAT, Mr. EVANS, Ms. LOIS FRANKEL of Florida, Mr. GARAMENDI, Mr. GARCIA of Illinois, Mr. GRIJALVA, Mrs. HAYES, Ms. JACKSON LEE, Ms. JACOBS of California, Ms. JAYAPAL, Mr. JOHNSON of Georgia, Mr. KEATING, Ms. KELLY of Illinois, Mr. KILDEE, Mr. KILMER, Ms. KUSTER, Mrs. LAWRENCE, Mr. LAWSON of Florida, Ms. LEE of California, Ms. LEGER FERNANDEZ, Mr. LEVIN of Michigan, Mr. LIEU, Mr. LOWENTHAL, Mr. LYNCH, Mrs. CAROLYN B. MALONEY of New York, Mrs. MCBATH, Mr. MEEKS, Ms. MENG, Mr. MOULTON, Ms. NEWMAN, Ms. NORTON, Mr. PAYNE, Mr. POCAN, Mr. RASKIN, Miss RICE of New York, Ms. SCANLON, Ms. SCHAKOWSKY, Mr. SMITH of Washington, Ms. SPEIER, Mr. SUOZZI, Ms. TITUS, Ms. TLAIB, Mrs. TORRES of California, Mrs. TRAHAN, Ms. WASSERMAN SCHULTZ, Mrs. WATSON COLEMAN, Mr. WELCH, Ms. WILLIAMS of Georgia, Ms. WILSON of Florida, Mr. YARMOUTH, Mr. AUCHINCLOSS, and Ms. JOHNSON of Texas):

H.R. 5994. A bill to prevent discrimination and harassment in employment; to the Committee on Education and Labor, and in addition to the Committees on the Judiciary, House Administration, Oversight and Reform, and Veterans' Affairs, for a period to be subsequently determined by the Speaker,

in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. EMMER (for himself, Mr. LAMBORN, Mr. RICE of South Carolina, Mr. WEBER of Texas, Mr. BOST, Mr. MCKINLEY, Mrs. KIM of California, Mr. LUTTKEMEYER, Mr. JACKSON, Mr. FORTENBERRY, Mr. KELLY of Mississippi, Mr. CRAWFORD, Mr. BANKS, Mr. MULLIN, Ms. SALAZAR, Mr. SMUCKER, Mrs. MILLER-MEEKS, Mrs. LESKO, Mr. HARRIS, and Mr. NORMAN):

H.R. 5995. A bill to provide research on, and services for, individuals with clinical mental health complications following a pregnancy loss, and for other purposes; to the Committee on Energy and Commerce.

By Mr. FORTENBERRY (for himself and Ms. MENG):

H.R. 5996. A bill to continue the whole-of-government approach to ending global wildlife poaching and trafficking by permanently reauthorizing the activities of the Presidential Task Force on Wildlife Trafficking, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GOLDEN (for himself, Mrs. DEMINGS, Ms. NORTON, and Mr. DESAULNIER):

H.R. 5997. A bill to amend the Internal Revenue Code of 1986 to prohibit 501(c)(4) entities from using more than 10 percent of total expenditures on certain political expenditures, and for other purposes; to the Committee on Ways and Means.

By Mr. GRIFFITH (for himself, Ms. DEGETTE, and Mr. GUTHRIE):

H.R. 5998. A bill to require the Secretary of Health and Human Services to issue guidance on authorities available to States under the State Medicaid programs under title XIX of the Social Security Act to extend waivers granted during the COVID-19 emergency period beyond such period; to the Committee on Energy and Commerce.

By Mr. GRIJALVA (for himself, Mr. SCHWEIKERT, Mr. BLUMENAUER, Mr. COHEN, Mr. CONNOLLY, Mr. DEFazio, Mr. LOWENTHAL, Mr. SEAN PATRICK MALONEY of New York, Ms. KUSTER, Ms. NORTON, Miss RICE of New York, Ms. SCHAKOWSKY, Mr. LANGEVIN, Mr. HUFFMAN, Ms. DEAN, Mr. KHANNA, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. CARTWRIGHT, Mrs. KIRKPATRICK, Ms. MCCOLLUM, Mr. SIREY, Mrs. CAROLYN B. MALONEY of New York, Ms. ROYBAL-ALLARD, Mr. NADLER, Mrs. NAPOLITANO, Ms. ESHOO, Mr. TAKANO, Ms. BONAMICI, Ms. BROWNLEY, Ms. BASS, Mr. FITZPATRICK, Ms. TLAIB, Mr. TRONE, Mr. JOHNSON of Georgia, Mr. CARSON, Mr. LYNCH, Mr. VARGAS, Mr. TONKO, Ms. JACOBS of California, Mrs. HAYES, and Mr. MALINOWSKI):

H.R. 5999. A bill to amend the Animal Welfare Act to restrict the use of exotic and wild animals in traveling performances; to the Committee on Ways and Means.

By Ms. DEGETTE (for herself and Mr. UPTON):

H.R. 6000. A bill to continue the acceleration of the discovery, development, and delivery of 21st century cures, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, the Budget, Science, Space, and Technology, Agriculture, Education and Labor, Armed Services, Natural Resources, Veterans' Affairs, Homeland Security, and the Judiciary, for a

period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KHANNA (for himself and Mr. MEIJER):

H.R. 6001. A bill to amend title 18, United States Code, to require law enforcement officials to obtain a warrant before accessing data stored in cars, and for other purposes; to the Committee on the Judiciary.

By Mrs. KIM of California (for herself and Mr. KRISHNAMOORTHY):

H.R. 6002. A bill to require a standard financial aid offer form, and for other purposes; to the Committee on Education and Labor.

By Ms. KUSTER (for herself and Mr. RODNEY DAVIS of Illinois):

H.R. 6003. A bill to amend the Consolidated Farm and Rural Development Act to improve and extend the appropriate technology transfer for rural areas program; to the Committee on Agriculture.

By Mr. KUSTOFF (for himself, Mr. SCALISE, Ms. STEFANIK, Mr. ZELDIN, Mr. ADERHOLT, Mr. ALLEN, Mr. ARRINGTON, Mr. BABIN, Mr. BACON, Mr. BALDERSON, Mr. BANKS, Mr. BARR, Mr. BERGMAN, Mr. BILIRAKIS, Mr. BOST, Mr. BROOKS, Mr. BUCHANAN, Mr. BUCK, Mr. BUDD, Mr. CALVERT, Mrs. CAMMACK, Mr. CARTER of Georgia, Mr. CAWTHORN, Mr. CLOUD, Mr. CRAWFORD, Mr. CRENSHAW, Mr. DESJARLAIS, Mr. DIAZ-BALART, Mr. DONALDS, Mr. DUNCAN, Mr. ELLZEY, Mr. EMMER, Mr. FITZPATRICK, Mr. FLEISCHMANN, Mr. GALLAGHER, Mr. GARBARINO, Mr. GARCIA of California, Mr. GIBBS, Mr. GIMENEZ, Mr. GOHMERT, Mr. GOOD of Virginia, Mr. GOODEN of Texas, Mr. GROTHMAN, Mr. GUEST, Mr. HARRIS, Mrs. HARTZLER, Mr. HILL, Mr. HUDSON, Mr. JACKSON, Mr. JOHNSON of Ohio, Mr. JOHNSON of South Dakota, Mr. JOHNSON of Louisiana, Mr. JORDAN, Mr. KELLER, Mr. LAMBORN, Mr. LATTA, Ms. LETLOW, Mr. LONG, Mr. LOUDERMILK, Ms. MACE, Mr. MAST, Mr. MCCAUL, Mr. MCCLINTOCK, Mr. MCKINLEY, Mrs. MILLER-MEEKS, Mrs. MILLER of West Virginia, Mrs. MILLER of Illinois, Mr. MOORE of Utah, Mr. MURPHY of North Carolina, Mr. NEWHOUSE, Mr. OWENS, Mr. PALMER, Mr. PENCE, Mr. PERRY, Mr. PFLUGER, Mr. RESCHENTHALER, Mr. ROY, Mr. RUTHERFORD, Ms. SALAZAR, Mr. SESSIONS, Mr. SMITH of Nebraska, Mr. SMITH of New Jersey, Mr. SMUCKER, Mrs. STEEL, Mr. STEUBE, Mr. STEWART, Ms. TENNEY, Mr. TIFFANY, Mr. TURNER, Mr. VAN DREW, Mrs. WAGNER, Mr. WALBERG, Mrs. WALORSKI, Mr. WALTZ, Mr. WEBER of Texas, Mr. WEBSTER of Florida, Mr. WENSTRUP, Mr. WILSON of South Carolina, Mr. WOMACK, Mr. MULLIN, Mr. JOYCE of Pennsylvania, Mr. ROGERS of Alabama, Mr. GRAVES of Louisiana, Mr. CHABOT, Mr. FEENSTRA, Mr. FULCHER, Mrs. RODGERS of Washington, Mr. POSEY, Mr. VALADAO, Mr. DAVIDSON, Mr. ROSE, Ms. CHENEY, and Mrs. BOEBERT):

H.R. 6004. A bill to prohibit the use of funds for a United States Embassy, Consulate General, Legation, Consular Office, or any other diplomatic facility in Jerusalem other than the United States Embassy to the State of Israel, and for other purposes; to the Committee on Foreign Affairs.

By Mrs. CAROLYN B. MALONEY of New York (for herself, Ms. PORTER, Ms. KELLY of Illinois, Mrs. HAYES, Ms. SPEIER, Ms. BROWNLEY, Ms.

BONAMICI, Mr. COOPER, Ms. NORTON, Mr. WELCH, Mr. CONNOLLY, Mr. AUCHINCLOSS, Ms. JACOBS of California, Ms. SCHAKOWSKY, Mr. SIRES, Ms. LOIS FRANKEL of Florida, Ms. UNDERWOOD, Ms. WILLIAMS of Georgia, Mr. DEFAZIO, Ms. NEWMAN, Mrs. LAWRENCE, Mr. GRIJALVA, Ms. PINGREE, Ms. LEE of California, Ms. STRICKLAND, Mr. DANNY K. DAVIS of Illinois, Mr. BLUMENAUER, Mr. LOWENTHAL, Mr. ESPAILLAT, Mrs. KIRKPATRICK, Ms. TITUS, Ms. JACKSON LEE, Ms. DEGETTE, Ms. ESCOBAR, Mr. TAKANO, Mrs. MCBATH, Mrs. WATSON COLEMAN, Mr. LARSON of Connecticut, Ms. CASTOR of Florida, Mr. GOMEZ, Mr. SMITH of Washington, Ms. PRESSLEY, Mrs. FLETCHER, Ms. MENG, Mrs. NAPOLITANO, Mr. PAPPAS, Ms. MOORE of Wisconsin, Ms. SEWELL, Mr. TORRES of New York, Mr. DEUTCH, Ms. MANNING, Ms. ADAMS, Mrs. TRAHAN, Ms. CLARKE of New York, Ms. WILSON of Florida, Ms. OMAR, Mr. HUFFMAN, Mr. GALLEGO, Mr. MORELLE, Ms. VELÁZQUEZ, Mr. DESAULNIER, Ms. ROSS, Ms. SCANLON, Mr. DOGGETT, Mr. RASKIN, Mr. KAHELE, Ms. SCHRIER, Mr. CROW, Mr. LIEU, Ms. JOHNSON of Texas, Ms. CHU, Mr. BOWMAN, Ms. LEGER FERNANDEZ, Ms. DELAURO, Mr. CICILLINE, Mr. PAYNE, Mr. SOTO, Mr. GARCÍA of Illinois, Mr. BROWN of Maryland, Mr. TRONE, Ms. TLAIB, Ms. KUSTER, Mr. CARSON, Mr. MCNERNEY, Mr. NADLER, Ms. BASS, Mr. VEASEY, Ms. DEAN, Mr. NEGUSE, Mr. KHANNA, Ms. GARCIA of Texas, Mr. LAWSON of Florida, Mr. COHEN, Mr. SARBANES, Ms. MATSUI, Mr. JOHNSON of Georgia, Mr. GREEN of Texas, Ms. MCCOLLUM, and Mr. PERLMUTTER):

H.R. 6005. A bill to establish certain duties for pharmacies to ensure provision of Food and Drug Administration-approved contraception, medication related to contraception, and for other purposes; to the Committee on Energy and Commerce.

By Mr. MCHENRY (for himself, Mr. RYAN, Mr. BRADY, Mr. KHANNA, Mr. EMMER, Mr. SWALWELL, Mr. DAVIDSON, Mr. SOTO, Mr. GONZALEZ of Ohio, and Mr. BUDD):

H.R. 6006. A bill to amend the Internal Revenue Code of 1986 to clarify the definition of broker, and for other purposes; to the Committee on Ways and Means.

By Mr. O'HALLERAN (for himself and Mr. JOYCE of Pennsylvania):

H.R. 6007. A bill to amend title XVIII of the Social Security Act to provide for the expansion of coverage of vaccines under part B of the Medicare program, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SCHIFF (for himself, Mrs. HAYES, Mr. JOHNSON of Georgia, and Ms. SCANLON):

H.R. 6008. A bill to provide for a grant program to support access to free eye care services for students attending public elementary schools and secondary schools; to the Committee on Energy and Commerce, and in addition to the Committee on Education and Labor, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SCHWEIKERT (for himself, Mr. FALLON, and Mr. GOHMERT):

H.R. 6009. A bill to provide that the public health emergency declared with respect to

COVID-19 shall terminate on the date on which the Secretary of Health and Human Services approves, or authorizes emergency use of, a drug intended to treat COVID-19; to the Committee on Energy and Commerce.

By Mr. SMITH of New Jersey (for himself and Mr. NORCROSS):

H.R. 6010. A bill to ensure that contractor employees on army corps projects are paid prevailing wages as required by law, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Education and Labor, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. TENNEY:

H.R. 6011. A bill to require certain manufactured goods introduced for sale in the United States to have a domestic value content of more than 50 percent, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. TORRES of California:

H.R. 6012. A bill to direct the Secretary of Energy to carry out a demonstration program for projects that improve electric grid resilience with respect to wildfires, and for other purposes; to the Committee on Science, Space, and Technology.

By Mr. VELA:

H.R. 6013. A bill to amend the Internal Revenue Code of 1986 to equalize the charitable mileage rate with the business travel rate; to the Committee on Ways and Means.

By Mr. GREEN of Texas:

H.J. Res. 64. A joint resolution designating a "Slavery Remembrance Day" on August 20th, to serve as a reminder of the evils of slavery; to the Committee on Oversight and Reform.

By Mr. KELLER (for himself, Ms. FOXX, Mr. WILSON of South Carolina, Mr. THOMPSON of Pennsylvania, Mr. WALBERG, Mr. GROTHMAN, Ms. STEFANIK, Mr. ALLEN, Mr. BANKS, Mr. COMER, Mr. FULCHER, Mr. MURPHY of North Carolina, Mrs. MILLER-MEEKS, Mr. OWENS, Mr. GOOD of Virginia, Mrs. MCCLAIN, Mrs. HARSHBARGER, Mrs. MILLER of Illinois, Mrs. SPARTZ, Mr. FITZGERALD, Mr. CAWTHORN, Mrs. STEEL, Ms. LETLOW, Mr. PERRY, Mr. LATTA, Mrs. WALORSKI, Mr. PFLUGER, Mr. ROY, Mr. MEUSER, Mr. STAUBER, Mr. DUNCAN, Mr. NORMAN, Mr. GALLAGHER, Mr. CLOUD, Mr. SMITH of Missouri, Mr. DAVIDSON, Mr. MCCLINTOCK, Mr. BOST, Mr. GRAVES of Louisiana, Mr. ROUZER, Mr. OBERNOLTE, Mr. WEBSTER of Florida, Mr. GARCIA of California, Mr. RUTHERFORD, Mrs. CAMMACK, Mr. CRAWFORD, Mr. JOHNSON of Louisiana, Mr. HIGGINS of Louisiana, Mr. TIFFANY, Mrs. BICE of Oklahoma, Mr. NEWHOUSE, Mr. ADERHOLT, Mr. GIBBS, Mr. HILL, Mr. MOORE of Alabama, Mrs. BOEBERT, Mr. SESSIONS, Mr. HERN, Mr. GUEST, Mr. BALDERSON, Mr. BERGMAN, Mr. STEUBE, Mr. RESCHENTHALER, Mr. SIMPSON, Mr. WOMACK, Mr. EMMER, Mr. MOONEY, Mr. MOORE of Utah, Mr. HOLLINGSWORTH, Mr. BIGGS, Mr. COLE, Mrs. FISCHBACH, Mr. LUCAS, Mr. LATURNER, Mr. PENCE, Mr. BUDD, Mr. HUIZENGA, Mrs. HARTZLER, Mrs. RODGERS of Washington, Mr. LOUDERMILK, Mr. SMUCKER, Mr. WILLIAMS of Texas, Mr. WESTERMAN, Mr. PALMER, Mr. CHABOT, Mr. MCKINLEY, Mr. MANN, Mr. BURCHETT, Mr. BISHOP

of North Carolina, Mr. JOYCE of Pennsylvania, Ms. VAN DUYN, Mr. ISSA, Mr. CARTER of Georgia, Ms. HERRELL, Mr. KELLY of Pennsylvania, Mr. BURGESS, Mr. ROSENDALE, Mr. GRAVES of Missouri, Mr. BABIN, Ms. MALLIOTAKIS, Mr. BILIRAKIS, Mr. GOODEN of Texas, Mr. AMODEI, Mr. HAGEDORN, Mr. MOOLENAAR, Ms. TENNEY, Mr. MAST, Mr. WENSTRUP, Mr. JOHNSON of Ohio, Mr. LAMBORN, Mr. HICE of Georgia, Mr. MCHENRY, Mr. CLINE, Mr. GRIFFITH, Mr. JOHNSON of South Dakota, Mr. JACOBS of New York, Mr. BUCHANAN, Mr. ZELDIN, Mr. SMITH of Nebraska, Mr. C. SCOTT FRANKLIN of Florida, Mr. FALLON, Mr. DUNN, Mr. ESTES, Mr. FEENSTRA, Mr. GARBARINO, Mr. FERGUSON, Mr. BACON, Mr. CARL, Mr. TIMMONS, Mr. STEEL, Mr. GAETZ, Mr. ARMSTRONG, Mr. LUETKEMEYER, Mr. BUCSHON, Mr. BARR, Mr. TAYLOR, Mr. GUTHRIE, Mr. BROOKS, Mr. GONZALEZ of Ohio, Mr. SMITH of New Jersey, Mr. HARRIS, Mr. DONALDS, Mrs. LESKO, Mr. MASSIE, Mr. HUDSON, Mrs. HINSON, Mr. ROSE, Mr. NUNES, Mr. MEIJER, Mr. POSEY, Mr. ROGERS of Alabama, Ms. MACE, Mr. WITTMAN, Mr. TURNER, Mr. ELLZEY, Ms. GRANGER, Mr. KINZINGER, Mr. KUSTOFF, Mr. CLYDE, Mr. WEBER of Texas, Mr. SCALISE, Mr. MCCARTHY, Mr. JOYCE of Ohio, Mr. MULLIN, Ms. CHENEY, Mr. BAIRD, Mr. BRADY, Mr. SCHWEIKERT, Mrs. MILLER of West Virginia, Mr. FORTENBERRY, and Mr. LAMALFA):

H.J. Res. 65. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Department of Labor relating to "COVID-19 Vaccination and Testing; Emergency Temporary Standard"; to the Committee on Education and Labor.

By Mr. COLE:

H. Res. 796. A resolution amending the Rules of the House of Representatives to prohibit the consideration of a resolution proposing to remove a Member from a standing committee unless the resolution is offered by, or with the concurrence of, the Leader of the party of the Member that is the subject of the resolution; to the Committee on Rules.

By Mr. CURTIS (for himself and Mr. AGUILAR):

H. Res. 797. A resolution expressing support for the designation of November 17, 2021, as "National GIS Day"; to the Committee on Science, Space, and Technology.

By Mr. ESPAILLAT (for himself, Mr. SWALWELL, Mrs. DINGELL, Mr. SUOZZI, Ms. JACKSON LEE, Mrs. CAROLYN B. MALONEY of New York, Mr. COSTA, Ms. ADAMS, Mr. MRVAN, Mr. RASKIN, Mr. CARSON, Ms. LEE of California, Mr. KHANNA, Mr. DAVID SCOTT of Georgia, Ms. BONAMICI, and Ms. STRICKLAND):

H. Res. 798. A resolution expressing the sense of the House of Representatives regarding the relationship between firearm violence and intimate partner violence and to honor the memory of Gladys Ricart and other victims of intimate partner homicide killed by firearms, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Energy and Commerce, Financial Services, Ways and Means, Education and Labor, Natural Resources, and Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GALLAGHER:

H. Res. 799. A resolution amending the Rules of the House of Representatives to prohibit the consideration of a bill or joint resolution, or any amendment thereto or conference report thereon, that includes reconciliation legislation prior to the receipt by the committee of jurisdiction of the cost analysis for such legislation from the Congressional Budget Office; to the Committee on Rules.

By Mr. HAGEDORN (for himself, Ms. MALLIOTAKIS, Mr. VAN DREW, Ms. TENNEY, Ms. SALAZAR, Mr. KELLER, Mr. CRENSHAW, Mr. DONALDS, Ms. HERRELL, Mr. JACKSON, Mr. GIMENEZ, Mrs. STEEL, Mr. GOOD of Virginia, Mrs. WAGNER, Mr. BUDD, Mr. STAUBER, Mr. WILSON of South Carolina, Mr. CAWTHORN, Mrs. MILLER of Illinois, Mr. GOHMERT, Mr. BROOKS, Mr. ALLEN, Mr. BANKS, Mr. NEWHOUSE, Mr. MANN, Mr. STEUBE, Mr. BAIRD, Mr. BOST, Mr. MAST, Mr. PERRY, Mrs. MCCLAIN, Mr. DUNCAN, Mr. MCCLINTOCK, Mr. BABIN, Mr. WEBER of Texas, Mr. CRAWFORD, and Mr. ADERHOLT):

H. Res. 800. A resolution recognizing the two-year anniversary of the November 2019 massacre by the Islamic Republic of Iran and condemning the human rights violations by the Islamic Republic of Iran; to the Committee on Foreign Affairs.

By Ms. TLAIB (for herself, Ms. PRESSLEY, Ms. SPEIER, Ms. OMAR, Ms. OCASIO-CORTEZ, and Ms. BUSH):

H. Res. 801. A resolution recognizing violence against women in politics as a global phenomenon and supporting women's full and meaningful participation in political life; to the Committee on Education and Labor.

By Ms. WILD (for herself and Mr. GUTHRIE):

H. Res. 802. A resolution expressing support for the designation of November 2021 as "National College Application Month"; to the Committee on Education and Labor.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. ARRINGTON:

H.R. 5991.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

By Mrs. AXNE:

H.R. 5992.
Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8 of the United States Constitution.

By Mr. BUTTERFIELD:

H.R. 5993.
Congress has the power to enact this legislation pursuant to the following:

Under Article I, Section 8, Clause 3 of the Constitution, Congress has the power to collect taxes and expend funds to provide for the general welfare of the United States. Congress may also make laws that are necessary and proper for carrying into execution their powers enumerated under Article I.

By Ms. CLARK of Massachusetts:

H.R. 5994.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution of the United States.

By Mr. EMMER:

H.R. 5995.

Congress has the power to enact this legislation pursuant to the following:

Article I

By Mr. FORTENBERRY:

H.R. 5996.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority for this bill is pursuant to Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. GOLDEN:

H.R. 5997.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 & Article I, Section 4, Clause 1

By Mr. GRIFFITH:

H.R. 5998.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8 of the United States Constitution.

By Mr. GRIJALVA:

H.R. 5999.

Congress has the power to enact this legislation pursuant to the following:

U.S. Const. art. I, §§1 and 8.

By Ms. DEGETTE:

H.R. 6000.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Mr. KHANNA:

H.R. 6001.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the Constitution gives Congress the power to make laws that are necessary and proper to carry out its enumerated powers.

By Mrs. KIM of California:

H.R. 6002.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Ms. KUSTER:

H.R. 6003.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8, Clause 1 of the United States Constitution, the Taxing and Spending Clause: "The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States . . ."

By Mr. KUSTOFF:

H.R. 6004.

Congress has the power to enact this legislation pursuant to the following:

Under Article I, Section 8, the Necessary and Proper Clause. Congress shall have power to make all laws which shall be necessary and proper for carrying into Execution the foregoing powers and all Powers vested by the Constitution in the Government of the United States, or in Department of Officer thereof.

By Mrs. CAROLYN B. MALONEY of New York:

H.R. 6005.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. MCHENRY:

H.R. 6006.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1: The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but

- H.R. 5487: Ms. CLARKE of New York.
 H.R. 5490: Mr. PALAZZO.
 H.R. 5494: Mrs. HAYES.
 H.R. 5508: Mr. GARAMENDI.
 H.R. 5512: Mr. LAMALFA.
 H.R. 5514: Ms. PINGREE, Ms. CLARKE of New York, and Mr. VELA.
 H.R. 5536: Mr. MCKINLEY, Mr. O'HALLERAN, and Mrs. WALORSKI.
 H.R. 5543: Mr. CASTEN and Mr. BOWMAN.
 H.R. 5577: Mr. KINZINGER.
 H.R. 5586: Mr. CRENSHAW, Mr. PALMER, and Mr. ZELDIN.
 H.R. 5590: Mr. PFLUGER.
 H.R. 5608: Mr. MOORE of Alabama.
 H.R. 5611: Mr. CUELLAR and Mr. SOTO.
 H.R. 5653: Mr. C. SCOTT FRANKLIN of Florida, Mrs. MURPHY of Florida, Mr. LAWSON of Florida, and Mr. BILIRAKIS.
 H.R. 5658: Mr. DELGADO.
 H.R. 5660: Mr. O'HALLERAN.
 H.R. 5718: Mr. MICHAEL F. DOYLE of Pennsylvania.
 H.R. 5727: Ms. MATSUI, Ms. LOIS FRANKEL of Florida, Mrs. NAPOLITANO, Mr. CÁRDENAS, and Mr. THOMPSON of California.
- H.R. 5755: Mrs. AXNE.
 H.R. 5759: Mr. RUTHERFORD.
 H.R. 5768: Mr. BACON.
 H.R. 5781: Mr. SWALWELL.
 H.R. 5793: Mr. RUTHERFORD.
 H.R. 5804: Mrs. AXNE.
 H.R. 5811: Mr. PALMER, Mr. DIAZ-BALART, Mr. JOHNSON of Louisiana, Mr. LAMALFA, and Mr. CARTER of Texas.
 H.R. 5819: Ms. BLUNT ROCHESTER.
 H.R. 5828: Mr. VARGAS.
 H.R. 5831: Mr. BAIRD.
 H.R. 5841: Mr. CASE, Mr. KINZINGER, Mrs. WAGNER, and Mr. CLINE.
 H.R. 5852: Miss GONZÁLEZ-COLÓN, Mrs. CAMMACK, and Ms. SALAZAR.
 H.R. 5883: Mr. DANNY K. DAVIS of Illinois, Mr. KELLER, and Mr. THOMPSON of Mississippi.
 H.R. 5884: Mr. CASE.
 H.R. 5887: Mr. C. SCOTT FRANKLIN of Florida and Mr. PALAZZO.
 H.R. 5892: Ms. VAN DUYNÉ and Mr. PFLUGER.
 H.R. 5894: Mr. BROOKS and Mr. JACKSON.
 H.R. 5914: Ms. GARCIA of Texas.
- H.R. 5915: Ms. TITUS, Mr. SCHWEIKERT, and Mr. TAKANO.
 H.R. 5922: Mrs. HAYES and Ms. SEWELL.
 H.R. 5975: Mr. CRAWFORD.
 H.R. 5978: Mr. PALAZZO.
 H.R. 5981: Mr. TIFFANY, Mrs. MILLER-MEEKS, Mr. VALADAO, and Ms. TITUS.
 H.J. Res. 63: Mr. GARCÍA of Illinois, Ms. JAYAPAL, and Mr. BLUMENAUER.
 H. Res. 69: Mr. QUIGLEY.
 H. Res. 240: Ms. MALLIOTAKIS.
 H. Res. 389: Mr. ROSE.
 H. Res. 404: Mr. LATURNER.
 H. Res. 443: Mr. KINZINGER.
 H. Res. 525: Ms. WILLIAMS of Georgia.
 H. Res. 670: Mr. THOMPSON of Mississippi.
 H. Res. 744: Mrs. MCBATH and Mr. HIMES.
 H. Res. 759: Mr. EVANS, Mrs. MURPHY of Florida, Mr. MORELLE, Mr. CARBAJAL, and Mr. UPTON.
 H. Res. 789: Ms. KELLY of Illinois, Mr. MALINOWSKI, Ms. BUSH, Mr. KILMER, Mr. KEATING, Mr. JEFFRIES, and Mr. CASTEN.



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Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable ELIZABETH WARREN, a Senator from the Commonwealth of Massachusetts.

PRAYER

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

Let us pray.

Almighty and everlasting God, You are the fountain of every blessing. Thank You for this good land with her hills and valleys, her fertile soil, her trees, plains, and mountains. Lord, we are grateful for the brilliant colors of the changing seasons. Inspire us to strive to become a great nation full of truth and righteousness.

Lord, give our leaders the wisdom to honor Your Name by living with integrity and humility. Teach them to express in words and deeds a spirit of justice for the glory of Your Name.

We pray in Your sacred Name. Amen.

PLEDGE OF ALLEGIANCE

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

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, November 17, 2021.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable ELIZABETH WARREN, a Senator from the Commonwealth of Massachusetts, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

Ms. WARREN thereupon assumed the Chair as Acting President pro tempore.

RESERVATION OF LEADER TIME

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

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

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

The legislative clerk read the nomination of Brian Eddie Nelson, of California, to be Under Secretary for Terrorism and Financial Crimes.

RECOGNITION OF THE MAJORITY LEADER

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

NATIONAL DEFENSE AUTHORIZATION ACT

Mr. SCHUMER. Madam President, later today, the Senate is scheduled to take the first procedural step to begin consideration of the annual defense bill.

Our Republican colleagues have said for weeks that we need to move quickly to take up the NDAA and pass it through the Chamber.

This morning, we are continuing to work with our Republican colleagues to strengthen the substitute with as many amendments from Senators as possible. We are making really good progress, and so we will give the Armed Services Committee more time this

morning to review the text and come to a final agreement.

But the Senate needs to move forward on this bill, and quickly. With so much bipartisan interest in getting NDAA done soon, I see no reason why we can't finish this legislation or come to an agreement to finish this bill quickly.

I thank my colleagues from both sides of the aisle, and especially our committee chairs. I thank them because they are propelling this important legislation forward.

BUILD BACK BETTER AGENDA

Now on Build Back Better—I want to return to a comment made recently by the other side that crystallizes the difference between how the two parties see today's challenges.

"A gold mine." "A gold mine." Those three words were used by my colleague, the junior Senator from Florida, when talking about Americans struggling with rising costs. A gold mine for them.

If you want to know why Americans can get frustrated with Washington, look no further than the comments like the one from the gentleman from Florida.

The Republicans, who voted for a giant tax break for millionaires and billionaires, don't have any solutions for working families, but they see political gold in exploiting their struggles.

Families are still struggling to pull themselves out of a once-in-a-century economic crisis brought about by COVID. They want to pay less for things like groceries, healthcare, prescription drugs, and childcare. They want us to find ways to make that happen, and that is just what Democrats are doing in Build Back Better. But, unfortunately, Republicans appear more interested in politics than progress.

It is simple: If we want to fight inflation, if we want to create more jobs—so many businesses are short of workers—and if we want to lower costs and

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



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make sure families have more money in their pockets, the best thing—the best thing—we can do is pass Build Back Better.

Seventeen Nobel Prize-winning economists—and more from both sides of the political spectrum—have said that this bill will help relieve inflationary pressures over the long term.

And this morning, an exclusive by Reuters confirmed that, for all the Republicans howling at the Moon about inflation, Build Back Better will not—will not—increase inflation.

And here is what the leading economist at Moody's said:

The bills do not add to inflation pressures, as the policies help to lift long-term economic growth via stronger productivity and labor force growth, and thus take the edge off inflation.

Stronger growth, less inflation. I will say it again: If you want to fight inflation, if you want to lower costs and grow the economy, support Build Back Better. If you want to fight inflation, support Build Back Better.

Build Back Better is going to help families save money by making childcare more affordable. It is going to give parents a tax break so they can pay for diapers and groceries and gas. It is going to lower the cost of prescription drugs, like insulin and cancer treatments; and it is going to put more Americans to work, help our economy grow in the long term.

The American people want these things.

Why won't a single Republican come out and vote for them—a single Republican? Why do Republicans seem so intent on opposing lowering the price of insulin or giving parents a middle-class tax break?

Given the choice between helping families afford childcare and leaving them to fend for themselves, Republicans are telling families: You are on your own.

Listen to the list of things I just mentioned: middle-class tax breaks, lowering prescription drug costs, childcare. These aren't handouts. These aren't luxury items. To so many families, they are daily essentials, and they are just the beginning of what the BBB would offer.

While Democrats are fighting to pass legislation to lower costs, Republicans, who spent years under Donald Trump trying to repeal healthcare and give tax breaks to the ultrarich, are opposing tax cuts to the middle class while rooting for prices to go up and up—a gold mine.

Americans won't forget who in Washington is fighting for them and who is spending their time trying to exploit their hardships.

KIGALI AMENDMENT

Finally, the Kigali Amendment. Yesterday, the Senate received a message from the White House calling for us to approve a treaty amendment that will curb our country's use of dangerous hydrofluorocarbons, or HFCs.

Commonly known as the Kigali Amendment, 120 countries have agreed

to the amendment. Even China is on the list. We should join it too.

HFCs are dangerous greenhouse chemicals found in everyday appliances from air-conditioners to refrigerators. They are thousands of times more damaging to our atmosphere than carbon dioxide. We had made progress in eliminating these chemicals before the Trump administration characteristically, unfortunately, took us backwards.

Phasing out these HFCs is very important and will go a long way in fighting climate change and protecting the environment for future generations. And it is supported by the business community too, as it will open up companies to markets for HFC alternatives overseas, promoting investment, innovation, and greater economic activity.

Approving this amendment will require two-thirds of the Senate. Reducing our country's use of HFCs has been a bipartisan priority in the past. In fact, last December, the Senate approved the first-ever agreement to phase down HFCs—a significant win for fighting the climate crisis. It should be a bipartisan priority right now.

In the wake of the President's visit to Glasgow, approving this amendment—which much of the world already embraces—is essential for telling the world we are committed to fighting the climate crisis. If we want to lead the world on this issue, it must—it must—get done.

UNANIMOUS CONSENT AGREEMENT—H.R. 4350

Now, Madam President, I ask unanimous consent that the cloture vote on the motion to proceed to H.R. 4350 occur at a time to be determined by the majority leader, following consultation with the Republican leader.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

Mr. SCHUMER. I yield the floor.

I suggest the absence of a quorum.

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

RECOGNITION OF THE MINORITY LEADER

The Republican leader is recognized.

BIDEN ADMINISTRATION

Mr. MCCONNELL. Madam President, a lot has gone wrong since this unified Democratic government took the reins back in January.

Let's take a look at foreign policy. The Biden administration's clumsy retreat from Afghanistan left Americans behind, who wanted out, and handed the country to a government staffed with terrorists that used to be locked up at Guantanamo Bay.

Let's take a look at energy independence. Or should I say energy dependence? President Biden canceled our

own Keystone XL Pipeline but cleared the path for a new pipeline for Vladimir Putin. The amount of Russian oil that America has to import has already nearly doubled on the Democrats' watch.

Look at the border. Illegal crossers are flooding across our southern border at an all-time high. The Democrats have interior enforcement arrests down to a decade low.

But there is no question what crisis is at the top of the minds of middle-class Americans. There is no question what is keeping working Americans awake at night. It is inflation. Inflation. The runaway prices and unpredictability that Democrats' policies have fueled.

Ninety percent of Americans told one recent survey that they are somewhat or extremely concerned with inflation. We are a huge and diverse country. It is hard to get 9 in 10 Americans to agree on almost anything, but less than 1 year under Democrat policies, 90 percent of America is worried about inflation.

And it is no wonder. Year on year, consumer prices have risen faster than they have in over three decades. Last month marked the fifth month in a row that inflation has topped 5 percent.

These across-the-board numbers can sound a little abstract, so let's make it very tangible. In the past year, buying meat, fish, and eggs has gotten 12 percent more expensive. A gallon of gas costs the average American \$1.31 than it did a year ago. And heaven forbid anyone having to replace a family car this year; used auto prices are up 26 percent.

Even getting family and friends together for Thanksgiving is a much pricier prospect than it was last year. Turkey alone is an extra 25 cents per pound. Factor in all the fixings, and some estimates project a feast next week will run families up to 15 percent more than it did last year.

For a while, the White House tried to downplay the problem. President Biden and his team told American families that costs weren't really rising as much as it seemed; or that, OK, costs were rising, but it would only last a few months; or, as some liberals argued, that if you remove food costs, housing costs, and transportation costs from the equation, inflation really wasn't all that bad.

Some have tried to argue that rampant inflation is actually a high-class problem to have because at least we aren't in a recession. I am not kidding. I guess they think working Americans should stop complaining and be grateful things aren't even worse.

But a sad irony is that inflation is exactly the opposite of a high-class problem. Inflation is like a huge, regressive tax hike that hits the middle class, the working class, and the poor far more than it hurts wealthy people.

The three biggest drivers of the staggering 6.2 percent inflation rate we

logged last month were housing, transportation, and food. These are not luxuries, they are essentials, and they take up a much bigger share of families' budgets from the middle class on down.

The Democrats' inflation is functioning like an ultrapunitive tax on American families who can least afford it—exactly the opposite of a "high-class problem."

It didn't have to be this way. The inflation spike wasn't just predictable; it was, in fact, predicted. This past spring, I warned my Democratic colleagues right here on the floor that their unbelievably expensive and poorly targeted spending bill that masqueraded as COVID relief would turn our strong economic recovery into an inflationary mess. Many of my Republican colleagues said the same thing. But Democrats didn't have to take our word for it; even their own favorite liberal economists, like President Clinton's Treasury Secretary Larry Summers and President Obama's CEA Chairman Jason Furman warned that liberal bill might supercharge inflation.

Now, our Democratic colleagues want to ram through another, even bigger, reckless taxing-and-spending spree that would make inflation even worse. Many of those same liberal economists support this new spending spree because of all the leftwing goodies that are packed into it, but even they largely admit—these who support this new leftwing proposal—even they admit the package would make inflation even worse next year.

Steven Rattner, a senior economic adviser to President Obama, just wrote in the New York Times that "The original sin"—the original sin—"was the \$1.9 trillion American Rescue Plan. . . . That has contributed materially to today's inflation levels." He goes on to say that Democrats' new taxing-and-spending spree "can be deemed 'paid for' only if one embraces budget gimmicks, like assuming that some of the most important initiatives will be allowed to expire in just a few years. The result [is] a package that front-loads spending while tax revenues only arrive over [the course] of a decade." Mr. Rattner cites an outside estimate that "the plan would likely add \$800 billion or more to the deficit over the next five years, exacerbating inflationary pressures."

Now, the person I just quoted is a former top adviser to President Obama—by definition a liberal Democrat—explaining that the Democrats' new proposal as currently constituted would make inflation worse—worse. He says it is the Democrats' proposal itself that needs to be built back better.

President Biden and his party have already brought needless pain on American families with their reckless spending. Ramming through another multitrillion-dollar, partisan wish list would only compound the damage. The

hard-working men and women of this country cannot afford to be guinea pigs in a socialist experiment where Democrats try to inflate their way out of inflation.

CLOTURE MOTION

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

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 463, Brian Eddie Nelson, of California, to be Under Secretary for Terrorism and Financial Crimes.

Charles E. Schumer, Chris Van Hollen, John Hickenlooper, Brian Schatz, Tina Smith, Jeff Merkley, Tammy Duckworth, Patrick J. Leahy, Christopher A. Coons, Sheldon Whitehouse, Ben Ray Lujan, Christopher Murphy, Martin Heinrich, Robert P. Casey, Jr., Michael F. Bennet, Ron Wyden, Raphael Warnock.

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

The question is, Is it the sense of the Senate that debate on the nomination of Brian Eddie Nelson, of California, to be Under Secretary for Terrorism and Financial Crimes, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

The yeas and nays resulted—yeas 50, nays 50, as follows:

[Rollcall Vote No. 471 Ex.]

YEAS—50

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

NAYS—50

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

(Whereupon, Mr. HICKENLOOPER assumed the Chair.)

(Whereupon, Mr. LUJÁN assumed the Chair.)

The VICE PRESIDENT. On this vote, the yeas are 50, the nays are 50. The Senate being evenly divided, the Vice President votes in the affirmative.

The motion is agreed to.

The PRESIDING OFFICER (Mr. LUJÁN). The majority leader.

LEGISLATIVE SESSION

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2022—MOTION TO PROCEED

Mr. SCHUMER. Mr. President, I ask unanimous consent to resume legislative session.

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

Mr. SCHUMER. I move to proceed to Calendar No. 144, H.R. 4350, the National Defense Authorization Act.

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

The bill clerk read as follows:

Motion to proceed to Calendar No. 144, H.R. 4350, a bill to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

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

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

INTERPOL

Mr. WICKER. Mr. President, this Saturday, the International Criminal Police Organization, better known as INTERPOL, will begin its annual General Assembly in Istanbul.

INTERPOL is a vital global law enforcement network that helps police from different countries cooperate with each other to control crime. Unfortunately, it has also become a tool in the hands of despots and crooks who seek to punish dissidents and political opponents in an effort to turn other countries' law enforcement against the rule of law.

Rooting out this sort of abuse should be the top priority going into the INTERPOL General Assembly. These abuses make a mockery of INTERPOL and are threatening its continued existence.

INTERPOL's Constitution cites the universal declaration of human rights as the basis for police cooperation. Importantly and significantly, Article 3 of that declaration forbids INTERPOL from engaging in any "activities of a political, military, religious or racial character."

All 194 member nations have committed to uphold Article 3 and the entire INTERPOL Constitution. So it is troubling—as a matter of fact, it is even worse than troubling; it is egregious—that INTERPOL chose to host this year's General Assembly in Turkey, a country that has become one of the worst abusers of INTERPOL's Red Notice and Blue Notice systems.

Turkey has repeatedly weaponized INTERPOL to persecute and arrest government critics on politically motivated charges. Journalist Can Dundar is a prime example. Mr. Dundar is one of Turkey's most prominent media personalities and has received international awards for defending freedom of the press.

In 2018, Turkey demanded that INTERPOL issue a Red Notice for Mr. Dundar's arrest. What had he done? He simply criticized his government. He had reported on the Turkish Government supplying arms to an Islamist group in Syria. He was charged by a Turkish court with espionage and aiding a terrorist group—the group was never named—and sentenced to 27½ years in prison in absentia.

Thankfully, Germany has refused to extradite Mr. Dundar, but this is the sort of thing we see from this year's host of the conference.

In June of this year, Turkish media reported that INTERPOL had rejected nearly 800 Red Notices sent by the Turkish Government.

A Swedish human rights group reported that in 2016, after the failed coup in Turkey, the Turkish Government filed tens of thousands of INTERPOL notifications targeting persons who were merely critics and political opponents of the government. Some of these people were stranded in international airports, detained and handed over to Turkey, where they ended up in prison.

There are also alarming signs that Turkey is trying to leverage this year's General Assembly to further its own authoritarian goals. This past June, Turkish Deputy Foreign Minister Yavuz Selim Kiran openly asserted that the General Assembly in Istanbul “will be an important opportunity . . . [to] explain in detail . . . our rightful position regarding our fight against terrorist organizations and our rejected Red Notices.”

Translation: Turkey plans to use this high-level event to mislead and lie to the international community. They will no doubt try to explain why President Erdogan should be able to hunt—hunt—down his critics in foreign countries, using foreign law enforcement through INTERPOL. This will be a travesty—one that indeed threatens the legitimacy and future viability of INTERPOL.

Of course, Turkey is not the only offender we could talk about. Russia, China, and Venezuela have routinely misused INTERPOL to oppress their critics. The case of Bill Browder, a fierce critic of the Putin regime and

advocate for the Magnitsky Act, is probably the most well-known example of such abuse. Vladimir Putin has issued no fewer than eight INTERPOL diffusions seeking to have Bill Browder extradited—none of which, thankfully, have been obeyed.

These abuses should not be allowed to go on. INTERPOL needs protection on behalf of countries that actually believe in human rights, that believe in open dissent and the rule of law. Providing that protection is why I have introduced the Transnational Repression Accountability and Prevention Act, or TRAP Act. This is a bipartisan effort, with four Republican cosponsors and four Democratic cosponsors. This bipartisan legislation would fortify U.S. systems against INTERPOL abuse and would require that we use our influence to push forward due process and transparency reforms at INTERPOL. American law enforcement should never be doing the work of foreign crooks and dictators.

I hope that I can count on my colleagues in this Chamber to support this much needed legislation, and I invite my colleagues to be added to the cosponsor list.

The PRESIDING OFFICER. The Senator from South Carolina.

REMEMBERING HUGH K. LEATHERMAN, SR.

Mr. GRAHAM. Mr. President, later this afternoon, I will be introducing with Senator SCOTT—my colleague from South Carolina, TIM SCOTT—a statement for the record honoring the life of Senator Hugh K. Leatherman, Sr.

We just lost one of the most distinguished members of the State Senate in the history of South Carolina. Senator Leatherman was a 40-year member of the South Carolina State Senate. He was the finance chairman, and his leadership is legendary. With his help and assistance, the Port of Charleston is on track to become one of the premier ports on the east coast. He was indispensable in recruiting Boeing, Honda, and Volvo to South Carolina.

He was a dear friend of both myself and Senator SCOTT. I have never known a more effective voice for South Carolina. He loved the Pee Dee, the Florence area he represented, but when it came to helping South Carolina, Senator Leatherman was always there. You could count on him to lead from the front. Trying to solve problems was his life's work rather than creating problems.

I want to let the people of South Carolina know we have lost a giant. There will be a big vacuum, and all of us in our State are going to have to up our game to replace the vacuum created by Senator Leatherman.

His legacy is just extraordinary. He touched so many lives. He led the effort to put \$300 million up front to deepen the Port of Charleston at a critical time. I could go on and on and on about how he helped every corner of the State, from the mountains to the sea. He was a giant of the South Caro-

lina Senate. His voice will be missed. He has a record of accomplishment that is just, again, legendary.

To his family and legions of friends, we mourn Senator Leatherman's loss, but you have a lot to be proud of. Now is the time to celebrate this great statesman's life. Senator Leatherman was truly a statesman. He could work across the aisle. He knew how to get things done. He used the power given to him by his constituents and his fellow colleagues in the South Carolina Senate for the greater good. There is no better legacy or no better statement about a politician than to say that he used his power for the greater good.

The statement will be forthcoming from myself and Senator SCOTT.

To his family and friends, we stand with you. You will not go through this journey alone.

To my many friends in South Carolina from the Pee Dee, you lost a great champion, and I will do everything I can to help fill that vacuum and void.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

NATIONAL DEFENSE AUTHORIZATION ACT

Mr. KING. Mr. President, I rise to discuss the National Defense Authorization Act for Fiscal Year 2022.

I want to make two basic points at the beginning and then discuss some of the specifics of the bill.

The first is the word “deterrence.” The cornerstone of our defense policy is deterrence. The best battle is the one that doesn't occur. The best war is the one that doesn't occur. And there are those who will say that this bill authorizes a very large amount of expenditures. I can assure you that war would dwarf the expenditures in this bill.

And deterrence is the whole idea of having a force that would convince any potential adversary that attacking the United States is a losing proposition, that it would cost them more than they would ever gain.

That has been our strategy for many years. It is our strategy going forward, and I will talk about it in some specific terms with regard to this bill. But it is important to understand that that's why we are doing this defense bill, is to provide and strengthen and ensure that this country has the forces and the weapons that are necessary to deter any potential adversary.

The second concept that, generally, I want to discuss is consensus. When I go home to Maine, people are amazed that we do anything together, because all they see on the TV news and read in the newspapers is about conflict—bickering, arguing, differing. Why can't they get anything done? What they don't know is that we do get a great deal done, and a lot of it is by unanimous consent, by consensus.

This bill is a good example. This is the 61st year that the National Defense Authorization Act has come to Congress, and we hope it is going to pass this year. For the past 60 years, every single year, we have passed a National Defense Authorization.

And we usually—well, not usually, not almost always—we always pass them on a bipartisan basis. This bill came out of the committee 25 to 1. That is pretty close to unanimous. And we always get substantial support in our committee, the Armed Services Committee, but also on the floor of the United States Senate.

Why?

Because the Members of this body, just as the people across this country, are committed to those who serve in uniform, and they are committed to the idea of peace and the idea of deterring adversaries and avoiding conflict and war.

They all think that all we do is argue, and this bill is proof that that is not the case.

When I first got here, my first two chairs of the Armed Services Committee were Carl Levin and John McCain, Senators who represented, in my mind, the best of the tradition of this Senate. They argued fiercely in favor of their positions, worked hard to resolve conflict within the committee, and were absolutely committed to the values of the United States of America.

Despite all the partisan differences that exist in the country, this bill is an example that we are still united when it comes to the defense of the United States.

It comes on the heels of Monday's signing of the historic bipartisan infrastructure bill. I think it is interesting that the bill has in its name—it has a name, I am not even sure what it is, but everyone refers to it as the "bipartisan infrastructure bill" because it was supported by bipartisan majorities in both Houses. And in this bill, we are coming together to do something similar, to support our country and, particularly, to support those who put their lives on the line to defend this country.

And I want to stop there for just a second. We all go through life getting various jobs, signing up for jobs, applying, and then you sign a form and you join the company. There are very few jobs in our society when you sign on the dotted line, you are literally putting your life on the line. Members of the military and first responders are the only people I can think of that do that. It is something we need to remind ourselves. In addition to all the other responsibilities that you are taking on when you join the military, you are literally signing to commit your life, if necessary, in defense of this country.

I believe this bill is essential to protecting our servicemembers, the industrial base which serves the defense of our country, and, collectively, our national security. The Armed Services Committee has produced a bill that will make our Nation safer and stronger.

For example, taking care of our servicemembers: 2.7 percent pay raise for military servicemembers and the Department of Defense civilian workforce. That pay raise is important, and

if this bill doesn't pass, it won't happen. So that is one of the immediate reasons that we need to pass this bill, to provide a pay raise to our military personnel.

They will also receive 12 weeks of parental leave for birth, adoption, and foster care placement of a child.

One of the provisions that I am interested in is that there is substantial support in this bill for our naval infrastructure. It authorizes funding, for example, to Arleigh Burke-class destroyers, which Bath Iron Works in the State of Maine will be able to compete for, and this, in furtherance, supports our Navy's ability to deter adversaries around the world.

It is no secret that the Pacific is an important area of potential conflict. And the Pacific is an ocean and it requires ships in order to project power, and those ships are built here in America. And this bill demonstrates Congress' intent to support the Navy, to support shipbuilding, and to support the industrial base.

One of the things the bill does is provide for a new—what they call a multiyear contract, where the Navy commits to buying more than one ship at a time, which gives them a better price per ship. That is good for the taxpayers and also gives some assurance to the industrial base that the jobs will be there and the work will be there in order to maintain the support.

We often forget that the companies that do these—produce these amazing products cannot be turned off and on like a switch. I have visited shipyards. I visited in Norfolk; I visited in Maine, Portsmouth, and at Bath Iron Works many times. And these are amazingly complicated pieces of machinery. I believe that the destroyers built at Bath Iron Works are quite possibly the most complex product built in America.

And the people who build them have to know that they are going to have a job a year from now and 2 years from now. We can't go herky-jerky from one year to the next. Once you lose a welder who goes somewhere else, it is hard to get them back.

So the maintenance of the industrial base, whether it is in shipbuilding, aircraft, humvees, whatever the vehicles are, whatever the platforms are that support our military, it has to be done on a consistent and predictable basis so that those factories, large and small—and, by the way, there are thousands of small businesses that support these larger industries. They have to know that there is some future, and that is why things like a multiyear procurement is very important. This industrial base is not something that you can turn off and on.

There is a research provision in this bill that is very important. University of Maine is one of those universities that provides vital research to the military, because we always have to be thinking not about the last war or the last conflict, but the future. And everybody in this room knows that the fu-

ture is going to be based upon newer and newer and newer technologies. So research is an essential part of building the strength of this country.

I worked for the last 2 years on something called the National Cyberspace Solarium Commission. Our job was to come together to form and recommend—recommend—a national strategy in cyberspace to defend this country, which we did in March of 2020. A number of the recommendations of our commission were enacted last year, either in the National Defense Authorization Act or in other areas of legislation that we passed. And, this year, there are some really crucial ones in this year's National Defense Authorization Act—crucial provisions to defend this country in cyberspace.

The next 9/11 will be cyber, and if we are not ready for it after all the warnings that we have had, shame on us. Worse than shame on us; it will be destructive of this country. And that is why I am so proud that there are provisions in this bill that will help us to respond, that will help us to understand what is going on, will help the private sector and the Federal Government to work together to meet and defeat this 21st century challenge.

In many ways, cyber is a new manner of conflict. We have to reimagine conflict. Traditionally, we think of conflict and war as Army versus Army and Navy versus Navy, Air Force and Coast Guard, and now the Space Force.

But cyber is all about the private sector. Eighty-five percent of the target in cyberspace is in the private sector, and they are not going to have their own army. So that is where there has to be a new relationship of trust and confidence between the private sector and the public sector in order to successfully defend this country in cyberspace. And, indeed, there is a provision, hopefully, that will enter this bill through the manager's package that will deal exactly with that subject.

This bill also secures the future of the nuclear triad. Strategic forces, otherwise known as nuclear weapons, are hard to talk about. They are hard to think about because they are so horrendous.

But to go back to the beginning of my remarks, the issue here is deterrence, and we have had a deterrent strategy virtually since 1945, and it has worked. Thank God there has not been a use of nuclear weapons since 1945.

Why?

Because of the strategy that every adversary knows that they will pay an awful price, if they attack us, using nuclear weapons.

As chairman of the Subcommittee on Strategic Forces, we have had hearings, we have had discussions, we have had readings on how do we successfully modernize our nuclear triad—bombers, submarines, and missiles—in such a way as to ensure the vitality of the deterrent strategy.

The problem is that all three of those legs of the triad have basically been

unattended to for 30 or 40 or sometimes 50 years. And as they degrade in capability, so also degrades the capability of our deterrence.

If the adversaries look and say, "They are trying to fly 50-year-old airplanes, or they are trying to defend themselves with missiles that they are unsure of whether they will work," then the adversary says, "Well, maybe we can get away with an attack."

And therein lies a path to a horrendous nuclear conflict, which has to be avoided. The best way to avoid it is to be sure that our deterrence is credible. The only way to make it credible is to be sure that it is modernized. That is exactly what this bill contemplates.

Another provision of this bill that, I think, is critically important is a substantial change in the military code of justice, with regard to sexual assault, that puts in place an independent prosecutor system to take the decisions about moving forward on sexual assault claims out of the chain of command and puts it in a special professional prosecutor's decision.

I think that is important not only for the practical effect, but for the message that it sends to soldiers and sailors and airmen and guardsmen that we are serious about this; that they can feel comfortable reporting violations; that they can come forward and that there is no danger that the complaints that they make will be swept under the rug.

I think this is an important provision of this bill, and I want to commend my friend Senator GILLIBRAND, who has spent as long as I can remember—as long as I have been on the committee, which is 9 years, working on this issue, and, in many ways, this is the culmination of her work.

Another provision of this bill that I am particularly interested in is that we learn the lessons from 20 years in Afghanistan. Senator DUCKWORTH has proposed the creation of an Afghan war commission, an independent commission, not made up of generals, not made of people who were in Afghanistan, but of people who can take a clear-eyed look at the successes and mistakes concerning our engagement in Afghanistan. I think this commission is an important idea. I was delighted to support Senator DUCKWORTH's proposal.

Another provision that we hope will be included within the National Defense Authorization Act this year is the United States Innovation and Competition Act, which we have already passed here in this body, but if we put it in this bill, it will then go to the other body, and there will be consideration there.

This is a critical piece of legislation to enable competition with China. And make no mistake, we are in competition with China. So passing that bill as part of the national defense bill, to me, makes total sense because we are talking about national security, and being competitive in areas like AI and chips

and quantum computing is as much a part of national security as bombers and submarines.

It also includes a provision about competition in the Arctic, which is one of the areas of the world that is opening to competition and, potentially, to conflict. We don't want that to happen.

Finally, the bill reasserts the fundamental congressional responsibility—I almost said "prerogative," but it is not. It is a responsibility of Congress to make the decision as to when this country is committed to war.

In recent years—well, a little history. The last time the Congress declared war was in 1942. We have had AUMFs, authorizations for use of military force. This bill will repeal two of the early AUMFs that have been used as a kind of blank check by the executive to deploy troops and engage in conflict around the world. In 1991 and 2002, there were AUMFs involving Iraq.

If you go back to the debates of the Constitutional Convention, I think it was—I want to say—August 17, 1787, when there was a debate about the war power, and there were those who said the Executive has to have the power to declare war; Congress is too cumbersome; the Executive can only do that.

There were others who said: Wait a minute. We rebelled against the King of England because we didn't like the King and the prince being able to unilaterally take us into war.

The compromise was to divide the responsibility. The President is the Commander in Chief, but Congress has the responsibility to declare war. This power has not been usurped by modern Presidents. It has been abandoned—it has been given up—by modern Congresses. This bill is a step away from what, I think, is a serious gap in our adherence to the fundamental purpose of the Constitution.

So there is plenty of good in this bill; there is plenty to celebrate. I am delighted to be able to support it. I have only just scratched the surface, but it is a kind of truism that you will never be successful in a military context if you are fighting the last war. You have to think about conflict in the future.

In Maine, sometimes people say: We have never done it that way before.

I am sure the Presiding Officer hears that in Colorado, and you hear it all around the country: We have never done it that way before.

If that is our attitude, we are sunk. We have to think about what is coming at us, about what is in the future.

Cyber will be part of any kind of conflict we may become engaged in, and I hope we never become engaged in a serious conflict. Again, that is the entire purpose of this bill. It is to deter any potential adversary from thinking that they can successfully attack this country.

This bill defends the interests of America. It defends the interests of our military and our wonderful military people who are deployed around the

world and, as I say, who are putting their lives on the line for this country.

We can come together, hopefully, in the next few days, in a bipartisan way, to pass this bill, to pass the word, in the words of President Kennedy, "to friend and foe alike," that we will accept the burdens of leadership and that we will meet our responsibility to John McCain, to Carl Levin, to all those who have come before us, and to the people of the United States of America.

I yield the floor.

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

INFLATION

Mr. BLUNT. Madam President, one of the most striking things, I think, we are beginning to notice this year is that the holidays are taking on a really different look than we have seen in a long time.

Actually, for about a generation now, we have seen more choices and, more often than not, declining prices, which has made it possible for American families to have things that, in the past, they had not thought were possible for them to have.

The pandemic, of course, was a big obstacle a year ago, as people were forced to alter or cancel their plans for their families to get together. And I think many of us were really looking forward to a more traditional holiday season this year. Hopefully, that season still allows people to get together.

But I think we are also beginning to see people think they are going to have to scale back their celebrations or be prepared to pay a lot more for them; maybe just simply paying a lot more to get there, to start with, as gasoline costs have gone up dramatically. I think we are about 46 percent higher in our gas costs than we were a year ago. For a lot of families, that is a deciding item of whether you can actually get to Grandma's house or not.

This time, the change in plans isn't because of the virus; it is because of inflation and supply side issues that, frankly, the government has done a lot to help cause.

Jason Furman, who was the Chairman of President Obama's Council of Economic Advisers, said recently: "The original sin was [the size of the] American Rescue Plan."

According to Jason Furman, he said: "It contributed to both higher output [and] also higher prices."

Now, what he was talking about was the American Rescue Plan. This was the so-called COVID relief plan from March. It was a law that the Democrats passed entirely by themselves—despite there being a lot of warnings that the economy was already beginning to recover—that put another \$2 trillion into the economy, including a lot of money that went to State governments that, clearly, didn't need it and local governments that, maybe, needed it a little more than the States did.

We had States that were having all-time high revenues, and we had already

helped States in a number of different ways. Then, suddenly, we had to beat all of that by sending money to States and sending \$2,000 to everybody, almost, and thought that wouldn't have any impact.

I am not sure who we were trying to save in this effort for relief. There was no reason to believe, in March, that the economy wasn't headed on the way back. What we did in March with that legislation was just pour more fire on an economy that was already about to roar back in a good way.

The warnings were right on the money. In October, inflation rose 6.2 percent over the cost of a year ago. That is the highest increase in inflation in 30 years.

A lot of Americans alive today and, certainly, a lot of Americans who are in the workforce today don't remember the inflation of the seventies and the early eighties that made it just hard for families to keep up; that made it hard for families to buy a house; that made it hard for families to pay the basic bills.

I hope that we are not going to get a strong reminder of that, but it certainly looks like we are.

The prices for many of the things that will be on the Thanksgiving table are going up. The New York Times, about 2 weeks ago, had a front-page article that this would be the most expensive Thanksgiving ever. Then they went through that list of things to talk about that.

The price of turkey, by the way, has gone down a little bit in the last few days. It was projected to be 20 percent higher. It is only 18 percent higher. So your principal protein on the Thanksgiving table will cost 20 percent more or 18 percent more than it did a year ago.

Other protein is even higher than that. Potatoes are 17 percent higher than they were a year ago. Green beans are 39 percent higher than they were a year ago.

I don't know if we are beginning to see a pattern here or not, but there, clearly, is one.

Butter is about 30 percent higher than it was a year ago. If your grandmother's recipe for stuffing—or, as my grandmother called it, dressing; we had turkey and dressing when I was growing up—includes onions, onions are 50 percent higher than they were a year ago.

So, between the labor shortages, the high costs of raw materials, and more expensive transportation, the food supply chain is just about as messed up as the rest of the supply chain.

We don't import nearly as much food as we may import other things, but that food supply chain isn't working for us either.

Now, shoppers are already beginning to see bare spaces on grocery store shelves. Places you were going 6 months ago, when you had a choice or even 6 weeks ago when you had a choice, suddenly there is one item

there of what you are trying to buy or maybe no items of what you are trying to buy. There is just simply not a choice that you can make at the store because the product you want to get is not there—and not just the brand-name product, the product is not there in growing cases.

What are we going to see when the Christmas holiday—the holiday shopping season really begins right after Thanksgiving. Black Friday, or whatever other day you are going to do that shopping in, I think you are going to see—American families and American individuals are going to see lots of challenges.

Wait times for ocean freight—we have all seen those pictures now of the backup of ships waiting to get to the port in every port in the country—every port in the country. Wait times are about 45 percent longer than it was last year at this time.

Shipping rates from China are around 400 percent, four times higher than they were a year ago. Things that cost \$2,000 a container now are much more likely to cost something like \$12, \$15, or even \$20,000, just for the container—moving the container from where it is filled up to where it gets off the boat at one of our ports.

Traffic jams at the big ports are a problem in every place. There is a shortage of 80,000 truckdrivers to move things once they get unloaded.

We made it so appealing for some people to stay home from work that they have, at this point, still decided not to go back to work or decided to retire early. They were getting that enhanced unemployment check for a couple of years, decided that maybe that life in the truck, which is a hard life, or that life on the dock, which is a hard life, or that life at the grocery store stocking shelves, which can be challenging every single day, or any other job was just not a job that they were going to go back to.

I mentioned President Obama's economic adviser earlier. Well, he said another pretty revealing thing at the same time when he talked about supply-side problems. He said, and this is his quote also: "It would be foolish to count on a return to normal within the next year." Within the next year.

So things are not going to get better if we don't get back. They are likely to get worse.

Then he said inflation "is likely to remain uncomfortably high."

Now, I am not going to talk about what his personal economic circumstances may be, but if they are uncomfortably high for him, they are painfully high for lots of families.

So here we go again. By the way, not only was the \$2 trillion bill done just by one party—not a single Republican voted for it in March. Not only did that feed the flames of inflation, but now we are right back talking about a bill that if every program was extended through the 10 years, it would be a \$4 or \$5 trillion bill. It is impossible to understand

how you wouldn't see that as another thing that is going to really create great risk. We have had every warning sign we could possibly have.

When Washington pays people not to work, it gets awfully difficult to fill all the open jobs. When Washington gives people money that Washington has borrowed or just simply kind of made up, that is awfully hard.

The predictions that have been made about what happens with excessive unemployment payments, the predictions that have been made about money borrowed and put into the economy that we don't have, have actually turned out to be right on target.

So Republicans are warning again, if our colleagues on the other side continue to plan to move forward with another—however number you want to describe it. I think it is very fair, if all of these programs are extended, to describe it as \$4 to \$5 trillion. It is fair to describe it as \$2 trillion, if actually you start these programs that people will like having government take this new responsibility and then think they can actually stop after 1 year or 2 years or 3 years.

Nobody believes that, and frankly I don't know anybody on the other side who thinks that is the plan. They understand the plan is to have a \$2 trillion pricetag and a \$5 trillion ultimate payout for the things that that pricetag starts to pay for.

Nothing about being uncomfortably high—let's talk about the pain that you could have as you tighten your belts not just for the holidays but for the foreseeable future.

Transportation, food, home heating in the winter, it doesn't get more basic than that. And if transportation costs go up, gasoline goes up 46 percent, food goes up 15 to 20 percent. Home heating costs are projected, in many places, to go up somewhere between 50 and 100 percent. Even if you got a little bit of a raise at work, that raise is immediately taken away by just the basic fundamental things you have to have.

We need to work with our friends on the other side. We need our friends on the other side to see the warning signs of what has happened with what we have done, what has been done this year already, and exactly understand what will happen.

If we do more of the same, we are going to get more of the same, and more of what is happening right now is not what people we work for need or deserve. I hope we get serious about the things that our actions create.

With that, I yield back.

The PRESIDING OFFICER. The Senator from Tennessee.

Mrs. BLACKBURN. Madam President, I appreciate my colleague from Missouri and his remarks about how we need the other side to work with us. And that is so very true because this administration, the Biden administration, has refused to drag themselves away from the political posturing and move toward actually governing and

addressing the problems that the American people would like to see addressed. They have sent this economy into the gutter.

Now, think about it. Just a few years ago, we had the best economy that we had had in decades. Unemployment for women, for African Americans, for Hispanics hit an alltime low; wage growth at an alltime high. Now the economy is in the gutter. Our southern border is now in shambles. The hearing we had yesterday with Secretary Mayorkas was so dissatisfying because he did not have facts and figures and answers, and we see a country that is incredibly divided.

But at least the American people now know just how in denial the White House is about what is takes to be living in the real world. Their constant attempts to downplay the mess they have made have had the opposite effect, and now everyone knows just how out of touch they are with anyone who regularly pulls in at the gas station to fill up their own car or darkens the door of a grocery store to buy the groceries that they need.

Yesterday, I came to the Senate floor and asked the question: What will it take for the Biden administration to take the threat of Chinese aggression seriously?

The evidence is staring them in the face, and yet they refuse to acknowledge that there is a danger; that China is our adversary. Certainly, the President's phone call did not give us any comfort in knowing that he understands they are an adversary.

And today, I have a similar question: What will it take for the Biden administration to take the American people seriously when they repeatedly warn us that the economy is in trouble? They are living the warning signs every single day.

But try as they might to convince us otherwise, this administration's talking points are all about happy talk, better jobs numbers, and the pockets of growth. But this is not anything that is representative of the economy at large.

Still, every policy that they proposed this year assumes that the costs of inflation are a myth; that inflation is concocted by Republicans; that it is there as a talking point to scare American families.

How completely out of touch can this administration be? They are proving the point that they are elitists; that they live in a bubble.

What they keep saying to people is: Oh, you know, it is a dollar here. It is a dollar there. It doesn't really matter that much.

But, of course, it does matter.

Anyone who has taken the time out of their life to rear a family and any mother who gets up in the morning and she is trying to feed the kids and get them to school and shuttle kids into the minivan and then she is off to work and then they are off to activities in the afternoon, she knows that pennies

add up to dollars, which adds up to hundreds of dollars, and it goes quickly—in a hurry.

I talked to someone last weekend. They were talking about how a manageable trip to the grocery store now has the potential to just blow their budget. They are somebody who likes to use cash, not credit cards. They put it all in envelopes, and they plan out their expenditures. They are seeing firsthand what this budget is doing to their monthly budget for their family.

The sad thing is, this is all happening just in time for Thanksgiving, just in time for the Christmas holidays.

But, you know, you don't need to take my word for it. My colleagues don't need to take my word for it. Let's look at the Bureau of Labor Statistics to tell the story. This is a Federal bureau, and they keep this data. Their data is telling quite an interesting story.

I have a poster here that actually shows you the percentage increase you are going to see. The Thanksgiving turkey will cost you 6.1 percent more this year than last. If you want to get a ham, that is going to be an extra 12 percent. If you are serving veggies with the turkey and ham, that is an extra 8.2 percent. The price of a cup of coffee for after dinner, that is up 5.7 percent. And the grand finale, the homemade apple pie is up 5.1 percent. And I hope that you weren't planning on driving out of town for your Thanksgiving dinner because gas prices are up \$1.23 a gallon since last October. Think about that, \$1.23 a gallon—a gallon.

Now, this is sticker shock every time you pull into the gas pump. It is sticker shock every time you go to the grocery store. And, as you can see what it was last year, you are seeing these stickers on gas pumps all across Tennessee.

Yes, the Biden administration, they can say: I did that.

Decisions that the President has made—stopping the Keystone Pipeline, moving us from being energy independent and exporting oil to making us dependent on OPEC, of all things, so that we can drive our cars and heat our homes—it outrageous.

I would encourage President Biden and my Democratic colleagues to remember that, when it comes to budgets and families managing their way through this inflation, they can't have it both ways.

Back in January, they told congressional Republicans that their bipartisan bailout bill was the only thing standing between the average American family and financial ruin. Now, the very idea that pricing and spending power matters seems extremely unpopular with our friends on the left. Suddenly, they expect the American people to put on a brave face, to treat shortages like a minimalist trend, and to cut back where they can.

Do you know what, Madam President? The American people don't want to live in austerity; the American peo-

ple want to go to the grocery store and find the food that they need. It is stunning, the attitude of the left. It is stunning, the disregard that they have for average American families who are working hard every single day.

Of course, people who are now struggling to make ends meet could stay home. They could stay right at home this holiday season. They could park the car, cook a small meal, and swallow their disappointment. But do you know who won't be doing that this holiday season? President Joe Biden. You won't see him making sacrifices to sustain the narrative.

I have a feeling I won't see many of my Democratic colleagues passing on Thanksgiving dinner to show solidarity with families who couldn't stretch their paycheck far enough for that Thanksgiving turkey.

I would hope that something here in all of this data would remind you. The Bureau of Labor Statistics—that is where I am getting the data. I am hoping it would remind my friends across the aisle that this is not about proving a point. This is about the average American's growing inability to put food on the table.

You may not have to worry about an extra \$30 or \$40 on the grocery bill, but most Tennesseans do worry about that. And for some people spending more isn't even an option.

It is time to adjust the priorities of the Democrats. It is time for this administration to adjust their priorities. It is time for them to meet the people where they are and not where they think that the people should be forced to go by their socialist agenda.

I would encourage my colleagues: Pay attention to what the people of this country are telling you. Govern accordingly. People are depending on it.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

NATIONAL DEFENSE AUTHORIZATION ACT

Mr. BARRASSO. Madam President, I come to the floor today to talk about our Nation's defense.

Last week, America marked Veterans Day. I was in Wyoming and started Veterans Day the way I do every year, which is in Douglas, WY, in Converse County, at the American Legion.

We raised the flag at 7 a.m. We kicked off a day of Veterans Day ceremonies all around Wyoming. Last week, I visited with veterans all around the State. I will share with you the things that I hear all across Wyoming.

What I continue to hear is that since Joe Biden took office, our Nation has become weaker—weaker—and the

world has become more dangerous and our Nation is now less safe.

In August, Joe Biden oversaw the tragic and failed withdrawal from Afghanistan. Because of the President's weakness, incompetence, and mismanagement, the Taliban took over Afghanistan in just a matter of weeks. Just before the withdrawal, terrorists killed 13 of our troops. It was the deadliest day for our military in a decade.

One of those fallen heroes was Rylee McCollum of Wyoming. All of Wyoming felt the terrible loss of this 20-year-old marine. He was a statewide high school wrestling champ.

On August 30, the Biden administration left hundreds of Americans behind enemy lines, in spite of the fact that the President said he wouldn't leave anyone behind. The administration has admitted to the Armed Services Committee that more than 400 Americans are still behind enemy lines.

Joe Biden's Afghanistan surrender was a national disgrace. The consequences are being felt all around the world. Our friends are furious. Our enemies are emboldened.

Last month, we saw a hypersonic missile being tested. We see that an emboldened Vladimir Putin now has stationed 100,000 troops near the border with Ukraine. Vladimir Putin continues to speak of Ukraine as if it is part of Russia.

North Korea showed last month that they can launch ballistic missiles from submarines.

Iran will soon have much, much more cash than they did when President Biden took office. You say: How could that be? Well, one reason for the influx of cash is the rising price of oil and a weak enforcement of the sanctions that we have against Iran. It is easier for them to sell and more profitable to do so. The Biden administration is trying to negotiate with Iran from a position of weakness.

Yet the most alarming developments are the strides being made right now in China. Since Afghanistan fell, China has aggressively flown dozens of military planes over Taiwan's air defense zones. The Pentagon admitted recently that China now has the largest navy in the world. China plans to build more than 100 new ships over the next 8 years. China is also building about 300 missile silos and plans to have 1,000 nuclear missiles in the next 8 years. China recently tested a hypersonic weapon capable of use around the world.

These are pressing challenges, challenges like we haven't seen since the Cold War. This administration has been caught flatfooted.

At the White House, utter incompetence. At the Pentagon, complete mismanagement. At the State Department, global weakness. No one has been fired. No one has been held accountable over the withdrawal from Afghanistan. No one has resigned. There has been no accountability.

It is astonishing, but the President must still believe in his statement

where he said it was "an extraordinary success." He may be the only one in America who believes that. Our enemies are getting stronger, and the Democrats are asleep at the switch.

The Pentagon Press Secretary was asked last week which is a bigger threat—which is a bigger threat—China or climate change? His response: "They are equally important." This is the Pentagon Press Secretary. This isn't somebody at the EPA. This is somebody responsible for the defense of this Nation. This is not just false; it is absurd for this to be the policy of this administration.

Defense Secretary Lloyd Austin is focused on fighting so-called dissident ideologies in our military. The Chairman of the Joint Chiefs of Staff testified in Congress that he supports servicemembers studying critical race theory.

Our enemies are not following that path. Oh, no, they are focused on winning wars. The Biden administration seems to be focused on liberal fantasies.

Well, I believe it is about to get a lot worse. That is because President Biden's vaccine mandate will likely cause the discharge of thousands of servicemembers. It is certainly a concern of mine with our National Guard in Wyoming, as it is with troops around the country and around the world representing and defending our Nation.

Recruitment was difficult already. Our troops are feeling the pain of inflation cutting into their paychecks, and now the President seems to be determined to decimate their ranks.

I fully support vaccination. I am a doctor. I am vaccinated; so is my family. I am pro-vaccine. I am anti-mandate.

At a time when our enemies are getting stronger, we don't need to drive the men and women who defend our Nation out of the military.

Now, the Senate has still not passed the National Defense Authorization Act. The Senate went Independence Day, Memorial Day, and Veterans Day with no action on the Defense bill. The majority leader now says the Senate will finally get around to it. Why did it take so long?

The Senate has been debating a reckless tax-and-spending blowout the American people did not ask for, do not want, cannot afford, as prices continue to grow and go up and up and up, when the cost of Thanksgiving dinner is going to be the most expensive in the history of our Nation.

And we are here in the Senate and the House. What are they doing? They are debating taxpayer dollars for illegal immigrants instead of taxpayer dollars for American heroes. We have been debating taxpayer dollars for what Democrats call tree equity. The New York Times even wrote about it today.

We ought to be debating national security. We should be talking about the

U.S. Army instead of Democrats who have been talking about an army of climate activists and an army of IRS agents.

We just honored veterans last Thursday. We will give thanks again for all of them next Thursday on Thanksgiving Day.

It is time, today, for the United States to do right and for the Senate to do right by all of them. I urge my colleagues to focus on a bipartisan National Defense Authorization Act, the Defense bill, for the defense of our Nation. It is time we prove to the Nation that we do support our troops and we do protect them against—and protect all of us against—rising threats and keep this great Nation safe.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. SANDERS. 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.

NATIONAL DEFENSE AUTHORIZATION ACT

Mr. SANDERS. Madam President, day after day here on the floor of the Senate and back in their States, many of my colleagues talk to the American people about how deeply concerned they are about the deficit and the national debt. They tell us that we just don't have enough money to expand Medicare, to cover dental care for seniors, to cover hearing aids, to cover eyeglasses. We just don't have enough money to do what every other major country on Earth does, and that is guarantee paid family and medical leave.

At a time when hundreds of thousands of bright young people are unable to afford a higher education and millions are struggling with student debt, my colleagues tell us that we just don't have enough money to provide 2 years of free tuition at community colleges.

When we have over 500,000 Americans sleeping out on the streets, including a few blocks away from the Nation's Capitol, we just don't have enough money to build the low-income and affordable housing this country needs.

At a time when the scientists are telling us that we face an existential threat in terms of climate change, we are told that we just don't have enough money to transform our energy system away from fossil fuel and create a planet that will be healthy and habitable for our kids and future generations. Just don't have enough money.

Yet, today, the U.S. Senate will begin consideration of an annual defense budget that costs \$778 billion—\$778 billion for one year. That is \$37 billion more than President Trump's last defense budget and \$25 billion more than what President Biden requested.

By the way, all of this money is going to an Agency, the Department of

Defense, that continues to have massive cost overruns year after year, wasting enormous amounts of money, and is the only major governmental Agency in the Federal Government not to successfully complete an independent audit.

Now, isn't it remarkable how, even as we end the longest war in our Nation's history, the war in Afghanistan, concerns about the deficit and the national debt seem to melt away under the influence of the military-industrial complex. People sleeping out on the street, people dying because they don't have any healthcare, kids unable to get the early childhood education they need—not a problem. Can't afford to pay for those things, but somehow, when it comes to the defense budget and the needs of the military-industrial complex, we just cannot give them enough money.

But that is not all, and I want the American people to know this, as I suspect many don't.

It is very likely that in the Defense bill or attached to the Defense bill, there will be a so-called competition bill, and this bill is a \$250 billion bill that includes \$52 billion in straight corporate welfare, with no strings attached, for a handful of extremely profitable microchip companies.

Now, is there a problem in that our country is not producing the kinds of microchips and the number of microchips that we should? The answer is yes. It is an issue we have to deal with, but we can deal with it in a way other than simply handing money to a handful of enormously profitable corporations with no protection for the taxpayers at all.

By the way, I should also mention that as part of the so-called competition bill, there is also a \$10 billion handout to Jeff Bezos, one of the wealthiest people in our country, for space exploration.

Combining these two pieces of legislation would push the pricetag of the Defense bill to over \$1 trillion for 1 year. I want people to remember that because when we talk about Build Back Better, we are talking about a 10-year bill. This is 1 year.

Meanwhile, while there is limited discussion about the Defense bill or corporate welfare in the competition bill, Congress has spent month after month discussing the Build Back Better Act, which on an annual basis costs far less than the Pentagon budget, and discussing whether or not we can afford to protect the working families of our country whose needs have been ignored decade after decade, who in many cases are living paycheck to paycheck, can't afford housing, can't afford prescription drugs, and can't afford to send their kids to college. We can't address their needs—no, no, no—because we are too busy worrying about throwing money at the Pentagon and large, profitable corporations.

If there was ever a moment in modern American history when we need to

fundamentally review our national priorities, now is that moment. Whether it is transforming our energy system away from fossil fuels; whether it is guaranteeing paid family and medical leave; whether it is providing healthcare to all of our people as a human right, as virtually every other major country does; whether it is taking on the greed of the pharmaceutical industry, which charges us by far the highest prices in the world for prescription drugs; whether it is addressing our crisis of affordable housing or providing childcare and pre-K to the little kids, now is the time to reassess our priorities. Now is the time to fight for real change.

But instead of addressing these major issues that impact the lives of working families all across this country and that the working class of this country desperately wants, Congress comes together, Democrats and Republicans, with minimal debate, to support an exploding Pentagon budget, which is now higher than the next 13 nations combined and represents more than half of our discretionary spending.

After adjusting for inflation, we are now spending more on the military than we did during the height of the Cold War or during the wars in Vietnam or Korea. And I would like to reiterate, this is after the war in Afghanistan has ended. That is why I have introduced an amendment with Senator MARKEY to reduce the military budget by \$25 billion, down to what President Biden requested.

Let's be clear. This is not a radical idea. It is the military spending proposed by the President of the United States and the amount requested by the Department of Defense. I look forward to support on that amendment, especially from the deficit hawks, who I know are very, very concerned about the deficit.

I should also point out that this extraordinarily high level of military spending comes at a time when the Department of Defense is the only Agency of our Federal Government that has not been able to pass an independent audit and when defense contractors are making enormous profits while paying their CEOs exorbitant compensation packages.

Let's not forget that in this so-called competition bill, there will be a provision which provides \$53 billion in emergency appropriations for the microchip industry with no strings attached.

Let me repeat that. We are talking about more than \$53 billion in Federal funds, and by the way, I suspect there will be more taxpayer money coming to these corporations from State and local government with no strings attached.

Do we need to expand the microchip industry in this country so we can become less dependent on foreign countries? Yes. But we can accomplish that goal without throwing money at these companies with no protections for the taxpayers.

In total, my guess is that five—one, two, three, four, five—major semiconductor companies will likely receive the lion's share of this taxpayer handout. Those companies are Intel, Texas Instruments, Micron Technology, Analog Devices, and NVIDIA.

I should also point out that these five companies made nearly \$35 billion in profits last year combined and spent more than \$18 billion buying back their own stock.

I should also point out that these five corporations combined paid their CEOs a combined \$85 million in compensation last year.

Further, it is important to point out that this is an industry that received nearly \$6 billion in government subsidies and loans over the years, and it is an industry that has shut down over 780 manufacturing plants in the United States and eliminated 150,000 American jobs in the last 20 years—29 percent of its workforce—while moving most of its production overseas. In other words, over the years, in order to make more money, they decided to outsource their operations and, in the process, throw American workers out on the street.

So let's be clear what is happening here. In order to make more profits, these companies took good government money and then offshored good American jobs. Now, for that bad behavior, these same companies are being rewarded with some \$53 billion in no-strings corporate welfare to undo the damage that they did.

That may make sense to somebody; not to me. That is why I have introduced Senate amendment No. 4722, which would prevent microchip companies from receiving taxpayer assistance unless they agree to issue warrants to the Federal Government. If private companies are going to benefit from over \$53 billion in taxpayer subsidies, the financial gains made by these companies must be shared with the American people, not just wealthy shareholders.

In other words, all this amendment says is that if these companies want taxpayer assistance, we are not going to socialize all of the risks and privatize all of the profits.

Let me be very clear. This is not a radical idea. These exact conditions were imposed on corporations that received taxpayer assistance in the bipartisan CARES Act, which passed the Senate 96 to nothing. In other words, every Member of the U.S. Senate has already voted for the conditions that are in my amendment.

CARES was not the first time that Congress passed warrants and equity stakes tied to government assistance. During the 2008 financial crisis, Congress required all companies taking TARP funds to issue warrants and equity stakes to the Federal Government.

The bottom line is that taxpayers should not just be handing out money to large, profitable corporations and well-paid CEOs. They deserve to benefit as well.

In addition to making sure that companies allow for warrants and equity stakes, this amendment would require that these companies cannot buy back their own stock, nor outsource American jobs, nor repeal existing collective bargaining agreements, and remain neutral in any union organizing efforts.

Here is something else—I think people think that I am kidding here, but I am not; this is really true—here is something else that is in the so-called competition bill that must be addressed. Unbelievably, this bill would provide and authorize some \$10 billion in taxpayer money to Jeff Bezos, the second wealthiest person in America, for his space race with Elon Musk, the wealthiest person in America. This is beyond laughable, and I will be introducing an amendment to strike this provision. Frankly, it is not acceptable. It is not an issue that we have discussed terribly much, but it is not acceptable that the two wealthiest people in this country, Mr. Musk and Mr. Bezos, take control of our space efforts to return to the Moon and maybe even the extraordinary accomplishment of getting to Mars. This is not something for two billionaires to be directing; this is something for the American people to be determining.

Let me just say a few words about why there is so much waste and fraud and abuse in the military. Again, I always find it amazing how, when it comes to programs directed at ordinary people, low-income people, all kinds of investigations and all kinds of language about how we have to protect the taxpayer from fraud, but when it comes to the massive amount of money that we put into the Pentagon, not a whole lot of attention paid to that.

One of the reasons that we have so many cost overruns and one of the reasons that we have so much fraud and so much abuse is that the Pentagon has been unable to pass an independent audit 30 years after Congress required it to do so—30 years.

I think one of the points that need to be remembered is that on September 10, 2001, 1 day before the terrible attack on our country, then-Secretary of Defense Donald Rumsfeld said, talking about the Pentagon:

Our financial systems are decades old. According to some estimates, we cannot track \$2.3 trillion in transactions. We cannot share information from floor to floor in this building—

The Pentagon—

because it's stored on dozens of technological systems that are inaccessible or incompatible.

Yet, 20 years after that statement—a rather profound statement by then-Secretary of Defense Donald Rumsfeld—the Pentagon has still not passed a clean audit despite the fact that the Pentagon controls assets in excess of \$3.1 trillion or roughly 78 percent of what the entire Federal Government owns.

Just this week, the Pentagon announced that it will fail its fourth con-

secutive financial audit in a row. That is why I have introduced an amendment with Senator GRASSLEY that would require the Pentagon to pass a clean audit this year. If it fails to do so, 1 percent of its budget would be returned to the Treasury each year until it obtains a clean audit operation. I think 30 years is maybe just enough time to make that demand.

I think that at this moment in American history, it is appropriate for the American people and for my colleagues here in the Senate to remember what former Republican President Dwight D. Eisenhower said in 1953 when he was President.

As we all recall, Dwight D. Eisenhower was a four-star general, not a politician, who led the Allied Forces to victory in Europe during World War II. So this was no peacenik. This was a man who saw more death and more military battles than probably any human being should have to.

This is what Eisenhower said:

Every gun that is made, every warship launched, every rocket [fired], signifies in the final sense a theft from those who hunger and are not fed, those who are cold and are not clothed. This world in arms is not spending money alone. It is spending the sweat of its laborers, the genius of its scientists, the hopes of its children.

That was Dwight D. Eisenhower, and that is what he said 68 years ago. It was true then. It is even more true now.

If the horrific coronavirus pandemic has taught us anything—a pandemic which has cost us now almost 700,000 lives—it is that national security means more than just building bombs or missiles or jet fighters or tanks or submarines or nuclear warheads and other weapons of mass destruction. National security also means doing everything that we can to protect the lives of ordinary Americans, many of whom have been abandoned by their government for decades. These are people, right now, who are struggling to put food on the table, people who are now experiencing a lower life expectancy than was the case in the past, and these are people who, in many instances, when they get sick, can't even afford to go to a doctor.

When we analyze the Defense Department's budget, it is important to note that Congress has appropriated so much money to the Defense Department that the Pentagon literally does not know what to do with it. According to the GAO, over the course of 11 years, the Pentagon returned an astonishing \$128 billion in excess funds back to the Treasury.

And, over the past two decades, while we have funneled out money to the defense contractors, it is important to note that virtually every major defense contractor in the United States has been fined for misconduct and fraud, all while making huge profits. Since 1995, Boeing, Lockheed Martin, and United Technologies have paid over \$3 billion in fines or related settlements

for fraud or misconduct. Meanwhile, the CEOs of these large defense companies enjoy incredibly large compensation packages—in fact, on average, over 100 times more than does the Secretary of Defense.

I have also filed an amendment with Senator MARKEY and Representative RO KHANNA, in the House, to finally end all U.S. support for the Saudi war effort in Yemen. This amendment simply codifies the prohibition on support for the Saudi war, and it already passed both Houses of Congress, in 2019, in a bipartisan way. At that time and in 2019, various officials now in the Biden-Harris administration signed a letter supporting this measure. The House has already passed this amendment for the third consecutive year. It is long overdue for this provision to be included in the final Defense policy bill that is sent to the President's desk.

In addition to Yemen, I have longstanding concerns about the situation in Gaza. That is why I have introduced an amendment to request a series of reports on the humanitarian crisis in Gaza and on steps that the United States can take to ease that crisis and bring desperately needed humanitarian and reconstruction aid to the Palestinian people in Gaza.

I would also point out that, when I talk about healthcare, I talk about dental care, and I think most healthcare experts understand that dental care is part of healthcare. In my home State of Vermont, veterans who are eligible for dental care at the VA have no access to a VA dental facility. That is why I have introduced an amendment to the NDAA to require the Department of Veterans Affairs to maintain a dental clinic in every State of this country so that all veterans have access to the dental care that they need.

I believe in a strong military, but I do not believe that we can keep throwing more money into the Pentagon than it needs at a time when working families all across this country are struggling to put food on the table for their kids and when 140 million Americans can't afford the basic necessities of life without going into debt.

In 1967, Dr. Martin Luther King, Jr., warned us that “a nation that continues year after year to spend more money on military defense than on programs of social uplift is approaching spiritual death.”

Dr. King was right. That was true in 1967. It is true today.

Let me just conclude with another quote from one of the great Republican Presidents in American history, and he is Dwight D. Eisenhower. This is what he said as he was leaving office back in 1961.

He said:

In the councils of government, we must guard against the acquisition of unwarranted influence, whether sought or unsought, by the military industrial complex. The potential for the disastrous rise of misplaced power exists and will persist.

That was Dwight Eisenhower, and what he was talking about was the incredible power then of the military-industrial complex—of the revolving door, where people go from the military into defense companies. It was true then; it is truer now; and that truth is manifested in the fact that we have a bill which is now spending \$25 billion more than the President of the United States requested.

I yield the floor.

The PRESIDING OFFICER. The junior Senator from Florida.

UNANIMOUS CONSENT REQUEST—S. 3224

Mr. SCOTT of Florida. Madam President, as empty shelves grow more and more common, prices are surging higher, and small businesses can't access the goods they need to serve their customers. Joe Biden's supply chain and inflation crises are devastating for so many Americans, but it is our poorest families—those on low and fixed incomes, like mine growing up—who are hurt the most.

Just last week, we saw the new CPI inflation data come out. Rates are the highest they have been in more than 30 years. Every month, when I see Biden's new inflation numbers come out—and they are always worse than the month before—I think about my mom. Growing up, I watched my mom struggle every day just to put food on the table and make ends meet for our family. Now countless families across America are dealing with that same struggle today all because of Joe Biden's reckless, socialist policies, like his unconstitutional vaccine mandates. These policies are fueling inflation and the current supply chain crisis, but Biden and his administration do absolutely nothing to fix it.

Throughout my years in business and 8 years as the Governor of Florida, I learned that, when you are trying to solve a problem, the best place to start is by bringing people together. When hurricanes devastated Florida, and we had to deal with restoring power and communication services and getting resources where they were needed most, we brought people together and got to work to solve problems, but you don't see any of that with this administration.

Just look at inflation. I have been talking about inflation nonstop all year, and it is getting worse and worse and worse. Biden has totally ignored it. His administration has attacked people like Larry Summers and me. Larry Summers is a Clinton-Obama appointee who warned early on that reckless spending was going to fuel a massive inflation crisis.

Now we are seeing the same thing with Biden's supply chain crisis. I have called on Commerce Secretary Raimondo and Transportation Secretary Buttigieg to come before the Commerce Committee and testify about what they are doing to resolve this problem. They haven't shown up. We haven't had a single hearing on this crisis in the Commerce Committee. I

have seen them on TV dismiss the severity of the problem. I was surprised to see that Secretary Buttigieg had time to attend a bill signing but still hasn't been to California to get working on the massive supply chain issues that are stranding dozens of ships off the California coast.

Unlike the Biden administration, I am not going to sit around and play TV commentator. Families in Florida expect and deserve more than that. That is why I was proud to partner with my friend and colleague Congressman CARLOS GIMENEZ to introduce the Supply Chain Emergency Response Act to get products flowing to American families and businesses again. Our legislation is simple and common sense. Congress passed the CARES Act to help our economy survive the effects of COVID and the economic lockdowns. We know that much of that money remains unspent and that it could be used for far more important purposes.

We also know that there are dozens of ships waiting to dock and be unloaded at California ports right now. Our bill would redirect \$125 million of unspent, unobligated CARES Act funds to help pay for the costs of moving cargo ships, which are waiting to dock on the west coast, through the Panama Canal, so they can dock along the east coast, including in States like Florida. I am going to be clear. This bill does nothing to mandate that ships be redirected to the east coast. It simply provides an option and the funding to offset some of the costs. The bill would also allow Governors to use their unspent and unobligated CARES Act funds to offset port fees and other related State-level expenses. It is the pretty simple idea of using the money meant to help with the economic recovery to actually help with the economic recovery.

Just last week, at the Port of Palm Beach, I had a meeting with port and business leaders who are seeing the delays and effects firsthand. Their businesses are hurting and are left waiting for weeks and months for the resources they need to run their businesses and serve their customers. We need a solution, and Florida's ports are ready and able to help with this crisis, and with the holidays getting closer and closer, we can't waste any more time.

Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 3224, which is at the desk. Further, I ask unanimous consent that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

The junior Senator from Washington. Ms. CANTWELL. Madam President, reserving the right to object, I know my colleague—well, I assume my colleague is sincere about his interest in doing something about our issues of

port congestion and supply chain issues, but I disagree with his approach here today.

I have, personally, worked very hard on increasing the amount of investment in port infrastructure that was in the bill—just signed by the President on Monday—that helps to increase port capacity around the United States. Why? Because we have seen, even in a pandemic, an increase in trade and port activities. So, yes, we have to invest in our infrastructure.

I take disagreement with my colleague's characterization that the President hasn't done anything because the President has helped at L.A.-Long Beach in reducing the congestion, and he has put in place a better COVID response process. My colleagues need to understand that longshoremen died in the COVID pandemic while delivering goods and products to us in the United States of America. They died. So getting a better response in vaccination for people working on our docks is incredibly important. So the President has done something. He has got a better COVID response; he has basically helped at reducing congestion; and he has got a plan to invest in our ports all over the United States of America.

I know my colleague wishes that it would be so simple, but these shipping companies are reporting more than \$200 billion in profit—\$200 billion in profit even during the pandemic. So they are not lacking for money. And, if they wanted to go to those ports, they would go to those ports. We heard from one of the big shipping associations that going anywhere, just to say that you want to go there when there are logistical and cost reasons that don't likely bear out, eventually, the customer really just wants to go where the customer wants to go.

That is why it is so important to invest in our ports. That is why we led the charge for a \$2.25 billion investment. Why? Because 95 percent of consumers live outside of the United States. And if we want to be involved in the trade economy, we should invest in our infrastructure to get product to and from our citizens, to other citizens of the world, the 95 percent who live outside of the United States.

So I don't think giving shippers—who are having a recordbreaking profit year—more money is going to make them go to other ports. So I do hope that we continue to look at ways to catch up from the fact that production in many areas of our economy were off. There is no bigger example than the 8-percent reduction in oil from OPEC in 2020.

Talk about something we need to address, my colleagues and I sent a letter to President Trump about high oil prices in 2018, and we recommended these various things that the President should do: leverage a relationship with the Saudi Crown Prince to urge them to increase capacity in world oil supplies, make sure the energy Secretary

is communicating that with Vienna and OPEC nations, initiate world-trade disputes regarding countries' anti-competitive practices, work with our European allies and China and make sure that they are working on this issue. We just had a hearing this morning asking the FTC, if they do see any kind of manipulation or moving of supply, please investigate it; and, in this case, we said, Abandon the Trump administration's rollback of fuel economy standards.

Because guess what Americans want when there are high oil prices? They want fuel-efficient cars.

That also is what we just legislated, and that is why we need to keep working on this issue, because as long as we are in a world oil market, and as long as we are under these pressures of OPEC, we are never going to win the day. The best way to win the day is to get an economy that is less dependent on those prices being impacted by OPEC.

Now, I may shock some people here this afternoon, but I am for getting rid of the Trump 301 tariffs. These have cost us enormously in the Pacific Northwest—higher seafood costs, higher equipment costs, higher cost on agriculture products, higher costs on aerospace.

So we have had the two dilemmas of a COVID pandemic taking a workforce out of production, literally. I don't know if my colleague supported the aid to the airline industry or not, but basically COVID hit, it ended up costing over 15,000 jobs in the aerospace sector in my State—gone, gone, gone. So not here today.

If you imagine, if that happened with the airline production—why? Because what airline was going to buy a new plane? It wasn't going to happen.

People are saying now they don't think it is going to happen until 2023 or 2024, even though there are some announcements happening now. In general, people don't think that the airline sector is going to recover to where it was before for several years.

So just imagine if every other sector did the same thing, that reduced their workforce in response to COVID, and now we are seeing the impacts of that.

So what do we do? Let's be smart about each of these cost areas and figure out what we can do to reduce those costs.

Giving \$125 million to basically the shipping companies of the world that basically have made record profits—one company said that was the biggest profit last year that they have made in 117 years. OK. So they don't need more money to just go from LA, Long Beach to Miami.

But I want the Senator of Florida to know I actually believe in his port economy. I don't know what is going to happen to the port economies of the world. I don't know if we are going to switch dynamics.

We have supported freight investment because freight can't wait. If you

don't have good freight movement, you are going to lose to some other country. So we supported that.

In fact, I see my colleague from Maryland here. The director for the Port of Baltimore came and became the director of the Port of Seattle. And I said: Do you think if we invest in freight, moving freight, somehow we might lose to the west coast and other places?

He said: The business is just going to continue to grow, and everybody will lose if we don't increase more efficiencies.

That is the objective: increase more efficiencies at every port.

I know the Presiding Officer from the Great Lakes wants to do the same thing, increase the capacity and efficiency of the Great Lakes. Let's get an icebreaker. Let's invest in port infrastructure. We led the charge. Why? Because I know that the Presiding Officer today knows that the competitiveness of your State in Wisconsin depends on manufacturers getting those products made and outside your State and on to a world market.

That is what is going to help us with our economy and reducing price, is to get production up and to get product moving efficiently.

So if my colleague—and I sincerely offer this—wants to help me, because I guarantee you not everybody on my side is going to call for this, but I am definitely calling for a repeal of the 301 Trump tariffs. I didn't approve them when he did it the first time because these kind of punitive tariffs just basically exacerbated the problem with retaliatory tariffs, and those retaliatory tariffs are costing us right now.

I know that Secretary Yellen is looking at this, I know that USTR is looking at this, and I would just encourage the President to look at this. And I would encourage the President to do everything he can to work with our nation countries to put pressure on OPEC, just as we did before, to try to address this issue on price. But let's work not on reducing the cost to shipping companies that don't need anything because they have seen record profits; let us instead invest in our ports and our ports economy.

So, Madam President, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Florida.

Mr. SCOTT of Florida. Madam President, I appreciate my colleague, and I am proud to serve on the Senate Committee on Commerce, Science, and Transportation with her.

Just remember, what we are talking about here is a supply chain problem, and let's not ignore a very important fact. That committee has not held a single hearing on this crisis.

I have been calling for Secretary Buttigieg and Secretary Raimondo to testify in the Commerce Committee on Biden's supply chain crisis for weeks and haven't seen one bit of action taken to make that happen. I don't

think we can wait any longer. American families can't wait any longer.

Biden's supply chain crisis is hurting American families everywhere right now. The President's failed policies and unconstitutional vaccine mandates are stifling business growth, crippling our supply chain, and fueling his—his—inflation crisis. Restoring our supply chains is critical to getting the American economy rolling again and something President Biden doesn't seem to understand, but we need solutions.

I actually feel sorry that my Democratic colleagues have to cover for the President's failures instead of actually helping the American people. Passing this bill today would have given us the opportunity to provide some needed relief in the supply chain and help lower costs for American families who are worried about whether they will be able to afford Thanksgiving dinner and Hanukkah gifts and holiday gifts.

We need solutions now, and today's inaction is a perfect example why the American people don't trust Washington to get anything done.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

NOMINATION OF DILAWAR SYED

Mr. CARDIN. Madam President, earlier this afternoon, I convened a meeting of the Small Business and Entrepreneurship Committee as its chairman. We had noted an agenda to act on the nomination of Dilawar Syed to be the Deputy Administrator of the Small Business Administration.

This was not our first attempt, and I am going to outline all the efforts that we have made to get a vote on Mr. Syed. But to my disappointment, the Democrats were there ready to vote on the nomination.

We also had two important pieces of legislation that we were scheduled to vote on, and every Republican refused to show up, denying us a quorum to be able to conduct business.

Let me share with my colleagues the state of play on this individual and on this nomination. President Biden nominated Dilawar Syed to be the Deputy Administrator of the Small Business Administration on March 3. He is a well-qualified entrepreneur and a small business advocate.

After reviewing his paperwork and ethics agreement, the committee held a hearing on Mr. Syed's nomination on April 21. Now, during that hearing, Ranking Member PAUL raised serious concerns about PPP and Economic Injury Disaster Loan—EIDL—received by Lumiata, a tech company from which Mr. Syed serves as the CEO. After weeks of negotiations, I brokered a compromise between Ranking Member PAUL and the SBA that provided access to the company's loan applications.

On June 8, I personally sat down with Ranking Member PAUL and a representative of the Small Business Administration outside the Senate Chamber to review those documents and ensure that the loans were properly attained, which they clearly were. The

following day, the documents were made available to all of the committee members on the Small Business Committee.

Now, what that record showed is that those loans were taken out in regular order, that they were entitled to the PPP loan and the EIDL. But it also showed something that was quite remarkable. Mr. Syed returned the PPP loan without forgiveness. He was entitled to forgiveness, but, as he said, he was able to get access to additional capital and didn't need the government help and thought it was the right thing to return the loan without forgiveness. What exemplary action.

Satisfied that we had resolved the issue, Senator PAUL agreed to my request that the committee schedule a vote to report out the nominee on June 16. After achieving a quorum of Senators, I moved to report the nomination by voice vote, as requested—a common practice in the Senate. A few Republican members asked to be recorded as voting no, which is also a common practice in the Senate.

However, we were later informed by the Senate Parliamentarian that the nomination could not be reported to the full Senate because a Republican staff member raised an objection that there had not been a rollcall vote in our committee.

A new objection was then raised based on Mr. Syed's involvement in Emgage, a nonprofit organization that supports the Muslim-American community. One Republican office even circulated an email that focused on Mr. Syed's Muslim religion and place of birth.

Two weeks after the meeting, on June 30, I received a letter from eight Republican members suggesting that Mr. Syed's involvement in Emgage was evidence of an Israel bias and support for Boycott, Divestment, and Sanction movement—the BDS movement. This is 2 weeks after we have already had our first committee vote.

Mr. Syed had a relationship with this company, and this company had no record of this type of bias. Mr. Syed responded to these concerns in a letter that he stated he is "a proud first-generation Muslim-American but also pro-Israel."

He clearly stated that he does not support the BDS movement and believes "Israel to be a major partner in supporting the growth of America's innovative small businesses."

Several Jewish organizations have come to Mr. Syed's defense. For example, the American Jewish Committee wrote:

The unsupported accusation that somehow Jewish businesses are those with ties to Israel may not fare as well under Mr. Syed's leadership in the Small Business Administration . . . has no factual grounding. Indeed, he has specifically disavowed support for the . . . (BDS) movement. . . . AJC rejects the charge that simply an affiliation with Emgage would reflect negatively on an individual, organization, or agency.

And AJC went even further and called the Republican accusations against Mr. Syed "un-American."

On Thursday, July 15, the committee again attempted to hold a business meeting to report out the nomination.

We thought we had resolved all the issues. We resolved the issues concerning the loans. Everybody agreed they were proper. There was no concern about Mr. Syed's views in regards to Israel. That had been resolved.

So, Mr. President, I was puzzled that, on the July 15 meeting, all 10 Republican members boycotted the meeting and a reporting quorum was not achieved. We couldn't take action. I couldn't understand why because we had resolved the two issues—the first issue, and then it changed to a second issue.

But it was not until a week later that committee Republicans changed course again and developed a new line of attack, this time linking the nomination to PPP loans received by entities of Planned Parenthood.

On July 22, all 10 committee Republicans released the following statement:

The SBA has wrongfully approved nearly \$100 million in taxpayer-funded Paycheck Protection Program loans to Planned Parenthood branches across the country. On June 30th alone, SBA approved four PPP loans to Planned Parenthood affiliates despite a determination from the last Administration that these entities were ineligible for the program. We will not allow a vote on this nominee until the SBA takes action to recover the wrongfully acquired PPP funds by Planned Parenthood entities.

Mr. President, I am going to go through in detail as to how these loans were not improperly given and that the ground rules we set up were followed by Planned Parenthood and other nonprofits of similar type of organization.

Where they came up with this line is still somewhat of a puzzlement to me since my Republican colleagues were engaged with us in developing the PPP program and the eligibilities for the PPP program.

Since that date, I have tried several times to hold business meetings to report out the nomination, but Republicans would not attend markups that I attempted to hold on September 21, November 4, and again today. On September 29, I attempted to discharge Mr. Syed's nomination from the committee by unanimous consent—that is after our voice vote that had already approved his nomination—but Ranking Member PAUL objected to my request on the Senate floor.

The Planned Parenthood issue pre-dates the Syed nomination and even the Biden administration. It goes back to March of 2020 when this committee took the lead—the Small Business Committee took the lead in drafting the bipartisan CARES Act.

I was proud to be part of a team that includes Senator SHAHEEN, Senator RUBIO, and Senator COLLINS. We sat down and went line by line drafting the PPP legislation that we are talking

about. We negotiated back and forth in good faith on the provisions of this bill. It was truly a bipartisan effort.

Republicans controlled the Senate. We worked with the Republicans, and we came up with a bipartisan bill to help America's small businesses. That legislation made 501(c)(3)s—nonprofits—and veteran nonprofit organizations with up to 500 employees eligible for the PPP loans. This was a mutual decision. We knew it had some controversy associated with it. There are faith-based groups that people have some concern about getting government support. There are different organizations that people might have a concern. But we felt that during this pandemic, it was important to preserve our small business entities, whether they were for-profit or nonprofit, and that was a bipartisan decision that was made by Democrats and Republicans.

During the negotiations of March 2020, then-Chairman RUBIO added language to an early draft that would have prohibited nonprofit entities that receive Medicaid assistance from getting PPP loans. This was presumably an effort to deny Planned Parenthood the opportunity to participate in the program. But because of the way it was drafted, it also affected a lot of nonprofits. It affected programs such as domestic abuse centers or homes for the disabled. It was soundly rejected in our group as not being a workable restriction, that we could not support that type of prohibition.

So we negotiated back and forth, and we could not resolve the issue. Eventually this issue, along with other issues that we couldn't resolve, was taken up to the joint leadership of the Senate Republicans and Democrats who were trying to resolve issues that we couldn't resolve in our committee deliberations. It was at that level that a compromise was reached to add language that applied the SBA affiliation rules to nonprofits—not the Medicaid language but the affiliate rules. We had no objection to that. We felt that nonprofits should be subject to the same restrictions as for-profit entities as far as whether they were truly independent or part of just a national group, whether there was control on the affiliate. So we thought that made sense.

In April of 2020, the SBA, under the Trump administration, released guidance on applying the affiliation standards to nonprofits, which is where we are getting to the determinations made by Planned Parenthood.

The part of the affiliation that applies to nonprofits relates to common management. I am going to quote for the RECORD. I have the full statement here of what the affiliate rules were, but let me just read into the RECORD the relevant section that applies to the controversies—I don't think it is controversies—the Republican controversy on Planned Parenthood.

Affiliation arises where the CEO or President of the applicant concern (or other officers, managing members, or partners who

control the management of the concern) also controls the management of one or more other concerns. Affiliation also arises where a single individual, concern, or entity that controls the Board of Directors or management of one concern also controls the Board of Directors or management of one [or] more other concerns. Affiliation also arises where a single individual, concern or entity controls the management of the applicant concern through a management agreement.

Now, the question is, Does the national group control the personnel and board of the affiliate? That is how the rules apply.

Planned Parenthood of America determined its entities were eligible because it does not exercise control over its member organizations and does not have a common management. Each member organization is its own independent, not-for-profit, tax-exempt organization with its own independent board of directors that is solely responsible for the hiring and retention of its CEO. Planned Parenthood of America does not have the power to remove CEOs or directors from its individual member organizations.

Now, Mr. President, this type of federated structure is common in the non-profit world, and it is the reason why nonprofits such as the YMCA and Boys & Girls Clubs also qualified and received PPP loans, forgivable loans. We recognize that they have a large national structure, but the individual entities are small entities and are independently managed and controlled.

In May of 2020, under the Trump administration, 38 Planned Parenthood entities received correspondence from Associate Administrator Bill Manger with a preliminary finding that the entities may not be in compliance with the affiliation rules.

To my knowledge, Mr. Manger only sent letters to Planned Parenthood entities, not to any of the other similarly structured entities. Now, I say that because we now have learned that there was a list—a hold list of a much larger number of entities that there was a concern as to whether they qualified under the affiliation rules, but only Planned Parenthood received the May 2020 letter, not the other groups that had a similar structure.

The letter that was sent out is titled “Notice of Investigation and Request for Records.” This was sent out in May 2020 to 38 Planned Parenthood entities. The Planned Parenthood entities responded to these letters. They contested the finding. Every Planned Parenthood company that received correspondence in May of 2020 contested its findings. The letter is pretty detailed in what it spells out. It spells out all the reasons why they comply with the affiliation rules, and it talks all about it, about all the different reasons why they were qualified to receive their funds.

Mr. President, it ends with this line. This is how Planned Parenthood responded to the May 2020 letter:

I trust that this response resolves the matter.

May 2020.

Nine months later, under the Trump administration, no additional action that we are aware of was taken by the SBA to contest Planned Parenthood’s eligibility for the PPP money, so it was clear that the Trump administration decided not to take action.

So where are we now?

It is also important to note that PPP loans were not used by Planned Parenthood to provide any health services. We are not talking about providing health services here. The law is very specific as to what the funds can be used for: payroll costs, healthcare benefits for the employees, paid leave for the employees, allowance for dismissal or separation, interest on mortgage expenses, rent and utilities, interest on debt prior to February 15, 2020.

I was somewhat puzzled by all of this, but in an attempt to broker another compromise, after dealing with whether the PPP loans and the business entity were proper, whether there was any semblance of concern about his attitude in regards to Israel—having satisfied that, I made another effort to try to deal with Senator PAUL and the members of the committee to see what they wanted.

Mr. Syed had nothing to do with these loans. Mr. Syed is fully qualified. The SBA needs a Deputy Administrator confirmed to deal with all of the programs that we have passed in the last 2 years to help small businesses. They need a confirmed manager to work between us and our constituents and make sure these programs are working effectively.

So what else could I provide? Yesterday, I invited all of the Republican members to come to my office—or come to the small business office and we would make available all of the information SBA has in regards to these Planned Parenthood loans. They will make it available—all the loans that were given out, when they were given out, what was forgiven, what was not forgiven, second-round PPP loans, all of it. I don’t know what else we can do. Not one showed up to review the information.

I can appreciate the fact that this issue may make Republicans who oppose Planned Parenthood politically uncomfortable. I can understand that. But Democrats also disagree with views of many organizations that received PPP loans.

Last December, the Washington Post reported that 14 organizations designated as hate groups by the Southern Poverty Law Center or the Anti-Defamation League received PPP loans. These are legal entities that qualified for the program because we can’t draft it based upon the mission of a particular organization; we have to draft it in a way that those that are legitimate businesses and operations can qualify for the loans. And we did that. We don’t judge who we are giving the money to, whether we like what they are doing or not. That is not what this is about.

As I said in the committee a little earlier today, it is important for the Small Business Committee to get back to its bipartisan tradition.

I hope that my Republican colleagues will accept the information that we have made available, work with us, and let’s get Mr. Syed confirmed. Let’s get him confirmed because he is the right person for this position at this time. The SBA desperately needs a confirmed Deputy Administrator, with all the work that we put on them, and all the help. Our small business community needs to have an accountable, confirmed Deputy Administrator so that they have an accountable person who can work with us to make sure our programs are not only administered properly but we get the information to modify these programs to make them work moving forward. We are already in the process of considering additional legislation. It is so important to have a confirmed Deputy Administrator of Mr. Syed’s experience in order to help us with that.

I must tell you, Administrator Guzman is doing a fantastic job. She is one person. She needs a Deputy. It is time that we get this person confirmed. There has not been an articulated reason why this person should not be confirmed.

Mr. President, I know we have had this debate on nominations that are here on the floor. We are wondering why people vote against them. I can’t even get a vote in our committee on this because the Republicans won’t show up for a vote.

I think, in respect for the system, it is important that the Small Business Committee have an opportunity to vote on Mr. Syed’s nomination, which I hope then would be on the floor promptly for confirmation.

I see that Senator LEE seems to be on the floor.

I yield the floor.

THE PRESIDING OFFICER (Mr. KAINE). The Senator from Utah.

UNANIMOUS CONSENT REQUEST—S. 3225

Mr. LEE. Mr. President, yesterday, I came to the Senate floor and spoke on President Biden’s vaccine mandate. I explained that I have now come to this Chamber a total of 16 times and offered 12 different bills that would counteract, limit, or, in one way or another, restrain the vaccine mandate. I also explained that, unfortunately, each of these bills has been rejected by Democrats in the Senate.

I have spoken to Utahns and folks from across country who have expressed to me their frustration at moving goalposts and changing expectations in the middle of the pandemic. President Biden’s vaccine mandate, which has been halted now by the U.S. Court of Appeals for the Fifth Circuit, happens to be among the latest attempts to force Americans to make health decisions under the threat not just of unemployment but also under the threat of becoming unemployable.

That is a taxing burden for anyone to bear. Anyone who has kids at home or

if they don't have kids at home, if they are just supporting themselves, these days all Americans are helping someone or something that they love, that they care about, and they ought to have the opportunity do that. They ought not have their ability to make a living threatened by virtue of a distinct religious belief or a particular medical concern or a particular desire not to receive a particular treatment.

I will reiterate here what I have said before. I have been vaccinated. My family has been vaccinated. I believe that the vaccines are helping countless Americans be protected against the dangers of the COVID-19 virus.

Just the same, there is a big difference between believing the vaccine does good and receiving the vaccine, on the one hand, and, on the other hand, saying that anyone who disagrees or who thinks that it is not right for them, for one reason or another, ought to be fired from their job and rendered unemployable as a result. That is very, very different. That is something that very few Americans would agree is right.

In fact, according to a recent Axios poll, only 14 percent of Americans believe that someone who decides not to get the vaccine should be fired as a result of that decision.

Now, in some lines of work, this sort of thing is already coming into play. For example, our military servicemembers and frontline workers who sacrificed so much to care for and protect the American people during the pandemic are already being forced out of work. I have heard from many members of our Armed Services from Utah who are being discharged under less-than-honorable conditions and under conditions that are in no way, shape, or form appropriate in light of their many, many years of faithful, honorable service to this country. They are losing their jobs—and not just their jobs but also their benefits, their dignity, their ability to serve further. You know, I have introduced and offered up a bill that would help them, but Democrats objected to that.

On November 4 of this year, a couple of weeks ago, the Centers for Medicare and Medicaid Services—known as CMS—imposed a requirement that all healthcare workers at facilities participating in Medicare and Medicaid be vaccinated by January 4. This requirement, if it takes effect, will affect millions of Americans in tens of thousands of care centers across the Nation. And unlike the mandate imposed by OSHA, which has now mercifully been stayed, at least for the pendency of the litigation pending in the U.S. Court of Appeals for the Fifth Circuit, this mandate—this particular mandate—gives no option for testing if someone has religious, moral, or medical objections to the vaccine.

Now, let's just think about this on an individual level. There are nurses in this country who worked faithfully and tirelessly throughout the pandemic,

without regard to their own circumstances, in some cases without regard to their own health, their own sanity, putting their lives at risk at times. They have gone to work caring for others, and they have saved lives in the process. They accepted the risk, and they were rightfully heralded as heroes for doing that. They still are heroes, and they still should be heralded as heroes. But many of these same nurses caught COVID at work and have recovered. They are, in fact, heroes.

But now the Biden administration is giving them an extraordinary—and I would add extraordinarily cruel—ultimatum; one that I don't think I have ever seen in government; one that I didn't ever expect I would see in government. Those very same doctors and nurses and other healthcare workers—the same people we appropriately described as heroes—can either get a medical procedure they don't want or lose their current employment and any future realistic prospect of employment.

Let that sink in for a moment. What if this were you? What if this were your spouse or your child, someone you loved? What if this were your friend or your neighbor? The truth is, these people fit into all those categories. They are not our enemies. They are our friends, our neighbors, our family members, our loved ones. At a minimum, they are people who served valiantly throughout a pandemic, and they should not be punished; they should be thanked.

These heroes will be thanked for their service with a pink slip and a boot out the door as they become outcasts in the very profession that they have selflessly chosen and the very profession for which they have spent a lot of money and a lot of time receiving training and the very profession to which they dedicated their lives. What a tragedy. What a needless, senseless tragedy.

These are not abstract anecdotes. This isn't just hypotheticals, speculation. No, not at all. I have heard from hundreds of Utahns who risk losing their employment if these vaccine mandates take effect. They are everyday Americans. They are good Americans. They are valiant Americans. Oftentimes, they are struggling to make ends meet and to feed their families. They are our neighbors, our friends, our caretakers, our heroes. They deserve the respect that is necessarily implicit in the ability to make decisions for themselves, including these decisions for themselves.

Additionally, as a practical matter, it is extremely foolish to be pushing healthcare professionals out of their jobs at the precise moment when our healthcare system is under such incredible strain. Hospitals are understaffed as it is. I mean, a lot of places are understaffed. Hospitals are particularly understaffed even without this mandate. So requiring medical facilities to fire perfectly good doctors and

nurses and technicians is only going to further strain our system and place more Americans at risk of serious harm.

So today I am offering my 13th bill in the effort to curb the vaccine mandates. My Respecting Our Frontline Workers Act would simply prohibit any Federal Agency from requiring that staff and healthcare facilities be vaccinated against COVID-19 as a condition of that facility being able to participate in Medicare, Medicaid, and CHIP. But this bill would provide certainty to our Nation's healthcare heroes and honor the sacrifices that they have made to help Americans in need at a time when we were, as a country, facing great need. It will keep our healthcare system strong during what is still a really difficult time. This bill is the reasonable, compassionate answer to the current situation. I encourage my colleagues to support it.

To that end, Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 3225, which is at the desk; I further ask that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

The Senator from Oregon.

Mr. WYDEN. Reserving the right to object. Mr. President and colleagues, sadly, this is the third time I have had to come to the Senate floor to object to Republican proposals dealing with far-fetched claims about vaccines.

And today I am struck by one issue in particular because my background is working with senior citizens. I was the director of the Gray Panthers at home for almost 7 years. I ran the legal aid office for the elderly. I went into public service because of my passion for the cause of the elderly and trying to protect their well-being and keeping them safe.

It is almost as if this unanimous consent request ignores the extraordinary human toll COVID-19 took on senior citizens in nursing homes across the country: nearly 200,000 dead in nursing homes and other long-term care facilities since the beginning of the pandemic—mothers and fathers, grandmothers and grandfathers. That is roughly 1 in 10 residents in those nursing facilities, according to an analysis of State and Federal data by the COVID tracking project.

How many of those senior citizens died alone, without being able to spend their final hours or days with their loved ones? How many others of those fortunate enough to survive the pandemic were still separated from their family members for months and months and months in 2020?

We also know that the risks to nurses and doctor and EMTs were massive as well. One major investigation found that more than 3,600 healthcare workers died of COVID in the first year of the pandemic—the worst pandemic in a

century that our country is still wrestling with as we speak. Nobody in this Chamber should forget that just over the last week, there have been more than 1,000 COVID deaths per day.

And in my view, it doesn't do any good to unnecessarily suppress access to highly effective vaccines while there is a deadly virus circulating and mutating around the country and around the world.

Seniors who live in nursing homes and long-term care facilities are safer when the people around them get vaccinated. And I just hope that our colleagues will recognize the importance of that basic proposition. When Americans are vaccinated, they and the people around them, based overwhelmingly on the factual evidence, are less likely to die of COVID-19. And everybody ought to be interested in stopping this virus with these overwhelmingly effective vaccines. It shouldn't take a requirement to get healthcare workers to protect themselves and their patients.

As I close, I think—and, again, I am sad to have to come to the floor and get into this issue, but because of my background working with senior citizens, I think it is bad for senior citizens, bad for the elderly to continue these frightening remarks about vaccines and vaccine policies. They prolonged the pandemic. They led to more infections and deaths.

With respect to the proposal that is before the Senate, I simply don't believe Senators should oppose policies that would keep America's elderly citizens safer after the pandemic has cost so many lives of America's senior citizens. Therefore, I object.

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

The Senator from Utah.

Mr. LEE. Mr. President, I appreciate the thoughtful remarks from my friend and colleague, the distinguished Senator from the State of Oregon.

The Senator from Oregon and I have spent a lot of time working on a number of issues together. He and I agree on a number of issues and have worked together to ensure the privacy of the American people and make sure that they are protected from an overreaching government, one that sometimes has intruded on them in violation of the spirit, if not also the letter, of the Fourth Amendment.

I remember when I first came to the Senate, the Senator from Oregon took me to lunch and we had a good chat. He introduced me to a lot of concepts in the Senate and has always been a good friend to me.

I feel the need to respond to some of these issues. Yes, I, too, like my friend and colleague, the distinguished Senator from Oregon, wish that we didn't have to come to the floor to discuss these things. I wish that it weren't necessary because I wish that we weren't even talking about firing people, about people losing their jobs, becoming unemployed and possibly unemployable

as a result of Federal policy that refuses to allow people to make decisions on their own.

Insofar as my friend, the Senator from Oregon, describes the policy of firing people who refuse to get the vaccine as necessary to protect the elderly, I would respectfully submit that quite the opposite is true. We are actually imperiling those who might need medical treatment the most, including the sick and the elderly.

Insofar as we destabilize our healthcare workforce—which, make no mistake, this maximum mandate does; it does that unquestionably—remember that the CMS mandate that we are talking about, unlike the OSHA mandate, doesn't give any option to allow for testing, for example, if someone has a religious or a moral or a medical objection to the mandate.

So what this really is going to do is it is going to take a lot of people out of the healthcare workforce and sideline them.

Yes, this is going to be devastating to those individuals. You are suddenly taking away their means of providing for their needs and those of their family. It would be absolutely devastating to them, as I mentioned a minute ago.

This is also a field in which they invested a lot of time and money—sweat, blood, and tears—to getting the education and professional certifications necessary to work in a field that has a lot of requirements attached to it, and with good reason. It is not good for anyone, least of all the elderly, to destabilize that same workforce.

Insofar as we are going to talk about what is better for the healthcare system, I just would respectfully reach the exact opposite conclusion of that proposed by my friend from Oregon. This isn't going to make things better. It is going to make things worse.

My friend from Oregon also described the approach that I am taking of protecting the individual healthcare worker's right to make an appropriate decision without government interference; described that and, as I understood it, my other efforts to try to curb the more egregious impacts of the vaccine mandates imposed by the Biden administration as somehow unnecessarily suppressing access to the vaccine.

I want to make very clear that just is not accurate. I would state that as not at all consistent with what I am doing. Not a single one of my proposals would suppress access to the vaccine.

Each time I have come to the floor and talked about these things, I have made very clear that I have been vaccinated. Every member of my family has been vaccinated. I have encouraged everyone I know to get the vaccine. The vaccine, really, is a medical miracle of sorts, and it is one that is protecting a lot of people.

Not everyone agrees with me. But the fact that they don't agree with me, the fact that they don't agree with President Biden or anyone else in government doesn't mean they should lose

their job for it. But it sure as heck doesn't mean that firing them because they won't get the vaccine and then opposing the effort to force their firing would somehow amount to an act of suppressing access to the vaccine.

That is a logical syllogism that just doesn't work. In no way, shape, or form would we be suppressing access to the vaccine if we liberated the American people from an overreaching executive who is insisting that people be fired if they don't agree with the President's officially sanctioned view on vaccines.

My friend also noted that people are safer when they get vaccinated. I believe this is generally true. I don't think it is going to encourage more people to get vaccinated by telling them that they are going to get fired if they don't.

Particularly with the subject matter we are covering today, where we are talking about the CMS end of the vaccine, these are people who work in healthcare. These are people who are highly educated in it, who have professional certifications, in many cases, graduate degrees in healthcare. They can make their own informed decision as to what to do. I tend to believe that people are generally safer when they get vaccinated, but that doesn't mean that firing them is the right thing to do.

Look, finally, my friend from Oregon—and I don't use that term loosely. He and I talk regularly. He was in my office earlier today, and we were talking about an upcoming game between the University of Utah and Oregon. When he refers to frightening remarks regarding the vaccine, I am not sure what he is referring to. I hope he is not referring to remarks debating the merits, or lack thereof, of vaccine mandates. Nothing about these remarks should strike anyone as frightening.

What I think would be frightening would be if tens, if not hundreds, of millions of Americans are threatened with getting fired based on their refusal to get the vaccine. I don't think we will ever reach a point where there are that many people who decide not to get vaccinated. It is certainly not going to be hundreds of millions of people declining to be vaccinated.

But whatever the number is, it still doesn't make it right for the President of the United States to just decide arbitrarily that they either have to follow his medical advice and that of his administration or get fired; to choose between getting an undesired medical procedure, or, on the other hand, losing their opportunity to put bread on the table for their children.

It is not constitutional. It is not within Congress's power. Congress hasn't exercised that power. It certainly hasn't given that power to the President of the United States.

Regardless of all those statutory and constitutional arguments, this is a fundamentally, morally flawed proposition that says everyone has to get

this; and if you disagree, you will get fired; we will render you unemployed and unemployable. This is wrong, and it is especially wrong to do to our healthcare workers.

Let's not do this. I urge my friend and colleague from Oregon to reconsider. We can do better than that. The American people expect more. They demand better, and we need to listen to them.

The PRESIDING OFFICER. The Senator from New Hampshire.

NOMINATIONS

Mrs. SHAHEEN. Mr. President, I come to the floor today to discuss what are, sadly, the harmful impacts of ongoing partisan obstruction in the Senate.

Earlier today, at the Small Business Committee, our colleague, Senator CARDIN, who is chair of the Senate Committee on Small Business and Entrepreneurship, held a business meeting—I think about the fifth one—to try to advance the nomination of Mr. Dilawar Syed to be the Deputy Administrator of the Small Business Administration.

As we know, the Small Business Administration is a very important Agency under the best of circumstances. It does great work, but during this pandemic, for the past year, it has become absolutely indispensable as we tried to address the continuing economic impact of COVID on our small businesses.

In order for it to operate effectively, in order for us to hold the Agency accountable for administering the small business relief programs that Congress has designed to pass, we have an obligation to ensure that the Small Business Administration has a fully functioning and Senate-confirmed leadership team.

Unfortunately, as Senator CARDIN and others witnessed just a few hours ago, Republicans, again, on the Small Business Committee—all of the Republicans on the Small Business Committee—have orchestrated a complete blockade of Mr. Syed's nomination, preventing it from even coming to the floor of the Senate for debate and consideration.

And what is so confusing, Mr. President, is that there doesn't seem to be a reason to the Republicans' objections to Mr. Syed. It keeps changing. No one has raised any questions about Mr. Syed's competence or his experience or his suitability to serve as Deputy SBA Administrator.

In fact, several months ago, we tried to advance the nominee in our first effort in a business meeting by a voice vote, and several Republican Members of the Small Business Committee who are now participating in this obstruction voted yes at that time, including the ranking member.

Now it appears that this boycott is part of a pattern by just a handful of Members who simply want to stop any action that would allow the Biden administration to have a full complement of Senate-confirmed officials at crit-

ical Federal Agencies so they can then carry out their work as directed by Congress.

Unfortunately, I would also note that this partisan brinkmanship and obstruction doesn't end with domestic and economic matters. I want to point out, again, the dangerously slow confirmation process of our State Department nominees and ambassadors. Again, we have a few Republican Members of the Senate who are not just threatening our economic recovery and the health of our small businesses; they are threatening our national security by slowing the process to schedule nomination hearings for qualified nominees and by placing holds on their confirmation because of their own personal political issues.

I appreciate that some of those issues are very important. Nord Stream 2, I support, but holding these ambassadors, holding these State Department officials is not going to change what happens with Nord Stream 2. All it is going to do is make the United States less effective and less secure in the world.

Today, only 30 Ambassadors have been confirmed by the Senate. This administration had to wait over 200 days—200 days—for its first Ambassador to be confirmed, compared to only 62 days for the previous administration.

For the first 300 days of the previous administration, 55 State Department nominees were confirmed by the Senate. In the first 300 days of Biden's Presidency, the Senate has confirmed one-quarter of that number.

Actions speak louder than words. If our colleagues care about our national security, they would match deeds with words and swiftly confirm the 59 State Department nominees who are awaiting confirmation on the Senate floor.

Unfortunately, the holdup is not only on the floor of the Senate but also in the Foreign Relations Committee. Eleven nominees in committee are awaiting business meetings, and 21 haven't even been able to have a hearing to advocate for themselves and their qualifications.

What is worse from my perspective, the nominations that are being affected by this obstruction are disproportionately women. In a Foreign Service where men still outnumber women and where we are trying to become a more diverse State Department, it is critical that we confirm these qualified women.

Amid increased Russian aggression toward our Ukrainian allies, it is particularly important that we confirm without delay the nominee to be Ambassador to NATO, Julie Smith.

How can we advocate for American interests abroad, how can we represent American citizens abroad, how can we support our economic interests if we don't have people in place who can do that?

When we look at the increasing global threats to the United States, oper-

ating with a depleted diplomatic corps jeopardizes our national security. It jeopardizes U.S. interests and the safety of Americans at home and abroad. The political games that are being played by a few Members of this body are risking very serious consequences.

I see my colleague from Ohio, who is the cochair of the Ukrainian Caucus, has come in. Perhaps he would work with me to try to get Julie Smith, our Ambassador to NATO, confirmed so that we have somebody there who can help as we are looking at the crises that are happening in Eastern Europe. I know we can work together in a rational, bipartisan way to address our country's basic needs because we have just seen it. We saw it with the bipartisan infrastructure bill that was just signed this week. Confirming Presidential nominees is one of the most fundamental responsibilities of the Senate. It is the heart of article II in the Constitution.

What we have seen to date is no substantive objection to the nomination of Dilawar Syed to be Deputy SBA Administrator or to the nominations to fill numerous critical national security and foreign policy positions. This is obstruction for obstruction's sake, and it has very real consequences for our country, for our small businesses, and for our national security and foreign policy. I hope that we will be able to work together on both sides of the aisle to address those nominees, who must be confirmed if we are to represent American interests at home and abroad.

Again, I want to thank Chairman CARDIN for his hard work as head of the Small Business Committee and for the work that he has done on the Foreign Relations Committee as we have tried to address those people who need to be confirmed. Obviously, he has worked very closely with Senator MENENDEZ, the chair of the Foreign Relations Committee. These are two committees that I have the honor of serving on, and they have historically operated on a very bipartisan, very collaborative basis. That is why it is so disheartening to see the breakdown that is occurring.

I hope that our colleagues will have a change of heart, that we will be able to move forward, and that we will be able to work together. I look forward to doing everything I can to make that happen.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

TRIBUTE TO DR. KRISTINA M. JOHNSON

Mr. PORTMAN. Mr. President, I rise today to pay tribute to Dr. Kristina M. Johnson and celebrate her investiture as the 16th president of the Ohio State University.

Dr. Johnson brings more than 30 years of experience and leadership in the academic, business, and public policy sectors to Ohio State, along with some very ambitious goals she has for the university.

Although the formal investiture was postponed until this Friday, November 19, due to COVID, Dr. Johnson actually assumed the presidency in August of last year, and her leadership has already helped the university community to come together during the past year of the pandemic. Ohio State is in full swing—classes, research, and other activities. They have a darn good football team under her leadership as well—currently No. 4 in the country and on its way up. Go, Bucks.

The Ohio State University was founded in 1870 as a land grant university—the first of its kind in Ohio. Over the years, the university has grown into one of the largest and best respected institutions in the country.

Dr. Johnson actually has close family ties to Ohio State. Family lore has it that Dr. Johnson's grandfather, who graduated from Ohio State in 1896, met Dr. Johnson's grandmother on the Columbus campus. We like to think those close ties to OSU and deep family roots in Ohio have made her a Buckeye in spirit all along.

Dr. Johnson comes to the Ohio State University after a long career in academic and business leadership. She previously served as the chancellor of the State University of New York system and has founded and served as CEO of several successful science and technology companies, served as the Under Secretary of Energy at the Department of Energy, and held academic leadership positions in institutions such as Johns Hopkins University, Duke University, and the University of Colorado at Boulder. Her breadth of experience from academic leadership, business, and public policy gives her the important tools to successfully lead the Ohio State University.

I have enjoyed getting to know Dr. Johnson over the past year and a half, and I have been impressed with how the students have embraced her. It is a great student body. I have seen that firsthand at Ohio State, having taught four courses at the Glenn School of Public Affairs—now the Glenn College of Public Affairs—before being elected to the U.S. Senate, and I am proud to have been a member of the advisory board of the exciting Glenn College for the past 12 years.

I believe the students and the faculty and the alumni and the friends who make up the Ohio State University community are very fortunate to have Dr. Johnson at the helm during this time. I wish her the very best as she continues to guide Ohio State into the future while focusing on academic excellence and building a strong and passionate community of Buckeyes. I look forward to continuing to work with Dr. Johnson to ensure her success and the success of the great institution, the Ohio State University.

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

INFLATION

Mr. KENNEDY. Gosh, Mr. President, I wish I didn't have to give this talk.

I think it is a bipartisan observation that, unfortunately, Americans are paying a lot more for just about everything. I asked my staff to put together some inflation numbers, and they are just breathtaking: gasoline, up 50 percent; rental cars, up 42.9 percent; you need a used car or truck, they are up 26 percent; a turkey, 20.2 percent; bacon, 20.2 percent; beef, 20.1 percent; pork chops, 15.9 percent; bedroom furniture, 12 percent higher than last year; eggs, up 11.6 percent; televisions, up 10 percent; frozen fruits and vegetables, up 7½ percent; chicken, up 8.8 percent; shoes, up 8 percent; baby food, up 8 percent; children's clothes, up 7.6 percent. And I could keep going. Unbelievable.

Now, I believe in calling them like I see them. I think most fairminded Americans know that President Biden is responsible for this inflation. You don't have to be Einstein's cousin to figure that out. But put the politics aside. The shame of all this is that the burden of these price increases is falling on the backs of the American people, and while Washington is obsessed with the politics of it, the American people and the people in my State have to bear the cost.

A lot of people, Mr. President, as you well know, just can't afford to pay 50 percent more to fill up their gas tanks. They can't afford to have to stop and go arrange a bank loan to go to the gas station or to the grocery store.

Unfortunately, for Americans in my State and your State and across the country, here with winter coming on, the cost of heating homes is also going up just in time for temperatures to fall. So the cost of heating is going up, and the temperatures are going down. A lot of families are going to have to shell out up to 30 percent more for natural gas than they did this past year. Ask them if their income went up 30 percent.

As our days grow shorter, the economic landscape, unfortunately, is getting darker.

Thanksgiving is just around the corner. It is a cherished American holiday.

But even the holiday that Americans observe in order to count our blessings is coming with new hardships. According to the New York Times, Thanksgiving 2021, and I quote, "could be the most expensive meal in the history of the holiday."

As I just mentioned a few seconds ago, frozen turkey is going to set you back 20 percent more than it did last year. If you like gravy with your turkey, get ready to pay 7 percent more for gravy. Maybe you don't eat meat. Maybe you are a vegan. Unfortunately, frozen vegetables are also going to cost you 7 to 7½ percent more, and the high prices only apply if you can find food in the supermarkets. Some of these food products, you can't even find with Google. There is no guarantee that the cranberry sauce and the sweet potatoes will be in stock come dinnertime.

Now, this is America. This is 2021. This isn't the Soviet Union, 30, 40, 50

years ago. My God, Washington ought to hide its head in a bag.

The official general inflation rate is 6.2 percent higher than it was last October, and that happens to be the largest increase in over 30 years. But we all know, and I can tell you, real people in the real world who go to the grocery store and the clothing store and pay their insurance bill and go try to buy an automobile know that it is not 6.2 percent. It is a lot higher.

I need to ask a question, though. Are you really surprised? Are you really surprised that prices are rising when the Biden administration is printing money, when the Biden administration is exploding our debt, when the Biden administration is forfeiting America's energy independence, when the Biden administration is paying people to watch Netflix instead of producing the goods we need, when the Biden administration is ignoring gridlock in our supply chain? The American people aren't surprised.

For months—for months—the White House has turned gaslighting Americans about the inflation crisis into an art form. White House officials pretend inflation—if you ask them—oh, it is just temporary—a temporary problem. Temporary, a rat's rear end. It is actually a soul-crushing, job-killing tax on working Americans. That is what inflation is.

Every time you go to the grocery store, your taxes go up. And inflation hits lower-income and middle-income families the hardest. And anyone who doesn't believe that should ask Secretary Kerry whether fuel prices have grounded his private jet. Of course not. He is rich. He has got a private jet. He doesn't feel it.

You know who feels it? The moms and dads in this country who get up every day, who go to work and obey the law and pay their taxes and try to do the right thing by their kids and try to save a little money for retirement. That is who pays this tax that the economists call inflation.

This inflation didn't just appear out of nowhere. I mean, any economist with a pulse knows where this inflation came from. Inflation comes from too much money chasing too few goods. And when you have an administration, as we do with the Biden administration, that spends money like it was gully dirt, whose mantra is, "We can't possibly spend enough taxpayer money, there is not enough hours in the day"—of course, you don't have inflation. Of course, you don't have inflation.

Now, what is President Biden doing tonight? Well, I have noticed that the Biden administration, when it comes to economics and other areas as well, they never make the same mistake twice. They make it five or six times, just to be sure.

So how's the Biden administration going to deal with this economic cancer of inflation which is killing the American people? Their idea is: Let's go pass a spending orgy bill—they call

it reconciliation—of epic, epic proportions, chockful of welfare blowouts when we can't afford the social programs we have now.

Are you kidding me?

Are you kidding me?

And one White House official claimed earlier this week that the President's—he calls it a \$1.75 trillion bill. It is going to end up, we all know, being a lot more than that. He says it will actually reduce inflation. Right—and those aren't hogs in the hog lot.

Just wait. The fact is, unless you were in the quad playing Frisbee during Econ 101, you know this is truth. The fact is that massive government spending has kept workers on the sidelines and has fueled inflation. But the only comfort the permanent Washington types are sending to folks gathered around a historically expensive Thanksgiving table is that more—not less—more of the same insane policies are coming down the pipeline through what the President calls the Build Back Better bill. And I think most Americans call it the Build Back Broker bill.

Have you looked at the bill?

I looked at the House bill a bit. I started reading it. I am probably going to go broke just reading the thing.

Neosocialists love this bill. They love it like the devil loves sin, but the American people aren't going to love it. Louisianans are not going to love it. Louisianans love their families, and they just want to provide for them, especially at Thanksgiving and at Christmas. And they can't do it with inflation raging.

This Thanksgiving, what most Americans need the most is relief—not just relief from inflation, but relief from bad leadership.

Now, I want my friends in the Biden White House to know that I am genuinely interested in working with them to solve America's inflation problem, but you are not going to do it by spending more money. You are not going to do it by throwing gasoline on the fire.

The first rule is to do no harm. Do no harm, and by that, I mean that my Democratic friends should stop trying to ram this multitrillion dollar tax-and-spend bill through Congress. And they should stop for two reasons: Americans don't want it, and Americans can't afford it.

So this Thanksgiving, Madam President—and I hope you have a good one—I hope my Democratic friends will give up on tying millstones around the neck of the American economy. I hope they will give up fueling inflation with another extremist spending orgy bill.

And if they would do that, if they would just do that, Americans could sit down to eat next Thursday and give thanks that compassion and common sense have finally prevailed in Washington, DC, where, frankly, on most issues, common sense is illegal.

Madam President, I suggest the absence of a quorum.

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

The senior assistant legislative clerk proceeded to call the roll.

Mr. 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, yesterday, the Secretary of Homeland Security, Mr. Mayorkas, testified before the Senate Judiciary Committee. It is the first time he has been before the Judiciary Committee for an oversight hearing. Of course, our minds were all on the crisis that is currently underway—and has been since the beginning of this year—at the border.

When our colleague Senator LINDSEY GRAHAM asked him how he would rate his own performance so far, he gave a bizarre answer. He said: "I [would] give myself an A for effort." Well, that is the type of rating you would give yourself if you offered to cook dinner and completely bungled the recipe, or if you ordered a really thoughtful Christmas gift for your spouse, but it didn't arrive on time, you would give yourself an A for effort. But when you are talking about the person who is responsible for some of our Nation's most critical responsibilities for which there are life-and-death consequences, an A for effort is hardly acceptable, and in this case, it is an overly generous assessment.

Over the last year, Customs and Border Protection has encountered more than 1.7 million migrants along the southern border—the highest on record. In 1 month alone, more than 213,000 migrants crossed the border, including 19,000 unaccompanied children. The Secretary may think he is worthy of an A for effort, but the numbers certainly do not reflect that.

The American people are clearly concerned about the way things are going. A recent poll found that more than 80 percent of voters think illegal immigration is a serious issue. Nearly two-thirds believe that the President's Executive orders actually encourage more illegal immigration, and, as a result, only 35 percent of voters approve of the President's handling of the border.

Leaders in the administration have tried to play the blame game, saying, well, they inherited policies from the previous administration that led to the crisis. That seems to be part of the playbook—let's blame Trump; let's blame the previous administration and absolve ourselves of any responsibility—but they have simply failed to provide an explanation to why those policies led to 460,000 fewer encounters in fiscal year 2020 but more than 1.7 million in 2021.

There is no question at all that this crisis is a direct result of the Biden administration's words and deeds. Back in February, just a few weeks after President Biden took his oath of office, migrants who were interviewed in their trek from their homes across our border said as much. One woman who

crossed the Rio Grande River on a smuggler's raft said that she and her 1-year-old son only came to the United States because of the Biden administration. She said: "That gave us the opportunity to come." The administration has signaled that it is not only OK with the record levels of illegal immigration but that it is actively encouraging more people to make the trek.

Prior to the Biden administration's border crisis, there was a clear and sensible process for migrants who crossed our border to claim asylum. That individual would be processed by the Border Patrol and undergo a credible fear assessment, which is the standard for claiming asylum, essentially determining, at least as a preliminary matter, whether they would qualify for asylum. If so, that person would be issued a notice to appear at a future court hearing—a critical document that tells asylum seekers when and where to show up for their day in court.

But under Secretary Mayorkas's leadership, that is not happening anymore. I have heard from many folks in Texas about the fact that huge numbers of migrants are now being released without a notice to appear. Thousands of migrants have been released with what is now called a notice to report—essentially, a document that says: When you get where you are going, turn yourself in to your local Immigration and Customs Enforcement office.

Well, these migrants haven't undergone a credible fear screening, so we have no way of knowing how many of them will likely, potentially, qualify for asylum. We do know, based on decisions from immigration courts, that only about 10 percent of the people who claim asylum actually qualify under the prevailing legal standard.

Because these migrants haven't undergone preliminary screening, we have no information about the validity of their asylum claims. And it is unclear whether the administration has given any teeth at all to the warning that the failure to contact the local ICE office may result in your arrest. In other words, there are no consequences for not showing up.

The Department of Homeland Security is now telling us that they have stopped issuing notices to report, but the truth is, they have just changed the title. They are still paroling migrants into the United States without issuing a notice to appear. When these migrants inevitably fail to turn themselves in to the nearest ICE office—and ICE's internal figures suggest the compliance rate is unsurprisingly low—it isn't clear that the Department of Homeland Security will do anything at all to locate them and remove them from the United States even though they haven't complied with the process that they have been told they must comply with. The Biden administration has made it even easier for migrants to disappear into the great American heartland.

Several weeks ago, Secretary Mayorkas gave migrants another reason to believe that they could make it across our borders and be able to stay. According to Secretary Mayorkas, illegally entering our country is no longer reason enough for ICE to begin removal proceedings. The Secretary's guidance provided a few exemptions. In theory, illegal border crossers are a priority for enforcement but only if they are apprehended in the United States after unlawfully entering after November 1, 2020. It is unclear what the magic is with that date. In other words, ICE agents can't touch them unless another law enforcement agency picks them up first.

It says individuals convicted of serious criminal conduct who pose a current threat to public safety should be a priority for removal, but it is unclear what crimes meet those criteria. Is distributing or receiving child pornography considered serious criminal conduct? What about crimes like embezzlement? larceny? breaking and entering? sex offenses? It is unclear exactly what the standard is, and I think that is on purpose because clearly Secretary Mayorkas does not want the Border Patrol and Immigration and Customs Enforcement to actually enforce the law that Congress has written. We are the ones who make the policy, and the Border Patrol and Immigration and Customs Enforcement simply execute that policy. Clearly, Secretary Mayorkas is trying to confuse things such that no apprehension and detention takes place at all.

What if the distribution of child pornography, let's say, happened 4 years ago? Is the perpetrator no longer a priority for apprehension and removal now that the threat isn't "current"? In fact, the Secretary explicitly says the threat shouldn't be determined according to bright lines or categories. In other words, he wants to continue to fuzz it up and make it ambiguous. I don't understand why if you are actually serious about enforcing our laws. Is there a reason that any migrant convicted of possessing or distributing child pornography should be allowed to remain in the United States?

The Secretary indicates that even certain migrants, like those who are elderly or provide for their families, should be exempt from the law. That clearly is not within the authority of the Secretary to decide against whom the laws should be enforced. Does that mean that someone who committed a sexual assault 20 years ago but now has a family who depends on him should be able to remain in the United States?

It defies all common sense to ask our law enforcement officers to turn a blind eye when they encounter individuals who have clearly broken the law. Imagine calling the police to report an intruder in your home and being told, unless this person is young, childless, and murdered a member of your family, we can't do anything or we won't do anything.

The reality of the situation, however inconvenient it may seem for our colleagues on the other side of the aisle, is that, by entering the United States illegally—by doing that—migrants have broken the law, and there have to be consequences. The Secretary cannot, consistent with his oath of office, refuse to enforce those laws in order to appease his party's political base.

In fact, by clearly outlining who will and who will not be able to remain in the United States, notwithstanding what the law says, the administration is actually encouraging even more migrants to put themselves in harm's way to come to the United States. This is known as pull factors, which actually encourage more illegal immigration. Under this guidance, visa overstays aren't a priority for enforcement at all. If somebody comes in on a visa but overstays that visa, they are illegally present in the United States, but they don't have to worry about the Biden administration actually enforcing the law and removing them. In other words, the guidance is an open invitation for migrants to disregard the terms of their entry into the United States.

When President Biden's nominee for the Customs and Border Protection testified before the Senate Finance Committee, I asked the police chief from Arizona if he agreed that the Biden administration's policy of non-enforcement is a pull factor that is encouraging more illegal immigration. He admitted that, yes, it is.

So, yesterday, I asked Secretary Mayorkas the same question: Does this guidance of nonenforcement send a signal to criminal organizations, human smugglers, and migrants that if they illegally enter the United States and commit no other crimes, they can stay?

He said: No. That is 100 percent false.

But I disagree with Secretary Mayorkas. He is clearly not telling the truth. There is a clear correlation between the Biden administration's reckless policies and the record level of illegal migration.

Any administration, of course, has a certain amount of discretion when it comes to enforcement, but what we are seeing from Secretary Mayorkas isn't an exercise of discretion, and it is certainly not A-for-effort worthy. I don't think anyone expected Secretary Mayorkas to lead the charge to secure our borders and crack down on illegal immigration, but he is not even doing the bare minimum that his job description requires.

The truth is, the Biden administration has fumbled the border crisis at every turn. The President sent smoke signals about open borders before he even took office, and his administration has rolled out incentive after incentive for migrants to continue to break the law, and it has tied the hands of dedicated law enforcement officers who put their lives on the line to protect the American people.

We have got a border czar who once compared ICE to the Ku Klux Klan, and we have a DHS Secretary who gives himself an A even though more than 1.7 million migrants have crossed the border since he took office in February. So, while Secretary Mayorkas thinks he is entitled to an A for effort, there is no question that, on balance, the Biden administration has earned an F for its response to the border crisis.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant bill clerk proceeded to call the roll.

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

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

INFLATION

Mr. GRASSLEY. Madam President, inflation soared to a 31-year high in October.

Now, after thinking about it, it seems President Biden and his allies are sensing inflation may endanger their reckless tax-and-spending agenda. Now, as a result, they have taken to arguing that the cure for the inflation spurred by their reckless spending is to pursue even more reckless spending.

I am not buying it. The American people aren't buying it either.

President Biden and his allies have been wrong about inflation from day one, and they are wrong now. Immediately after taking office, we all know what happened: They pursued a partisan \$2 trillion liberal wish list package under the guise of COVID relief, and only 9 percent of it was to fight COVID.

Congress had already approved \$4 trillion in bipartisan relief, including a nearly \$1 trillion bill, only a month prior to the President's inauguration. And all that money that was spent recovering from Congress shutting down the economy in March of 2020 was all passed in a bipartisan, cooperative way, not like bills this year are tuned up to just be partisan, with the majority Democrats of the House and Senate supplying all the support.

Now, our economy was already on the road to recovery when the President was sworn in, and highly effective vaccines were allowing economic activity to bounce back, and it did bounce back quickly.

I, along with many on my side of the aisle, warned that adding \$2 trillion on top of the existing relief—that money still entering the economy—risked sparking inflation, and it has.

And it wasn't just Republicans sounding the inflation alarm. Long-time Democratic economist Professor Larry Summers, who held top posts in both the Obama and Clinton administrations, also made his inflation concerns known. So Democrats in Congress and the White House don't even heed the advice of their own.

In a February Washington Post op-ed, Professor Summers warned President Biden's so-called COVID package might "set off inflationary pressures of a kind [that] we have not seen in a generation, with consequences for the value of the dollar and financial stability." Six and two-tenths inflation just announced, which proves that Professor Summers was right.

With a prominent liberal economist such as Larry Summers raising inflation concerns, wouldn't one think the President of the United States would begin to take the risk of inflation very seriously? It is not how it is turning out. Instead, President Biden and senior administration officials are doubling down, arguing the real risk was not spending enough.

Now, think about that for a second. Congress had already spent almost as much responding to COVID, in inflation-adjusted dollars, as it did in waging World War II. Yet we are somehow expected to believe too little spending, not inflation, was the real risk.

In reality, President Biden and congressional Democrats were simply determined to not let a crisis go to waste. They couldn't let a "high class problem" like inflation get in the way of passing "the most progressive piece of legislation in history."

How out of touch is that? Remember, inflation is a regressive tax that hurts the poor the most, increasing the cost of food, clothing, and shelter; in other words, affecting the basic essentials of life. Then, in the months to follow, inflation began to tick upward. In April, inflation clocked in at an annualized rate of 4.1 percent—the highest spike since the financial crisis of 2008.

Nothing to see here, the Biden administration officials said. That inflation was solely due to "base effects"—those are their words, "base affects"—that resulted from prices being suppressed during the pandemic.

In a month or two, they said inflation was to return to normal or you heard the word "transitional" inflation, as Fed Chairman Powell was preaching to the entire country. Now, of course, Powell has changed his mind, to some extent.

Now, around the same time, President Biden released his reckless tax-and-spending agenda, calling for an additional—can you believe it?—\$4,000 in spending?

Professor Larry Summers again sounded the inflation alarm warning, "[W]e are injecting more demand into the economy than the potential supply . . . and that will generate overheating."

Now, skip ahead a month to June. Inflation surges to 5.4 percent. Again, the administration claims that there is nothing to worry about. Again, we are told inflation is merely transitory and solely the result of bottlenecks in the supply chain.

Inflation remained at those elevated levels of 5.4 percent July through September. Inflation was persisting longer

than the administration expected. But they were still sure it was only transitory.

According to President Biden, "[N]o serious economist"—those are his words—"[N]o serious economist" was predicting spiraling inflation. Really? Larry Summers, a Harvard professor and former Clinton Secretary of Treasury, isn't a serious economist?

I will tell you how serious of an economist he is. I think he got on the Harvard staff at a very young age with a title of distinguished professor. And I think he was only about 30 years of age at that time. Then, early this month, the inflation numbers for October were released. Inflation surged to 6.2 percent. That is the highest inflation rate in 31 years.

Only then did the administration begin to acknowledge that inflation is a problem. To do otherwise would be an insult to the intelligence of the American public. Hard-working Americans have been experiencing historically high price increases for more than half a year.

The Biden inflation tax on average Americans is now \$175 a month, which equates to about an extra \$2,100 of costs every year. Gone are the claims that inflation is transitory. Instead, according to President Biden, "[i]nflation hurts Americans' pocketbooks, and reversing this trend" is his "top priority."

Now, President Biden and his allies claim the key to reversing this inflation trend is to enact the same reckless tax-and-spending agenda that they have been pursuing all year. How convenient. The solution to surging inflation is the same agenda he has been passing all along.

I won't go as far as President Biden and try to claim no serious economist agrees with him. However, even the economists cited by the administration as supporting their agenda do have caveats. Those caveats include that their spending policies are entirely paid for and are structured in a way that will increase labor productivity.

The current version of their spending plans doesn't come close to meeting those huge caveats. The President claims his agenda is completely paid for, but those claims rest solely on sleight of hand and budget gimmickry.

Their largest gimmick comes from artificially sunset spending provisions that they do not intend to expire while imposing a permanent tax hike. In other words, increasing taxes and accounting it for over the 10-year period of time that the Congressional Budget Office looks ahead—spend that money in the first 2 or 3 years, and then supposedly the program is going to sunset. But everybody knows that these programs won't sunset. So you better figure what the long-term cost is. And that is that \$4.2 trillion that has been in the press since this Build Back Better program hit the press.

Now, on another point, even taking President Biden's claim at face value,

his agenda will result in hundreds of billions of dollars of increased deficit spending in the near term, fueling current inflation pressures.

Moreover, according to a Penn Wharton Budget Model and its analysis, under the more realistic assumption that their spending proposals are made permanent, their plan would increase debt and deficit by more than \$2 trillion over 10 years. The Penn Wharton Budget Model shows that.

As a result, then, by 2050, government debt would be 24 percent higher, economic growth would be 3 percent lower, and wages would be 1.7 percent less than they otherwise would be.

Now, he calls the program Building Back Better. This is a recipe for building back worse. The bottom line is that the President's ill-designed spending-and-tax spree isn't deficit neutral. It won't boost productivity, but it will fuel inflation. So I think after this October report comes out of inflation being the highest in 31 years at 6.2 percent, it is time to pause and rethink this entire approach.

I suggest the absence of a quorum.
The PRESIDING OFFICER (Mr. OSSOFF).

The clerk will call the roll.

The senior assistant bill clerk proceeded to call the roll.

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

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

Mr. REED. Mr. President, I ask unanimous consent that the vote on the motion to proceed to Calendar No. 144, H.R. 4350 occur now.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

CLOTURE MOTION

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

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to Calendar No. 144, H.R. 4350, a bill to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

Charles E. Schumer, Jack Reed, Jon Tester, Jeanne Shaheen, Margaret Wood Hassan, Angus S. King, Jr., Alex Padilla, Sherrod Brown, Mark Kelly, Tim Kaine, Jacky Rosen, Tina Smith, Ben Ray Lujan, John Hickenlooper, Christopher A. Coons, Raphael Warnock, Mazie Hirono.

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

The question is, Is it the sense of the Senate that debate on the motion to

proceed to H.R. 4350, a bill to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Maryland (Mr. VAN HOLLEN) is necessarily absent.

The yeas and nays resulted—yeas 84, nays 15, as follows:

[Rollcall Vote No. 472 Leg.]

YEAS—84

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

NAYS—15

Blackburn	Cruz	Paul
Booker	Hawley	Portman
Boozman	Kennedy	Sanders
Braun	Lummis	Sullivan
Cotton	Markey	Warren

NOT VOTING—1

Van Hollen

The PRESIDING OFFICER (Mr. KING). On this vote, the yeas are 84, the nays are 15.

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

The majority leader.

AWARDING POSTHUMOUSLY A CONGRESSIONAL GOLD MEDAL, IN COMMEMORATION TO THE SERVICEMEMBERS WHO PERISHED IN AFGHANISTAN ON AUGUST 26, 2021, DURING THE EVACUATION OF CITIZENS OF THE UNITED STATES AND AFGHAN ALLIES AT HAMID KARZAI INTERNATIONAL AIRPORT

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 5142, which was received from the House.

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

The senior assistant legislative clerk read as follows:

A bill (H.R. 5142) to award posthumously a Congressional Gold Medal, in commemoration to the servicemembers who perished in Afghanistan on August 26, 2021, during the evacuation of citizens of the United States and Afghan allies at Hamid Karzai International Airport, and for other purposes.

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

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

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

The bill (H.R. 5142) was ordered to a third reading, was read the third time, and passed.

Mr. SCHUMER. Mr. President, we just passed H.R. 5142, which awards the Congressional Gold Medal to 13 servicemembers. They are American heroes, and today the Senate will honor them as such.

Our Nation is forever indebted to these brave men and women and their families for their sacrifice that enabled the safe evacuation of more than 100,000 Americans and Afghan allies.

They risked their lives for our country, and their heroic efforts will not be forgotten.

NATIONAL HOSPICE AND PALLIATIVE CARE MONTH

Mr. SCHUMER. Now, Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 455, submitted earlier today.

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

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 455) designating November 2021 as “National Hospice and Palliative Care Month”.

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

Mr. SCHUMER. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and that the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 455) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today’s RECORD under “Submitted Resolutions.”)

MORNING BUSINESS

NOTICE OF A TIE VOTE UNDER S. RES. 27

Mr. WYDEN. Mr. President, I ask unanimous consent to print the following letter in the CONGRESSIONAL RECORD.

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

To the Secretary of the Senate:

PN 1026, the nomination of Samuel R. Bagenstos, of Michigan, to be General Counsel of the Department of Health and Human Services having been referred to the Committee on Finance, the Committee, with a quorum present, has voted on the nomination as follows—

(1) on the question of reporting the nomination favorably with the recommendation that the nomination be confirmed, 14 yeas to 14 noes; and

In accordance with section 3, paragraph (1)(A) of S. Res. 27 of the 117th Congress, I hereby give notice that the Committee has not reported the nomination because of a tie vote, and ask that this notice be printed in the RECORD pursuant to the resolution.’’

REMEMBERING HUGH K. LEATHERMAN, SR.

Mr. GRAHAM. Mr. President, along with my fellow Senator from South Carolina, Mr. SCOTT, I rise today to honor the life of South Carolina State Senator Hugh K. Leatherman, Sr., who passed away, surrounded by his loving family, on November 12, 2021, at the age of 90.

Senator Leatherman was born on April 14, 1931, in Lincoln County, NC. He was raised on a farm and attended North Carolina State University, earning a degree in civil engineering in 1953. In 1955, he moved to South Carolina to start a concrete company, before starting his political career. His expansive political career began in 1967 after being elected to serve on the Quinby Town Council. During his term on the town council, he served as mayor pro tempore for the town of Quinby from 1971 to 1976. In 1980, Senator Leatherman ran for South Carolina State Senate and served the people of District 31, which includes Darlington and Florence Counties. On June 18, 2014, Senator Leatherman was elected president pro tempore. He also served as the chairman of the powerful senate finance committee, as well as a member of the ethics, interstate cooperation, rules, transportation and the labor, commerce and industry committees.

As a State senator, a position he held for more than 40 years, Senator Leatherman’s dedication to the State could not be questioned. When it came to the needs of South Carolina, he was always at the forefront of getting things done. His statewide perspective led him to championing the Port of Charleston Harbor Deepening Project, as well as recruiting companies like Boeing, Honda, and Volvo to come to the State he loved so intensely. He will be remembered as having one of the most effective voices for his region and the State and was always looking towards what the State of South Carolina could become.

Senator Leatherman’s devotion to his State and his constituency should be a model from which all public servants look to follow. We grieve his loss

but celebrate the accomplishments of this great, honorable man. Mr. President, we ask that you and our colleagues join us in applauding Senator Leatherman's many contributions made to the State of South Carolina. A true champion of South Carolina, Senator Leatherman will be sorely missed.

TRIBUTE TO JAMES AND MARTY HARRIS

Ms. BALDWIN. Mr. President, today I rise to honor Wisconsin residents James "Jim" and Marty Harris for their humanitarian work in Southeast Asia and their embrace of those displaced from that region. These two lifelong educators have made it their life's mission to welcome Hmong and Lao refugee families to Central Wisconsin, as well as make a positive impact for those living in Laos.

Over the course of more than 20 years, the Harris' have made over 20 trips to Laos. Beginning in 2000, they began the effort to reconnect families from their Wisconsin community with friends and relatives left behind when they departed their homeland. During these trips, they assisted Lao villagers in desperate need of medical care, helped provide hospitals with medical supplies, and provided many Lao schools with their very first library, a most appropriate endeavor for the now retired elementary school principal and retired English and art teacher.

However, their largest impact comes with their assistance in the removal of bombs, land mines, and other unexploded ordnances that dot the Laotian landscape after years of war and turmoil. As Jim told me during a visit I made to Laos several years ago, "Many villagers are waiting 40 years for four days of help." To address this, the Harris's founded the nonprofit "We Help War Victims," an organization that assists survivors of war and other conflicts to rebuild their lives. With half of its annual budget stemming from fundraising sales of Lao coffee beans, it allows paid teams to continue ordnance removal even when Jim and Marty aren't able to be halfway around the world. Countless lives and limbs have been saved because of this continuing work and dedication. Now, villages can enjoy expanded gardens and rice fields. This increased agricultural output allows these populations to better sustain themselves and provide food for neighboring communities.

With every trip, Jim returned to Wisconsin with relics and mementos gathered during his time in Laos. Slowly, this collection has amassed to become one of, if not the largest, known private collection of Southeast Asian artifacts in all of the United States. Jim started off by displaying some of these items at the school he worked at as principal. In 2016, he made the collection more accessible by developing an exhibition called "From Laos to America: The Spirit of '76", which was housed at the Wausau Center Mall in

Wausau, WI. Since then, more than 10,000 people have visited the museum.

The "From Laos to America" collection now enters into a new chapter in 2021. This impressive collection has found a new home in Washington Square in downtown Wausau. Jim and Marty have also partnered with the Hmong American Center to ensure that this collection remains in central Wisconsin. This new home will highlight the full collection and provide educational opportunities so the community and visitors alike can learn more about the Southeast Asian refugee experience. I am pleased to celebrate this important partnership and the new home for this important collection, and I am proud to commend Jim and Marty on their tireless humanitarian work and advocacy in Southeast Asia and in central Wisconsin.

ADDITIONAL STATEMENTS

COUNTRY MUSIC HALL OF FAME 2020 INDUCTEES

• Mrs. BLACKBURN. Mr. President, it is my privilege to finally congratulate the 2020 Country Music Hall of Fame members-elect Dean Dillon, Marty Stuart, and Hank Williams, Jr. With the postponement of their medallion ceremony until this coming Sunday, I can tell you that Music City is ready to welcome them into the Circle.

Dean Dillon, this year's songwriter inductee, is the heart and soul behind some of country music's most iconic hits. With imagery as vivid as a golden sun-drenched memory and melodies as smooth as Tennessee whiskey, Dean captured the attention of music fans and earned the admiration of the industry's most well-respected artists. In Nashville, the good word is that "it all begins with a song," and in Dean's case, his songbook has inspired generations of young writers to give themselves up to the art of storytelling.

Marty Stuart, this year's modern era artist inductee, is a jack of all trades and an undisputed master of each of them. He started his journey to the Hall of Fame at the age of 13 and, over the course of his career, earned the respect of his peers with his skills as a musician, singer, songwriter, producer, and television host. Today, he is recognized not only for his contributions to his craft, but for his role as one of the foremost custodians of country music's legacy.

Hank Williams, Jr., this year's veterans era artist inductee, bridged generations and genres with his own special blend of family tradition, outlaw swagger, and a singular disregard for the rules. Over the course of five decades and more than 100 appearances on the charts, Hank proved that what many insiders foolishly dismissed as the underbelly of country music was in fact home to musicians and fans alike who preferred to create their own abolition rather than seek it within the glittering confines of the mainstream.

On behalf of the entire Tennessee delegation, I thank Dean, Marty, and Hank for their passion and artistry. Your talents are a gift, gentlemen. Thank you for sharing them with us.●

TRIBUTE TO DAVID J. BERGER

• Mr. BROWN. Mr. President, I ask my colleagues to join me in honoring and thanking an outstanding public servant, Mayor David J. Berger, who will retire at the end of this month, after dedicating his life to serving his beloved city of Lima, OH. He leaves this office with a legacy of service and accomplishments.

Dave has served as the mayor of Lima, OH, for a remarkable 32 years. He is the proud son of an IBEW union worker and was raised with a keen sense of service to others and a dedication to his Catholic faith—two things that would guide him throughout his career. Dave's faith led him to attend a seminary high school and then St. Meinrad's seminary in southern Indiana. Upon leaving the seminary, he attended Catholic University of America in Washington, DC, where he received both his bachelor's and master's degrees.

Following graduation, his faith and commitment to service brought him to Lima, OH, where he served as the executive director of Rehab Project. He worked to bring opportunity for a second chance to Ohioans in prison, helping provide training to build and renovate homes. This work led him to run for mayor in 1989 and, after a successful campaign, serve in that position ever since.

From his work serving as a founding member of the bipartisan Ohio Mayors Alliance, to serving as cochair of the U.S. Conference of Mayors Water Council, Dave has worked with mayors and legislators on both sides of the aisle to always be a persistent advocate for the people of Lima and the concerns and challenges faced by many cities throughout the industrial Midwest.

Dave is well known for his work advocating for water infrastructure and has spent half of his career as mayor leading negotiations with the U.S. and Ohio EPAs to work to solve a combined and sanitary sewer overflow problem that has plagued many cities. My staff and I regularly met with Dave about these issues and acted upon his ideas and suggestions.

We have also worked together on several community projects. From helping to launch a My Brother's Keeper chapter in his city to advocating for public infrastructure investments or ensuring employers in Lima honor the dignity of work by respecting labor union rights, David and I have spent years collaborating to help the local community flourish.

With his commitment to push for research and economic development, and improving the city's downtown, Dave has lent his time and wisdom to serving on the board of directors of the

Ohio Energy Advanced Manufacturing Center; Downtown Lima, Inc.; the Allen Economic Development Group; and West Ohio Community Action Partnership. His pursuit of partnerships among these organizations and many community-driven task forces have helped support the city's workers and helped retain vital employers in the community, including the Lima Refinery, the Joint Systems Manufacturing Center, JSMC, and the Ford Engine Plant.

I am grateful that our friendship long predates both of our political careers—Dave is a fellow native of Mansfield, OH. He is also a fellow Eagle Scout. One my most prized photos is that of then-Col. John Glenn posing with me as I am awarded the Eagle Scout badge at the Johnny Appleseed Council's Eagle Scout ceremony. What that photo does not show is that Mayor Berger was there as well.

Dave's legacy will live on in the city he loved—the jobs he saved and secured, the water infrastructure he improved, the businesses he helped thrive and grow, and, most importantly, the lives he helped change for the better.

I ask my colleagues to join me in wishing my friend, Mayor David J. Berger, a long and happy retirement. Dave has done so much good for so long for the people of Lima, and because of his work, Lima's next mayor, Sharetta Smith, has a strong foundation to continue addressing the challenges facing this city in the heart of Allen County.

Dave, thank you for 32 years of dedicated service and for the legacy you have created. I know it has not always been, easy but all your efforts are appreciated.●

TRIBUTE TO MAJOR DANIELA RAGEN

● Mr. DAINES. Mr. President, today I have the distinct honor of recognizing MAJ Daniela Ragen, U.S. Army National Guard, of Broadwater County, as Montanan of the Month for her service to our Nation.

Daniela knew from a young age that she wanted to be a soldier. As soon as she enlisted in the Army, Daniela faced a challenge—a language barrier. She persisted and studied tirelessly to pass her English exams with high scores—so high she was accused of cheating and was forced to retake the exam. That didn't deter her. She retook the exam and passed again with flying colors.

Following a period of service on Active Duty, Major Ragen joined the Arizona National Guard, where she continued her career as an analyst in the Joint Counter Narcotics Task Force. Major Ragen then enrolled in the selective 15-month officer candidate school, where she was 1 of only 6 participants who graduated from a starting class of 21 students.

In addition to serving her country, Daniela has served the great State of Montana as a coordinator for the Montana National Guard Counter Drug

Program. In this position, Daniela represents the best of both the National Guard and the State of Montana through her values of service, leadership, and persistence. She was even selected by her colleagues to serve as the chair for Northwest Region Advisory Committee for the National Counterdrug Program.

On top of being an exemplary Montanan and soldier, Daniela is a wife and a mother of five children, one of whom is currently serving in the Montana National Guard. Her husband, LTC Chase Ragen, is also a long-serving officer in the Montana National Guard.

Major Ragen truly embodies the values of a soldier and the spirit of a Montanan. It is my honor to recognize Daniela for her resilience, courage, and commitment to serving her great State and country. Keep up the great work, Major Ragen.●

RECOGNIZING CHEZ PANISSE

● Mr. PADILLA. Mr. President, I rise to recognize the 50th anniversary of Chez Panisse, the pioneering home of farm-to-table cooking in Berkeley, CA.

Chez Panisse was founded in 1971 by Alice Waters, then a young Montessori teacher. She felt that by strengthening her community's connection to seasonal foods and local growers, she could foster new ideas and connections. At the core of the new restaurant was a sense of social responsibility and limitless communal potential.

Guided by Alice Waters' ideals, Chez Panisse spurred a movement of slow food and local eating, showing that sustainability could ground a gourmet menu. Alice Waters mentored countless young chefs on her staff, many of whom went on to open restaurants, found companies, or write cookbooks of their own. Today, the style pioneered at Chez Panisse is known as California cuisine.

And Alice Waters never lost sight of the principles that inspired her. To commemorate the restaurant's 25th anniversary in 1996, she launched the Chez Panisse Foundation, which supports organic gardening and culinary education in schools. Thousands of schools across the world now benefit from the curriculum developed through her Edible Schoolyard Project.

Chez Panisse is an icon of the California culinary scene, offering a testament to the fruits of eating locally and sustainably. I congratulate Alice Waters and all the staff of Chez Panisse on this remarkable anniversary and send my best wishes for the decades to come.●

MESSAGES FROM THE PRESIDENT

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

EXECUTIVE MESSAGES REFERRED

As 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.)

MESSAGE FROM THE HOUSE

At 10:52 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, without amendment:

S. 796. An act to codify maternity care coordination programs at the Department of Veterans Affairs, and for other purposes.

The message further announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 147. An act to amend title 10, United States Code, to make certain improvements to services and benefits for veterans and separating members of the Armed Forces with respect to apprenticeship programs, and for other purposes.

H.R. 2433. An act to direct the Secretary of Veterans Affairs to take actions necessary to ensure that certain individuals may update the burn pit registry with a registered individual's cause of death, and for other purposes.

H.R. 2915. An act to amend the Homeland Security Act of 2002 regarding the procurement of certain items related to national security interests for Department of Homeland Security frontline operational components, and for other purposes.

H.R. 4233. An act to amend title 38, United States Code, to furnish Vet Center readjustment counseling and related mental health services to veterans and members of the Armed Forces using certain educational assistance benefits.

H.R. 4591. An act to direct the Secretary of Veterans Affairs to submit to Congress periodic reports on the costs, performance metrics, and outcomes of the Department of Veterans Affairs Electronic Health Record Modernization program.

H.R. 4626. An act to amend title 38, United States Code, to require an independent assessment of health care delivery systems and management processes of the Department of Veterans Affairs be conducted once every 10 years, and for other purposes.

H.R. 5516. An act to direct the Secretary of Veterans Affairs to submit to Congress a report on the Veterans Integration to Academic Leadership program of the Department of Veterans Affairs, and for other purposes.

H.R. 5603. An act to amend title 38, United States Code, to establish protections for a member of the Armed Forces who leaves a course of education, paid for with certain educational assistance, to perform certain service.

MEASURES REFERRED

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

H.R. 147. An act to amend title 10, United States Code, to make certain improvements to services and benefits for veterans and separating members of the Armed Forces with respect to apprenticeship programs, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 2433. An act to direct the Secretary of Veterans Affairs to take actions necessary to ensure that certain individuals may update the burn pit registry with a registered individual's cause of death, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 4233. An act to amend title 38, United States Code, to furnish Vet Center readjustment counseling and related mental health services to veterans and members of the Armed Forces using certain educational assistance benefits; to the Committee on Veterans' Affairs.

H.R. 4591. An act to direct the Secretary of Veterans Affairs to submit to Congress periodic reports on the costs, performance metrics, and outcomes of the Department of Veterans Affairs Electronic Health Record Modernization program; to the Committee on Veterans' Affairs.

H.R. 4626. An act to amend title 38, United States Code, to require an independent assessment of health care delivery systems and management processes of the Department of Veterans Affairs be conducted once every 10 years, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 5516. An act to direct the Secretary of Veterans Affairs to submit to Congress a report on the Veterans Integration to Academic Leadership program of the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 5603. An act to amend title 38, United States Code, to establish protections for a member of the Armed Forces who leaves a course of education, paid for with certain educational assistance, to perform certain service; to the Committee on Veterans' Affairs.

PRIVILEGED NOMINATION REFERRED TO COMMITTEE

On request by Senator TED CRUZ, under the authority of S. Res. 116, 112th Congress, the following nomination was referred to the Committee on Commerce, Science, and Transportation: Samuel H. Slater, of Massachusetts, to be a Member of the Board of Directors of the Metropolitan Washington Airports Authority for a term expiring November 22, 2023, vice William Shaw McDermott, term expired.

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-2607. A communication from the Director of the Legal Processing Division, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Requirements Related to Surprise Billing; Part II" (RIN1545-BQ05) (TD 9955) received in the Office of the President of the Senate on November 4, 2021; to the Committee on Finance.

EC-2608. A communication from the Director of the Legal Processing Division, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Standards for Section 501(c)(3) Status of Limited Liability Companies" (Notice 2021-56) received in the Office of the President of the Senate on November 4, 2021; to the Committee on Finance.

EC-2609. A communication from the Director of the Legal Processing Division, Inter-

nal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Implementation of Nonresident Alien Deposit Interest Regulations" (Rev. Proc. 2021-32) received in the Office of the President of the Senate on November 4, 2021; to the Committee on Finance.

EC-2610. A communication from the Director of the Legal Processing Division, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Extension of COBRA election and premium payment deadlines under section 7508A(b)" (Notice 2021-58) received in the Office of the President of the Senate on November 4, 2021; to the Committee on Finance.

EC-2611. A communication from the Director of the Legal Processing Division, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Implementation of Nonresident Alien Deposit Interest Regulations" (Rev. Proc. 2020-15) received in the Office of the President of the Senate on November 16, 2021; to the Committee on Finance.

EC-2612. A communication from the Senior Advisor, Department of Health and Human Services, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Secretary for Planning and Evaluation, Department of Health and Human Services, received in the Office of the President of the Senate on November 15, 2021; to the Committee on Finance.

EC-2613. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled "Chronic Care Management Services: Barriers and Opportunities"; to the Committee on Finance.

EC-2614. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the establishment of the danger pay allowance for Tanzania and Nicaragua; to the Committee on Foreign Relations.

EC-2615. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2021-0139 - 2021-0141); to the Committee on Foreign Relations.

EC-2616. A communication from the Deputy Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report entitled "Report of the Attorney General to the Congress of the United States on the Administration of the Foreign Agents Registration Act of 1938, as amended, for the six months ending December 31, 2019"; to the Committee on Foreign Relations.

EC-2617. A communication from the Senior Advisor, Department of Health and Human Services, transmitting, pursuant to law, a report relative to two (2) vacancies in the Department of Health and Human Services, received in the Office of the President of the Senate on November 15, 2021; to the Committee on Health, Education, Labor, and Pensions.

EC-2618. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled "Fiscal Year 2020 Annual Progress Report to Congress on the C.W. Bill Young Cell Transplantation Program and the National Cord Blood Inventory Program"; to the Committee on Health, Education, Labor, and Pensions.

EC-2619. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled

"National Health Service Corps Report to Congress for the Year 2020"; to the Committee on Health, Education, Labor, and Pensions.

EC-2620. A communication from the Chairman, National Committee on Vital and Health Statistics, transmitting, pursuant to law, a report entitled, "2021 Report to Congress on the Implementation of the Administrative Simplification Provisions of the Health Insurance Portability and Accountability Act (HIPPA) of 1996"; to the Committee on Health, Education, Labor, and Pensions.

EC-2621. A communication from the Senior Advisor, Department of Health and Human Services, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Secretary of Health and Human Services for Aging and Administrator of the Administration for Community Living, Department of Health and Human Services, received in the Office of the President of the Senate on November 15, 2021; to the Committee on Health, Education, Labor, and Pensions.

EC-2622. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled "Fiscal Year 2020 Report on the Preventive Medicine and Public Health Training Grant Program"; to the Committee on Health, Education, Labor, and Pensions.

EC-2623. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Termination of Listing of Color Additives Exempt From Certification; Lead Acetate" (Docket No. FDA-2017-C-1951) received in the Office of the President of the Senate on November 2, 2021; to the Committee on Health, Education, Labor, and Pensions.

EC-2624. A communication from the Compliance Specialist, Wage and Hour Division, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Tip Regulations Under the Fair Labor Standards Act (FLSA); Partial Withdrawal" (RIN1235-AA21) received in the Office of the President of the Senate on November 2, 2021; to the Committee on Health, Education, Labor, and Pensions.

EC-2625. A communication from the Regulations Coordinator, Office of Population Affairs, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Ensuring Access to Equitable, Affordable, Client-Centered, Quality Family Planning Services" (RIN0937-AA11) received during in the Office of the President of the Senate on November 4, 2021; to the Committee on Health, Education, Labor, and Pensions.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. DURBIN, from the Committee on the Judiciary, with an amendment in the nature of a substitute:

S. 2342. A bill to amend title 9 of the United States Code with respect to arbitration of disputes involving sexual assault and sexual harassment.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Ms. CANTWELL for the Committee on Commerce, Science, and Transportation.

*Christopher A. Coes, of Georgia, to be an Assistant Secretary of Transportation.

*Max Vekich, of Washington, to be a Federal Maritime Commissioner for a term expiring June 30, 2026.

*Laurie E. Locascio, of Maryland, to be Under Secretary of Commerce for Standards and Technology.

Ms. CANTWELL. Mr. President, for the Committee on Commerce, Science, and Transportation I report favorably the following nomination list which was printed in the RECORD on the date indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that this nomination lie at the Secretary's desk for the information of Senators.

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

*Coast Guard nominations beginning with Monique M. Roebuck and ending with Russell D. Mayer, which nominations were received by the Senate and appeared in the Congressional Record on November 1, 2021.

By Mr. WYDEN for the Committee on Finance.

*Christi A. Grimm, of Colorado, to be Inspector General, Department of Health and Human Services.

*Brent Neiman, of Illinois, to be a Deputy Under Secretary of the Treasury.

*Joshua Frost, of New York, to be an Assistant Secretary of the Treasury.

*Maria L. Pagan, of Puerto Rico, to be a Deputy United States Trade Representative (Geneva Office), with the rank of Ambassador.

*Christopher S. Wilson, of the District of Columbia, to be Chief Innovation and Intellectual Property Negotiator, Office of the United States Trade Representative, with the rank of Ambassador.

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

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Mr. MARSHALL (for himself and Mrs. GILLIBRAND):

S. 3216. A bill to amend the Child Nutrition Act of 1966 to require the Secretary of Agriculture to establish a publicly available database of bid solicitations for infant formula under the special supplemental nutrition program for women, infants, and children; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. MENENDEZ:

S. 3217. A bill to amend the Internal Revenue Code of 1986 to provide special rules for purposes of determining if financial guaranty insurance companies are qualifying insurance corporations under the passive foreign investment company rules; to the Committee on Finance.

By Mr. HAWLEY:

S. 3218. A bill to amend the Elementary and Secondary Education Act of 1965 to provide for a Parents' Bill of Rights; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. MURRAY (for herself, Ms. HIRONO, Ms. BALDWIN, Mr. BLUMENTHAL, Mr. BOOKER, Mr. BROWN, Mr. CARDIN, Mr. CASEY, Mrs. GILLIBRAND, Ms. DUCKWORTH, Mr. DURBIN, Mr. KAINE, Mr. MARKEY, Mr. MERKLEY, Mr. LUJÁN, Ms. KLOBUCHAR, Mr. PADILLA, Ms. ROSEN, Mr. SANDERS, Mr. VAN HOLLEN, Ms. WARREN, and Mr. WYDEN):

S. 3219. A bill to prevent discrimination and harassment in employment; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MENENDEZ:

S. 3220. A bill to amend the Animal Welfare Act to restrict the use of exotic and wild animals in traveling performances; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. BRAUN:

S. 3221. A bill to reduce improper payments and eliminate waste in Federal programs, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. BLUMENTHAL (for himself, Mr. MARKEY, Mr. WHITEHOUSE, Mr. WYDEN, and Mr. CASEY):

S. 3222. A bill to establish protections for passengers in air transportation, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. BOOKER (for himself, Mrs. MURRAY, Mr. BROWN, Mr. WHITEHOUSE, Ms. WARREN, Mr. MERKLEY, Ms. BALDWIN, Mr. BLUMENTHAL, Mr. WYDEN, Ms. SMITH, Mr. MURPHY, Mr. MENENDEZ, Mr. KAINE, Ms. ROSEN, Ms. HIRONO, Ms. KLOBUCHAR, Mr. HEINRICH, Mrs. GILLIBRAND, Mr. MARKEY, Mrs. SHAHEEN, Mr. PADILLA, and Mr. VAN HOLLEN):

S. 3223. A bill to establish certain duties for pharmacies to ensure provision of Food and Drug Administration-approved contraception, medication related to contraception, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SCOTT of Florida:

S. 3224. A bill to direct the Secretary of Transportation to establish a program to provide grants to owners of cargo vessels being rerouted from the western seaboard of the United States through the Panama Canal, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. LEE:

S. 3225. A bill to prohibit any Federal agency from requiring that staff in health care facilities be vaccinated against COVID-19 as a condition of the facility participating in the Medicare, Medicaid, or CHIP programs; to the Committee on Finance.

By Mrs. GILLIBRAND (for herself and Mr. MARSHALL):

S. 3226. A bill to amend the Child Nutrition Act of 1966 to permit video or telephone certifications under the special supplemental nutrition program for women, infants, and children, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Ms. DUCKWORTH (for herself and Mr. WYDEN):

S. 3227. A bill to require U.S. Citizenship and Immigration Services to facilitate naturalization services for noncitizen veterans who have been removed from the United States or are inadmissible; to the Committee on the Judiciary.

By Mr. CASEY (for himself and Mr. ROMNEY):

S. 3228. A bill to amend the Higher Education Act of 1965 to increase the knowledge and skills of principals and school leaders re-

garding early childhood education; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. FISCHER (for herself, Mr. GRASSLEY, Mr. TESTER, Mr. WYDEN, Ms. ERNST, Mr. BRAUN, Ms. SMITH, Mrs. HYDE-SMITH, Mr. DAINES, Mr. CASSIDY, and Mr. LUJÁN):

S. 3229. A bill to amend the Agricultural Marketing Act of 1946 to establish a cattle contract library, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. TESTER:

S. 3230. A bill to require the establishment of a working group to evaluate the food safety threat posed by beef imported from Brazil, and for other purposes; to the Committee on Finance.

By Mr. BRAUN (for himself, Mr. SULLIVAN, Mr. HAGERTY, Mr. MARSHALL, Mr. LEE, Mr. LANKFORD, Mr. SCOTT of Florida, Mrs. BLACKBURN, Mr. PAUL, Ms. LUMMIS, Mrs. CAPITO, Mr. RUBIO, Mr. BARRASSO, Mrs. HYDE-SMITH, Mr. THUNE, Mr. MORAN, Mr. WICKER, Mr. BURR, Mr. ROUNDS, Mr. HOEVEN, Mr. TOOMEY, Mr. TUBERVILLE, Mr. RISCH, Mr. CRAPO, Mr. CRUZ, Mr. COTTON, Ms. ERNST, Mr. CRAMER, Mr. HAWLEY, Mr. BOOZMAN, Mr. INHOFE, Mr. GRASSLEY, Mr. YOUNG, Mr. KENNEDY, Mr. JOHNSON, Mr. SASSE, Mr. DAINES, Mrs. FISCHER, Mr. GRAHAM, Mr. TILLIS, Mr. CORNYN, Mr. SCOTT of South Carolina, Mr. MCCONNELL, Mr. CASSIDY, Mr. SHELBY, Mr. BLUNT, Mr. PORTMAN, Ms. COLLINS, Ms. MURKOWSKI, and Mr. ROMNEY):

S.J. Res. 29. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Department of Labor relating to "COVID-19 Vaccination and Testing; Emergency Temporary Standard"; to the Committee on Health, Education, Labor, and Pensions.

By Ms. WARREN (for herself, Mr. BROWN, Ms. SMITH, Mr. MARKEY, Mrs. FEINSTEIN, Mrs. MURRAY, Ms. KLOBUCHAR, Mr. BOOKER, Ms. CANTWELL, Mr. BLUMENTHAL, Ms. BALDWIN, and Mr. DURBIN):

S.J. Res. 30. A joint resolution designating a "Slavery Remembrance Day" on August 20th, to serve as a reminder of the evils of slavery; 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 Ms. SMITH (for herself and Ms. KLOBUCHAR):

S. Res. 453. A resolution designating November 17, 2021, as "National Butter Day"; to the Committee on the Judiciary.

By Mrs. SHAHEEN (for herself, Mr. COTTON, Ms. KLOBUCHAR, Mr. BLUMENTHAL, Ms. ROSEN, Mr. HOEVEN, and Mrs. HYDE-SMITH):

S. Res. 454. A resolution expressing support for the designation of November 21, 2021, as "National Warrior Call Day" and recognizing the importance of connecting warriors in the United States to support structures necessary to transition from the battlefield; to the Committee on Armed Services.

By Ms. ROSEN (for herself, Mr. BARRASSO, Ms. BALDWIN, and Mrs. FISCHER):

S. Res. 455. A resolution designating November 2021 as "National Hospice and Palliative Care Month"; considered and agreed to.

ADDITIONAL COSPONSORS

S. 450

At the request of Mr. BURR, the names of the Senator from California (Mr. PADILLA) and the Senator from Michigan (Ms. STABENOW) were added as cosponsors of S. 450, a bill to award posthumously the Congressional Gold Medal to Emmett Till and Mamie Till-Mobley.

S. 594

At the request of Ms. COLLINS, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 594, a bill to double the existing penalties for the provision of misleading or inaccurate caller identification information.

S. 657

At the request of Mr. BOOZMAN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 657, a bill to modify the presumption of service connection for veterans who were exposed to herbicide agents while serving in the Armed Forces in Thailand during the Vietnam era, and for other purposes.

S. 749

At the request of Ms. HASSAN, the names of the Senator from Virginia (Mr. WARNER) and the Senator from Kansas (Mr. MORAN) were added as cosponsors of S. 749, a bill to amend the Internal Revenue Code of 1986 to enhance tax benefits for research activities.

S. 828

At the request of Mr. BARRASSO, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 828, a bill to amend title XVIII of the Social Security Act to provide for the coverage of marriage and family therapist services and mental health counselor services under part B of the Medicare program, and for other purposes.

S. 864

At the request of Mr. KAINE, the name of the Senator from New Mexico (Mr. LUJÁN) was added as a cosponsor of S. 864, a bill to extend Federal Pell Grant eligibility of certain short-term programs.

S. 868

At the request of Mrs. GILLIBRAND, the name of the Senator from Arizona (Mr. KELLY) was added as a cosponsor of S. 868, a bill to amend title II of the Social Security Act to eliminate the five-month waiting period for disability insurance benefits under such title and waive the 24-month waiting period for Medicare eligibility for individuals with Huntington's disease.

S. 1125

At the request of Ms. STABENOW, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 1125, a bill to recommend that the Center for Medicare and Medicaid Innovation test the effect of a dementia care management model, and for other purposes.

S. 1170

At the request of Mrs. GILLIBRAND, the name of the Senator from Nevada

(Ms. CORTEZ MASTO) was added as a cosponsor of S. 1170, a bill to amend the Richard B. Russell National School Lunch Act to improve the efficiency of summer meals.

S. 1210

At the request of Mr. BLUMENTHAL, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 1210, a bill to amend the Lacey Act Amendments of 1981 to clarify provisions enacted by the Captive Wildlife Safety Act, to further the conservation of certain wildlife species, and for other purposes.

S. 1404

At the request of Mr. MARKEY, the names of the Senator from South Carolina (Mr. GRAHAM) and the Senator from Delaware (Mr. CARPER) were added as cosponsors of S. 1404, a bill to award a Congressional Gold Medal to the 23d Headquarters Special Troops and the 3133d Signal Service Company in recognition of their unique and distinguished service as a "Ghost Army" that conducted deception operations in Europe during World War II.

S. 1544

At the request of Mr. GRASSLEY, the name of the Senator from Georgia (Mr. WARNOCK) was added as a cosponsor of S. 1544, a bill to amend title XIX of the Social Security Act to streamline enrollment under the Medicaid program of certain providers across State lines, and for other purposes.

S. 1569

At the request of Ms. WARREN, the name of the Senator from Minnesota (Ms. SMITH) was added as a cosponsor of S. 1569, a bill to amend the Food and Nutrition Act of 2008 to expand the eligibility of students to participate in the supplemental nutrition assistance program, establish college student food insecurity demonstration programs, and for other purposes.

S. 1595

At the request of Mr. TOOMEY, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 1595, a bill to amend title 18, United States Code, to provide enhanced penalties for convicted murderers who kill or target America's public safety officers.

S. 1813

At the request of Mr. COONS, the name of the Senator from Louisiana (Mr. CASSIDY) was added as a cosponsor of S. 1813, a bill to direct the Secretary of Health and Human Services to support research on, and expanded access to, investigational drugs for amyotrophic lateral sclerosis, and for other purposes.

S. 1873

At the request of Mr. CRAPO, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1873, a bill to amend title XVIII of the Social Security Act to provide for Medicare coverage of multi-cancer early detection screening tests.

S. 1958

At the request of Mrs. MURRAY, the name of the Senator from Wisconsin

(Ms. BALDWIN) was added as a cosponsor of S. 1958, a bill to amend the Public Health Service Act to reauthorize the program of payments to teaching health centers that operate graduate medical education programs.

S. 2090

At the request of Mr. CASEY, the name of the Senator from New Mexico (Mr. LUJÁN) was added as a cosponsor of S. 2090, a bill to prevent a person who has been convicted of a misdemeanor hate crime, or received an enhanced sentence for a misdemeanor because of hate or bias in its commission, from obtaining a firearm.

S. 2244

At the request of Mr. KAINE, the name of the Senator from California (Mr. PADILLA) was added as a cosponsor of S. 2244, a bill to amend the Higher Education Act of 1965 to provide for teacher and school leader quality enhancement and to enhance institutional aid.

S. 2373

At the request of Mrs. CAPITO, the names of the Senator from West Virginia (Mr. MANCHIN) and the Senator from South Carolina (Mr. GRAHAM) were added as cosponsors of S. 2373, a bill to reestablish United States global leadership in nuclear energy, revitalize domestic nuclear energy supply chain infrastructure, support the licensing of advanced nuclear technologies, and improve the regulation of nuclear energy, and for other purposes.

S. 2376

At the request of Mr. CRUZ, the name of the Senator from Kansas (Mr. MARSHALL) was added as a cosponsor of S. 2376, a bill to ensure the parental guardianship rights of cadets and midshipmen consistent with individual and academic responsibilities, and for other purposes.

At the request of Mr. BRAUN, his name was added as a cosponsor of S. 2376, *supra*.

S. 2405

At the request of Ms. BALDWIN, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 2405, a bill to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to award grants to States to improve outreach to veterans, and for other purposes.

S. 2410

At the request of Mr. CASEY, the name of the Senator from California (Mr. PADILLA) was added as a cosponsor of S. 2410, a bill to address and take action to prevent bullying and harassment of students.

S. 2612

At the request of Mr. LUJÁN, the names of the Senator from Michigan (Mr. PETERS) and the Senator from Maryland (Mr. CARDIN) were added as cosponsors of S. 2612, a bill to amend title XVIII of the Social Security Act to add physical therapists to the list of providers allowed to utilize locum tenens arrangements under Medicare.

S. 2753

At the request of Mr. PADILLA, the name of the Senator from Arizona (Ms. SINEMA) was added as a cosponsor of S. 2753, a bill to amend the Immigration and Nationality Act to authorize lawful permanent resident status for certain college graduates who entered the United States as children, and for other purposes.

S. 2780

At the request of Mr. MARSHALL, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 2780, a bill to amend title 10, United States Code, to prohibit certain adverse personnel actions taken against members of the Armed Forces based on declining the COVID-19 vaccine.

S. 2967

At the request of Ms. MURKOWSKI, the names of the Senator from New Hampshire (Mrs. SHAHEEN) and the Senator from Rhode Island (Mr. WHITEHOUSE) were added as cosponsors of S. 2967, a bill to establish an Assistant Secretary of State for Arctic Affairs.

S. 3011

At the request of Mr. CORNYN, the name of the Senator from Tennessee (Mrs. BLACKBURN) was added as a cosponsor of S. 3011, a bill to amend title VI of the Social Security Act to allow States and local governments to use coronavirus relief funds provided under the American Rescue Plan Act for infrastructure projects, improve the Local Assistance and Tribal Consistency Fund, provide Tribal governments with more time to use Coronavirus Relief Fund payments, and for other purposes.

S. 3080

At the request of Ms. SMITH, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 3080, a bill to amend the Employee Retirement Income Security Act of 1974 to require a group health plan (or health insurance coverage offered in connection with such a plan) to provide for cost-sharing for oral anticancer drugs on terms no less favorable than the cost-sharing provided for anticancer medications administered by a health care provider.

S. 3087

At the request of Mr. CASEY, the name of the Senator from Nevada (Ms. CORTEZ MASTO) was added as a cosponsor of S. 3087, a bill to amend the Internal Revenue Code of 1986 to provide authority to add additional vaccines to the list of taxable vaccines.

S. 3146

At the request of Mr. INHOFE, the name of the Senator from Mississippi (Mrs. HYDE-SMITH) was added as a cosponsor of S. 3146, a bill to appropriate \$25,000,000,000 for the construction of a border wall between the United States and Mexico, and for other purposes.

S. 3169

At the request of Ms. HASSAN, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor

of S. 3169, a bill to amend the Federal Food, Drug, and Cosmetic Act to prohibit the introduction or delivery for introduction into interstate commerce of food packaging containing intentionally added PFAS, and for other purposes.

S.J. RES. 10

At the request of Mr. KAINE, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S.J. Res. 10, a joint resolution to repeal the authorizations for use of military force against Iraq, and for other purposes.

S. RES. 446

At the request of Mr. RISCH, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. Res. 446, a resolution commending the Government of Lithuania for its resolve in increasing ties with Taiwan and supporting its firm stance against coercion by the Chinese Communist Party.

AMENDMENT NO. 3897

At the request of Ms. STABENOW, the name of the Senator from Montana (Mr. DAINES) was added as a cosponsor of amendment No. 3897 intended to be proposed to H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 3944

At the request of Mr. INHOFE, the names of the Senator from Arkansas (Mr. BOOZMAN) and the Senator from Oklahoma (Mr. LANKFORD) were added as cosponsors of amendment No. 3944 intended to be proposed to H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 3945

At the request of Mr. DURBIN, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of amendment No. 3945 intended to be proposed to H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 3991

At the request of Ms. ERNST, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of amendment No. 3991 intended to be proposed to H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4021

At the request of Ms. ERNST, the name of the Senator from Montana (Mr. DAINES) was added as a cosponsor of amendment No. 4021 intended to be proposed to H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4047

At the request of Mr. CRUZ, the names of the Senator from Massachusetts (Mr. MARKEY) and the Senator from Indiana (Mr. BRAUN) were added as cosponsors of amendment No. 4047 intended to be proposed to H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4051

At the request of Mr. CRUZ, the name of the Senator from Montana (Mr. DAINES) was added as a cosponsor of amendment No. 4051 intended to be proposed to H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4052

At the request of Mr. CRUZ, the name of the Senator from Montana (Mr. DAINES) was added as a cosponsor of amendment No. 4052 intended to be proposed to H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4075

At the request of Mr. HAWLEY, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of amendment No. 4075 intended to be proposed to H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4077

At the request of Ms. ERNST, the names of the Senator from Montana (Mr. DAINES) and the Senator from Florida (Mr. RUBIO) were added as cosponsors of amendment No. 4077 intended to be proposed to H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of

the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4080

At the request of Mrs. FEINSTEIN, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of amendment No. 4080 intended to be proposed to H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4093

At the request of Mr. MARSHALL, the names of the Senator from Montana (Mr. DAINES) and the Senator from Florida (Mr. RUBIO) were added as cosponsors of amendment No. 4093 intended to be proposed to H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4111

At the request of Mr. LANKFORD, the name of the Senator from Montana (Mr. DAINES) was added as a cosponsor of amendment No. 4111 intended to be proposed to H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4133

At the request of Mr. KAINE, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of amendment No. 4133 intended to be proposed to H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4140

At the request of Mr. HAWLEY, the names of the Senator from Florida (Mr. RUBIO), the Senator from Utah (Mr. LEE) and the Senator from Arkansas (Mr. BOOZMAN) were added as cosponsors of amendment No. 4140 intended to be proposed to H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4165

At the request of Mr. JOHNSON, the name of the Senator from Texas (Mr. CRUZ) was added as a cosponsor of amendment No. 4165 intended to be proposed to H.R. 4350, to authorize appro-

priations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4172

At the request of Mr. MARKEY, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of amendment No. 4172 intended to be proposed to H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4174

At the request of Mr. MARKEY, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of amendment No. 4174 intended to be proposed to H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4177

At the request of Mr. MENENDEZ, the names of the Senator from Florida (Mr. RUBIO), the Senator from Maryland (Mr. VAN HOLLEN) and the Senator from Massachusetts (Mr. MARKEY) were added as cosponsors of amendment No. 4177 intended to be proposed to H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4190

At the request of Mr. THUNE, the name of the Senator from Montana (Mr. DAINES) was added as a cosponsor of amendment No. 4190 intended to be proposed to H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4216

At the request of Mr. MARKEY, the names of the Senator from California (Mr. PADILLA), the Senator from New Jersey (Mr. BOOKER) and the Senator from Vermont (Mr. SANDERS) were added as cosponsors of amendment No. 4216 intended to be proposed to H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4228

At the request of Mr. RISCH, the name of the Senator from South Carolina (Mr. SCOTT) was added as a cosponsor of amendment No. 4228 intended to be proposed to H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4235

At the request of Mr. CRUZ, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of amendment No. 4235 intended to be proposed to H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4283

At the request of Mr. MENENDEZ, the names of the Senator from Florida (Mr. RUBIO), the Senator from Maryland (Mr. VAN HOLLEN) and the Senator from Massachusetts (Mr. MARKEY) were added as cosponsors of amendment No. 4283 intended to be proposed to H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4287

At the request of Mr. SCOTT of Florida, the name of the Senator from Indiana (Mr. BRAUN) was added as a cosponsor of amendment No. 4287 intended to be proposed to H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4297

At the request of Mr. BLUMENTHAL, the name of the Senator from Indiana (Mr. BRAUN) was added as a cosponsor of amendment No. 4297 intended to be proposed to H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4298

At the request of Mr. BLUMENTHAL, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of amendment No. 4298 intended to be proposed to H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and

AMENDMENT NO. 4683

At the request of Mr. LANKFORD, the name of the Senator from Montana (Mr. DAINES) was added as a cosponsor of amendment No. 4683 intended to be proposed to H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4711

At the request of Mr. MCCONNELL, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of amendment No. 4711 intended to be proposed to H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4729

At the request of Mr. WARNER, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of amendment No. 4729 intended to be proposed to H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 453—DESIGNATING NOVEMBER 17, 2021, AS “NATIONAL BUTTER DAY”

Ms. SMITH (for herself and Ms. KLOBUCHAR) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 453

Whereas, around the world, butter can be found in cuisines of every culture, each of which use butter to enhance recipes and enrich lives;

Whereas butter has been on the dinner table for individuals for hundreds of years;

Whereas butter has served as a staple for family recipes that have been passed down for generations;

Whereas the average individual in the United States eats 6.3 pounds, or about 25 sticks, of cow's butter each year;

Whereas butter sculptures have been used to celebrate scenes and individuals from across the United States since the 19th century;

Whereas butter is the crucial ingredient in mouth-watering sauces, rich cookies, creamy mashed potatoes, hearty casseroles, and much more;

Whereas butter producers, processors, and dealers have always ensured that butter was available for cooks across the United States; and

Whereas butter has improved the meals that have brought families and friends together: Now, therefore, be it

Resolved, That the Senate—

(1) designates November 17, 2021, as “National Butter Day”; and

(2) encourages the people of the United States to celebrate National Butter Day with their favorite buttery dishes and baked goods.

SENATE RESOLUTION 454—EX-PRESSING SUPPORT FOR THE DESIGNATION OF NOVEMBER 21, 2021, AS “NATIONAL WARRIOR CALL DAY” AND RECOGNIZING THE IMPORTANCE OF CONNECTING WARRIORS IN THE UNITED STATES TO SUPPORT STRUCTURES NECESSARY TO TRANSITION FROM THE BATTLEFIELD

Mrs. SHAHEEN (for herself, Mr. COTTON, Ms. KLOBUCHAR, Mr. BLUMENTHAL, Ms. ROSEN, Mr. HOEVEN, and Mrs. HYDE-SMITH) submitted the following resolution; which was referred to the Committee on Armed Services:

S. RES. 454

Whereas establishing an annual “National Warrior Call Day” will draw attention to the members of the Armed Forces whose connection to one another is key to the veterans and first responders in the United States who may be dangerously disconnected from family, friends, and support systems;

Whereas the number of suicides of members of the Armed Forces serving on active duty increased to 377 in 2020, a figure up from 348 in 2019;

Whereas the suicide rate for veterans has steadily increased since 2006, with 6,261 veterans taking their own lives in 2019;

Whereas, after adjusting for sex and age, the rate of veteran suicide in 2018 was 27.5 per 100,000 individuals, higher than the rate among all United States adults at 18.3 per 100,000 individuals;

Whereas more veterans have died by suicide in the last 10 years than members of the Armed Forces who died from combat in Vietnam;

Whereas many of the veterans who take their own lives have had no contact with the Department of Veterans Affairs;

Whereas the Coronavirus Disease 2019 (COVID-19) pandemic can lead to increased isolation and disconnection, further exacerbating mental and physical ailments such as post-traumatic stress disorder and traumatic brain injury;

Whereas the Centers for Disease Control and Prevention note that law enforcement officers and firefighters are more likely to die by suicide than in the line of duty, and emergency medical services providers are 1.39 times more likely to die by suicide than members of the general public;

Whereas invisible wounds linked to an underlying and undiagnosed traumatic brain injury can mirror many mental health conditions, a problem that can be addressed through appropriate medical treatment;

Whereas additional research is needed to highlight the connection between traumatic brain injury as a root cause of invisible wounds and suicide by members of the Armed Forces and veterans; and

Whereas November 21, 2021, would be an appropriate day to designate as “National Warrior Call Day”: Now, therefore, be it

Resolved, That the Senate—

(1) supports the designation of November 21, 2021, as “National Warrior Call Day”; and

(2) encourages all individuals in the United States, especially members of the Armed Forces serving on active duty and veterans, to call up a warrior, have an honest con-

versation, and connect them with support, understanding that making a warrior call could save a life; and

(3) implores all individuals in the United States to recommit themselves to engaging with members of the Armed Forces through “National Warrior Call Day” and other constructive efforts that result in solutions and treatment for the invisible scars they carry.

SENATE RESOLUTION 455—DESIGNATING NOVEMBER 2021 AS “NATIONAL HOSPICE AND PALLIATIVE CARE MONTH”

Ms. ROSEN (for herself, Mr. BAR-RASSO, Ms. BALDWIN, and Mrs. FISCHER) submitted the following resolution; which was considered and agreed to:

S. RES. 455

Whereas palliative care and hospice services—

(1) can empower individuals to live as fully as possible, surrounded and supported by family and loved ones, despite serious illnesses or injuries; and

(2) are critical parts of the continuum of supports and services people with serious illness and their families need;

Whereas the Coronavirus Disease 2019 (COVID-19) pandemic public health emergency has—

(1) led to a sudden and unexpected increase in the number of individuals facing a serious illness or injury, which has brought attention to the need for better understanding and use of—

(A) hospice;

(B) palliative care; and

(C) advance care planning;

(2) disproportionately impacted residents of nursing homes and other long-term care facilities; and

(3) limited access to family caregivers who play a critical role in palliative care and hospice for their loved ones;

Whereas ensuring access to palliative care and hospice for all individuals in the United States in need, regardless of age, race, ethnicity, or socioeconomic status, is important;

Whereas palliative care and hospice aims to bring patients and family caregivers high-quality care delivered by an interdisciplinary team of skilled health care professionals, including—

(1) physicians;

(2) nurses;

(3) social workers;

(4) therapists;

(5) counselors;

(6) health aides;

(7) spiritual care providers; and

(8) other health care professionals;

Whereas there is a need to increase training opportunities for health care professionals to receive interdisciplinary team-based training in palliative care and hospice;

Whereas hospice focuses on quality of life through pain management and symptom control, caregiver assistance, and emotional and spiritual support, with the goal of allowing patients to live fully until the end of life, surrounded and supported by loved ones, friends, and caregivers;

Whereas trained palliative care and hospice professionals, during a time of trauma and loss, can provide grief and bereavement support services to individuals with a serious illness or injury, the family members of those individuals, and others;

Whereas palliative care is a patient and family-centered approach to care that—

(1) provides relief from symptoms and stress;

(2) can be complementary to curative treatments; and

(3) improves the quality of life of the patient and their family;

Whereas, in 2019, more than 1,660,000 individuals in the United States living with a serious illness or injury, and the families of those individuals, received care and support from hospice programs in communities across the United States;

Whereas volunteers continue to play a vital role in supporting hospice care and operations; and

Whereas palliative care and hospice providers encourage all patients to learn more about their options for care and to share their preferences with family, loved ones, and health care professionals: Now, therefore, be it

Resolved, That the Senate—

(1) designates November 2021 as “National Hospice and Palliative Care Month”; and

(2) encourages the people of the United States—

(A) to increase their understanding and awareness of—

(i) care for hospice patients with a serious illness or injury; and

(ii) the benefits of integrating palliative care early into the treatment plans for patients with a serious illness or injury;

(B) to recognize the care and dedication of—

(i) millions of family caregivers; and

(ii) tens of thousands of palliative care and hospice staff and volunteers; and

(C) to observe “National Hospice and Palliative Care Month” with appropriate activities and programs.

AMENDMENTS SUBMITTED AND PROPOSED

SA 4733. Mr. RUBIO (for himself, Ms. CANTWELL, Mrs. BLACKBURN, Ms. ROSEN, Ms. COLLINS, Ms. HASSAN, Mr. CRAPO, Mr. PETERS, and Mr. KING) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 4734. Ms. HASSAN (for herself and Mr. THUNE) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4735. Mr. WARNER submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4736. Mr. COTTON submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4737. Mrs. GILLIBRAND (for herself, Mr. RUBIO, Mr. HEINRICH, Mr. BLUNT, and Mr. GRAHAM) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4738. Mr. MENENDEZ (for himself and Mr. RUBIO) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4739. Mr. BLUMENTHAL submitted an amendment intended to be proposed to

amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4740. Ms. SMITH (for herself and Ms. MURKOWSKI) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4741. Mr. GRASSLEY submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4742. Mr. BRAUN submitted an amendment intended to be proposed by him to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4743. Mr. BENNET (for himself and Ms. COLLINS) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4744. Mr. BENNET (for himself and Mr. SASSE) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4745. Mr. GRASSLEY (for himself and Mr. WARNOCK) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4746. Mr. MARSHALL submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4747. Mr. MARSHALL submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4748. Mr. MARSHALL submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4749. Mr. MARSHALL submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4750. Mr. MARSHALL submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4751. Mr. MARSHALL submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4752. Mr. BARRASSO submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4753. Mr. THUNE submitted an amendment intended to be proposed by him to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4754. Ms. BALDWIN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R.

4350, supra; which was ordered to lie on the table.

SA 4755. Mr. CASEY (for himself, Mr. CORNYN, and Mr. RUBIO) submitted an amendment intended to be proposed by him to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4756. Mrs. SHAHEEN (for herself and Mr. PORTMAN) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4757. Mr. BURR (for himself and Ms. KLOBUCHAR) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4758. Mr. MARSHALL submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4759. Mr. BROWN (for himself and Mr. PORTMAN) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4760. Mr. OSSOFF submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4761. Mr. WARNOCK (for himself and Mr. RUBIO) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4762. Mr. WARNOCK submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4763. Mr. CORNYN (for himself, Mr. RUBIO, Mrs. HYDE-SMITH, and Mr. BRAUN) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4764. Mr. MENENDEZ (for himself and Mr. RISCH) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4765. Mr. HAGERTY (for himself, Mr. KING, and Mr. PORTMAN) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4766. Mr. HAGERTY submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4767. Ms. DUCKWORTH submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4768. Mr. CRAMER (for himself, Ms. HIRONO, Mr. WICKER, and Mr. BLUMENTHAL) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4769. Mr. WARNOCK submitted an amendment intended to be proposed to

amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4770. Ms. MURKOWSKI (for herself, Mr. KING, and Mr. SULLIVAN) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4771. Mr. HICKENLOOPER (for himself, Mr. CRAMER, Mr. KELLY, and Mr. MORAN) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4772. Mr. VAN HOLLEN (for himself and Mr. TILLIS) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4773. Mr. MARKEY submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4774. Mr. INHOFE submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4775. Mr. REED submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4776. Mr. PETERS (for himself, Mr. PORTMAN, and Mr. GRASSLEY) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4777. Mrs. FISCHER (for herself and Ms. KLOBUCHAR) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4778. Mr. BOOKER (for himself, Mr. CORNYN, Mr. COONS, Mr. PORTMAN, Mr. GRAHAM, and Mr. CARPER) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4779. Mr. PETERS (for himself, Mr. PORTMAN, and Mr. GRASSLEY) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4780. Mr. PETERS (for himself, Mr. PORTMAN, and Mr. GRASSLEY) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4781. Mr. RISCH submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4782. Mr. CORNYN (for himself, Mr. COONS, Mr. YOUNG, and Mr. LEAHY) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 4733. Mr. RUBIO (for himself, Ms. CANTWELL, Mrs. BLACKBURN, Ms. ROSEN, Ms. COLLINS, Ms. HASSAN, Mr. CRAPO, Mr. PETERS, and Mr. KING) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title XII, add the following:

SECTION 1283. UNITED STATES-ISRAEL ARTIFICIAL INTELLIGENCE CENTER.

(a) **SHORT TITLE.**—This section may be cited as the “United States-Israel Artificial Intelligence Center Act”.

(b) **ESTABLISHMENT OF CENTER.**—The Secretary of State, in consultation with the Secretary of Commerce, the Director of the National Science Foundation, and the heads of other relevant Federal agencies, may establish the United States-Israel Artificial Intelligence Center (referred to in this section as the “Center”) in the United States.

(c) **PURPOSE.**—The purpose of the Center shall be to leverage the experience, knowledge, and expertise of institutions of higher education and private sector entities in the United States and Israel to develop more robust research and development cooperation in the areas of—

- (1) machine learning;
- (2) image classification;
- (3) object detection;
- (4) speech recognition;
- (5) natural language processing;
- (6) data labeling;
- (7) computer vision; and
- (8) model explainability and interpretability.

(d) **ARTIFICIAL INTELLIGENCE PRINCIPLES.**—In carrying out the purposes set forth in subsection (c), the Center shall adhere to the principles for the use of artificial intelligence in the Federal Government set forth in section 3 of Executive Order 13960 (85 Fed. Reg. 78939).

(e) **INTERNATIONAL PARTNERSHIPS.**—

(1) **IN GENERAL.**—The Secretary of State and the heads of other relevant Federal agencies, subject to the availability of appropriations, may enter into cooperative agreements supporting and enhancing dialogue and planning involving international partnerships between the Department of State or such agencies and the Government of Israel and its ministries, offices, and institutions.

(2) **FEDERAL SHARE.**—Not more than 50 percent of the costs of implementing the agreements entered into pursuant to paragraph (1) may be paid by the United States Government.

(f) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated for the Center \$10,000,000 for each of the fiscal years 2022 through 2026.

SA 4734. Ms. HASSAN (for herself and Mr. THUNE) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities

of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title II, insert the following:

SEC. 2. APPLICATION OF PUBLIC-PRIVATE TALENT EXCHANGE PROGRAMS IN THE DEPARTMENT OF DEFENSE TO QUANTUM INFORMATION SCIENCES AND TECHNOLOGY RESEARCH.

In carrying out section 1599g of title 10, United States Code, the Secretary of Defense may establish public-private exchange programs, each with up to 10 program participants, focused on private sector entities working on quantum information sciences and technology research applications.

SEC. 2. BRIEFING ON SCIENCE, MATHEMATICS, AND RESEARCH FOR TRANSFORMATION (SMART) DEFENSE EDUCATION PROGRAM.

Not later than three years after the date of the enactment of this Act, the Secretary of Defense shall provide Congress with a briefing on participation and use of the program under section 2192a of title 10, United States Code, as amended by this subsection, with a particular focus on levels of interest from students engaged in studying quantum fields.

SEC. 2. IMPROVEMENTS TO DEFENSE QUANTUM INFORMATION SCIENCE AND TECHNOLOGY RESEARCH AND DEVELOPMENT PROGRAM.

(a) **FELLOWSHIP PROGRAM AUTHORIZED.**—Section 234 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115-232; 10 U.S.C. 2358 note) is amended—

- (1) by redesignating subsection (f) as subsection (g); and
- (2) by inserting after subsection (e) the following new subsection (f):

“(f) **FELLOWSHIPS.**—

“(1) **PROGRAM AUTHORIZED.**—In carrying out the program required by subsection (a) and subject to the availability of appropriations to carry out this subsection, the Secretary may carry out a program of fellowships in quantum information science and technology research and development for individuals who have a graduate or post-graduate degree.

“(2) **EQUAL ACCESS.**—In carrying out the program under paragraph (1), the Secretary may establish procedures to ensure that minority, geographically diverse, and economically disadvantaged students have equal access to fellowship opportunities under such program.”

(b) **MULTIDISCIPLINARY PARTNERSHIPS WITH UNIVERSITIES.**—Such section is further amended—

- (1) by redesignating subsection (g), as redesignated by subsection (a)(1), as subsection (h); and

(2) by inserting after subsection (f), as added by subsection (a)(2), the following new subsection (g):

“(g) **MULTIDISCIPLINARY PARTNERSHIPS WITH UNIVERSITIES.**—In carrying out the program under subsection (a), the Secretary of Defense may develop partnerships with universities to enable students to engage in multidisciplinary courses of study.”

(c) **COMPTROLLER GENERAL OF THE UNITED STATES ASSESSMENT OF PROGRAM.**—

(1) **ASSESSMENT AND BRIEFING.**—Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall—

- (A) commence an assessment of the program carried out under section 234 of the

John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115-232; 10 U.S.C. 2358 note), as amended by this section, with consideration of the report submitted under subsection (h) of such section (as redesignated by subsection (b)(2) of this section); and

(B) provide the congressional defense committees a briefing on the preliminary findings of the Comptroller General with respect to such program.

(2) FINAL REPORT.—At a date agreed to by the Comptroller General and the congressional defense committees at the briefing provided pursuant to paragraph (1)(B), the Comptroller General shall submit to the congressional defense committees a final report with the findings of the Comptroller General with respect to the assessment conducted under paragraph (1)(A).

SA 4735. Mr. WARNER submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title V, add the following:

SEC. 576. COUNTERING EXTREMISM IN THE ARMED FORCES.

(a) COUNTERING EXTREMISM.—

(1) IN GENERAL.—Title 10, United States Code, is amended—

(A) in Part II of subtitle A, by adding at the end the following new chapter:

“CHAPTER 89—COUNTERING EXTREMISM

“1801. Senior Official for Countering Extremism.

“1802. Training and education.

“1803. Data collection and analysis.

“1804. Reporting requirements.

“1805. Definitions.

“§ 1801. Senior Official for Countering Extremism

“(a) DESIGNATION.—The Secretary of Defense shall designate an Under Secretary of Defense as the Senior Official for Countering Extremism.

“(b) DUTIES.—The Senior Official shall—

“(1) coordinate and facilitate programs, resources, and activities within the Department of Defense to counter extremist activities, to include screening of publicly available information and Insider Threat Programs;

“(2) coordinate with Federal, State, and local enforcement organizations to counter extremism within the Department of Defense;

“(3) coordinate with the Secretary of Veterans Affairs on addressing and preventing extremist activities following an individual’s separation from the armed forces;

“(4) engage and interact with, and solicit recommendations from, outside experts on extremist activities; and

“(5) perform any additional duties prescribed by the Secretary of Defense, in consultation with the Secretary of Homeland Security.

“§ 1802. Training and education

“(a) IN GENERAL.—The Secretary of each military department, in coordination with the Senior Official for Countering Extremism, shall develop and implement training and education programs and related mate-

rials to assist members of the armed forces and civilian employees of the Department of Defense in identifying, preventing, responding to, reporting, and mitigating the risk of extremist activities.

“(b) CONTENT.—The training and education described in subsection (a) shall include specific material for activities determined by the Senior Official for Countering Extremism as high risk for extremist activities, including recruitment activities and separating members of the armed forces.

“(c) REQUIREMENTS.—The Secretary of Defense, in consultation with the Secretary of Homeland Security, shall provide the training and education described in subsection (a)—

“(1) to a member of the armed forces, civilian employee of the Department of Defense, cadet at a military service academy, or an individual in a pre-commissioning program no less than once a year;

“(2) to a member of the armed forces whose discharge (regardless of character of discharge) or release from active duty is anticipated as of a specific date within the time period specified under section 1142(a)(3) of this title;

“(3) to a member of the armed forces performing recruitment activities within the 30 days prior to commencing such activities; and

“(4) additionally as determined by the Secretary of Defense.

“§ 1803. Data collection and analysis

“(a) IN GENERAL.—The Senior Official for Countering Extremism, in consultation with the Deputy Inspector General, shall establish and maintain a database on extremist activities in the Department of Defense.

“(b) CONTENT.—The database established under subsection (a) shall—

“(1) include records on each allegation, investigation, disciplinary action, and separation related to extremist activities within the Department of Defense;

“(2) include, as appropriate, information related to extremist activities in the armed forces provided by or generated from information from a Federal law enforcement agency; and

“(3) any other requirements prescribed by the Secretary of Defense, in consultation with the Secretary of Homeland Security.

“§ 1804. Reporting requirements

“(a) ANNUAL REPORT.—Not later than December 1 of each year, the Deputy Inspector General, through the Senior Official for Countering Extremism and the Inspector General, shall submit to Congress a report on the prevalence of extremist activities within the Department of Defense.

“(b) ELEMENTS.—The report required by subsection (a) shall include each of the following elements:

“(1) The number of extremist activity allegations, investigations, disciplinary actions, and separations disaggregated data by the armed force, race, gender, ethnicity, grade, and rank of the principal.

“(2) An analysis and assessment of trends in the incidence and disposition of extremist activities during the year covered by the report.

“(3) Any other matters as determined by the Senior Official for Countering Extremism.

“(c) PUBLICATION.—The Secretary of Defense shall—

“(1) publish on an appropriate publicly available website of the Department of Defense the reports required by subsection (a); and

“(2) ensure that any data included with each such report is made available in a machine-readable format that is downloadable, searchable, and sortable.

“§ 1805. Definitions

“The following definitions apply in this chapter:

“(1) The term ‘Deputy Inspector General’ means the Deputy Inspector General of the Department of Defense for Diversity and Inclusion and Supremacist, Extremist, and Criminal Gang Activity established by Section 554 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116-283).

“(2) The term ‘extremist activities’ shall—

“(A) have the meaning prescribed by the Secretary of Defense; and

“(B) include affiliation with (including membership in) an extremist organization.

“(3) The term ‘extremist insider threat’ means a member of the armed forces or civilian employee of the Department of Defense with access to government information, systems, or facilities, who—

“(A) can use such access to do harm to the security of the United States; and

“(B) engages in extremist activities.

“(4) The term ‘extremist organization’ shall have the meaning prescribed by the Secretary of Defense.

“(5) The term ‘principal’ means a member of the armed forces or civilian employee of the Department of Defense who engages in an extremist activity, or aids, abets, counsels, commands, or procures its commission.”; and

(B) in chapter 39, by inserting after section 985 the following new section:

“§ 986. Prohibition on extremist activities

“(a) PROHIBITION.—An individual who engages in extremist activities may not serve as a member of the armed forces.

“(b) REGULATIONS.—The Secretary of Defense shall prescribe regulations regarding the separation of a member of the armed forces who engages in extremist activities.

“(c) DISSEMINATION OF EXTREMIST CONTENT.—The Secretary of Defense may use extremist content knowingly shared, disseminated, or otherwise made available online (including on social media platforms and accounts) by an individual who serves in an armed force as cause for involuntary separation of such individual from an armed force.

“(d) DEFINITIONS.—In this section:

“(1) The term ‘extremist activities’ has the meaning given such term in section 1805 of this title.

“(2) The term ‘extremist content’ means content that expresses support for extremist activities (as that term is defined in section 1805 of this title).”.

(2) CLERICAL AMENDMENTS.—

(A) PART II OF SUBTITLE A.—The table of chapters for part II of subtitle A of title 10, United States Code, is amended by inserting after the item relating to chapter 88 the following new item:

“CHAPTER 89—COUNTERING EXTREMISM”.

(B) CHAPTER 39.—The table of sections at the beginning of chapter 39 is amended by inserting after the item relating to section 985 the following new item:

“986. Prohibition on extremist activities.”.

(b) COORDINATION OF EFFORTS WITH INSPECTOR GENERAL.—Section 554(a)(3) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116-283) is amended by adding at the end the following new subparagraph:

“(E) The Senior Official for Countering Extremism.”.

(c) REGULATIONS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall prescribe regulations under chapter 89 of title 10, United States Code (including definitions under section 1805 of such title), as added by subsection (a).

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on the day that the Secretary of Defense prescribes regulations under subsection (c).

(e) PROGRESS REPORT.—Not later than 240 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report on the status of the implementation of chapter 89 of title 10, United States Code, as added by subsection (a)(1)(A), and the implementation of section 986 of such title, as added by subsection (a)(1)(B).

SA 4736. Mr. COTTON submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title II, insert the following:

SEC. ____ . UNDERWATER LAUNCH TESTING OF CONVENTIONAL PROMPT STRIKE WEAPON SYSTEM.

(a) TESTING REQUIRED.—Not later than September 30, 2024, the Secretary of the Navy shall commence underwater launch testing for the Conventional Prompt Strike weapon system to facilitate capability deployment on a Virginia-class submarine before September 30, 2027.

(b) ADDITIONAL FUNDING.—

(1) IN GENERAL.—The amount authorized to be appropriated for fiscal year 2022 by section 201 for research, development, test, and evaluation is hereby increased by \$50,000,000, with the amount of the increase to be available for New Design SSN (PE 0604558N).

(2) AVAILABILITY.—Of the amount made available under paragraph (1), \$50,000,000 shall be available to accelerate Conventional Prompt Strike weapon system integration on Virginia-class submarines.

(c) OFFSET.—The amount authorized to be appropriated for fiscal year 2022 by section 301 for operation and maintenance is hereby decreased by \$50,000,000 with the amount of the decrease to be taken from amounts available as specified in the funding table in section 4301 for the Afghanistan Security Forces Fund, Afghan Air Force Sustainment.

SA 4737. Mrs. GILLIBRAND (for herself, Mr. RUBIO, Mr. HEINRICH, Mr. BLUNT, and Mr. GRAHAM) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title XV, insert the following:

SEC. ____ . ESTABLISHMENT OF STRUCTURE AND AUTHORITIES TO ADDRESS UNIDENTIFIED AERIAL PHENOMENA.

(a) ESTABLISHMENT OF ANOMALY SURVEILLANCE AND RESOLUTION OFFICE.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act,

the Secretary of Defense shall, in coordination with the Director of National Intelligence, establish an office within an appropriate component of the Department of Defense, or within a joint organization of the Department of Defense and the Office of the Director of National Intelligence, to assume—

(A) the duties of the Unidentified Aerial Phenomenon Task Force, as in effect on the day before the date of the enactment of this Act; and

(B) such other duties as are required by this section.

(2) DESIGNATION.—The office established under paragraph (1) shall be known as the “Anomaly Surveillance and Resolution Office” (in this section referred to as the “Office”).

(3) TERMINATION OR SUBORDINATION OF PRIOR TASK FORCE.—Upon the establishment of the Anomaly Surveillance and Resolution Office, the Secretary shall terminate the Unidentified Aerial Phenomenon Task Force or subordinate it to the Office.

(b) FACILITATION OF REPORTING AND DATA SHARING.—The Director and the Secretary shall each, in coordination with each other, require that—

(1) each element of the intelligence community and the Department, with any data that may be relevant to the investigation of unidentified aerial phenomena, make such data available immediately to the Office; and

(2) military and civilian personnel employed by or under contract to the Department or an element of the intelligence community shall have access to procedures by which they shall report incidents or information, including adverse physiological effects, involving or associated with unidentified aerial phenomena directly to the Office.

(c) DUTIES.—The duties of the Office established under subsection (a) shall include the following:

(1) Developing procedures to synchronize and standardize the collection, reporting, and analysis of incidents, including adverse physiological effects, regarding unidentified aerial phenomena across the Department and in consultation with the intelligence community.

(2) Developing processes and procedures to ensure that such incidents from each component of the Department and each element of the intelligence community are reported and incorporated in a centralized repository.

(3) Establishing procedures to require the timely and consistent reporting of such incidents.

(4) Evaluating links between unidentified aerial phenomena and adversarial foreign governments, other foreign governments, or nonstate actors.

(5) Evaluating the threat that such incidents present to the United States.

(6) Consulting with other departments and agencies of the Federal Government, as appropriate, including the Federal Aviation Administration, the National Aeronautics and Space Administration, the Department of Homeland Security, the National Oceanic and Atmospheric Administration, and the Department of Energy.

(7) Consulting with allies and partners of the United States, as appropriate, to better assess the nature and extent of unidentified aerial phenomena.

(8) Preparing reports for Congress, in both classified and unclassified form, as required by subsections (h) and (i).

(d) EMPLOYMENT OF LINE ORGANIZATIONS FOR FIELD INVESTIGATIONS OF UNIDENTIFIED AERIAL PHENOMENA.—

(1) IN GENERAL.—The Secretary shall, in coordination with the Director, designate line organizations within the Department of De-

fense and the intelligence community that possess appropriate expertise, authorities, accesses, data, systems, platforms, and capabilities to rapidly respond to, and conduct field investigations of, incidents involving unidentified aerial phenomena under the direction of the Office.

(2) PERSONNEL, EQUIPMENT, AND RESOURCES.—The Secretary, in coordination with the Director, shall take such actions as may be necessary to ensure that the designated organization or organizations have available adequate personnel with requisite expertise, equipment, transportation, and other resources necessary to respond rapidly to incidents or patterns of observations of unidentified aerial phenomena of which the Office becomes aware.

(e) UTILIZATION OF LINE ORGANIZATIONS FOR SCIENTIFIC, TECHNOLOGICAL, AND OPERATIONAL ANALYSES OF DATA ON UNIDENTIFIED AERIAL PHENOMENA.—

(1) IN GENERAL.—The Secretary, in coordination with the Director, shall designate one or more line organizations that will be primarily responsible for scientific, technical, and operational analysis of data gathered by field investigations conducted under subsection (d), or data from other sources, including testing of materials, medical studies, and development of theoretical models to better understand and explain unidentified aerial phenomena.

(2) AUTHORITY.—The Secretary and the Director shall promulgate such directives as necessary to ensure that the designated line organizations have authority to draw on special expertise of persons outside the Federal Government with appropriate security clearances.

(f) INTELLIGENCE COLLECTION AND ANALYSIS PLAN.—

(1) IN GENERAL.—The head of the Office shall supervise the development and execution of an intelligence collection and analysis plan on behalf of the Secretary and the Director to gain as much knowledge as possible regarding the technical and operational characteristics, origins, and intentions of unidentified aerial phenomena, including the development, acquisition, deployment, and operation of technical collection capabilities necessary to detect, identify, and scientifically characterize unidentified aerial phenomena.

(2) USE OF RESOURCES AND CAPABILITIES.—In developing the plan required by paragraph (1), the head of the Office shall consider and propose, as appropriate, the use of any resource, capability, asset, or process of the Department and the intelligence community.

(g) SCIENCE PLAN.—The head of the Office shall supervise the development and execution of a science plan on behalf of the Secretary and the Director to develop and test, as practicable, scientific theories to account for characteristics and performance of unidentified aerial phenomena that exceed the known state of the art in science or technology, including in the areas of propulsion, aerodynamic control, signatures, structures, materials, sensors, countermeasures, weapons, electronics, and power generation, and to provide the foundation for potential future investments to replicate any such advanced characteristics and performance.

(h) ASSIGNMENT OF PRIORITY.—The Director, in consultation with, and with the recommendation of the Secretary, shall assign an appropriate level of priority within the National Intelligence Priorities Framework to the requirement to understand, characterize, and respond to unidentified aerial phenomena.

(i) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated such sums as may be necessary to carry out the work of the Office, including—

(1) general intelligence gathering and intelligence analysis; and

(2) strategic defense, space defense, defense of controlled air space, defense of ground, air, or naval assets, and related purposes.

(j) ANNUAL REPORT.—

(1) REQUIREMENT.—Not later than October 31, 2022, and annually thereafter until October 31, 2026, the Secretary in consultation with the Director, shall submit to the appropriate committees of Congress a report on unidentified aerial phenomena.

(2) ELEMENTS.—Each report under paragraph (1) shall include, with respect to the year covered by the report, the following information:

(A) An analysis of data and intelligence received through reports of unidentified aerial phenomena.

(B) An analysis of data relating to unidentified aerial phenomena collected through—

(i) geospatial intelligence

(ii) signals intelligence;

(iii) human intelligence; and

(iv) measurement and signals intelligence.

(C) The number of reported incidents of unidentified aerial phenomena over restricted air space of the United States.

(D) An analysis of such incidents identified under subparagraph (C).

(E) Identification of potential aerospace or other threats posed by unidentified aerial phenomena to the national security of the United States.

(F) An assessment of any activity regarding unidentified aerial phenomena that can be attributed to one or more adversarial foreign governments.

(G) Identification of any incidents or patterns regarding unidentified aerial phenomena that indicate a potential adversarial foreign government may have achieved a breakthrough aerospace capability.

(H) An update on the coordination by the United States with allies and partners on efforts to track, understand, and address unidentified aerial phenomena.

(I) An update on any efforts to capture or exploit discovered unidentified aerial phenomena.

(J) An assessment of any health-related effects for individuals who have encountered unidentified aerial phenomena.

(K) The number of reported incidents, and descriptions thereof, of unidentified aerial phenomena associated with military nuclear assets, including strategic nuclear weapons and nuclear-powered ships and submarines.

(L) In consultation with the Administrator of the National Nuclear Security Administration, the number of reported incidents, and descriptions thereof, of unidentified aerial phenomena associated with facilities or assets associated with the production, transportation, or storage of nuclear weapons or components thereof.

(M) In consultation with the Chairman of the Nuclear Regulatory Commission, the number of reported incidents, and descriptions thereof, of unidentified aerial phenomena or drones of unknown origin associated with nuclear power generating stations, nuclear fuel storage sites, or other sites or facilities regulated by the Nuclear Regulatory Commission.

(N) The names of the line organizations that have been designated to perform the specific functions imposed by subsections (d) and (e) of this section, and the specific functions for which each such line organization has been assigned primary responsibility.

(3) FORM.—Each report submitted under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(k) SEMIANNUAL BRIEFINGS.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act

and not less frequently than semiannually thereafter until December 31, 2026, the head of the Office shall provide the classified briefings on unidentified aerial phenomena to—

(A) the Committee on Armed Services and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Armed Services and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) FIRST BRIEFING.—The first briefing provided under paragraph (1) shall include all incidents involving unidentified aerial phenomena that were reported to the Unidentified Aerial Phenomena Task Force or to the Office after June 24, 2021, regardless of the date of occurrence of the incident.

(3) SUBSEQUENT BRIEFINGS.—Each briefing provided subsequent to the first briefing described in paragraph (2) shall include, at a minimum, all events relating to unidentified aerial phenomena that occurred during the previous 180 days, and events relating to unidentified aerial phenomena that were not included in an earlier briefing due to delay in an incident reaching the reporting system or other such factors.

(4) INSTANCES IN WHICH DATA WAS NOT SHARED.—For each briefing period, the Chairman and Vice Chairman or Ranking Member of the Committee on Armed Services and the Select Committee on Intelligence of the Senate and the Committee on Armed Services and the Permanent Select Committee on Intelligence of the House of Representatives shall receive an enumeration of any instances in which data related to unidentified aerial phenomena was denied to the Office because of classification restrictions on that data or for any other reason.

(1) AERIAL AND TRANSMEDIUM PHENOMENA ADVISORY COMMITTEE.—

(1) ESTABLISHMENT.—(A) Not later than October 1, 2022, the Secretary and the Director shall establish an advisory committee for the purpose of—

(i) advising the Office in the execution of the duties of the Office as provided by this subsection; and

(ii) advising the Secretary and the Director regarding the gathering and analysis of data, and scientific research and development pertaining to unidentified aerial phenomena.

(B) The advisory committee established under subparagraph (A) shall be known as the “Aerial and Transmedium Phenomena Advisory Committee” (in this subparagraph the “Committee”).

(2) MEMBERSHIP.—(A) Subject to subparagraph (B), the Committee shall be composed of members as follows:

(i) 20 members selected by the Secretary as follows:

(I) Three members selected from among individuals recommended by the Administrator of the National Aeronautics and Space Administration.

(II) Two members selected from among individuals recommended by the Administrator of the Federal Aviation Administration.

(III) Two members selected from among individuals recommended by the President of the National Academies of Sciences.

(IV) Two members selected from among individuals recommended by the President of the National Academy of Engineering.

(V) One member selected from among individuals recommended by the President of the National Academy of Medicine.

(VI) Three members selected from among individuals recommended by the Director of the Galileo Project at Harvard University.

(VII) Two members selected from among individuals recommended by the Board of Directors of the Scientific Coalition for Unidentified Aerospace Phenomena Studies.

(VIII) Two members selected from among individuals recommended by the President of the American Institute of Astronautics and Aeronautics.

(IX) Two members selected from among individuals recommended by the Director of the Optical Technology Center at Montana State University.

(X) One member selected from among individuals recommended by the president of the American Society for Photogrammetry and Remote Sensing.

(ii) Up to five additional members, as the Secretary, in consultation with the Director, considers appropriate, selected from among individuals with requisite expertise, at least 3 of whom shall not be employees of any Federal Government agency or Federal Government contractor.

(B) No individual may be appointed to the Committee under subparagraph (A) unless the Secretary and the Director jointly determine that the individual—

(i) qualifies for a security clearance at the secret level or higher;

(ii) possesses scientific, medical, or technical expertise pertinent to some aspect of the investigation and analysis of unidentified aerial phenomena; and

(iii) has previously conducted research or writing that demonstrates scientific, technological, or operational knowledge regarding aspects of the subject matter, including propulsion, aerodynamic control, signatures, structures, materials, sensors, countermeasures, weapons, electronics, power generation, field investigations, forensic examination of particular cases, analysis of open source and classified information regarding domestic and foreign research and commentary, and historical information pertaining to unidentified aerial phenomena.

(C) The Secretary and Director may terminate the membership of any individual on the Committee upon a finding by the Secretary and the Director jointly that the member no longer meets the criteria specified in this subsection.

(3) CHAIRPERSON.—The Secretary shall, in coordination with the Director, designate a temporary Chairperson of the Committee, but at the earliest practicable date the Committee shall elect a Chairperson from among its members, who will serve a term of 2 years, and is eligible for re-election.

(4) EXPERT ASSISTANCE, ADVICE, AND RECOMMENDATIONS.—(A) The Committee may, upon invitation of the head of the Office, provide expert assistance or advice to any line organization designated to carry out field investigations or data analysis as authorized by subsections (d) and (e).

(B) The Committee, on its own initiative, or at the request of the Director, the Secretary, or the head of the Office, may provide advice and recommendations regarding best practices with respect to the gathering and analysis of data on unidentified aerial phenomena in general, or commentary regarding specific incidents, cases, or classes of unidentified aerial phenomena.

(5) REPORT.—Not later than December 31, 2022, and not later than December 31 of each year thereafter, the Committee shall submit a report summarizing its activities and recommendations to the following:

(A) The Secretary.

(B) The Director.

(C) The head of the Office.

(D) The Committee on Armed Services and the Select Committee on Intelligence of the Senate.

(E) The Committee on Armed Services and the Permanent Select Committee on Intelligence of the House of Representatives.

(6) RELATION TO FACIA.—For purposes of the Federal Advisory Committee Act (5 U.S.C. App.), the Committee shall be considered an

advisory committee (as defined in section 3 of such Act, except as otherwise provided in the section or as jointly deemed warranted by the Secretary and the Director under section 4(b)(3) of such Act.

(7) **TERMINATION OF COMMITTEE.**—The Committee shall terminate on the date that is six years after the date of the establishment of the Committee.

(m) **DEFINITIONS.**—In this section:

(1) The term “appropriate committees of Congress” means—

(A) the Committee on Armed Services, the Select Committee on Intelligence, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

(B) the Committee on Armed Services, the Permanent Select Committee on Intelligence, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.

(2) The term “intelligence community” has the meaning given such term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

(3) The term “transmedium objects or devices” means objects or devices that are observed to transition between space and the atmosphere, or between the atmosphere and bodies of water, that are not immediately identifiable.

(4) The term “unidentified aerial phenomena” means—

(A) airborne objects that are not immediately identifiable;

(B) transmedium objects or devices; and

(C) submerged objects or devices that are not immediately identifiable and that display behavior or performance characteristics suggesting that they may be related to the subjects described in subparagraph (A) or (B).

SA 4738. Mr. MENENDEZ (for himself and Mr. RUBIO) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XII, add the following:

Subtitle H—U.S.-Greece Defense and Interparliamentary Partnership Act of 2021

SEC. 1291. SHORT TITLE.

This subtitle may be cited as the “U.S.-Greece Defense and Interparliamentary Partnership Act of 2021”.

SEC. 1292. FINDINGS.

Congress makes the following findings:

(1) The United States and Greece are strong allies in the North Atlantic Treaty Organization (NATO) and have deepened their defense relationship in recent years in response to growing security challenges in the Eastern Mediterranean region.

(2) Greece participates in several NATO missions, including Operation Sea Guardian in the Mediterranean and NATO’s mission in Kosovo.

(3) The Eastern Mediterranean Security and Energy Partnership Act (title II of division J of Public Law 116-94), authorized new security assistance for Greece and Cyprus, lifted the United States prohibition on arms transfers to Cyprus, and authorized the establishment of a United States-Eastern Mediterranean Energy Center to facilitate energy cooperation among the United States, Greece, Israel, and Cyprus.

(4) The United States has demonstrated its support for the trilateral partnership of Greece, Israel, and Cyprus through joint engagement with Cyprus, Greece, Israel, and the United States in the “3+1” format.

(5) The United States and Greece have held Strategic Dialogue meetings in Athens, Washington D.C., and virtually, and have committed to hold an upcoming Strategic Dialogue session in 2021 in Washington, D.C.

(6) In October 2019, the United States and Greece agreed to update the United States-Greece Mutual Defense Cooperation Agreement, and the amended agreement officially entered into force on February 13, 2020.

(7) The amended Mutual Defense Cooperation Agreement provides for increased joint United States-Greece and NATO activities at Greek military bases and facilities in Larissa, Stefanovikio, Alexandroupolis, and other parts of central and northern Greece, and allows for infrastructure improvements at the United States Naval Support Activity Souda Bay base on Crete.

(8) In October 2020, Greek Foreign Minister Nikos Dendias announced that Greece hopes to further expand the Mutual Defense Cooperation Agreement with the United States.

(9) The United States Naval Support Activity Souda Bay serves as a critical naval logistics hub for the United States Navy’s 6th Fleet.

(10) In June 2020, United States Ambassador to Greece Geoffrey Pyatt characterized the importance of Naval Support Activity Souda Bay as “our most important platform for the projection of American power into a strategically dynamic Eastern Mediterranean region. From Syria to Libya to the chokepoint of the Black Sea, this is a critically important asset for the United States, as our air force, naval, and other resources are applied to support our Alliance obligations and to help bring peace and stability.”.

(11) The USS Hershel “Woody” Williams, the second of a new class of United States sea-basing ships, is now based out of Souda Bay, the first permanent United States naval deployment at the base.

(12) The United States cooperates with the Hellenic Armed Forces at facilities in Larissa, Stefanovikio, and Alexandroupolis, where the United States Armed Forces conduct training, refueling, temporary maintenance, storage, and emergency response.

(13) The United States has conducted a longstanding International Military Education and Training (IMET) program with Greece, and the Government of Greece has committed to provide \$3 for every dollar invested by the United States in the program.

(14) Greece’s defense spending in 2020 amounted to an estimated 2.68 percent of its gross domestic product (GDP), exceeding NATO’s 2 percent of GDP benchmark agreed to at the 2014 NATO Summit in Wales.

(15) Greece is eligible for the delivery of excess defense articles under section 516(c)(2) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j(c)(2)).

(16) In September 2020, Greek Prime Minister Kyriakos Mitsotakis announced plans to modernize all three branches of the Hellenic Armed Forces, which will strengthen Greece’s military position in the Eastern Mediterranean.

(17) The modernization includes upgrades to the arms of all three branches, including new anti-tank weapons for the Hellenic Army, new heavy-duty torpedoes for the Hellenic Navy, and new guided missiles for the Hellenic Air Force.

(18) The Hellenic Navy also plans to upgrade its four MEKO 200HN frigates and purchase four new multirole frigates of an undisclosed type, to be accompanied by 4 MH-60R anti-submarine helicopters.

(19) The Hellenic Air Force plans to fully upgrade its fleet of F-16 jets to the F-16 Viper variant by 2027 and has expressed interest in participating in the F-35 Joint Strike Fighter program.

SEC. 1293. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) Greece is a pillar of stability in the Eastern Mediterranean region and the United States should remain committed to supporting its security and prosperity;

(2) the 3+1 format of cooperation among Cyprus, Greece, Israel, and the United States has been a successful forum to cooperate on energy issues and should be expanded to include other areas of common concern to the members;

(3) the United States should increase and deepen efforts to partner with and support the modernization of the Greek military;

(4) it is in the interests of the United States that Greece continue to transition its military equipment away from Russian-produced platforms and weapons systems through the European Recapitalization Incentive Program;

(5) the United States Government should continue to deepen strong partnerships with the Greek military, especially in co-development and co-production opportunities with the Greek Navy;

(6) the naval partnerships with Greece at Souda Bay and Alexandroupolis are mutually beneficial to the national security of the United States and Greece;

(7) the United States should, as appropriate, support the sale of F-35 Joint Strike Fighters to Greece;

(8) the United States Government should continue to invest in International Military Education and Training (IMET) programs in Greece;

(9) the United States Government should support joint maritime security cooperation exercises with Cyprus, Greece, and Israel;

(10) in accordance with its legal authorities and project selection criteria, the United States Development Finance Corporation should consider supporting private investment in strategic infrastructure projects in Greece, to include shipyards and ports that contribute to the security of the region and Greece’s prosperity;

(11) the extension of the Mutual Defense Cooperation Agreement with Greece for a period of five years includes deepened partnerships at Greek military facilities throughout the country and is a welcome development; and

(12) the United States Government should establish the United States-Eastern Mediterranean Energy Center as authorized in the Eastern Mediterranean Energy and Security Partnership Act of 2019.

SEC. 1294. FUNDING FOR EUROPEAN RECAPITALIZATION INCENTIVE PROGRAM.

(a) **IN GENERAL.**—To the maximum extent feasible, of the funds appropriated for the European Recapitalization Incentive Program, \$25,000,000 for each of fiscal years 2022 through 2026 should be considered for Greece as appropriate to assist the country in meeting its defense needs and transitioning away from Russian-produced military equipment.

(b) **REPORT.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees a report that provides a full accounting of all funds distributed under the European Recapitalization Incentive Program, including—

(1) identification of each recipient country;

(2) a description of how the funds were used; and

(3) an accounting of remaining equipment in recipient countries that was provided by the then-Soviet Union or Russian Federation.

SEC. 1295. SENSE OF CONGRESS ON LOAN PROGRAM.

It is the sense of Congress that, as appropriate, the United States Government should provide direct loans to Greece for the procurement of defense articles, defense services, and design and construction services pursuant to the authority of section 23 of the Arms Export Control Act (22 U.S.C. 2763) to support the further development of Greece's military forces.

SEC. 1296. TRANSFER OF F-35 JOINT STRIKE FIGHTER AIRCRAFT TO GREECE.

The President is authorized to expedite delivery of any future F-35 aircraft to Greece once Greece is prepared to move forward with such a purchase on such terms and conditions as the President may require. Such transfer shall be submitted to Congress pursuant to the certification requirements under section 36 of the Arms Export Control Act (22 U.S.C. 2776).

SEC. 1297. IMET COOPERATION WITH GREECE.

For each of fiscal years 2022 through 2026, \$1,800,000 is authorized to be appropriated for International Military Education and Training assistance for Greece, which may be made available for the following purposes:

- (1) Training of future leaders.
- (2) Fostering a better understanding of the United States.
- (3) Establishing a rapport between the United States Armed Forces and Greece's military to build partnerships for the future.
- (4) Enhancement of interoperability and capabilities for joint operations.
- (5) Focusing on professional military education, civilian control of the military, and protection of human rights.

SEC. 1298. CYPRUS, GREECE, ISRAEL, AND THE UNITED STATES 3+1 INTER-PARLIAMENTARY GROUP.

(a) **ESTABLISHMENT.**—There is established a group, to be known as the “Cyprus, Greece, Israel, and the United States 3+1 Inter-parliamentary Group”, to serve as a legislative component to the 3+1 process launched in Jerusalem in March 2019.

(b) **MEMBERSHIP.**—The Cyprus, Greece, Israel, and the United States 3+1 Inter-parliamentary Group shall include a group of not more than 6 United States Senators, to be known as the “United States group”, who shall be appointed jointly by the majority leader and the minority leader of the Senate.

(c) **MEETINGS.**—Not less frequently than once each year, the United States group shall meet with members of the 3+1 group to discuss issues on the agenda of the 3+1 deliberations of the Governments of Greece, Israel, Cyprus, and the United States to include maritime security, defense cooperation, energy initiatives, and countering malign influence efforts by the People's Republic of China and the Russian Federation.

(d) **TERMINATION.**—The Cyprus, Greece, Israel, and the United States 3+1 Inter-parliamentary Group shall terminate 4 years after the date of the enactment of this Act.

SEC. 1299. APPROPRIATE CONGRESSIONAL COMMITTEES.

In this subtitle, the term “appropriate congressional committees” means—

- (1) the Committee on Foreign Relations, the Committee on Armed Services, and the Committee on Appropriations of the Senate; and
- (2) the Committee on Foreign Affairs, the Committee on Armed Services, and the Committee on Appropriations of the House of Representatives.

SA 4739. Mr. BLUMENTHAL submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to au-

thorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title II, insert the following:

SEC. ____ . ACQUISITION STRATEGY TO MODERNIZE AIR FORCE FIGHTER PROPULSION SYSTEM.

(a) **IN GENERAL.**—Not later than 14 days after the date on which the budget of the President for fiscal year 2023 is submitted to Congress pursuant to section 1105 of title 31, United States Code, the Under Secretary of Defense for Acquisition and Sustainment shall submit to the congressional defense committees a report on the modernization of the fighter propulsion system or the integration of new technology, including the Adaptive Engine Transition Program propulsion system, into new fighters, including the Joint Strike Fighter (JSF) and the Next Generation Air Dominance programs.

(b) **ELEMENTS.**—The report required under subsection (a) shall include the following:

- (1) A cost benefit analysis of—
 - (A) integrating the Adaptive Engine Transition Program propulsion system into each of the Joint Strike Fighter aircraft variants;
 - (B) modernizing or upgrading the existing F135 propulsion system on the Joint Strike Fighter variants;
 - (C) future associated infrastructure and sustainment costs of the modernized engine;
 - (D) cost savings associated with variant and Partner commonality; and
 - (E) assess all activities and costs to retrofit and sustain all Joint Strike Fighter with a modernized propulsion system.

(2) An implementation plan to implement such strategy.

- (3) A cost benefit analysis of—
 - (A) integrating Adaptive Engine Transition Program technology into Next Generation Air Dominance programs; and
 - (B) modernizing or upgrading the existing F135 propulsion systems into the Next Generation Air Dominance programs.

(4) A schedule annotating pertinent milestones and yearly fiscal resource requirements for the implementation of a modernized F135 propulsion system.

(5) A schedule of milestones and yearly financial resource requirements for the implementation of the Adaptive Engine Transition Program.

SA 4740. Ms. SMITH (for herself and Ms. MURKOWSKI) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title X, add the following:

Subtitle H—Rural Maternal and Obstetric Modernization of Services**SEC. 1071. IMPROVING RURAL MATERNAL AND OBSTETRIC CARE DATA.**

(a) **MATERNAL MORTALITY AND MORBIDITY ACTIVITIES.**—Section 301(e) of the Public Health Service Act (42 U.S.C. 241) is amended

by inserting “, preventable maternal mortality and severe maternal morbidity,” after “delivery”.

(b) **OFFICE OF WOMEN'S HEALTH.**—Section 310A(b)(1) of the Public Health Service Act (42 U.S.C. 242s(b)(1)) is amended by striking “and sociocultural contexts,” and inserting “sociocultural (including among American Indians, Native Hawaiians, and Alaska Natives), and geographical contexts.”.

(c) **SAFE MOTHERHOOD.**—Section 317K of the Public Health Service Act (42 U.S.C. 247b-12) is amended—

(1) in subsection (a)(2)(A), by inserting “, including improving disaggregation of data (in a manner consistent with applicable State and Federal privacy laws)” before the period; and

(2) in subsection (b)(2)—

(A) in subparagraph (L), by striking “and” at the end;

(B) by redesignating subparagraph (M) as subparagraph (N); and

(C) by inserting after subparagraph (L) the following:

“(M) an examination of the relationship between maternal health and obstetric services in rural areas and outcomes in delivery and postpartum care; and”.

(d) **OFFICE OF RESEARCH ON WOMEN'S HEALTH.**—Section 486(d)(4)(A)(iv) of the Public Health Service Act (42 U.S.C. 287d(d)(4)(A)(iv)) is amended by inserting “, including preventable maternal mortality and severe maternal morbidity” before the semicolon.

SEC. 1072. RURAL OBSTETRIC NETWORK GRANTS.

The Public Health Service Act is amended by inserting after section 330A-1 of such Act (42 U.S.C. 254c-1a) the following:

“SEC. 330A-2. RURAL OBSTETRIC NETWORK GRANTS.

“(a) **PROGRAM ESTABLISHED.**—The Secretary shall award grants or cooperative agreements to eligible entities to establish collaborative improvement and innovation networks (referred to in this section as ‘rural obstetric networks’) to improve maternal and infant health outcomes and reduce preventable maternal mortality and severe maternal morbidity by improving maternity care and access to care in rural areas, frontier areas, maternity care health professional target areas, or jurisdictions of Indian Tribes and Tribal organizations.

“(b) **USE OF FUNDS.**—Grants or cooperative agreements awarded pursuant to this section shall be used for the establishment or continuation of collaborative improvement and innovation networks to improve maternal and infant health outcomes and reduce preventable maternal mortality and severe maternal morbidity by improving prenatal care, labor care, birthing, and postpartum care services in rural areas. Rural obstetric networks established in accordance with this section may—

“(1) develop a network to improve coordination and increase access to maternal health care and assist pregnant women in the areas described in subsection (a) with accessing and utilizing prenatal care, labor care, birthing, and postpartum care services to improve outcomes in birth and maternal mortality and morbidity;

“(2) identify and implement evidence-based and sustainable delivery models for providing prenatal care, labor care, birthing, and postpartum care services, including home visiting programs and culturally appropriate care models that reduce health disparities;

“(3) develop a model for maternal health care collaboration between health care settings to improve access to care in areas described in subsection (a), which may include the use of telehealth;

“(4) provide training for professionals in health care settings that do not have specialty maternity care;

“(5) collaborate with academic institutions that can provide regional expertise and help identify barriers to providing maternal health care, including strategies for addressing such barriers; and

“(6) assess and address disparities in infant and maternal health outcomes, including among racial and ethnic minority populations and underserved populations in such areas described in subsection (a).

“(c) DEFINITIONS.—In this section:

“(1) ELIGIBLE ENTITIES.—The term ‘eligible entities’ means entities providing prenatal care, labor care, birthing, and postpartum care services in rural areas, frontier areas, or medically underserved areas, or to medically underserved populations or Indian Tribes or Tribal organizations.

“(2) FRONTIER AREA.—The term ‘frontier area’ means a frontier county, as defined in section 1886(d)(3)(E)(iii)(III) of the Social Security Act.

“(3) INDIAN TRIBES; TRIBAL ORGANIZATION.—The terms ‘Indian Tribe’ and ‘Tribal organization’ have the meanings given the terms ‘Indian tribe’ and ‘tribal organization’ in section 4 of the Indian Self-Determination and Education Assistance Act.

“(4) MATERNITY CARE HEALTH PROFESSIONAL TARGET AREA.—The term ‘maternity care health professional target area’ has the meaning described in section 332(k)(2).

“(d) REPORT TO CONGRESS.—Not later than September 30, 2025, the Secretary shall submit to Congress a report on activities supported by grants awarded under this section, including—

“(1) a description of activities conducted pursuant to paragraphs (1) through (6) of subsection (b); and

“(2) an analysis of the effects of rural obstetric networks on improving maternal and infant health outcomes.

“(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section \$3,000,000 for each of fiscal years 2022 through 2026.”

SEC. 1073. TELEHEALTH NETWORK AND TELEHEALTH RESOURCE CENTERS GRANT PROGRAMS.

Section 330I of the Public Health Service Act (42 U.S.C. 254c-14) is amended—

(1) in subsection (f)(3), by adding at the end the following:

“(M) Providers of prenatal, labor care, birthing, and postpartum care services, including hospitals that operate obstetric care units.”; and

(2) in subsection (h)(1)(B), by striking “or prenatal care for high-risk pregnancies” and inserting “prenatal care, labor care, birthing care, or postpartum care”.

SEC. 1074. RURAL MATERNAL AND OBSTETRIC CARE TRAINING DEMONSTRATION.

Subpart 1 of part E of title VII of the Public Health Service Act (42 U.S.C. 294n et seq.) is amended by adding at the end the following:

“SEC. 764. RURAL MATERNAL AND OBSTETRIC CARE TRAINING DEMONSTRATION.

“(a) IN GENERAL.—The Secretary shall award grants to accredited schools of allopathic medicine, osteopathic medicine, and nursing, and other appropriate health professional training programs, to establish a training demonstration program to support—

“(1) training for physicians, medical residents, fellows, nurse practitioners, physician assistants, nurses, certified nurse midwives, relevant home visiting workforce professionals and paraprofessionals, or other professionals who meet relevant State training and licensing requirements, as applicable, to

reduce preventable maternal mortality and severe maternal morbidity by improving prenatal care, labor care, birthing, and postpartum care in rural community-based settings; and

“(2) developing recommendations for such training programs.

“(b) APPLICATION.—To be eligible to receive a grant under subsection (a), an entity shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

“(c) ACTIVITIES.—

“(1) TRAINING FOR HEALTH CARE PROFESSIONALS.— A recipient of a grant under subsection (a)—

“(A) shall use the grant funds to plan, develop, and operate a training program to provide prenatal care, labor care, birthing, and postpartum care in rural areas; and

“(B) may use the grant funds to provide additional support for the administration of the program or to meet the costs of projects to establish, maintain, or improve faculty development, or departments, divisions, or other units necessary to implement such training.

“(2) TRAINING PROGRAM REQUIREMENTS.— The recipient of a grant under subsection (a) shall ensure that training programs carried out under the grant are evidence-based and address improving prenatal care, labor care, birthing, and postpartum care in rural areas, and such programs may include training on topics such as—

“(A) maternal mental health, including perinatal depression and anxiety;

“(B) substance use disorders;

“(C) social determinants of health that affect individuals living in rural areas; and

“(D) improving the provision of prenatal care, labor care, birthing, and postpartum care for racial and ethnic minority populations, including with respect to perceptions and biases that may affect the approach to, and provision of, care.

“(d) EVALUATION AND REPORT.—

“(1) EVALUATION.—

“(A) IN GENERAL.—The Secretary shall evaluate the outcomes of the demonstration program under this section.

“(B) DATA SUBMISSION.—Recipients of a grant under subsection (a) shall submit to the Secretary performance metrics and other related data in order to evaluate the program for the report described in paragraph (2).

“(2) REPORT TO CONGRESS.—Not later than January 1, 2025, the Secretary shall submit to Congress a report that includes—

“(A) an analysis of the effects of the demonstration program under this section on the quality, quantity, and distribution of maternal health care services, including prenatal care, labor care, birthing, and postpartum care services, and the demographics of the recipients of those services;

“(B) an analysis of maternal and infant health outcomes (including quality of care, morbidity, and mortality) before and after implementation of the program in the communities served by entities participating in the demonstration; and

“(C) recommendations on whether the demonstration program should be continued.

“(e) AUTHORIZATION OF APPROPRIATIONS.— There are authorized to be appropriated to carry out this section \$5,000,000 for each of fiscal years 2022 through 2026.”

SA 4741. Mr. GRASSLEY submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for

military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. 1064. ENHANCED AUTHORITY TO SHARE INFORMATION WITH RESPECT TO MERCHANDISE SUSPECTED OF VIOLATING INTELLECTUAL PROPERTY RIGHTS.

Section 628A of the Tariff Act of 1930 (19 U.S.C. 1628a) is amended—

(1) in subsection (a), by striking paragraph (1) and inserting the following:

“(1) shall provide to the person information that appears on the merchandise, including—

“(A) its packaging, materials, and containers, including labels; and

“(B) its packing materials and containers, including labels; and”;

(2) in subsection (b)—

(A) in paragraph (3), by striking “; and” and inserting a semicolon;

(B) in paragraph (4), by striking the period at the end and inserting “; and”;

(C) by adding at the end the following:

“(5) any other party with an interest in the merchandise, as determined appropriate by the Commissioner.”

SA 4742. Mr. BRAUN submitted an amendment intended to be proposed by him to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. 1064. SENSE OF CONGRESS REGARDING CRISIS AT THE SOUTHWEST LAND BORDER.

(a) FINDINGS.—Congress makes the following findings:

(1) During fiscal year 2021, there were more than 1,600,000 illegal crossings across the southwest land border of the United States.

(2) The 213,593 migrant encounters along the southwest border in July 2021 was a 21-year high.

(3) During October 2021, U.S. Customs and Border Protection intercepted 33,500 pounds of drugs along the southwest border.

(4) Noncitizens with criminal convictions are routinely encountered at ports of entry and between ports of entry along the southwest border.

(5) Some of the inadmissible individuals encountered along the southwest border are known or suspected terrorists.

(6) Transnational criminal organizations routinely move illicit drugs, counterfeit products, and trafficked humans across the southwest border.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the current level of illegal crossings and trafficking on the southwest land border of the United States represents a crisis and a national security threat;

(2) the Department of Defense has rightly contributed personnel to aid the efforts of the United States Government to address the crisis and national security threat at the southwest border;

(3) the National Guard and active duty members of the United States Armed Forces

are to be commended for their hard work and dedication in their response to the crisis along the southwest border; and

(4) border security is a matter of national security and the failure to address the crisis along the southwest border introduces significant risk to the people of the United States.

SA 4743. Mr. BENNET (for himself and Ms. COLLINS) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 1216. REPORTS AND BRIEFINGS REGARDING OVERSIGHT OF AFGHANISTAN.

(a) **REPORTS.**—Not later than 180 days after the date of the enactment of this Act, and annually thereafter until December 31, 2026, the Secretary of Defense, in coordination with the Director of National Intelligence, shall submit to the appropriate congressional committees a report on Afghanistan. The report shall address, with respect to Afghanistan, the following matters:

(1) An assessment of the terrorist threat to the United States posed by terrorist organizations in Afghanistan.

(2) A description of the intelligence collection posture on terrorist organizations in Afghanistan, including al-Qaeda and ISIS-K.

(3) A description of the intelligence collection posture on the Taliban defense and security forces.

(4) An assessment of the status of any military cooperation between the Taliban and China, Russia, or Iran.

(5) An assessment of changes in the ability of al-Qaeda and ISIS-K to conduct operations outside of Afghanistan against the United States and United States allies.

(6) A current assessment of counterterrorism capabilities of the United States to remove the terrorist threat in Afghanistan.

(7) An assessment of counterterrorism capabilities of United States allies and partners in Afghanistan and their willingness to participate in counterterrorism operations.

(8) The location of such counterterrorism capabilities, to include the current locations of the forces and any plans to adjust such locations.

(9) Any plans to expand or adjust such counterterrorism capabilities in the future to account for evolving terrorist threats in Afghanistan.

(10) An assessment of the quantity and types of United States military equipment remaining in Afghanistan, including an indication of whether the Secretary plans to leave, recover, or destroy such equipment.

(11) Contingency plans for the retrieval or hostage rescue of United States citizens and legal permanent residents located in Afghanistan.

(12) Contingency plans related to the continued evacuation of Afghans who hold special immigrant visa status under section 602 of the Afghan Allies Protection Act of 2009 (title VI of division F of Public Law 110-8; 8 U.S.C. 1101 note) or who have filed a petition for such status, following the withdrawal of the United States Armed Forces from Afghanistan.

(13) Any other matters the Secretary determines appropriate.

(b) **BRIEFINGS.**—Not later than 180 days after the date of the enactment of this Act, and on a biannual basis thereafter until December 31, 2026, the Secretary of Defense shall provide to the appropriate congressional committees a briefing on the matters specified in subsection (a).

(c) **FORM.**—The reports and briefings under this section may be submitted in either unclassified or classified form, as determined appropriate by the Secretary.

(d) **APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.**—In this section, the term “appropriate congressional committees” means—

(1) the Committee on Armed Services, the Select Committee on Intelligence, and the Committee on Appropriations of the Senate; and

(2) the Committee on Armed Services, the Permanent Select Committee on Intelligence, and the Committee on Appropriations of the House of Representatives.

SA 4744. Mr. BENNET (for himself and Mr. SASSE) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title X, insert the following:

SEC. ____ . NATIONAL TECHNOLOGY STRATEGY.

(a) **IN GENERAL.**—Each year, the President shall submit to Congress a comprehensive report on the technology strategy of the United States designed to maintain United States leadership in critical and emerging technologies essential to United States national security and economic prosperity.

(b) **ELEMENTS.**—Each National Technology Strategy developed and submitted under subsection (a) shall contain at least the following elements:

(1) An assessment of the efforts of the United States Government to preserve United States leadership in key emerging technologies and prevent United States strategic competitors from leveraging advanced technologies to gain strategic military or economic advantages over the United States.

(2) A review of existing United States Government technology policy, including long-range goals.

(3) An analysis of technology trends and assessment of the relative competitiveness of United States technology sectors in relation to strategic competitors.

(4) Identification of sectors critical for the long-term resilience of United States innovation leadership across design, manufacturing, supply chains, and markets.

(5) Recommendations for domestic policy incentives to sustain an innovation economy and develop specific, high-cost sectors necessary for long-term national security ends.

(6) Recommendations for policies to protect United States and leadership of allies of the United States in critical areas through targeted export controls, investment screening, and counterintelligence activities.

(7) Identification of priority domestic research and development areas critical to national security and necessary to sustain United States leadership, and directing funding to fill gaps in basic and applied research where the private sector does not focus.

(8) Recommendations for talent programs to grow United States talent in key critical and emerging technologies and enhance the ability of the Federal Government to recruit and retain individuals with critical skills into Federal service.

(9) Methods to foster the development of international partnerships to reinforce domestic policy actions, build new markets, engage in collaborative research, and create an international environment that reflects United States values and protects United States interests.

(10) A technology annex, which may be classified, to establish an integrated and enduring approach to the identification, prioritization, development, and fielding of emerging technologies.

(11) Such other information as may be necessary to help inform Congress on matters relating to the technology strategy of the United States and related implications for United States national security.

SA 4745. Mr. GRASSLEY (for himself and Mr. WARNOCK) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . WHISTLEBLOWER INCENTIVES AND PROTECTIONS.

Section 5323 of title 31, United States Code, as amended by section 6314 of the Anti-Money Laundering Act of 2020 (division F of Public Law 116-283) is amended by striking subsection (b) and inserting the following:

“(b) **AWARDS.**—

“(1) **IN GENERAL.**—In any covered judicial or administrative action, or related action, the Secretary, under regulations prescribed by the Secretary, in consultation with the Attorney General and subject to subsection (c), shall pay an award or awards to 1 or more whistleblowers who voluntarily provided original information to the employer of the individual, the Secretary, or the Attorney General, as applicable, that led to the successful enforcement of the covered judicial or administrative action, or related action, in an aggregate amount equal to—

“(A) not less than 10 percent, in total, of what has been collected of the monetary sanctions imposed in the action or related actions; and

“(B) not more than 30 percent, in total, of what has been collected of the monetary sanctions imposed in the action or related actions.

“(2) **PAYMENT OF AWARDS.**—Any amount paid under paragraph (1) shall be paid from the Fund established under paragraph (3).

“(3) **SOURCE OF AWARDS.**—

“(A) **IN GENERAL.**—There shall be established in the Treasury of the United States a revolving fund to be known as the Financial Integrity Fund (referred to in this subsection as the ‘Fund’).

“(B) **USE OF FUND.**—The Fund shall be available to the Secretary, without further appropriation or fiscal year limitations, only for the payment of awards to whistleblowers as provided in subsection (b).

“(C) **RESTRICTIONS ON USE OF FUND.**—The Fund shall not be available to pay any personnel or administrative expenses.

“(4) DEPOSITS AND CREDITS.—

“(A) IN GENERAL.—There shall be deposited into or credited to the Fund an amount equal to—

“(i) any monetary sanction collected by the Secretary or Attorney General in any judicial or administrative action under this title unless the balance of the Fund at the time the monetary judgement is collected exceeds \$300,000,000; and

“(ii) all income from investments made under paragraph (5).

“(B) ADDITIONAL AMOUNTS.—If the amounts deposited into or credited to the Fund under subparagraph (A) are not sufficient to satisfy an award made under this subsection, there shall be deposited into or credited to the Fund an amount equal to the unsatisfied portion of the award from any monetary sanction collected by the Secretary of the Treasury or Attorney General in the covered judicial or administrative action on which the award is based.

“(5) INVESTMENTS.—

“(A) AMOUNTS IN FUND MAY BE INVESTED.—The Secretary of the Treasury may invest the portion of the Fund that is not required to meet the current needs of the Fund.

“(B) ELIGIBLE INVESTMENTS.—Investments shall be made by the Secretary of the Treasury in obligations of the United States or obligations that are guaranteed as to principal and interest by the United States, with maturities suitable to the needs of the Fund as determined by the Secretary.

“(C) INTEREST AND PROCEEDS CREDITED.—The interest on, and the proceeds from the sale or redemption of, any obligations held in the Fund shall be credited to, and form a part of, the Fund.”.

SA 4746. Mr. MARSHALL submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title X, add the following:

SEC. 1013. INTERAGENCY STRATEGY TO DISRUPT AND DISMANTLE NARCOTICS PRODUCTION AND TRAFFICKING AND AFFILIATED NETWORKS LINKED TO THE REGIME OF BASHAR AL-ASSAD IN SYRIA.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the captagon trade linked to the regime of Bashar al-Assad in Syria is a transnational security threat; and

(2) the United States should develop and implement an interagency strategy to deny, degrade, and dismantle Assad-linked narcotics production and trafficking networks.

(b) REPORT AND STRATEGY REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, the Secretary of State, the Secretary of the Treasury, the Administrator of the Drug Enforcement Administration, the Director of National Intelligence, and the heads of other appropriate Federal agencies shall jointly submit to the appropriate congressional committees a report containing a strategy to disrupt and dismantle narcotics production and trafficking and affiliated networks linked to the regime of Bashar al-Assad in Syria. The strategy shall include each of the following:

(1) A strategy to target, disrupt and degrade networks that directly and indirectly support the narcotics infrastructure of the Assad regime, particularly through diplomatic and intelligence support to law enforcement investigations and to build counter-narcotics capacity to partner countries through assistance and training to law enforcement services in countries, other than Syria, that are receiving or transiting large quantities of Captagon.

(2) A description of the countries receiving or transiting large shipments of Captagon and an assessment of the counter-narcotics capacity of those countries to interdict or disrupt the smuggling of Captagon, including an assessment of current United States assistance and training programs to build such capacity in those countries.

(3) The use of sanctions authorities, including the Caesar Syria Civilian Protection Act of 2019 (22 U.S.C. 8791 note), and associated actions to target individuals and entities directly or indirectly associated with the narcotics infrastructure of the Assad regime.

(4) The use of global diplomatic engagements associated with the economic pressure campaign against the Assad regime to target its narcotics infrastructure.

(5) Leveraging multilateral institutions and cooperation with international partners to disrupt the narcotics infrastructure of the Assad regime.

(6) Mobilizing a public communications campaign to increase awareness of the extent of the connection of the Assad regime to illicit narcotics trade.

(c) FORM OF REPORT.—The report required under subsection (b) shall be submitted in an unclassified form, but may contain a classified annex.

(d) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this section, the term “appropriate congressional committees” means—

(1) the congressional defense committees;

(2) the Committee on the Judiciary, the Committee on Foreign Affairs, and the Committee on Financial Services [of the House of Representatives]; and

(3) the Committee on the Judiciary, the Committee on Foreign Relations, and the Committee on Banking, Housing, and Urban Affairs of the Senate.

SA 4747. Mr. MARSHALL submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XII, add the following:

SEC. 1224. PROHIBITION OF TRANSFERS TO BADR ORGANIZATION.

None of the amounts authorized to be appropriated by this Act or otherwise made available to the Department of Defense may be made available, directly or indirectly, to the Badr Organization.

SA 4748. Mr. MARSHALL submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction,

and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XII, add the following:

SEC. 1224. PROHIBITION ON TRANSFERS TO IRAN.

None of the amounts authorized to be appropriated by this Act or otherwise made available to the Department of Defense may be made available to transfer or facilitate a transfer of pallets of currency, currency, or other items of value to the Government of Iran, any subsidiary of such Government, or any agent or instrumentality of Iran.

SA 4749. Mr. MARSHALL submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XII, add the following:

SEC. 1224. REPORT ON IRANIAN TERRORIST PROXIES.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the House of Representatives and the Senate a report that includes a detailed description of—

(1) improvements to the military capabilities of Iran-backed militias, including Lebanese Hezbollah, Asa’ib ahl al-Haq, Harakat Hezbollah al-Nujaba, Kata’ib Sayyid al-Shuhada, Kata’ib al-Imam Ali, Kata’ib Hezbollah, the Badr Organization, the Fatemiyoun, the Zainabiyoun, Hamas, Palestinian Islamic Jihad (PIJ), the Popular Front for the Liberation of Palestine (PFLP), and Ansar Allah (also known as the Houthis); and

(2) the direct or indirect impact that the suspension, issuance, or revocation of any waiver, license, or suspension of economic sanctions on Iran may have on such capabilities.

(b) FORM.—The report required under subsection (a) shall be submitted in unclassified form but may contain a classified annex.

SA 4750. Mr. MARSHALL submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XII, add the following:

SEC. 1224. REPORT ON IRAN-CHINA AND IRAN-RUSSIA MILITARY TIES.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the House of Representatives and the Senate a report that includes—

(1) a detailed assessment of military ties between Iran and China or the Russian Federation since the expiration of United Nations Security Resolution 2231 in October 2020, including in the form of joint drills, weapons transfers, military visits, illicit procurement activities, and other sources of Chinese or Russian material support for Iranian military capabilities, to include a detailed description of any arms purchases and the total value of each such purchase;

(2) a detailed assessment of the direct or indirect impact that the suspension, issuance, or revocation of any waiver, license, or suspension of economic sanctions on Iran may have on the use or effectiveness of such tools; and

(3) a description of any actions taken pursuant to Executive Order No. 13949, dated September 21, 2020 (relating to blocking property of certain persons with respect to the conventional arms activities of Iran).

(b) FORM.—The report required under subsection (a) shall be submitted in unclassified form but may contain a classified annex.

SA 4751. Mr. MARSHALL submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XII, add the following:

SEC. 1224. REPORT ON IRANIAN DEFENSE BUDGET.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the House of Representatives and the Senate a report that includes a detailed assessment of the size of Iran's defense budget expressed in United States dollars, disaggregated by expenditures related to the Islamic Revolutionary Guard Corps, the Quds Force, the Artesh, and the Basij.

(b) FORM.—The report required under subsection (a) shall be submitted in unclassified form but may contain a classified annex.

SA 4752. Mr. BARRASSO submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . STRATEGY, MARKET SURVEY, AND QUALIFICATION ACTIVITIES FOR PROCUREMENT OF ACCESSORIES FOR THE NEXT GENERATION SQUAD WEAPON OF THE ARMY.

(a) STRATEGY REQUIRED.—The Secretary of the Army shall develop and implement a strategy to identify, test, qualify, and procure, on a competitive basis, accessories for the next generation squad weapon of the Army, including magazines and other compo-

nents that could affect the performance of the weapon.

(b) MARKET SURVEY AND QUALIFICATION ACTIVITIES.—

(1) INITIAL MARKET SURVEY.—Not later than one year after the date on which a decision is made to enter into full-rate production for the next generation squad weapon, the Secretary of the Army shall conduct a market survey to identify accessories for the weapon, including magazines and other components that could affect the performance of the weapon.

(2) QUALIFICATION ACTIVITIES.—After completing the market survey under paragraph (1), the Secretary of the Army shall compete, select, procure, and conduct tests of accessories described in that paragraph to qualify those accessories for purchase and use. A decision to qualify an accessory described in paragraph (1) shall be based on established technical standards for operational safety and weapon effectiveness.

(c) INFORMATION TO CONGRESS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Army shall provide to the congressional defense committees a briefing or a report on—

(1) the strategy developed and implemented by the Secretary under subsection (a); and

(2) the results of the market survey and qualification activities under subsection (b).

SA 4753. Mr. THUNE submitted an amendment intended to be proposed by him to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title X, insert the following:

SEC. ____ . DEVELOPMENT AND TESTING OF DYNAMIC SCHEDULING AND MANAGEMENT OF SPECIAL ACTIVITY AIRSPACE.

(a) SENSE OF CONGRESS ON SPECIAL ACTIVITY AIRSPACE SCHEDULING AND MANAGEMENT.—It is the sense of Congress that—

(1) where it does not conflict with safety, dynamic scheduling and management of special activity airspace (also referred to as “dynamic airspace”) is expected to optimize the use of the national airspace system for all stakeholders; and

(2) the Administrator of the Federal Aviation Administration and the Secretary of Defense should take such actions as may be necessary to support ongoing efforts to develop dynamic scheduling and management of special activity airspace, including—

(A) the continuation of formal partnerships between the Federal Aviation Administration and the Department of Defense that focus on special activity airspace, future airspace needs, and joint solutions; and

(B) maturing research within their federally funded research and development centers, Federal partner agencies, and the aviation community.

(b) PILOT PROGRAM.—

(1) PILOT PROGRAM REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Administrator of the Federal Aviation Administration, in coordination with the Secretary of Defense, shall establish a pilot program on developing and testing dynamic management of special activity airspace in order to accommodate emerging military training requirements through flexible scheduling, along with increasing ac-

cess to special activity airspace used by the Department of Defense for test and training.

(2) TESTING OF SPECIAL ACTIVITY AIRSPACE SCHEDULING AND MANAGEMENT.—Under the pilot program established under paragraph (1), the Administrator and the Secretary shall jointly test not fewer than three areas of episodic or permanent special activity airspace designated by the Federal Aviation Administration for use by the Department of Defense, of which—

(A) at least one shall be over coastal waters of the United States;

(B) at least two shall be over land of the United States;

(C) access to airspace available for test and training is increased to accommodate dynamic scheduling of airspace to more efficiently and realistically provide test and training capabilities to Department of Defense aircrews; and

(D) any increase in access to airspace made available for test and training shall not conflict with the safe management of the national airspace system or the safety of all stakeholders of the national airspace system.

(c) REPORT BY THE ADMINISTRATOR.—

(1) IN GENERAL.—Not less than two years after the date of the establishment of the pilot program under subsection (b)(1), the Administrator shall submit to the appropriate committees of Congress a report on the interim findings of the Administrator with respect to the pilot program.

(2) ELEMENTS.—The report submitted under paragraph (1) shall include the following:

(A) An analysis of how the pilot program established under subsection (b)(1) affected access to special activity airspace by non-military users of the national airspace system.

(B) An analysis of whether the dynamic management of special activity airspace conducted for the pilot program established under subsection (b)(1) contributed to more efficient use of the national airspace system by all stakeholders.

(d) REPORT BY THE SECRETARY.—Not less than two years after the date of the establishment of the pilot program under subsection (b)(1), the Secretary shall submit to the appropriate committees of Congress a report on the interim findings of the Secretary with respect to the pilot program. Such report shall include an analysis of how the pilot program affected military test and training.

(e) DEFINITIONS.—In this section:

(1) The term “appropriate committees of Congress” means—

(A) the Committee on Commerce, Science, and Transportation and the Committee on Armed Services of the Senate; and

(B) the Committee on Transportation and Infrastructure, the Committee on Science, Space, and Technology, and the Committee on Armed Services of the House of Representatives.

(2) The term “special activity airspace” means the following airspace with defined dimensions within the National Airspace System wherein limitations may be imposed upon aircraft operations:

(A) Restricted areas.

(B) Military operations areas.

(C) Air Traffic Control assigned airspace.

(D) Warning areas.

SA 4754. Ms. BALDWIN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and

for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. 1064. COMMON CARRIER OBLIGATIONS.

(a) IN GENERAL.—Section 11101(a) of title 49, United States Code, is amended by inserting “, to the extent necessary for the efficient and reliable transportation based on the shipper’s reasonable service requirements,” after “the transportation or service”.

(b) RULEMAKING.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Surface Transportation Board shall initiate a rulemaking to provide standards or guidance to implement the amendment made under subsection (a).

(2) METRICS AND MINIMUM STANDARDS.—The rule promulgated pursuant to paragraph (1) shall include metrics and minimum standards for measuring the performance and service quality of rail carriers operating as common carriers under section 11101 of title 49, United States Code.

(3) CONSIDERATIONS.—In developing the metrics and minimum standards referred to in paragraph (2), the Board shall consider—

(A) all of the requirements for operating as a common carrier under section 11101 of title 49, United States Code, including the requirements described in sections 11101(a) and 10702(2) of such title;

(B) the impacts of reductions in service and employment levels on the provision of reasonable service;

(C) whether reductions in the availability of equipment, the maintenance of equipment, and infrastructure are disproportionate to any changes in demand for service; and

(D) whether surcharges or conditions are imposed as requirements for service when the rail carrier could profitably provide service under competitive rates.

(4) MULTI-FACTOR COMPLIANCE TEST.—

(A) DEVELOPMENT.—The Surface Transportation Board shall develop a multi-factor test for determining a common carrier’s compliance with its obligations under section 11101 of title 49, United States Code.

(B) USE OF TEST.—Upon the promulgation of the final rule pursuant to this subsection, the Surface Transportation Board shall apply the test developed pursuant to subparagraph (A) in all of its informal and formal service complaint proceedings.

SA 4755. Mr. CASEY (for himself, Mr. CORNYN, and Mr. RUBIO) submitted an amendment intended to be proposed by him to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. 1064. NATIONAL CRITICAL CAPABILITIES REVIEWS.

(a) IN GENERAL.—The Trade Act of 1974 (19 U.S.C. 2101 et seq.) is amended by adding at the end the following:

“TITLE X—NATIONAL CRITICAL CAPABILITIES REVIEWS

“SEC. 1001. DEFINITIONS.

“In this title:

“(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ‘appropriate congressional committees’ means—

“(A) the Committee on Finance, the Committee on Armed Services, the Committee on Banking, Housing, and Urban Affairs, the Committee on Commerce, Science, and Transportation, the Committee on Health, Education, Labor, and Pensions, and the Committee on Homeland Security and Governmental Affairs of the Senate; and

“(B) the Committee on Ways and Means, the Committee on Armed Services, the Committee on Education and Labor, the Committee on Financial Services, the Committee on Homeland Security, and the Committee on Transportation and Infrastructure of the House of Representatives.

“(2) COMMITTEE.—The term ‘Committee’ means the Committee on National Critical Capabilities established under section 1002.

“(3) CONTROL.—The term ‘control’ means the power, direct or indirect, whether exercised or not exercised, to determine, direct, or decide important matters affecting an entity, subject to regulations prescribed by the Committee.

“(4) COUNTRY OF CONCERN.—The term ‘country of concern’—

“(A) has the meaning given the term ‘foreign adversary’ in section 8(c)(2) of the Secure and Trusted Communications Networks Act of 2019 (47 U.S.C. 1607(c)(2)); and

“(B) may include a nonmarket economy country (as defined in section 771(18) of the Tariff Act of 1930 (19 U.S.C. 1677(18))) identified by the Committee for purposes of this paragraph by regulation.

“(5) COVERED TRANSACTION.—

“(A) IN GENERAL.—Except as otherwise provided, the term ‘covered transaction’ means any of the following transactions, proposed or pending on or after the date of the enactment of this title:

“(i) Any transaction by a United States business that—

“(I) shifts or relocates to a country of concern, or transfers to an entity of concern, the design, development, production, manufacture, fabrication, supply, servicing, testing, management, operation, investment, ownership, or any other essential elements involving one or more national critical capabilities identified under subparagraph (B)(ii); or

“(II) could result in an unacceptable risk to a national critical capability.

“(i) Any other transaction, transfer, agreement, or arrangement, the structure of which is designed or intended to evade or circumvent the application of this title, subject to regulations prescribed by the Committee.

“(B) REGULATIONS.—

“(i) IN GENERAL.—The Committee shall prescribe regulations further defining the term ‘covered transaction’ in accordance with subchapter II of chapter 5, and chapter 7, of title 5, United States Code (commonly known as the ‘Administrative Procedure Act’).

“(ii) IDENTIFICATION OF NATIONAL CRITICAL CAPABILITIES.—For purposes of subparagraph (A)(I), the regulations prescribed by the Committee under clause (i) shall—

“(I) identify the national critical capabilities subject to that subparagraph based on criteria intended to limit application of that subparagraph to the subset of national critical capabilities that is likely to pose an unacceptable risk to the national security and crisis preparedness of the United States; and

“(II) enumerate, quantify, prioritize, and set forth sufficient allowances of, specific types and examples of such capabilities.

“(6) CRISIS PREPAREDNESS.—The term ‘crisis preparedness’ means preparedness for—

“(A) a public health emergency declared under section 319 of the Public Health Service Act (42 U.S.C. 247d); or

“(B) a major disaster declared under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170).

“(7) CRITICAL INFRASTRUCTURE.—The term ‘critical infrastructure’ means systems and assets, whether physical or virtual, so vital to the United States that the incapacity or destruction of such systems and assets would have a debilitating impact on national security, national economic security, national public health or safety, or any combination of those matters.

“(8) ENTITY OF CONCERN.—The term ‘entity of concern’ means an entity—

“(A) the ultimate parent entity of which is domiciled in a country of concern; or

“(B) that is directly or indirectly controlled by, owned by, or subject to the influence of a foreign person that has a substantial nexus with a country of concern.

“(9) FOREIGN ENTITY.—

“(A) IN GENERAL.—Except as provided by subparagraph (B), the term ‘foreign entity’ means any branch, partnership, group or sub-group, association, estate, trust, corporation or division of a corporation, or organization organized under the laws of a foreign country if—

“(i) its principal place of business is outside the United States; or

“(ii) its equity securities are primarily traded on one or more foreign exchanges.

“(B) EXCEPTION.—The term ‘foreign entity’ does not include any entity described in subparagraph (A) that can demonstrate that a majority of the equity interest in such entity is ultimately owned by nationals of the United States.

“(10) FOREIGN PERSON.—The term ‘foreign person’ means—

“(A) any foreign national, foreign government, or foreign entity;

“(B) any entity over which control is exercised or exercisable by a foreign national, foreign government, or foreign entity; or

“(C) any entity over which control is exercised or exercisable by a person described in subparagraph (A) or (B).

“(11) NATIONAL CRITICAL CAPABILITIES.—The term ‘national critical capabilities’, subject to regulations prescribed by the Committee—

“(A) means systems and assets, whether physical or virtual, so vital to the United States that the inability to develop such systems and assets or the incapacity or destruction of such systems or assets would have a debilitating impact on national security or crisis preparedness; and

“(B) includes the following:

“(i) The production, in sufficient quantities, of any of the following articles:

“(I) Medical supplies, medicines, and personal protective equipment.

“(II) Articles essential to the operation, manufacture, supply, service, or maintenance of critical infrastructure.

“(III) Articles critical to infrastructure construction after a natural or manmade disaster.

“(IV) Articles that are components of systems critical to the operation of weapons systems, intelligence collection systems, or items critical to the conduct of military or intelligence operations.

“(V) Any other articles identified in regulations prescribed under section 1007.

“(ii) Supply chains for the production of articles described in clause (i).

“(iii) Essential supply chains for the Department of Defense.

“(iv) Any other supply chains identified in regulations prescribed under section 1007.

“(v) Services critical to the production of articles described in clause (i) or a supply chain described in clause (ii), (iii), or (iv).

“(vi) Medical services.

“(vii) Services critical to the maintenance of critical infrastructure.

“(viii) Services critical to infrastructure construction after a natural or manmade disaster.

“(ix) Any other services identified in regulations prescribed under section 1007.

“(12) NATIONAL SECURITY.—The term ‘national security’ includes—

“(A) national security, as defined in section 721(a) of the Defense Production Act of 1950 (50 U.S.C. 4565(a));

“(B) national defense, as defined in section 702 of that Act (50 U.S.C. 4552); and

“(C) agricultural security and natural resources security.

“(13) PARTY.—The term ‘party’, with respect to a transaction, has the meaning given that term in regulations prescribed by the Committee.

“(14) UNITED STATES.—The term ‘United States’ means the several States, the District of Columbia, and any territory or possession of the United States.

“(15) UNITED STATES BUSINESS.—The term ‘United States business’ means a person engaged in interstate commerce in the United States.

“SEC. 1002. COMMITTEE ON NATIONAL CRITICAL CAPABILITIES.

“(a) IN GENERAL.—There is established a committee, to be known as the ‘Committee on National Critical Capabilities’, which shall carry out this title and such other assignments as the President may designate.

“(b) MEMBERSHIP.—

“(1) IN GENERAL.—The Committee shall be comprised of the head, or a designee of the head, of each of the following:

“(A) The Office of the United States Trade Representative.

“(B) The Department of Commerce.

“(C) The Office of Science and Technology Policy.

“(D) The Department of the Treasury.

“(E) The Department of Homeland Security.

“(F) The Department of Defense.

“(G) The Department of State.

“(H) The Department of Justice.

“(I) The Department of Energy.

“(J) The Department of Health and Human Services.

“(K) The Department of Agriculture.

“(L) The Department of Labor.

“(M) Any other Federal agency the President determines appropriate, generally or on a case-by-case basis.

“(2) EX OFFICIO MEMBERS.—

“(A) IN GENERAL.—In addition to the members of the Committee specified in paragraph (1), the following shall, except as provided in subparagraph (B), be nonvoting, ex officio members of the Committee:

“(i) The Director of National Intelligence.

“(ii) The Administrator of the Federal Emergency Management Agency.

“(iii) The Director of the National Institute of Standards and Technology.

“(iv) The Director of the Centers for Disease Control and Prevention.

“(v) The Director of the National Institute of Allergy and Infectious Diseases.

“(vi) The Chairperson of the Federal Communications Commission.

“(vii) The Chairperson of the Securities and Exchange Commission.

“(viii) The Chairperson of the Commodity Futures Trading Commission.

“(ix) The Administrator of the Federal Aviation Administration.

“(B) DESIGNATION AS VOTING MEMBERS.—The chairperson of the Committee may designate any of the officials specified in clauses (i) through (ix) of subparagraph (A) as voting members of the Committee.

“(c) CHAIRPERSON.—

“(1) IN GENERAL.—The United States Trade Representative shall serve as the chairperson of the Committee.

“(2) CONSULTATIONS WITH SECRETARIES OF DEFENSE AND COMMERCE.—In carrying out the duties of the chairperson of the Committee, the United States Trade Representative shall consult with the Secretary of Defense and the Secretary of Commerce.

“(d) DESIGNATION OF OFFICIALS TO CARRY OUT DUTIES RELATED TO COMMITTEE.—The head of each agency represented on the Committee shall designate an official, at or equivalent to the level of Assistant Secretary in the Department of the Treasury, who is appointed by the President, by and with the advice and consent of the Senate, to carry out such duties related to the Committee as the head of the agency may assign.

“SEC. 1003. REVIEW OF COVERED TRANSACTIONS.

“(a) MANDATORY NOTIFICATION.—A United States business that engages in a covered transaction shall submit a written notification of the transaction to the Committee.

“(b) REVIEW.—

“(1) IN GENERAL.—Not later than 60 days after receiving written notification under subsection (a) of a covered transaction, the Committee may—

“(A) review the transaction to determine if the transaction is likely to result in an unacceptable risk to one or more national critical capabilities, including by considering factors specified in section 1005; and

“(B) if the Committee determines under subparagraph (A) that the transaction poses a risk described in that subparagraph, make recommendations—

“(i) to the President for appropriate action that may be taken under this title or under other existing authorities to address or mitigate that risk; and

“(ii) to Congress for the establishment or expansion of Federal programs to support the production or supply of articles and services described in section 1001(a)(11)(B) in the United States.

“(2) UNILATERAL INITIATION OF REVIEW.—The Committee may initiate a review under paragraph (1) of a covered transaction for which written notification is not submitted under subsection (a).

“(3) INITIATION OF REVIEW BY REQUEST FROM CONGRESS.—The Committee shall initiate a review under paragraph (1) of a covered transaction if the chairperson and the ranking member of one of the appropriate congressional committees jointly request the Committee to review the transaction.

“(c) TREATMENT OF BUSINESS CONFIDENTIAL INFORMATION.—A United States business shall submit each notification required by subsection (a) to the Committee—

“(1) in a form that includes business confidential information; and

“(2) in a form that omits business confidential information and is appropriate for disclosure to the public.

“SEC. 1004. ACTION BY THE PRESIDENT.

“(a) IN GENERAL.—Subject to subsection (d), the President may take such action for such time as the President considers appropriate to address or mitigate any unacceptable risk posed by a covered transaction to one or more national critical capabilities, including suspending or prohibiting the covered transaction.

“(b) ANNOUNCEMENT BY THE PRESIDENT.—The President shall announce the decision on whether or not to take action pursuant to subsection (a) with respect to a covered transaction not later than 15 days after the date on which the review of the transaction under section 1003 is completed.

“(c) ENFORCEMENT.—The President may direct the Attorney General of the United States to seek appropriate relief, including

divestment relief, in the district courts of the United States, in order to implement and enforce this section.

“(d) FINDINGS OF THE PRESIDENT.—The President may exercise the authority conferred by subsection (a) to suspend or prohibit a covered transaction only if the President finds that—

“(1) there is credible evidence that leads the President to believe that the transaction poses an unacceptable risk to one or more national critical capabilities; and

“(2) provisions of law (other than this section) do not, in the judgment of the President, provide adequate and appropriate authority for the President to protect such capabilities.

“(e) FACTORS TO BE CONSIDERED.—For purposes of determining whether to take action under subsection (a), the President shall consider, among other factors, each of the factors described in section 1005, as appropriate.

“SEC. 1005. FACTORS TO BE CONSIDERED.

“The Committee, in reviewing and making a determination with respect to a covered transaction under section 1003, and the President, in determining whether to take action under section 1004 with respect to a covered transaction, shall consider any factors relating to national critical capabilities that the Committee or the President considers relevant, including—

“(1) the long-term strategic economic, national security, and crisis preparedness interests of the United States;

“(2) the history of distortive or predatory trade practices in each country in which a foreign person that is a party to the transaction is domiciled;

“(3) control and beneficial ownership (as determined in accordance with section 847 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116-92; 10 U.S.C. 2509 note)) of each foreign person that is a party to the transaction; and

“(4) impact on the domestic industry and resulting resiliency, including the domestic skills base, taking into consideration any pattern of foreign investment in the domestic industry.

“SEC. 1006. SUPPLY CHAIN SENSITIVITIES.

“The Committee shall determine the sensitivities and risks for sourcing of articles described in section 1001(a)(11)(B)(i), in accordance with the following:

“(1) The sourcing of least concern shall be articles the supply chains for which are housed in whole within countries that are allies of the United States.

“(2) The sourcing of greater concern shall be articles the supply chains for which are housed in part within countries of concern or from an entity of concern but for which substitute production is available from elsewhere at required scale.

“(3) The sourcing of greatest concern shall be articles the supply chains for which are housed wholly or in part in countries of concern or from an entity of concern and for which substitute production is unavailable elsewhere at required scale.

“SEC. 1007. IDENTIFICATION OF ADDITIONAL NATIONAL CRITICAL CAPABILITIES.

“(a) IN GENERAL.—The Committee should prescribe regulations to identify additional articles, supply chains, and services to recommend for inclusion in the definition of ‘national critical capabilities’ under section 1001(a)(11).

“(b) REVIEW OF INDUSTRIES.—

“(1) IN GENERAL.—In identifying under subsection (a) additional articles, supply chains, and services to recommend for inclusion in the definition of ‘national critical capabilities’ under section 1001(a)(11), the Committee should conduct a review of industries identified by Federal Emergency Management

Agency as carrying out emergency support functions, including the following industries:

- “(A) Energy.
- “(B) Medical.
- “(C) Communications, including electronic and communications components.
- “(D) Defense.
- “(E) Transportation.
- “(F) Aerospace, including space launch.
- “(G) Robotics.
- “(H) Artificial intelligence.
- “(I) Semiconductors.
- “(J) Shipbuilding.
- “(K) Water, including water purification.

“(2) **QUANTIFICATION.**—In conducting a review of industries under paragraph (1), the Committee should specify the quantity of articles, supply chains, and services, and specific types and examples of transactions, from each industry sufficient to maintain national critical capabilities.

“SEC. 1008. REPORTING REQUIREMENTS.

“(a) **ANNUAL REPORT TO CONGRESS.**—

“(1) **IN GENERAL.**—Not later than 90 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2022, and annually thereafter, the Committee shall submit to the appropriate congressional committees a report—

“(A) on the determination under section 1006 with respect to sensitivities and risks for sourcing of articles described in section 1001(a)(11)(B)(i);

“(B) assessing whether identification of additional national critical capabilities under section 1007 is necessary; and

“(C) describing, for the year preceding submission of the report—

“(i) the notifications received under subsection (a) of section 1003 and reviews conducted pursuant to such notifications;

“(ii) reviews initiated under paragraph (2) or (3) of subsection (b) of that section;

“(iii) actions recommended by the Committee under subsection (b)(1)(B) of that section as a result of such reviews; and

“(iv) reviews during which the Committee determined no action was required; and

“(D) assessing the overall impact of such reviews on national critical capabilities.

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

“(b) **USE OF DEFENSE PRODUCTION ACT OF 1950 AUTHORITIES.**—Not later than 180 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2022, the Committee shall submit to Congress a report that includes recommendations relating to use the authorities under title III of the Defense Production Act of 1950 (50 U.S.C. 4531 et seq.) to make investments to enhance national critical capabilities and reduce dependency on materials and services imported from foreign countries.

“SEC. 1009. REQUIREMENT FOR REGULATIONS.

“(a) **IN GENERAL.**—The Committee shall prescribe regulations to carry out this title.

“(b) **ELEMENTS.**—Regulations prescribed to carry out this title shall—

“(1) provide for the imposition of civil penalties for any violation of this title, including any mitigation agreement entered into, conditions imposed, or order issued pursuant to this title; and

“(2) include specific examples of the types of—

“(A) the transactions that will be considered to be covered transactions; and

“(B) the articles, supply chains, and services that will be considered to be national critical capabilities.

“(c) **COORDINATION.**—In prescribing regulations to carry out this title, the Committee shall coordinate with the United States Trade Representative, the Under Secretary

of Commerce for Industry and Security, and the Committee on Foreign Investment in the United States to avoid duplication of effort.

“SEC. 1010. REQUIREMENTS RELATED TO GOVERNMENT PROCUREMENT.

“(a) **IN GENERAL.**—Not later than 90 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2022, the Federal Acquisition Regulation shall be revised to require each person that is a prospective contractor for an executive agency to disclose the supply chains the person would use to carry out the contract and the extent to which the person would depend on articles and services imported from foreign countries, including the percentage of such materials and services imported from countries of concern.

“(b) **MATERIALITY.**—The head of an executive agency shall consider the failure of a person to make the disclosures required by subsection (a) to be material determinants in awarding a contract to that person.

“(c) **APPLICABILITY.**—The revisions to the Federal Acquisition Regulation required under subsection (a) shall apply with respect to contracts for which solicitations are issued on or after the date that is 90 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2022.

“(d) **DEFINITIONS.**—In this section:

“(1) **EXECUTIVE AGENCY.**—The term ‘executive agency’ has the meaning given that term in section 133 of title 41, United States Code.

“(2) **FEDERAL ACQUISITION REGULATION.**—The term ‘Federal Acquisition Regulation’ means the regulation issued pursuant to section 1303(a)(1) of title 41, United States Code.

“SEC. 1011. MULTILATERAL ENGAGEMENT AND COORDINATION.

“The United States Trade Representative—

“(1) should, in coordination and consultation with relevant Federal agencies, conduct multilateral engagement with the governments of countries that are allies of the United States to secure coordination of protocols and procedures with respect to covered transactions with countries of concern; and

“(2) upon adoption of protocols and procedures described in paragraph (1), shall work with those governments to establish information sharing regimes.

“SEC. 1012. AUTHORIZATION OF APPROPRIATIONS.

“There are authorized to be appropriated such sums as may be necessary to carry out this title, including to provide outreach to industry and persons affected by this title.

“SEC. 1013. RULE OF CONSTRUCTION WITH RESPECT TO FREE AND FAIR COMMERCE.

“Nothing in this title may be construed as prohibiting or limiting the free and fair flow of commerce outside of the United States that does not pose an unacceptable risk to a national critical capability.”

(b) **CLERICAL AMENDMENT.**—The table of contents for the Trade Act of 1974 is amended by adding at the end the following:

“TITLE X—NATIONAL CRITICAL CAPABILITIES REVIEWS

“Sec. 1001. Definitions.

“Sec. 1002. Committee on National Critical Capabilities.

“Sec. 1003. Review of covered transactions.

“Sec. 1004. Action by the President.

“Sec. 1005. Factors to be considered.

“Sec. 1006. Supply chain sensitivities.

“Sec. 1007. Identification of additional national critical capabilities.

“Sec. 1008. Reporting requirements.

“Sec. 1009. Requirement for regulations.

“Sec. 1010. Requirements related to government procurement.

“Sec. 1011. Multilateral engagement and coordination.

“Sec. 1012. Authorization of appropriations.

“Sec. 1013. Rule of construction with respect to free and fair commerce.”

SA 4756. Mrs. SHAHEEN (for herself and Mr. PORTMAN) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

Subtitle — Combating Synthetic Drugs

SEC. 01. SHORT TITLE.

This subtitle may be cited as the “Fighting Emerging Narcotics Through Additional Nations to Yield Lasting Results Act” or the “FENTANYL Results Act”.

SEC. 02. PRIORITIZATION OF EFFORTS OF THE DEPARTMENT OF STATE TO COMBAT INTERNATIONAL TRAFFICKING IN COVERED SYNTHETIC DRUGS.

(a) **IN GENERAL.**—The Secretary of State shall prioritize efforts of the Department of State to combat international trafficking of covered synthetic drugs by carrying out programs and activities to include the following:

(1) Supporting increased data collection by the United States and foreign countries through increased drug use surveys among populations, increased use of wastewater testing where appropriate, and multilateral sharing of that data.

(2) Engaging in increased consultation and partnership with international drug agencies, including the European Monitoring Centre for Drugs and Drug Addiction, regulatory agencies in foreign countries, and the United Nations Office on Drugs and Crime.

(3) Carrying out programs to provide technical assistance and equipment, as appropriate, to strengthen the capacity of foreign law enforcement agencies with respect to covered synthetic drugs, as required by section 03.

(4) Carrying out exchange programs for governmental and nongovernmental personnel in the United States and in foreign countries to provide educational and professional development on demand reduction matters relating to the illicit use of covered synthetic drugs and other drugs, as required by section 04.

(b) **REPORT.**—

(1) **IN GENERAL.**—Not later than one year after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees a report on the implementation of this section.

(2) **APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.**—In this subsection, the term “appropriate congressional committees” means—

(A) the Committee on Foreign Relations and the Committee on Appropriations of the Senate; and

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

SEC. 03. PROGRAM TO PROVIDE ASSISTANCE TO BUILD THE CAPACITY OF FOREIGN LAW ENFORCEMENT AGENCIES WITH RESPECT TO COVERED SYNTHETIC DRUGS.

(a) **IN GENERAL.**—Notwithstanding section 660 of the Foreign Assistance Act of 1961 (22

U.S.C. 2420), the Secretary of State shall establish a program to provide assistance to strengthen the capacity of law enforcement agencies of the countries described in subsection (c) to help such agencies to identify, track, and improve their forensics detection capabilities with respect to covered synthetic drugs.

(b) **PRIORITY.**—The Secretary of State shall prioritize technical assistance, and the provision of equipment, as appropriate, under subsection (a) among those countries described in subsection (c) in which such assistance and equipment would have the most impact in reducing illicit use of covered synthetic drugs in the United States.

(c) **COUNTRIES DESCRIBED.**—The foreign countries described in this subsection are—

(1) countries that are producers of covered synthetic drugs;

(2) countries whose pharmaceutical and chemical industries are known to be exploited for development or procurement of precursors of covered synthetic drugs; or

(3) major drug-transit countries for covered synthetic drugs as defined by the Secretary of State.

(d) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to the Secretary of State to carry out this section \$4,000,000 for each of the fiscal years 2022 through 2026. Such amounts shall be in addition to amounts otherwise available for such purposes.

SEC. 04. EXCHANGE PROGRAM ON DEMAND REDUCTION MATTERS RELATING TO ILLICIT USE OF COVERED SYNTHETIC DRUGS.

(a) **IN GENERAL.**—The Secretary of State shall establish or continue and strengthen, as appropriate, an exchange program for governmental and nongovernmental personnel in the United States and in foreign countries to provide educational and professional development on demand reduction matters relating to the illicit use of covered synthetic drugs and other drugs.

(b) **PROGRAM REQUIREMENTS.**—The program required by subsection (a)—

(1) shall be limited to individuals who have expertise and experience in matters described in subsection (a);

(2) in the case of inbound exchanges, may be carried out as part of exchange programs and international visitor programs administered by the Bureau of Educational and Cultural Affairs of the Department of State, including the International Visitor Leadership Program, in coordination with the Bureau of International Narcotics and Law Enforcement Affairs; and

(3) shall include outbound exchanges for governmental or nongovernmental personnel in the United States.

(c) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to the Secretary of State to carry out this section \$1,000,000 for each of fiscal years 2022 through 2026. Such amounts shall be in addition to amounts otherwise available for such purposes.

SEC. 05. AMENDMENTS TO INTERNATIONAL NARCOTICS CONTROL PROGRAM.

(a) **INTERNATIONAL NARCOTICS CONTROL STRATEGY REPORT.**—Section 489(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2291h(a)) is amended by inserting after paragraph (9) the following new paragraph:

“(10) **COVERED SYNTHETIC DRUGS AND NEW PSYCHOACTIVE SUBSTANCES.**—

“(A) **COVERED SYNTHETIC DRUGS.**—Information that contains an assessment of the countries significantly involved in the manufacture, production, transshipment, or trafficking of covered synthetic drugs, to include the following:

“(i) The scale of legal domestic production and any available information on the num-

ber of manufacturers and producers of such drugs in such countries.

“(ii) Information on any law enforcement assessments of the scale of illegal production of such drugs, including a description of the capacity of illegal laboratories to produce such drugs.

“(iii) The types of inputs used and a description of the primary methods of synthesis employed by illegal producers of such drugs.

“(iv) An assessment of the policies of such countries to regulate licit manufacture and interdict illicit manufacture, diversion, distribution, shipment, and trafficking of such drugs and an assessment of the effectiveness of the policies’ implementation.

“(B) **NEW PSYCHOACTIVE SUBSTANCES.**—Information on, to the extent practicable, any policies of responding to new psychoactive substances, to include the following:

“(i) Which governments have articulated policies on scheduling of such substances.

“(ii) Any data on impacts of such policies and other responses to such substances.

“(iii) An assessment of any policies the United States could adopt to improve its response to new psychoactive substances.

“(C) **DEFINITIONS.**—In this paragraph, the terms ‘covered synthetic drug’ and ‘new psychoactive substance’ have the meaning given those terms in section 07 of the FENTANYL Results Act.”.

(b) **DEFINITION OF MAJOR ILLICIT DRUG PRODUCING COUNTRY.**—Section 481(e) of the Foreign Assistance Act of 1961 (22 U.S.C. 2291(e)) is amended—

(1) in paragraph (2)—

(A) by striking “means a country in which—” and inserting the following: “means—

“(A) a country in which—”;

(B) by redesignating subparagraphs (A), (B), and (C) as clauses (i), (ii), and (iii), respectively, and moving such clauses, as so redesignated, two ems to the right;

(C) in subparagraph (A)(iii), as redesignated by this paragraph, by striking the semicolon at the end and inserting “; or”; and

(D) by adding at the end the following new subparagraph:

“(B) a country which is a significant direct source of covered synthetic drugs or psychotropic drugs or other controlled substances significantly affecting the United States;”;

(2) by amending paragraph (5) to read as follows:

“(5) the term ‘major drug-transit country’ means a country through which are transported covered synthetic drugs or psychotropic drugs or other controlled substances significantly affecting the United States;”;

(3) in paragraph (8), by striking the period at the end and inserting “; and”; and

(4) by adding at the end the following:

“(9) the term ‘covered synthetic drug’ has the meaning given that term in section 07 of the FENTANYL Results Act.”.

SEC. 06. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) the President should direct the United States Representative to the United Nations to use the voice, vote, and influence of the United States at the United Nations to advocate for more transparent assessments of countries by the International Narcotics Control Board; and

(2) bilateral, plurilateral, and multilateral international cooperation is essential to combating the trafficking of covered synthetic drugs.

SEC. 07. DEFINITIONS.

In this subtitle:

(1) **COVERED SYNTHETIC DRUG.**—The term “covered synthetic drug” means—

(A) a synthetic controlled substance (as defined in section 102(6) of the Controlled Sub-

stances Act (21 U.S.C. 802(6))), including fentanyl or a fentanyl analogue; or

(B) a new psychoactive substance.

(2) **NEW PSYCHOACTIVE SUBSTANCE.**—The term “new psychoactive substance” means a substance of abuse, or any preparation thereof, that—

(A) is not—

(i) included in any schedule as a controlled substance under the Controlled Substances Act (21 U.S.C. 801 et seq.); or

(ii) controlled by the Single Convention on Narcotic Drugs, done at New York March 30, 1961, or the Convention on Psychotropic Substances, done at Vienna February 21, 1971;

(B) is new or has reemerged on the illicit market; and

(C) poses a threat to the public health and safety.

SA 4757. Mr. BURR (for himself and Ms. KLOBUCHAR) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. [] J. REVISION OF STANDARD OCCUPATIONAL CLASSIFICATION SYSTEM.

The Director of the Office of Management and Budget shall, not later than 30 days after the date of enactment of this Act, categorize public safety telecommunicators as a protective service occupation under the Standard Occupational Classification System.

SA 4758. Mr. MARSHALL submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XII, add the following:

SEC. 1224. REPORT ON IRANIAN MILITARY CAPABILITIES.

(a) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the House of Representatives and the Senate a report that includes a detailed description of—

(1) improvements to Iranian military capabilities in the preceding 180-day period, including capabilities of the Islamic Revolutionary Guard Corps, the Quds Force, the Artesh, and the Basij, as well as those of its terrorist proxies; and

(2) the direct or indirect impact that the suspension, issuance, or revocation of any waiver, license, or suspension of economic sanctions on Iran may have on such capabilities.

(b) **FORM.**—The report required under subsection (a) shall be submitted in unclassified form but may contain a classified annex.

SA 4759. Mr. BROWN (for himself and Mr. PORTMAN) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title II, insert the following:

SEC. ____ . IDENTIFICATION OF, AND PLAN TO IMPROVE, HYPERSONICS FACILITIES AND CAPABILITIES FOR CONDUCTING TEST AND EVALUATION OF HYPERSONICS TECHNOLOGIES.

(a) IDENTIFICATION REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall—

(1) identify each facility and capability of the Major Range and Test Facility Base and facilities and capabilities of all Federal test facilities, including test facilities of the National Aeronautics and Space Administration, and private sector organizations that—

(A) are capable of conducting test and evaluation of hypersonics technologies; or

(B) provide other test and evaluation capabilities to support the development of hypersonics technologies; and

(2) not later than one year after the date of the enactment of this Act, provide to the congressional defense committees a briefing on a plan and schedule to improve the capabilities described in paragraph (1), including a description of proposed organizational changes, investments, policy changes, and other activities.

(b) MAJOR RANGE AND TEST FACILITY BASE DEFINED.—In this section, the term “Major Range and Test Facility Base” has the meaning given that term in section 196(i) of title 10, United States Code.

SA 4760. Mr. OSSOFF submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. ____ . NATIONAL EQUAL PAY ENFORCEMENT TASK FORCE.

(a) IN GENERAL.—There is established the National Equal Pay Enforcement Task Force, consisting of representatives from the Equal Employment Opportunity Commission, the Department of Justice, the Department of Labor, and the Office of Personnel Management.

(b) MISSION.—In order to improve compliance, public education, and enforcement of equal pay laws, the National Equal Pay Enforcement Task Force shall ensure that the agencies listed in subsection (a) are coordinating efforts and limiting potential gaps in enforcement.

(c) DUTIES.—The National Equal Pay Enforcement Task Force shall investigate challenges related to pay inequity pursuant to its mission in subsection (b), advance rec-

ommendations to address those challenges, and create action plans to implement the recommendations.

SA 4761. Mr. WARNOCK (for himself and Mr. RUBIO) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title III, add the following:

SEC. 376. REPORT ON INITIATIVES OF DEPARTMENT OF DEFENSE TO SOURCE LOCALLY AND REGIONALLY PRODUCED FOODS FOR INSTALLATIONS OF THE DEPARTMENT.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the appropriate committees of Congress a report detailing—

(1) efforts by the Department of Defense to establish and strengthen “farm to base” initiatives to source locally and regionally produced foods, including seafood, for consumption or distribution at installations of the Department;

(2) efforts by the Department to collaborate with relevant Federal agencies, including the Department of Veterans Affairs, the Department of Agriculture, and the Department of Commerce, in efforts to procure locally and regionally produced foods;

(3) current procurement practices of the Department of Defense regarding food for consumption or distribution at installations of the Department;

(4) opportunities where procurement of locally and regionally produced foods would be beneficial to members of the Armed Forces, their families, military readiness by improving health outcomes, and farmers near installations of the Department;

(5) barriers currently preventing the Department from increasing procurement of locally and regionally produced foods or preventing producers from partnering with nearby installations of the Department; and

(6) recommendations for how the Department can improve procurement practices to increase offerings of locally and regionally produced foods.

(b) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term “appropriate committees of Congress” means—

(1) the Committee on Armed Services, the Committee on Commerce, Science, and Transportation, and the Committee on Agriculture, Nutrition, and Forestry of the Senate; and

(2) the Committee on Armed Services, the Committee on Natural Resources, and the Committee on Agriculture of the House of Representatives.

SA 4762. Mr. WARNOCK submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal

year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title III, add the following:

SEC. 318. ANNUAL REPORT ON DEPLOYMENT OF PHOTOVOLTAIC DEVICES BY DEPARTMENT OF DEFENSE.

Section 2925 of title 10, United States Code, is amended by adding at the end the following new subsection:

“(c) ANNUAL REPORT RELATED TO DEPLOYMENT OF PHOTOVOLTAIC DEVICES.—(1) Simultaneous with the annual report required by subsection (a), the Secretary of Defense, acting through the Assistant Secretary of Defense for Energy, Installations, and Environment, shall submit to the congressional defense committees a report on the deployment of photovoltaic devices supporting the Department of Defense.

“(2) The annual report under this subsection shall include the following:

“(A) A description of all photovoltaic devices installed on property of the Department of Defense or in a facility owned by the Department of Defense, including the following information:

“(i) The location of each such device.

“(ii) The year each such device was installed.

“(iii) The power rating of each such device.

“(iv) The manufacturer of each such device.

“(v) The country or countries where such manufacturer and its affiliates are headquartered or conduct material operations.

“(vi) The country in which each such device was manufactured.

“(B) A description of all photovoltaic devices used to perform or support any non-expired energy savings performance contract (including under section 801 of the National Energy Conservation Policy Act (42 U.S.C. 8287)), utility service contract, land lease, private housing contract, contract entered into under section 2922a of this title, or other arrangement whereby an agency of the Department of Defense acquired for the use or benefit of the United States Government solar energy or solar energy attributes, which shall include the information set forth under clauses (i) through (vi) of subparagraph (A) with respect to each such device.

“(3) If multiple photovoltaic devices are deployed at a single site, the description of photovoltaic devices required under subparagraph (A) or (B) of paragraph (2) may be aggregated if such devices share in common the manufacturer, the country or countries where such manufacturer and its affiliates are headquartered or conduct material operations, and the country in which such devices were manufactured.

“(4) The annual report under this subsection shall include descriptions only of photovoltaic devices that are designed to be affixed to land or real property and shall not include portable photovoltaic devices.”.

SA 4763. Mr. CORNYN (for himself, Mr. RUBIO, Mrs. HYDE-SMITH, and Mr. BRAUN) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____ . TREATMENT OF EXEMPTIONS AND RECORDKEEPING UNDER FARA.

(a) **LIMITATION ON EXEMPTIONS.**—Section 3 of the Foreign Agents Registration Act of 1938, as amended (22 U.S.C. 613), is amended, in the matter preceding subsection (a), by inserting “, except that the exemptions under subsections (d)(1) and (h) shall not apply to any agent of a foreign principal that is included on the list maintained by the Assistant Secretary of Commerce for Communications and Information under section 5” before the colon.

(b) **BOOKS AND RECORDS.**—Section 5 of the Foreign Agents Registration Act of 1938, as amended (22 U.S.C. 615), is amended by adding at the end the following: “The Assistant Secretary of Commerce for Communications and Information shall establish a list of, and any relevant information relating to, each agent of a foreign principal that is a foreign adversary (as defined in section 8(c) of the Secure and Trusted Communications Networks Act of 2019 (47 U.S.C. 1607(c))). The Assistant Secretary of Commerce for Communications and Information shall update and maintain the list and any related information under this subsection as the Assistant Secretary determines to be necessary and appropriate.”

(c) **NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION PROGRAM MODIFICATION.**—Section 8(a)(2) of the Secure and Trusted Communications Networks Act of 2019 (47 U.S.C. 1607(a)(2)) is amended—

(1) in subparagraph (C)(ii), by striking “and” at the end;

(2) in subparagraph (D), by striking the period at the end and inserting “; and”;

(3) by adding at the end the following:

“(E) notwithstanding paragraph (3), periodically submit to the Attorney General a list of, and any relevant information relating to, each foreign adversary identified for purposes of the program.”

SA 4764. Mr. MENENDEZ (for himself and Mr. RISCH) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

DIVISION E—FEDERAL INFORMATION SECURITY MODERNIZATION ACT OF 2021
SEC. 5101. SHORT TITLE.

This division may be cited as the “Federal Information Security Modernization Act of 2021”.

SEC. 5102. DEFINITIONS.

In this division, unless otherwise specified:

(1) **ADDITIONAL CYBERSECURITY PROCEDURE.**—The term “additional cybersecurity procedure” has the meaning given the term in section 3552(b) of title 44, United States Code, as amended by this division.

(2) **AGENCY.**—The term “agency” has the meaning given the term in section 3502 of title 44, United States Code.

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

(A) the Committee on Homeland Security and Governmental Affairs of the Senate;

(B) the Committee on Oversight and Reform of the House of Representatives; and

(C) the Committee on Homeland Security of the House of Representatives.

(4) **DIRECTOR.**—The term “Director” means the Director of the Office of Management and Budget.

(5) **INCIDENT.**—The term “incident” has the meaning given the term in section 3552(b) of title 44, United States Code.

(6) **NATIONAL SECURITY SYSTEM.**—The term “national security system” has the meaning given the term in section 3552(b) of title 44, United States Code.

(7) **PENETRATION TEST.**—The term “penetration test” has the meaning given the term in section 3552(b) of title 44, United States Code, as amended by this division.

(8) **THREAT HUNTING.**—The term “threat hunting” means proactively and iteratively searching for threats to systems that evade detection by automated threat detection systems.

TITLE LI—UPDATES TO FISMA

SEC. 5121. TITLE 44 AMENDMENTS.

(a) **SUBCHAPTER I AMENDMENTS.**—Subchapter I of chapter 35 of title 44, United States Code, is amended—

(1) in section 3504—

(A) in subsection (a)(1)(B)—

(i) by striking clause (v) and inserting the following:

“(v) confidentiality, privacy, disclosure, and sharing of information;”;

(ii) by redesignating clause (vi) as clause (vii); and

(iii) by inserting after clause (v) the following:

“(vi) in consultation with the National Cyber Director and the Director of the Cybersecurity and Infrastructure Security Agency, security of information; and”;

(B) in subsection (g), by striking paragraph (1) and inserting the following:

“(1) develop, and in consultation with the Director of the Cybersecurity and Infrastructure Security Agency and the National Cyber Director, oversee the implementation of policies, principles, standards, and guidelines on privacy, confidentiality, security, disclosure and sharing of information collected or maintained by or for agencies; and”;

(2) in section 3505—

(A) in paragraph (3) of the first subsection designated as subsection (c)—

(i) in subparagraph (B)—

(I) by inserting “the Director of the Cybersecurity and Infrastructure Security Agency, the National Cyber Director, and” before “the Comptroller General”; and

(II) by striking “and” at the end;

(ii) in subparagraph (C)(v), by striking the period at the end and inserting “; and”;

(iii) by adding at the end the following:

“(D) maintained on a continual basis through the use of automation, machine-readable data, and scanning.”;

(B) by striking the second subsection designated as subsection (c);

(3) in section 3506—

(A) in subsection (b)(1)(C), by inserting “, availability” after “integrity”; and

(B) in subsection (h)(3), by inserting “security,” after “efficiency.”;

(4) in section 3513—

(A) by redesignating subsection (c) as subsection (d); and

(B) by inserting after subsection (b) the following:

“(c) Each agency providing a written plan under subsection (b) shall provide any portion of the written plan addressing information security or cybersecurity to the Director of the Cybersecurity and Infrastructure Security Agency.”.

(b) **SUBCHAPTER II DEFINITIONS.**—

(1) **IN GENERAL.**—Section 3552(b) of title 44, United States Code, is amended—

(A) by redesignating paragraphs (1), (2), (3), (4), (5), (6), and (7) as paragraphs (2), (3), (4), (5), (6), (9), and (11), respectively;

(B) by inserting before paragraph (2), as so redesignated, the following:

“(1) The term ‘additional cybersecurity procedure’ means a process, procedure, or other activity that is established in excess of the information security standards promulgated under section 11331(b) of title 40 to increase the security and reduce the cybersecurity risk of agency systems.”;

(C) by inserting after paragraph (6), as so redesignated, the following:

“(7) The term ‘high value asset’ means information or an information system that the head of an agency determines so critical to the agency that the loss or corruption of the information or the loss of access to the information system would have a serious impact on the ability of the agency to perform the mission of the agency or conduct business.

“(8) The term ‘major incident’ has the meaning given the term in guidance issued by the Director under section 3598(a).”;

(D) by inserting after paragraph (9), as so redesignated, the following:

“(10) The term ‘penetration test’ means a specialized type of assessment that—

“(A) is conducted on an information system or a component of an information system; and

“(B) emulates an attack or other exploitation capability of a potential adversary, typically under specific constraints, in order to identify any vulnerabilities of an information system or a component of an information system that could be exploited.”;

(E) by inserting after paragraph (11), as so redesignated, the following:

“(12) The term ‘shared service’ means a centralized business or mission capability that is provided to multiple organizations within an agency or to multiple agencies.”.

(2) **CONFORMING AMENDMENTS.**—

(A) **HOMELAND SECURITY ACT OF 2002.**—Section 1001(c)(1)(A) of the Homeland Security Act of 2002 (6 U.S.C. 511(1)(A)) is amended by striking “section 3552(b)(5)” and inserting “section 3552(b)”.

(B) **TITLE 10.**—

(i) **SECTION 2222.**—Section 2222(i)(8) of title 10, United States Code, is amended by striking “section 3552(b)(6)(A)” and inserting “section 3552(b)(9)(A)”.

(ii) **SECTION 2223.**—Section 2223(c)(3) of title 10, United States Code, is amended by striking “section 3552(b)(6)” and inserting “section 3552(b)”.

(iii) **SECTION 2315.**—Section 2315 of title 10, United States Code, is amended by striking “section 3552(b)(6)” and inserting “section 3552(b)”.

(iv) **SECTION 2339A.**—Section 2339a(e)(5) of title 10, United States Code, is amended by striking “section 3552(b)(6)” and inserting “section 3552(b)”.

(C) **HIGH-PERFORMANCE COMPUTING ACT OF 1991.**—Section 207(a) of the High-Performance Computing Act of 1991 (15 U.S.C. 5527(a)) is amended by striking “section 3552(b)(6)(A)(i)” and inserting “section 3552(b)(9)(A)(i)”.

(D) **INTERNET OF THINGS CYBERSECURITY IMPROVEMENT ACT OF 2020.**—Section 3(5) of the Internet of Things Cybersecurity Improvement Act of 2020 (15 U.S.C. 278g-3a) is amended by striking “section 3552(b)(6)” and inserting “section 3552(b)”.

(E) **NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2013.**—Section 933(e)(1)(B) of the National Defense Authorization Act for Fiscal Year 2013 (10 U.S.C. 2224 note) is amended by striking “section 3542(b)(2)” and inserting “section 3552(b)”.

(F) **IKE SKELTON NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2011.**—The Ike Skelton National Defense Authorization Act

for Fiscal Year 2011 (Public Law 111–383) is amended—

(i) in section 806(e)(5) (10 U.S.C. 2304 note), by striking “section 3542(b)” and inserting “section 3552(b)”;

(ii) in section 931(b)(3) (10 U.S.C. 2223 note), by striking “section 3542(b)(2)” and inserting “section 3552(b)”;

(iii) in section 932(b)(2) (10 U.S.C. 2224 note), by striking “section 3542(b)(2)” and inserting “section 3552(b)”.

(G) E-GOVERNMENT ACT OF 2002.—Section 301(c)(1)(A) of the E-Government Act of 2002 (44 U.S.C. 3501 note) is amended by striking “section 3542(b)(2)” and inserting “section 3552(b)”.

(H) NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY ACT.—Section 20 of the National Institute of Standards and Technology Act (15 U.S.C. 278g–3) is amended—

(i) in subsection (a)(2), by striking “section 3552(b)(5)” and inserting “section 3552(b)”;

and

(ii) in subsection (f)—

(I) in paragraph (3), by striking “section 3532(1)” and inserting “section 3552(b)”;

(II) in paragraph (5), by striking “section 3532(b)(2)” and inserting “section 3552(b)”.

(C) SUBCHAPTER II AMENDMENTS.—Subchapter II of chapter 35 of title 44, United States Code, is amended—

(1) in section 3551—

(A) in paragraph (4), by striking “diagnose and improve” and inserting “integrate, deliver, diagnose, and improve”;

(B) in paragraph (5), by striking “and” at the end;

(C) in paragraph (6), by striking the period at the end and inserting a semi colon; and

(D) by adding at the end the following:

“(7) recognize that each agency has specific mission requirements and, at times, unique cybersecurity requirements to meet the mission of the agency;

“(8) recognize that each agency does not have the same resources to secure agency systems, and an agency should not be expected to have the capability to secure the systems of the agency from advanced adversaries alone; and

“(9) recognize that a holistic Federal cybersecurity model is necessary to account for differences between the missions and capabilities of agencies.”;

(2) in section 3553—

(A) by striking the section heading and inserting “**Authority and functions of the Director and the Director of the Cybersecurity and Infrastructure Security Agency**”.

(B) in subsection (a)—

(i) in paragraph (1), by inserting “, in consultation with the Director of the Cybersecurity and Infrastructure Security Agency and the National Cyber Director,” before “overseeing”;

(ii) in paragraph (5), by striking “and” at the end; and

(iii) by adding at the end the following:

“(8) promoting, in consultation with the Director of the Cybersecurity and Infrastructure Security Agency and the Director of the National Institute of Standards and Technology—

“(A) the use of automation to improve Federal cybersecurity and visibility with respect to the implementation of Federal cybersecurity; and

“(B) the use of presumption of compromise and least privilege principles to improve resiliency and timely response actions to incidents on Federal systems.”;

(C) in subsection (b)—

(i) by striking the subsection heading and inserting “**CYBERSECURITY AND INFRASTRUCTURE SECURITY AGENCY**”;

(ii) in the matter preceding paragraph (1), by striking “The Secretary, in consultation with the Director” and inserting “The Direc-

tor of the Cybersecurity and Infrastructure Security Agency, in consultation with the Director and the National Cyber Director”;

(iii) in paragraph (2)—

(I) in subparagraph (A), by inserting “and reporting requirements under subchapter IV of this title” after “section 3556”; and

(II) in subparagraph (D), by striking “the Director or Secretary” and inserting “the Director of the Cybersecurity and Infrastructure Security Agency”;

(iv) in paragraph (5), by striking “coordinating” and inserting “leading the coordination of”;

(v) in paragraph (8), by striking “the Secretary’s discretion” and inserting “the Director of the Cybersecurity and Infrastructure Security Agency’s discretion”; and

(vi) in paragraph (9), by striking “as the Director or the Secretary, in consultation with the Director,” and inserting “as the Director of the Cybersecurity and Infrastructure Security Agency”;

(D) in subsection (c)—

(i) in the matter preceding paragraph (1), by striking “each year” and inserting “each year during which agencies are required to submit reports under section 3554(c)”;

(ii) by striking paragraph (1);

(iii) by redesignating paragraphs (2), (3), and (4) as paragraphs (1), (2), and (3), respectively;

(iv) in paragraph (3), as so redesignated, by striking “and” at the end;

(v) by inserting after paragraph (3), as so redesignated the following:

“(4) a summary of each assessment of Federal risk posture performed under subsection (i);”;

(vi) in paragraph (5), by striking the period at the end and inserting “; and”;

(E) by redesignating subsections (i), (j), (k), and (l) as subsections (j), (k), (l), and (m) respectively;

(F) by inserting after subsection (h) the following:

“(i) **FEDERAL RISK ASSESSMENTS.**—On an ongoing and continuous basis, the Director of the Cybersecurity and Infrastructure Security Agency shall perform assessments of Federal risk posture using any available information on the cybersecurity posture of agencies, and brief the Director and National Cyber Director on the findings of those assessments including—

“(1) the status of agency cybersecurity remedial actions described in section 3554(b)(7);

“(2) any vulnerability information relating to the systems of an agency that is known by the agency;

“(3) analysis of incident information under section 3597;

“(4) evaluation of penetration testing performed under section 3559A;

“(5) evaluation of vulnerability disclosure program information under section 3559B;

“(6) evaluation of agency threat hunting results;

“(7) evaluation of Federal and non-Federal cyber threat intelligence;

“(8) data on agency compliance with standards issued under section 11331 of title 40;

“(9) agency system risk assessments performed under section 3554(a)(1)(A); and

“(10) any other information the Director of the Cybersecurity and Infrastructure Security Agency determines relevant.”;

(G) in subsection (j), as so redesignated—

(i) by striking “regarding the specific” and inserting “that includes a summary of—

“(1) the specific”;

(ii) in paragraph (1), as so designated, by striking the period at the end and inserting “; and” and

(iii) by adding at the end the following:

“(2) the trends identified in the Federal risk assessment performed under subsection (i).”;

(H) by adding at the end the following:

“(n) **BINDING OPERATIONAL DIRECTIVES.**—If the Director of the Cybersecurity and Infrastructure Security Agency issues a binding operational directive or an emergency directive under this section, not later than 2 days after the date on which the binding operational directive requires an agency to take an action, the Director of the Cybersecurity and Infrastructure Security Agency shall provide to the appropriate reporting entities the status of the implementation of the binding operational directive at the agency.”;

(3) in section 3554—

(A) in subsection (a)—

(i) in paragraph (1)—

(I) by redesignating subparagraphs (A), (B), and (C) as subparagraphs (B), (C), and (D), respectively;

(II) by inserting before subparagraph (B), as so redesignated, the following:

“(A) on an ongoing and continuous basis, performing agency system risk assessments that—

“(i) identify and document the high value assets of the agency using guidance from the Director;

“(ii) evaluate the data assets inventoried under section 3511 for sensitivity to compromises in confidentiality, integrity, and availability;

“(iii) identify agency systems that have access to or hold the data assets inventoried under section 3511;

“(iv) evaluate the threats facing agency systems and data, including high value assets, based on Federal and non-Federal cyber threat intelligence products, where available;

“(v) evaluate the vulnerability of agency systems and data, including high value assets, including by analyzing—

“(I) the results of penetration testing performed by the Department of Homeland Security under section 3553(b)(9);

“(II) the results of penetration testing performed under section 3559A;

“(III) information provided to the agency through the vulnerability disclosure program of the agency under section 3559B;

“(IV) incidents; and

“(V) any other vulnerability information relating to agency systems that is known to the agency;

“(vi) assess the impacts of potential agency incidents to agency systems, data, and operations based on the evaluations described in clauses (ii) and (iv) and the agency systems identified under clause (iii); and

“(vii) assess the consequences of potential incidents occurring on agency systems that would impact systems at other agencies, including due to interconnectivity between different agency systems or operational reliance on the operations of the system or data in the system.”;

(III) in subparagraph (B), as so redesignated, in the matter preceding clause (i), by striking “providing information” and inserting “using information from the assessment conducted under subparagraph (A), providing, in consultation with the Director of the Cybersecurity and Infrastructure Security Agency, information”;

(IV) in subparagraph (C), as so redesignated—

(aa) in clause (ii) by inserting “binding” before “operational”; and

(bb) in clause (vi), by striking “and” at the end; and

(V) by adding at the end the following:

“(E) providing an update on the ongoing and continuous assessment performed under subparagraph (A)—

“(i) upon request, to the inspector general of the agency or the Comptroller General of the United States; and

“(ii) on a periodic basis, as determined by guidance issued by the Director but not less frequently than annually, to—

“(I) the Director;
 “(II) the Director of the Cybersecurity and Infrastructure Security Agency; and
 “(III) the National Cyber Director;
 “(F) in consultation with the Director of the Cybersecurity and Infrastructure Security Agency and not less frequently than once every 3 years, performing an evaluation of whether additional cybersecurity procedures are appropriate for securing a system of, or under the supervision of, the agency, which shall—

“(i) be completed considering the agency system risk assessment performed under subparagraph (A); and

“(ii) include a specific evaluation for high value assets;

“(G) not later than 30 days after completing the evaluation performed under subparagraph (F), providing the evaluation and an implementation plan, if applicable, for using additional cybersecurity procedures determined to be appropriate to—

“(i) the Director of the Cybersecurity and Infrastructure Security Agency;

“(ii) the Director; and

“(iii) the National Cyber Director; and

“(H) if the head of the agency determines there is need for additional cybersecurity procedures, ensuring that those additional cybersecurity procedures are reflected in the budget request of the agency in accordance with the risk-based cyber budget model developed pursuant to section 3553(a)(7);”;

(i) in paragraph (2)—

(I) in subparagraph (A), by inserting “in accordance with the agency system risk assessment performed under paragraph (1)(A)” after “information systems”;

(II) in subparagraph (B)—

(aa) by striking “in accordance with standards” and inserting “in accordance with—

“(i) standards”; and

(bb) by adding at the end the following:

“(ii) the evaluation performed under paragraph (1)(F); and

“(iii) the implementation plan described in paragraph (1)(G);”;

(III) in subparagraph (D), by inserting “, through the use of penetration testing, the vulnerability disclosure program established under section 3559B, and other means,” after “periodically”;

(iii) in paragraph (3)—

(I) in subparagraph (A)—

(aa) in clause (iii), by striking “and” at the end;

(bb) in clause (iv), by adding “and” at the end; and

(cc) by adding at the end the following:

“(v) ensure that—

“(I) senior agency information security officers of component agencies carry out responsibilities under this subchapter, as directed by the senior agency information security officer of the agency or an equivalent official; and

“(II) senior agency information security officers of component agencies report to—

“(aa) the senior information security officer of the agency or an equivalent official; and

“(bb) the Chief Information Officer of the component agency or an equivalent official;”;

(iv) in paragraph (5), by inserting “and the Director of the Cybersecurity and Infrastructure Security Agency” before “on the effectiveness”;

(B) in subsection (b)—

(i) by striking paragraph (1) and inserting the following:

“(1) pursuant to subsection (a)(1)(A), performing ongoing and continuous agency system risk assessments, which may include

using guidelines and automated tools consistent with standards and guidelines promulgated under section 11331 of title 40, as applicable;”;

(i) in paragraph (2)—

(I) by striking subparagraph (B) and inserting the following:

“(B) comply with the risk-based cyber budget model developed pursuant to section 3553(a)(7);”;

(II) in subparagraph (D)—

(aa) by redesignating clauses (iii) and (iv) as clauses (iv) and (v), respectively;

(bb) by inserting after clause (ii) the following:

“(iii) binding operational directives and emergency directives promulgated by the Director of the Cybersecurity and Infrastructure Security Agency under section 3553;”;

and

(cc) in clause (iv), as so redesignated, by striking “as determined by the agency; and” and inserting “as determined by the agency, considering—

“(I) the agency risk assessment performed under subsection (a)(1)(A); and

“(II) the determinations of applying more stringent standards and additional cybersecurity procedures pursuant to section 11331(c)(1) of title 40; and”;

(iii) in paragraph (5)(A), by inserting “, including penetration testing, as appropriate,” after “shall include testing”;

(iv) in paragraph (6), by striking “planning, implementing, evaluating, and documenting” and inserting “planning and implementing and, in consultation with the Director of the Cybersecurity and Infrastructure Security Agency, evaluating and documenting”;

(v) by redesignating paragraphs (7) and (8) as paragraphs (8) and (9), respectively;

(vi) by inserting after paragraph (6) the following:

“(7) a process for providing the status of every remedial action and known system vulnerability to the Director and the Director of the Cybersecurity and Infrastructure Security Agency, using automation and machine-readable data to the greatest extent practicable;”;

(vii) in paragraph (8)(C), as so redesignated—

(I) by striking clause (ii) and inserting the following:

“(ii) notifying and consulting with the Federal information security incident center established under section 3556 pursuant to the requirements of section 3594;”;

(II) by redesignating clause (iii) as clause (iv);

(III) by inserting after clause (ii) the following:

“(iii) performing the notifications and other activities required under subchapter IV of this title; and”;

(IV) in clause (iv), as so redesignated—

(aa) in subclause (I), by striking “and relevant offices of inspectors general”;

(bb) in subclause (II), by adding “and” at the end;

(cc) by striking subclause (III); and

(dd) by redesignating subclause (IV) as subclause (III);

(C) in subsection (c)—

(i) by redesignating paragraph (2) as paragraph (5);

(ii) by striking paragraph (1) and inserting the following:

“(1) BIENNIAL REPORT.—Not later than 2 years after the date of enactment of the Federal Information Security Modernization Act of 2021 and not less frequently than once every 2 years thereafter, using the continuous and ongoing agency system risk assessment under subsection (a)(1)(A), the head of each agency shall submit to the Director, the Director of the Cybersecurity and Infra-

structure Security Agency, the majority and minority leaders of the Senate, the Speaker and minority leader of the House of Representatives, the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Oversight and Reform of the House of Representatives, the Committee on Homeland Security of the House of Representatives, the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Science, Space, and Technology of the House of Representatives, the appropriate authorization and appropriations committees of Congress, the National Cyber Director, and the Comptroller General of the United States a report that—

“(A) summarizes the agency system risk assessment performed under subsection (a)(1)(A);

“(B) evaluates the adequacy and effectiveness of information security policies, procedures, and practices of the agency to address the risks identified in the agency system risk assessment performed under subsection (a)(1)(A), including an analysis of the agency’s cybersecurity and incident response capabilities using the metrics established under section 224(c) of the Cybersecurity Act of 2015 (6 U.S.C. 1522(c));

“(C) summarizes the evaluation and implementation plans described in subparagraphs (F) and (G) of subsection (a)(1) and whether those evaluation and implementation plans call for the use of additional cybersecurity procedures determined to be appropriate by the agency; and

“(D) summarizes the status of remedial actions identified by inspector general of the agency, the Comptroller General of the United States, and any other source determined appropriate by the head of the agency.

“(2) UNCLASSIFIED REPORTS.—Each report submitted under paragraph (1)—

“(A) shall be, to the greatest extent practicable, in an unclassified and otherwise uncontrolled form; and

“(B) may include a classified annex.

“(3) ACCESS TO INFORMATION.—The head of an agency shall ensure that, to the greatest extent practicable, information is included in the unclassified form of the report submitted by the agency under paragraph (2)(A).

“(4) BRIEFINGS.—During each year during which a report is not required to be submitted under paragraph (1), the Director shall provide to the congressional committees described in paragraph (1) a briefing summarizing current agency and Federal risk postures.”;

(iii) in paragraph (5), as so redesignated, by inserting “including the reporting procedures established under section 11315(d) of title 40 and subsection (a)(3)(A)(v) of this section”; and

(D) in subsection (d)(1), in the matter preceding subparagraph (A), by inserting “and the Director of the Cybersecurity and Infrastructure Security Agency” after “the Director”; and

(4) in section 3555—

(A) in the section heading, by striking “ANNUAL INDEPENDENT” and inserting “INDEPENDENT”;

(B) in subsection (a)—

(i) in paragraph (1), by inserting “during which a report is required to be submitted under section 3553(c),” after “Each year”; and

(ii) in paragraph (2)(A), by inserting “, including by penetration testing and analyzing the vulnerability disclosure program of the agency” after “information systems”; and

(iii) by adding at the end the following:

“(3) An evaluation under this section may include recommendations for improving the cybersecurity posture of the agency.”;

(C) in subsection (b)(1), by striking “annual”;

(D) in subsection (e)(1), by inserting “during which a report is required to be submitted under section 3553(c)” after “Each year”;

(E) by striking subsection (f) and inserting the following:

“(f) PROTECTION OF INFORMATION.—(1) Agencies, evaluators, and other recipients of information that, if disclosed, may cause grave harm to the efforts of Federal information security officers shall take appropriate steps to ensure the protection of that information, including safeguarding the information from public disclosure.

“(2) The protections required under paragraph (1) shall be commensurate with the risk and comply with all applicable laws and regulations.

“(3) With respect to information that is not related to national security systems, agencies and evaluators shall make a summary of the information unclassified and publicly available, including information that does not identify—

“(A) specific information system incidents; or

“(B) specific information system vulnerabilities.”;

(F) in subsection (g)(2)—

(i) by striking “this subsection shall” and inserting “this subsection—

“(A) shall”;

(ii) in subparagraph (A), as so designated, by striking the period at the end and inserting “; and”;

(iii) by adding at the end the following:

“(B) identify any entity that performs an independent evaluation under subsection (b).”;

(G) by striking subsection (j) and inserting the following:

“(j) GUIDANCE.—

“(1) IN GENERAL.—The Director, in consultation with the Director of the Cybersecurity and Infrastructure Security Agency, the Chief Information Officers Council, the Council of the Inspectors General on Integrity and Efficiency, and other interested parties as appropriate, shall ensure the development of guidance for evaluating the effectiveness of an information security program and practices

“(2) PRIORITIES.—The guidance developed under paragraph (1) shall prioritize the identification of—

“(A) the most common threat patterns experienced by each agency;

“(B) the security controls that address the threat patterns described in subparagraph (A); and

“(C) any other security risks unique to the networks of each agency.”;

(5) in section 3556(a)—

(A) in the matter preceding paragraph (1), by inserting “within the Cybersecurity and Infrastructure Security Agency” after “incident center”;

(B) in paragraph (4), by striking “3554(b)” and inserting “3554(a)(1)(A)”.

(d) CONFORMING AMENDMENTS.—

(1) TABLE OF SECTIONS.—The table of sections for chapter 35 of title 44, United States Code, is amended—

(A) by striking the item relating to section 3553 and inserting the following:

“3553. Authority and functions of the Director and the Director of the Cybersecurity and Infrastructure Security Agency.”; and

(B) by striking the item relating to section 3555 and inserting the following:

“3555. Independent evaluation.”.

(2) OMB REPORTS.—Section 226(c) of the Cybersecurity Act of 2015 (6 U.S.C. 1524(c)) is amended—

(A) in paragraph (1)(B), in the matter preceding clause (i), by striking “annually

thereafter” and inserting “thereafter during the years during which a report is required to be submitted under section 3553(c) of title 44, United States Code”; and

(B) in paragraph (2)(B), in the matter preceding clause (i)—

(i) by striking “annually thereafter” and inserting “thereafter during the years during which a report is required to be submitted under section 3553(c) of title 44, United States Code”; and

(ii) by striking “the report required under section 3553(c) of title 44, United States Code” and inserting “that report”.

(3) NIST RESPONSIBILITIES.—Section 20(d)(3)(B) of the National Institute of Standards and Technology Act (15 U.S.C. 278g-3(d)(3)(B)) is amended by striking “annual”.

(e) FEDERAL SYSTEM INCIDENT RESPONSE.—(1) IN GENERAL.—Chapter 35 of title 44, United States Code, is amended by adding at the end the following:

“SUBCHAPTER IV—FEDERAL SYSTEM INCIDENT RESPONSE

“§ 3591. Definitions

“(a) IN GENERAL.—Except as provided in subsection (b), the definitions under sections 3502 and 3552 shall apply to this subchapter.

“(b) ADDITIONAL DEFINITIONS.—As used in this subchapter:

“(1) APPROPRIATE REPORTING ENTITIES.—The term ‘appropriate reporting entities’ means—

“(A) the majority and minority leaders of the Senate;

“(B) the Speaker and minority leader of the House of Representatives;

“(C) the Committee on Homeland Security and Governmental Affairs of the Senate;

“(D) the Committee on Oversight and Reform of the House of Representatives;

“(E) the Committee on Homeland Security of the House of Representatives;

“(F) the appropriate authorization and appropriations committees of Congress;

“(G) the Director;

“(H) the Director of the Cybersecurity and Infrastructure Security Agency;

“(I) the National Cyber Director;

“(J) the Comptroller General of the United States; and

“(K) the inspector general of any impacted agency.

“(2) AWARDEE.—The term ‘awardee’—

“(A) means a person, business, or other entity that receives a grant from, or is a party to a cooperative agreement or an other transaction agreement with, an agency; and

“(B) includes any subgrantee of a person, business, or other entity described in subparagraph (A).

“(3) BREACH.—The term ‘breach’ means—

“(A) a compromise of the security, confidentiality, or integrity of data in electronic form that results in unauthorized access to, or an acquisition of, personal information; or

“(B) a loss of data in electronic form that results in unauthorized access to, or an acquisition of, personal information.

“(4) CONTRACTOR.—The term ‘contractor’ means—

“(A) a prime contractor of an agency or a subcontractor of a prime contractor of an agency; and

“(B) any person or business that collects or maintains information, including personally identifiable information, on behalf of an agency.

“(5) FEDERAL INFORMATION.—The term ‘Federal information’ means information created, collected, processed, maintained, disseminated, disclosed, or disposed of by or for the Federal Government in any medium or form.

“(6) FEDERAL INFORMATION SYSTEM.—The term ‘Federal information system’ means an

information system used or operated by an agency, a contractor, an awardee, or another organization on behalf of an agency.

“(7) INTELLIGENCE COMMUNITY.—The term ‘intelligence community’ has the meaning given the term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

“(8) NATIONWIDE CONSUMER REPORTING AGENCY.—The term ‘nationwide consumer reporting agency’ means a consumer reporting agency described in section 603(p) of the Fair Credit Reporting Act (15 U.S.C. 1681a(p)).

“(9) VULNERABILITY DISCLOSURE.—The term ‘vulnerability disclosure’ means a vulnerability identified under section 3559B.

“§ 3592. Notification of breach

“(a) NOTIFICATION.—As expeditiously as practicable and without unreasonable delay, and in any case not later than 45 days after an agency has a reasonable basis to conclude that a breach has occurred, the head of the agency, in consultation with a senior privacy officer of the agency, shall—

“(1) determine whether notice to any individual potentially affected by the breach is appropriate based on an assessment of the risk of harm to the individual that considers—

“(A) the nature and sensitivity of the personally identifiable information affected by the breach;

“(B) the likelihood of access to and use of the personally identifiable information affected by the breach;

“(C) the type of breach; and

“(D) any other factors determined by the Director; and

“(2) as appropriate, provide written notice in accordance with subsection (b) to each individual potentially affected by the breach—

“(A) to the last known mailing address of the individual; or

“(B) through an appropriate alternative method of notification that the head of the agency or a designated senior-level individual of the agency selects based on factors determined by the Director.

“(b) CONTENTS OF NOTICE.—Each notice of a breach provided to an individual under subsection (a)(2) shall include—

“(1) a brief description of the rationale for the determination that notice should be provided under subsection (a);

“(2) if possible, a description of the types of personally identifiable information affected by the breach;

“(3) contact information of the agency that may be used to ask questions of the agency, which—

“(A) shall include an e-mail address or another digital contact mechanism; and

“(B) may include a telephone number or a website;

“(4) information on any remedy being offered by the agency;

“(5) any applicable educational materials relating to what individuals can do in response to a breach that potentially affects their personally identifiable information, including relevant contact information for Federal law enforcement agencies and each nationwide consumer reporting agency; and

“(6) any other appropriate information, as determined by the head of the agency or established in guidance by the Director.

“(c) DELAY OF NOTIFICATION.—

“(1) IN GENERAL.—The Attorney General, the Director of National Intelligence, or the Secretary of Homeland Security may delay a notification required under subsection (a) if the notification would—

“(A) impede a criminal investigation or a national security activity;

“(B) reveal sensitive sources and methods;

“(C) cause damage to national security; or

“(D) hamper security remediation actions.

“(2) DOCUMENTATION.—

“(A) IN GENERAL.—Any delay under paragraph (1) shall be reported in writing to the Director, the Attorney General, the Director of National Intelligence, the Secretary of Homeland Security, the Director of the Cybersecurity and Infrastructure Security Agency, and the head of the agency and the inspector general of the agency that experienced the breach.

“(B) CONTENTS.—A report required under subparagraph (A) shall include a written statement from the entity that delayed the notification explaining the need for the delay.

“(C) FORM.—The report required under subparagraph (A) shall be unclassified but may include a classified annex.

“(3) RENEWAL.—A delay under paragraph (1) shall be for a period of 60 days and may be renewed.

“(d) UPDATE NOTIFICATION.—If an agency determines there is a significant change in the reasonable basis to conclude that a breach occurred, a significant change to the determination made under subsection (a)(1), or that it is necessary to update the details of the information provided to impacted individuals as described in subsection (b), the agency shall as expeditiously as practicable and without unreasonable delay, and in any case not later than 30 days after such a determination, notify each individual who received a notification pursuant to subsection (a) of those changes.

“(e) EXEMPTION FROM NOTIFICATION.—

“(1) IN GENERAL.—The head of an agency, in consultation with the inspector general of the agency, may request an exemption from the Director from complying with the notification requirements under subsection (a) if the information affected by the breach is determined by an independent evaluation to be unreadable, including, as appropriate, instances in which the information is—

“(A) encrypted; and

“(B) determined by the Director of the Cybersecurity and Infrastructure Security Agency to be of sufficiently low risk of exposure.

“(2) APPROVAL.—The Director shall determine whether to grant an exemption requested under paragraph (1) in consultation with—

“(A) the Director of the Cybersecurity and Infrastructure Security Agency; and

“(B) the Attorney General.

“(3) DOCUMENTATION.—Any exemption granted by the Director under paragraph (1) shall be reported in writing to the head of the agency and the inspector general of the agency that experienced the breach and the Director of the Cybersecurity and Infrastructure Security Agency.

“(f) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to limit—

“(1) the Director from issuing guidance relating to notifications or the head of an agency from notifying individuals potentially affected by breaches that are not determined to be major incidents; or

“(2) the Director from issuing guidance relating to notifications of major incidents or the head of an agency from providing more information than described in subsection (b) when notifying individuals potentially affected by breaches.

“§ 3593. Congressional and Executive Branch reports

“(a) INITIAL REPORT.—

“(1) IN GENERAL.—Not later than 72 hours after an agency has a reasonable basis to conclude that a major incident occurred, the head of the agency impacted by the major incident shall submit to the appropriate reporting entities a written report and, to the extent practicable, provide a briefing to the Committee on Homeland Security and Gov-

ernmental Affairs of the Senate, the Committee on Oversight and Reform of the House of Representatives, the Committee on Homeland Security of the House of Representatives, and the appropriate authorization and appropriations committees of Congress, taking into account—

“(A) the information known at the time of the report;

“(B) the sensitivity of the details associated with the major incident; and

“(C) the classification level of the information contained in the report.

“(2) CONTENTS.—A report required under paragraph (1) shall include, in a manner that excludes or otherwise reasonably protects personally identifiable information and to the extent permitted by applicable law, including privacy and statistical laws—

“(A) a summary of the information available about the major incident, including how the major incident occurred, information indicating that the major incident may be a breach, and information relating to the major incident as a breach, based on information available to agency officials as of the date on which the agency submits the report;

“(B) if applicable, a description and any associated documentation of any circumstances necessitating a delay in or exemption to notification to individuals potentially affected by the major incident under subsection (c) or (e) of section 3592; and

“(C) if applicable, an assessment of the impacts to the agency, the Federal Government, or the security of the United States, based on information available to agency officials on the date on which the agency submits the report.

“(b) SUPPLEMENTAL REPORT.—Within a reasonable amount of time, but not later than 30 days after the date on which an agency submits a written report under subsection (a), the head of the agency shall provide to the appropriate reporting entities written updates on the major incident and, to the extent practicable, provide a briefing to the congressional committees described in subsection (a)(1), including summaries of—

“(1) vulnerabilities, means by which the major incident occurred, and impacts to the agency relating to the major incident;

“(2) any risk assessment and subsequent risk-based security implementation of the affected information system before the date on which the major incident occurred;

“(3) the status of compliance of the affected information system with applicable security requirements at the time of the major incident;

“(4) an estimate of the number of individuals potentially affected by the major incident based on information available to agency officials as of the date on which the agency provides the update;

“(5) an assessment of the risk of harm to individuals potentially affected by the major incident based on information available to agency officials as of the date on which the agency provides the update;

“(6) an update to the assessment of the risk to agency operations, or to impacts on other agency or non-Federal entity operations, affected by the major incident based on information available to agency officials as of the date on which the agency provides the update; and

“(7) the detection, response, and remediation actions of the agency, including any support provided by the Cybersecurity and Infrastructure Security Agency under section 3594(d) and status updates on the notification process described in section 3592(a), including any delay or exemption described in subsection (c) or (e), respectively, of section 3592, if applicable.

“(c) UPDATE REPORT.—If the agency determines that there is any significant change in

the understanding of the agency of the scope, scale, or consequence of a major incident for which an agency submitted a written report under subsection (a), the agency shall provide an updated report to the appropriate reporting entities that includes information relating to the change in understanding.

“(d) ANNUAL REPORT.—Each agency shall submit as part of the annual report required under section 3554(c)(1) of this title a description of each major incident that occurred during the 1-year period preceding the date on which the report is submitted.

“(e) DELAY AND EXEMPTION REPORT.—

“(1) IN GENERAL.—The Director shall submit to the appropriate notification entities an annual report on all notification delays and exemptions granted pursuant to subsections (c) and (d) of section 3592.

“(2) COMPONENT OF OTHER REPORT.—The Director may submit the report required under paragraph (1) as a component of the annual report submitted under section 3597(b).

“(f) REPORT DELIVERY.—Any written report required to be submitted under this section may be submitted in a paper or electronic format.

“(g) THREAT BRIEFING.—

“(1) IN GENERAL.—Not later than 7 days after the date on which an agency has a reasonable basis to conclude that a major incident occurred, the head of the agency, jointly with the National Cyber Director and any other Federal entity determined appropriate by the National Cyber Director, shall provide a briefing to the congressional committees described in subsection (a)(1) on the threat causing the major incident.

“(2) COMPONENTS.—The briefing required under paragraph (1)—

“(A) shall, to the greatest extent practicable, include an unclassified component; and

“(B) may include a classified component.

“(h) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to limit—

“(1) the ability of an agency to provide additional reports or briefings to Congress; or

“(2) Congress from requesting additional information from agencies through reports, briefings, or other means.

“§ 3594. Government information sharing and incident response

“(a) IN GENERAL.—

“(1) INCIDENT REPORTING.—The head of each agency shall provide any information relating to any incident, whether the information is obtained by the Federal Government directly or indirectly, to the Cybersecurity and Infrastructure Security Agency and the Office of Management and Budget.

“(2) CONTENTS.—A provision of information relating to an incident made by the head of an agency under paragraph (1) shall—

“(A) include detailed information about the safeguards that were in place when the incident occurred;

“(B) whether the agency implemented the safeguards described in subparagraph (A) correctly;

“(C) in order to protect against a similar incident, identify—

“(i) how the safeguards described in subparagraph (A) should be implemented differently; and

“(ii) additional necessary safeguards; and

“(D) include information to aid in incident response, such as—

“(i) a description of the affected systems or networks;

“(ii) the estimated dates of when the incident occurred; and

“(iii) information that could reasonably help identify the party that conducted the incident.

“(3) INFORMATION SHARING.—To the greatest extent practicable, the Director of the

Cybersecurity and Infrastructure Security Agency shall share information relating to an incident with any agencies that may be impacted by the incident.

“(4) NATIONAL SECURITY SYSTEMS.—Each agency operating or exercising control of a national security system shall share information about incidents that occur on national security systems with the Director of the Cybersecurity and Infrastructure Security Agency to the extent consistent with standards and guidelines for national security systems issued in accordance with law and as directed by the President.

“(b) COMPLIANCE.—The information provided under subsection (a) shall take into account the level of classification of the information and any information sharing limitations and protections, such as limitations and protections relating to law enforcement, national security, privacy, statistical confidentiality, or other factors determined by the Director

“(c) INCIDENT RESPONSE.—Each agency that has a reasonable basis to conclude that a major incident occurred involving Federal information in electronic medium or form, as defined by the Director and not involving a national security system, regardless of delays from notification granted for a major incident, shall coordinate with the Cybersecurity and Infrastructure Security Agency regarding—

“(1) incident response and recovery; and
“(2) recommendations for mitigating future incidents.

“§ 3595. Responsibilities of contractors and awardees

“(a) NOTIFICATION.—

“(1) IN GENERAL.—Unless otherwise specified in a contract, grant, cooperative agreement, or an other transaction agreement, any contractor or awardee of an agency shall report to the agency within the same amount of time such agency is required to report an incident to the Cybersecurity and Infrastructure Security Agency, if the contractor or awardee has a reasonable basis to conclude that—

“(A) an incident or breach has occurred with respect to Federal information collected, used, or maintained by the contractor or awardee in connection with the contract, grant, cooperative agreement, or other transaction agreement of the contractor or awardee;

“(B) an incident or breach has occurred with respect to a Federal information system used or operated by the contractor or awardee in connection with the contract, grant, cooperative agreement, or other transaction agreement of the contractor or awardee; or

“(C) the contractor or awardee has received information from the agency that the contractor or awardee is not authorized to receive in connection with the contract, grant, cooperative agreement, or other transaction agreement of the contractor or awardee.

“(2) PROCEDURES.—

“(A) MAJOR INCIDENT.—Following a report of a breach or major incident by a contractor or awardee under paragraph (1), the agency, in consultation with the contractor or awardee, shall carry out the requirements under sections 3592, 3593, and 3594 with respect to the major incident.

“(B) INCIDENT.—Following a report of an incident by a contractor or awardee under paragraph (1), an agency, in consultation with the contractor or awardee, shall carry out the requirements under section 3594 with respect to the incident.

“(b) EFFECTIVE DATE.—This section shall apply on and after the date that is 1 year after the date of enactment of the Federal

Information Security Modernization Act of 2021.

“§ 3596. Training

“(a) COVERED INDIVIDUAL DEFINED.—In this section, the term ‘covered individual’ means an individual who obtains access to Federal information or Federal information systems because of the status of the individual as an employee, contractor, awardee, volunteer, or intern of an agency.

“(b) REQUIREMENT.—The head of each agency shall develop training for covered individuals on how to identify and respond to an incident, including—

“(1) the internal process of the agency for reporting an incident; and

“(2) the obligation of a covered individual to report to the agency a confirmed major incident and any suspected incident involving information in any medium or form, including paper, oral, and electronic.

“(c) INCLUSION IN ANNUAL TRAINING.—The training developed under subsection (b) may be included as part of an annual privacy or security awareness training of an agency.

“§ 3597. Analysis and report on Federal incidents

“(a) ANALYSIS OF FEDERAL INCIDENTS.—

“(1) QUANTITATIVE AND QUALITATIVE ANALYSES.—The Director of the Cybersecurity and Infrastructure Security Agency shall develop, in consultation with the Director and the National Cyber Director, and perform continuous monitoring and quantitative and qualitative analyses of incidents at agencies, including major incidents, including—

“(A) the causes of incidents, including—
“(i) attacker tactics, techniques, and procedures; and

“(ii) system vulnerabilities, including zero days, unpatched systems, and information system misconfigurations;

“(B) the scope and scale of incidents at agencies;

“(C) cross Federal Government root causes of incidents at agencies;

“(D) agency incident response, recovery, and remediation actions and the effectiveness of those actions, as applicable;

“(E) lessons learned and recommendations in responding to, recovering from, remediating, and mitigating future incidents; and

“(F) trends in cross-Federal Government cybersecurity and incident response capabilities using the metrics established under section 224(c) of the Cybersecurity Act of 2015 (6 U.S.C. 1522(c)).

“(2) AUTOMATED ANALYSIS.—The analyses developed under paragraph (1) shall, to the greatest extent practicable, use machine readable data, automation, and machine learning processes.

“(3) SHARING OF DATA AND ANALYSIS.—

“(A) IN GENERAL.—The Director shall share on an ongoing basis the analyses required under this subsection with agencies and the National Cyber Director to—

“(i) improve the understanding of cybersecurity risk of agencies; and

“(ii) support the cybersecurity improvement efforts of agencies.

“(B) FORMAT.—In carrying out subparagraph (A), the Director shall share the analyses—

“(i) in human-readable written products; and

“(ii) to the greatest extent practicable, in machine-readable formats in order to enable automated intake and use by agencies.

“(b) ANNUAL REPORT ON FEDERAL INCIDENTS.—Not later than 2 years after the date of enactment of this section, and not less frequently than annually thereafter, the Director of the Cybersecurity and Infrastructure Security Agency, in consultation with the Director and other Federal agencies as appropriate, shall submit to the appropriate notification entities a report that includes—

“(1) a summary of causes of incidents from across the Federal Government that categorizes those incidents as incidents or major incidents;

“(2) the quantitative and qualitative analyses of incidents developed under subsection (a)(1) on an agency-by-agency basis and comprehensively across the Federal Government, including—

“(A) a specific analysis of breaches; and

“(B) an analysis of the Federal Government’s performance against the metrics established under section 224(c) of the Cybersecurity Act of 2015 (6 U.S.C. 1522(c)); and

“(3) an annex for each agency that includes—

“(A) a description of each major incident;

“(B) the total number of compromises of the agency; and

“(C) an analysis of the agency’s performance against the metrics established under section 224(c) of the Cybersecurity Act of 2015 (6 U.S.C. 1522(c)).

“(c) PUBLICATION.—A version of each report submitted under subsection (b) shall be made publicly available on the website of the Cybersecurity and Infrastructure Security Agency during the year in which the report is submitted.

“(d) INFORMATION PROVIDED BY AGENCIES.—

“(1) IN GENERAL.—The analysis required under subsection (a) and each report submitted under subsection (b) shall use information provided by agencies under section 3594(a).

“(2) NONCOMPLIANCE REPORTS.—

“(A) IN GENERAL.—Subject to subparagraph (B), during any year during which the head of an agency does not provide data for an incident to the Cybersecurity and Infrastructure Security Agency in accordance with section 3594(a), the head of the agency, in coordination with the Director of the Cybersecurity and Infrastructure Security Agency and the Director, shall submit to the appropriate reporting entities a report that includes—

“(i) data for the incident; and

“(ii) the information described in subsection (b) with respect to the agency.

“(B) EXCEPTION FOR NATIONAL SECURITY SYSTEMS.—The head of an agency that owns or exercises control of a national security system shall not include data for an incident that occurs on a national security system in any report submitted under subparagraph (A).

“(3) NATIONAL SECURITY SYSTEM REPORTS.—

“(A) IN GENERAL.—Annually, the head of an agency that operates or exercises control of a national security system shall submit a report that includes the information described in subsection (b) with respect to the agency to the extent that the submission is consistent with standards and guidelines for national security systems issued in accordance with law and as directed by the President to—

“(i) the majority and minority leaders of the Senate,

“(ii) the Speaker and minority leader of the House of Representatives;

“(iii) the Committee on Homeland Security and Governmental Affairs of the Senate;

“(iv) the Select Committee on Intelligence of the Senate;

“(v) the Committee on Armed Services of the Senate;

“(vi) the Committee on Appropriations of the Senate;

“(vii) the Committee on Oversight and Reform of the House of Representatives;

“(viii) the Committee on Homeland Security of the House of Representatives;

“(ix) the Permanent Select Committee on Intelligence of the House of Representatives;

“(x) the Committee on Armed Services of the House of Representatives; and

“(xi) the Committee on Appropriations of the House of Representatives.

“(B) CLASSIFIED FORM.—A report required under subparagraph (A) may be submitted in a classified form.

“(e) REQUIREMENT FOR COMPILING INFORMATION.—In publishing the public report required under subsection (c), the Director of the Cybersecurity and Infrastructure Security Agency shall sufficiently compile information such that no specific incident of an agency can be identified, except with the concurrence of the Director of the Office of Management and Budget and in consultation with the impacted agency.

“§ 3598. Major incident definition

“(a) IN GENERAL.—Not later than 180 days after the date of enactment of the Federal Information Security Modernization Act of 2021, the Director, in coordination with the Director of the Cybersecurity and Infrastructure Security Agency and the National Cyber Director, shall develop and promulgate guidance on the definition of the term ‘major incident’ for the purposes of subchapter II and this subchapter.

“(b) REQUIREMENTS.—With respect to the guidance issued under subsection (a), the definition of the term ‘major incident’ shall—

“(1) include, with respect to any information collected or maintained by or on behalf of an agency or an information system used or operated by an agency or by a contractor of an agency or another organization on behalf of an agency—

“(A) any incident the head of the agency determines is likely to have an impact on—

“(i) the national security, homeland security, or economic security of the United States; or

“(ii) the civil liberties or public health and safety of the people of the United States;

“(B) any incident the head of the agency determines likely to result in an inability for the agency, a component of the agency, or the Federal Government, to provide 1 or more critical services;

“(C) any incident that the head of an agency, in consultation with a senior privacy officer of the agency, determines is likely to have a significant privacy impact on 1 or more individual;

“(D) any incident that the head of the agency, in consultation with a senior privacy official of the agency, determines is likely to have a substantial privacy impact on a significant number of individuals;

“(E) any incident the head of the agency determines impacts the operations of a high value asset owned or operated by the agency;

“(F) any incident involving the exposure of sensitive agency information to a foreign entity, such as the communications of the head of the agency, the head of a component of the agency, or the direct reports of the head of the agency or the head of a component of the agency; and

“(G) any other type of incident determined appropriate by the Director;

“(2) stipulate that the National Cyber Director shall declare a major incident at each agency impacted by an incident if the Director of the Cybersecurity and Infrastructure Security Agency determines that an incident—

“(A) occurs at not less than 2 agencies; and

“(B) is enabled by—

“(i) a common technical root cause, such as a supply chain compromise, a common software or hardware vulnerability; or

“(ii) the related activities of a common threat actor; and

“(3) stipulate that, in determining whether an incident constitutes a major incident because that incident—

“(A) is any incident described in paragraph (1), the head of an agency shall consult with

the Director of the Cybersecurity and Infrastructure Security Agency;

“(B) is an incident described in paragraph (1)(A), the head of the agency shall consult with the National Cyber Director; and

“(C) is an incident described in subparagraph (C) or (D) of paragraph (1), the head of the agency shall consult with—

“(i) the Privacy and Civil Liberties Oversight Board; and

“(ii) the Chair of the Federal Trade Commission.

“(c) SIGNIFICANT NUMBER OF INDIVIDUALS.—In determining what constitutes a significant number of individuals under subsection (b)(1)(D), the Director—

“(1) may determine a threshold for a minimum number of individuals that constitutes a significant amount; and

“(2) may not determine a threshold described in paragraph (1) that exceeds 5,000 individuals.

“(d) EVALUATION AND UPDATES.—Not later than 2 years after the date of enactment of the Federal Information Security Modernization Act of 2021, and not less frequently than every 2 years thereafter, the Director shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Reform of the House of Representatives an evaluation, which shall include—

“(1) an update, if necessary, to the guidance issued under subsection (a);

“(2) the definition of the term ‘major incident’ included in the guidance issued under subsection (a); and

“(3) an explanation of, and the analysis that led to, the definition described in paragraph (2).”.

(2) CLERICAL AMENDMENT.—The table of sections for chapter 35 of title 44, United States Code, is amended by adding at the end the following:

“SUBCHAPTER IV—FEDERAL SYSTEM INCIDENT RESPONSE

“3591. Definitions.

“3592. Notification of breach.

“3593. Congressional and Executive Branch reports.

“3594. Government information sharing and incident response.

“3595. Responsibilities of contractors and awardees.

“3596. Training.

“3597. Analysis and report on Federal incidents.

“3598. Major incident definition.”.

SEC. 5122. AMENDMENTS TO SUBTITLE III OF TITLE 40.

(a) MODERNIZING GOVERNMENT TECHNOLOGY.—Subtitle G of title X of Division A of the National Defense Authorization Act for Fiscal Year 2018 (40 U.S.C. 11301 note) is amended—

(1) in section 1077(b)—

(A) in paragraph (5)(A), by inserting “improving the cybersecurity of systems and” before “cost savings activities”; and

(B) in paragraph (7)—

(i) in the paragraph heading, by striking “CIO” and inserting “CIO”; and

(ii) by striking “In evaluating projects” and inserting the following:

“(A) CONSIDERATION OF GUIDANCE.—In evaluating projects”;

(iii) in subparagraph (A), as so designated, by striking “under section 1094(b)(1)” and inserting “by the Director”; and

(iv) by adding at the end the following:

“(B) CONSULTATION.—In using funds under paragraph (3)(A), the Chief Information Officer of the covered agency shall consult with the necessary stakeholders to ensure the project appropriately addresses cybersecurity risks, including the Director of the Cybersecurity and Infrastructure Security Agency, as appropriate.”; and

(2) in section 1078—

(A) by striking subsection (a) and inserting the following:

“(a) DEFINITIONS.—In this section:

“(1) AGENCY.—The term ‘agency’ has the meaning given the term in section 551 of title 5, United States Code.

“(2) HIGH VALUE ASSET.—The term ‘high value asset’ has the meaning given the term in section 3552 of title 44, United States Code.”;

(B) in subsection (b), by adding at the end the following:

“(8) PROPOSAL EVALUATION.—The Director shall—

“(A) give consideration for the use of amounts in the Fund to improve the security of high value assets; and

“(B) require that any proposal for the use of amounts in the Fund includes a cybersecurity plan, including a supply chain risk management plan, to be reviewed by the member of the Technology Modernization Board described in subsection (c)(5)(C).”; and

(C) in subsection (c)—

(i) in paragraph (2)(A)(i), by inserting “, including a consideration of the impact on high value assets” after “operational risks”; and

(ii) in paragraph (5)—

(I) in subparagraph (A), by striking “and” at the end;

(II) in subparagraph (B), by striking the period at the end and inserting “and”; and

(III) by adding at the end the following:

“(C) a senior official from the Cybersecurity and Infrastructure Security Agency of the Department of Homeland Security, appointed by the Director.”; and

(iii) in paragraph (6)(A), by striking “shall be—” and all that follows through “4 employees” and inserting “shall be 4 employees”.

(b) SUBCHAPTER I.—Subchapter I of subtitle III of title 40, United States Code, is amended—

(1) in section 11302—

(A) in subsection (b), by striking “use, security, and disposal of” and inserting “use, and disposal of, and, in consultation with the Director of the Cybersecurity and Infrastructure Security Agency and the National Cyber Director, promote and improve the security of.”;

(B) in subsection (c)—

(i) in paragraph (3)—

(I) in subparagraph (A)—

(aa) by striking “including data” and inserting “which shall—

“(i) include data”; and

(bb) in clause (i), as so designated, by striking “, and performance” and inserting “security, and performance; and”; and

(c) by adding at the end the following:

“(ii) specifically denote cybersecurity funding under the risk-based cyber budget model developed pursuant to section 3553(a)(7) of title 44.”; and

(II) in subparagraph (B), adding at the end the following:

“(iii) The Director shall provide to the National Cyber Director any cybersecurity funding information described in subparagraph (A)(ii) that is provided to the Director under clause (ii) of this subparagraph.”; and

(ii) in paragraph (4)(B), in the matter preceding clause (i), by inserting “not later than 30 days after the date on which the review under subparagraph (A) is completed,” before “the Administrator”;

(C) in subsection (f)—

(i) by striking “heads of executive agencies to develop” and inserting “heads of executive agencies to—

“(1) develop”;

(ii) in paragraph (1), as so designated, by striking the period at the end and inserting “; and”; and

(iii) by adding at the end the following:

“(2) consult with the Director of the Cybersecurity and Infrastructure Security Agency for the development and use of supply chain security best practices.”; and

(D) in subsection (h), by inserting “, including cybersecurity performances,” after “the performances”; and

(2) in section 11303(b)—

(A) in paragraph (2)(B)—

(i) in clause (i), by striking “or” at the end;

(ii) in clause (ii), by adding “or” at the end; and

(iii) by adding at the end the following:

“(iii) whether the function should be performed by a shared service offered by another executive agency.”; and

(B) in paragraph (5)(B)(i), by inserting “, while taking into account the risk-based cyber budget model developed pursuant to section 3553(a)(7) of title 44” after “title 31”.

(c) SUBCHAPTER II.—Subchapter II of subtitle III of title 40, United States Code, is amended—

(1) in section 11312(a), by inserting “, including security risks” after “managing the risks”;

(2) in section 11313(1), by striking “efficiency and effectiveness” and inserting “efficiency, security, and effectiveness”;

(3) in section 11315, by adding at the end the following:

“(d) COMPONENT AGENCY CHIEF INFORMATION OFFICERS.—The Chief Information Officer or an equivalent official of a component agency shall report to—

“(1) the Chief Information Officer designated under section 3506(a)(2) of title 44 or an equivalent official of the agency of which the component agency is a component; and

“(2) the head of the component agency.”;

(4) in section 11317, by inserting “security,” before “or schedule”; and

(5) in section 11319(b)(1), in the paragraph heading, by striking “CIOS” and inserting “CHIEF INFORMATION OFFICERS”.

(d) SUBCHAPTER III.—Section 11331 of title 40, United States Code, is amended—

(1) in subsection (a), by striking “section 3532(b)(1)” and inserting “section 3552(b)”;

(2) in subsection (b)(1)(A), by striking “the Secretary of Homeland Security” and inserting “the Director of the Cybersecurity and Infrastructure Security Agency”;

(3) by striking subsection (c) and inserting the following:

“(c) APPLICATION OF MORE STRINGENT STANDARDS.—

“(1) IN GENERAL.—The head of an agency shall—

“(A) evaluate, in consultation with the senior agency information security officers, the need to employ standards for cost-effective, risk-based information security for all systems, operations, and assets within or under the supervision of the agency that are more stringent than the standards promulgated by the Director under this section, if such standards contain, at a minimum, the provisions of those applicable standards made compulsory and binding by the Director; and

“(B) to the greatest extent practicable and if the head of the agency determines that the standards described in subparagraph (A) are necessary, employ those standards.

“(2) EVALUATION OF MORE STRINGENT STANDARDS.—In evaluating the need to employ more stringent standards under paragraph (1), the head of an agency shall consider available risk information, such as—

“(A) the status of cybersecurity remedial actions of the agency;

“(B) any vulnerability information relating to agency systems that is known to the agency;

“(C) incident information of the agency;

“(D) information from—

“(i) penetration testing performed under section 3559A of title 44; and

“(ii) information from the vulnerability disclosure program established under section 3559B of title 44;

“(E) agency threat hunting results under section 5145 of the Federal Information Security Modernization Act of 2021;

“(F) Federal and non-Federal cyber threat intelligence;

“(G) data on compliance with standards issued under this section;

“(H) agency system risk assessments performed under section 3554(a)(1)(A) of title 44; and

“(I) any other information determined relevant by the head of the agency.”;

(4) in subsection (d)(2)—

(A) in the paragraph heading, by striking “NOTICE AND COMMENT” and inserting “CONSULTATION, NOTICE, AND COMMENT”;

(B) by inserting “promulgate,” before “significantly modify”; and

(C) by striking “shall be made after the public is given an opportunity to comment on the Director’s proposed decision.” and inserting “shall be made—

“(A) for a decision to significantly modify or not promulgate such a proposed standard, after the public is given an opportunity to comment on the Director’s proposed decision;

“(B) in consultation with the Chief Information Officers Council, the Director of the Cybersecurity and Infrastructure Security Agency, the National Cyber Director, the Comptroller General of the United States, and the Council of the Inspectors General on Integrity and Efficiency;

“(C) considering the Federal risk assessments performed under section 3553(i) of title 44; and

“(D) considering the extent to which the proposed standard reduces risk relative to the cost of implementation of the standard.”; and

(5) by adding at the end the following:

“(e) REVIEW OF OFFICE OF MANAGEMENT AND BUDGET GUIDANCE AND POLICY.—

“(1) CONDUCT OF REVIEW.—

“(A) IN GENERAL.—Not less frequently than once every 3 years, the Director of the Office of Management and Budget, in consultation with the Chief Information Officers Council, the Director of the Cybersecurity and Infrastructure Security Agency, the National Cyber Director, the Comptroller General of the United States, and the Council of the Inspectors General on Integrity and Efficiency shall review the efficacy of the guidance and policy promulgated by the Director in reducing cybersecurity risks, including an assessment of the requirements for agencies to report information to the Director, and determine whether any changes to that guidance or policy is appropriate.

“(B) FEDERAL RISK ASSESSMENTS.—In conducting the review described in subparagraph (A), the Director shall consider the Federal risk assessments performed under section 3553(i) of title 44.

“(2) UPDATED GUIDANCE.—Not later than 90 days after the date on which a review is completed under paragraph (1), the Director of the Office of Management and Budget shall issue updated guidance or policy to agencies determined appropriate by the Director, based on the results of the review.

“(3) PUBLIC REPORT.—Not later than 30 days after the date on which a review is completed under paragraph (1), the Director of the Office of Management and Budget shall make publicly available a report that includes—

“(A) an overview of the guidance and policy promulgated under this section that is currently in effect;

“(B) the cybersecurity risk mitigation, or other cybersecurity benefit, offered by each guidance or policy document described in subparagraph (A); and

“(C) a summary of the guidance or policy to which changes were determined appropriate during the review and what the changes are anticipated to include.

“(4) CONGRESSIONAL BRIEFING.—Not later than 30 days after the date on which a review is completed under paragraph (1), the Director shall provide to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Reform of the House of Representatives a briefing on the review.

“(f) AUTOMATED STANDARD IMPLEMENTATION VERIFICATION.—When the Director of the National Institute of Standards and Technology issues a proposed standard pursuant to paragraphs (2) and (3) of section 20(a) of the National Institute of Standards and Technology Act (15 U.S.C. 278g-3(a)), the Director of the National Institute of Standards and Technology shall consider developing and, if appropriate and practical, develop, in consultation with the Director of the Cybersecurity and Infrastructure Security Agency, specifications to enable the automated verification of the implementation of the controls within the standard.”.

SEC. 5123. ACTIONS TO ENHANCE FEDERAL INCIDENT RESPONSE.

(a) RESPONSIBILITIES OF THE CYBERSECURITY AND INFRASTRUCTURE SECURITY AGENCY.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Director of the Cybersecurity and Infrastructure Security Agency shall—

(A) develop a plan for the development of the analysis required under section 3597(a) of title 44, United States Code, as added by this division, and the report required under subsection (b) of that section that includes—

(i) a description of any challenges the Director anticipates encountering; and

(ii) the use of automation and machine-readable formats for collecting, compiling, monitoring, and analyzing data; and

(B) provide to the appropriate congressional committees a briefing on the plan developed under subparagraph (A).

(2) BRIEFING.—Not later than 1 year after the date of enactment of this Act, the Director of the Cybersecurity and Infrastructure Security Agency shall provide to the appropriate congressional committees a briefing on—

(A) the execution of the plan required under paragraph (1)(A); and

(B) the development of the report required under section 3597(b) of title 44, United States Code, as added by this division.

(b) RESPONSIBILITIES OF THE DIRECTOR OF THE OFFICE OF MANAGEMENT AND BUDGET.—

(1) FISMA.—Section 2 of the Federal Information Security Modernization Act of 2014 (44 U.S.C. 3554 note) is amended—

(A) by striking subsection (b); and

(B) by redesignating subsections (c) through (f) as subsections (b) through (e), respectively.

(2) INCIDENT DATA SHARING.—

(A) IN GENERAL.—The Director shall develop guidance, to be updated not less frequently than once every 2 years, on the content, timeliness, and format of the information provided by agencies under section 3594(a) of title 44, United States Code, as added by this division.

(B) REQUIREMENTS.—The guidance developed under subparagraph (A) shall—

(i) prioritize the availability of data necessary to understand and analyze—

(I) the causes of incidents;

(II) the scope and scale of incidents within the environments and systems of an agency;

(III) a root cause analysis of incidents that—

(aa) are common across the Federal Government; or

(bb) have a Government-wide impact;

(IV) agency response, recovery, and remediation actions and the effectiveness of those actions; and

(V) the impact of incidents;

(i) enable the efficient development of—

(I) lessons learned and recommendations in responding to, recovering from, remediating, and mitigating future incidents; and

(II) the report on Federal incidents required under section 3597(b) of title 44, United States Code, as added by this division;

(iii) include requirements for the timeliness of data production; and

(iv) include requirements for using automation and machine-readable data for data sharing and availability.

(3) GUIDANCE ON RESPONDING TO INFORMATION REQUESTS.—Not later than 1 year after the date of enactment of this Act, the Director shall develop guidance for agencies to implement the requirement under section 3594(c) of title 44, United States Code, as added by this division, to provide information to other agencies experiencing incidents.

(4) STANDARD GUIDANCE AND TEMPLATES.—Not later than 1 year after the date of enactment of this Act, the Director, in consultation with the Director of the Cybersecurity and Infrastructure Security Agency, shall develop guidance and templates, to be reviewed and, if necessary, updated not less frequently than once every 2 years, for use by Federal agencies in the activities required under sections 3592, 3593, and 3596 of title 44, United States Code, as added by this division.

(5) CONTRACTOR AND AWARDEE GUIDANCE.—

(A) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Director, in coordination with the Secretary of Homeland Security, the Secretary of Defense, the Administrator of General Services, and the heads of other agencies determined appropriate by the Director, shall issue guidance to Federal agencies on how to deconflict, to the greatest extent practicable, existing regulations, policies, and procedures relating to the responsibilities of contractors and awardees established under section 3595 of title 44, United States Code, as added by this division.

(B) EXISTING PROCESSES.—To the greatest extent practicable, the guidance issued under subparagraph (A) shall allow contractors and awardees to use existing processes for notifying Federal agencies of incidents involving information of the Federal Government.

(6) UPDATED BRIEFINGS.—Not less frequently than once every 2 years, the Director shall provide to the appropriate congressional committees an update on the guidance and templates developed under paragraphs (2) through (4).

(c) UPDATE TO THE PRIVACY ACT OF 1974.—Section 552a(b) of title 5, United States Code (commonly known as the “Privacy Act of 1974”) is amended—

(1) in paragraph (11), by striking “or” at the end;

(2) in paragraph (12), by striking the period at the end and inserting “; or”; and

(3) by adding at the end the following:

“(13) to another agency in furtherance of a response to an incident (as defined in section 3552 of title 44) and pursuant to the information sharing requirements in section 3594 of title 44 if the head of the requesting agency has made a written request to the agency that maintains the record specifying the particular portion desired and the activity for which the record is sought.”.

SEC. 5124. ADDITIONAL GUIDANCE TO AGENCIES ON FISMA UPDATES.

Not later than 1 year after the date of enactment of this Act, the Director, in coordination with the Director of the Cybersecurity and Infrastructure Security Agency, shall issue guidance for agencies on—

(1) performing the ongoing and continuous agency system risk assessment required under section 3554(a)(1)(A) of title 44, United States Code, as amended by this division;

(2) implementing additional cybersecurity procedures, which shall include resources for shared services;

(3) establishing a process for providing the status of each remedial action under section 3554(b)(7) of title 44, United States Code, as amended by this division, to the Director and the Cybersecurity and Infrastructure Security Agency using automation and machine-readable data, as practicable, which shall include—

(A) specific guidance for the use of automation and machine-readable data; and

(B) templates for providing the status of the remedial action;

(4) interpreting the definition of “high value asset” under section 3552 of title 44, United States Code, as amended by this division; and

(5) a requirement to coordinate with inspectors general of agencies to ensure consistent understanding and application of agency policies for the purpose of evaluations by inspectors general.

SEC. 5125. AGENCY REQUIREMENTS TO NOTIFY PRIVATE SECTOR ENTITIES IMPACTED BY INCIDENTS.

(a) DEFINITIONS.—In this section:

(1) REPORTING ENTITY.—The term “reporting entity” means private organization or governmental unit that is required by statute or regulation to submit sensitive information to an agency.

(2) SENSITIVE INFORMATION.—The term “sensitive information” has the meaning given the term by the Director in guidance issued under subsection (b).

(b) GUIDANCE ON NOTIFICATION OF REPORTING ENTITIES.—Not later than 180 days after the date of enactment of this Act, the Director shall issue guidance requiring the head of each agency to notify a reporting entity of an incident that is likely to substantially affect—

(1) the confidentiality or integrity of sensitive information submitted by the reporting entity to the agency pursuant to a statutory or regulatory requirement; or

(2) the agency information system or systems used in the transmission or storage of the sensitive information described in paragraph (1).

TITLE LII—IMPROVING FEDERAL CYBERSECURITY

SEC. 5141. MOBILE SECURITY STANDARDS.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Director shall—

(1) evaluate mobile application security guidance promulgated by the Director; and

(2) issue guidance to secure mobile devices, including for mobile applications, for every agency.

(b) CONTENTS.—The guidance issued under subsection (a)(2) shall include—

(1) a requirement, pursuant to section 3506(b)(4) of title 44, United States Code, for every agency to maintain a continuous inventory of every—

(A) mobile device operated by or on behalf of the agency; and

(B) vulnerability identified by the agency associated with a mobile device; and

(2) a requirement for every agency to perform continuous evaluation of the vulnerabilities described in paragraph (1)(B)

and other risks associated with the use of applications on mobile devices.

(c) INFORMATION SHARING.—The Director, in coordination with the Director of the Cybersecurity and Infrastructure Security Agency, shall issue guidance to agencies for sharing the inventory of the agency required under subsection (b)(1) with the Director of the Cybersecurity and Infrastructure Security Agency, using automation and machine-readable data to the greatest extent practicable.

(d) BRIEFING.—Not later than 60 days after the date on which the Director issues guidance under subsection (a)(2), the Director, in coordination with the Director of the Cybersecurity and Infrastructure Security Agency, shall provide to the appropriate congressional committees a briefing on the guidance.

SEC. 5142. DATA AND LOGGING RETENTION FOR INCIDENT RESPONSE.

(a) RECOMMENDATIONS.—Not later than 2 years after the date of enactment of this Act, and not less frequently than every 2 years thereafter, the Director of the Cybersecurity and Infrastructure Security Agency, in consultation with the Attorney General, shall submit to the Director recommendations on requirements for logging events on agency systems and retaining other relevant data within the systems and networks of an agency.

(b) CONTENTS.—The recommendations provided under subsection (a) shall include—

(1) the types of logs to be maintained;

(2) the time periods to retain the logs and other relevant data;

(3) the time periods for agencies to enable recommended logging and security requirements;

(4) how to ensure the confidentiality, integrity, and availability of logs;

(5) requirements to ensure that, upon request, in a manner that excludes or otherwise reasonably protects personally identifiable information, and to the extent permitted by applicable law (including privacy and statistical laws), agencies provide logs to—

(A) the Director of the Cybersecurity and Infrastructure Security Agency for a cybersecurity purpose; and

(B) the Federal Bureau of Investigation to investigate potential criminal activity; and

(6) requirements to ensure that, subject to compliance with statistical laws and other relevant data protection requirements, the highest level security operations center of each agency has visibility into all agency logs.

(c) GUIDANCE.—Not later than 90 days after receiving the recommendations submitted under subsection (a), the Director, in consultation with the Director of the Cybersecurity and Infrastructure Security Agency and the Attorney General, shall, as determined to be appropriate by the Director, update guidance to agencies regarding requirements for logging, log retention, log management, sharing of log data with other appropriate agencies, or any other logging activity determined to be appropriate by the Director.

SEC. 5143. CISA AGENCY ADVISORS.

(a) IN GENERAL.—Not later than 120 days after the date of enactment of this Act, the Director of the Cybersecurity and Infrastructure Security Agency shall assign not less than 1 cybersecurity professional employed by the Cybersecurity and Infrastructure Security Agency to be the Cybersecurity and Infrastructure Security Agency advisor to the senior agency information security officer of each agency.

(b) QUALIFICATIONS.—Each advisor assigned under subsection (a) shall have knowledge of—

(1) cybersecurity threats facing agencies, including any specific threats to the assigned agency;

(2) performing risk assessments of agency systems; and

(3) other Federal cybersecurity initiatives.

(c) DUTIES.—The duties of each advisor assigned under subsection (a) shall include—

(1) providing ongoing assistance and advice, as requested, to the agency Chief Information Officer;

(2) serving as an incident response point of contact between the assigned agency and the Cybersecurity and Infrastructure Security Agency; and

(3) familiarizing themselves with agency systems, processes, and procedures to better facilitate support to the agency in responding to incidents.

(d) LIMITATION.—An advisor assigned under subsection (a) shall not be a contractor.

(e) MULTIPLE ASSIGNMENTS.—One individual advisor may be assigned to multiple agency Chief Information Officers under subsection (a).

SEC. 5144. FEDERAL PENETRATION TESTING POLICY.

(a) IN GENERAL.—Subchapter II of chapter 35 of title 44, United States Code, is amended by adding at the end the following:

“§ 3559A. Federal penetration testing

“(a) DEFINITIONS.—In this section:

“(1) AGENCY OPERATIONAL PLAN.—The term ‘agency operational plan’ means a plan of an agency for the use of penetration testing.

“(2) RULES OF ENGAGEMENT.—The term ‘rules of engagement’ means a set of rules established by an agency for the use of penetration testing.

“(b) GUIDANCE.—

“(1) IN GENERAL.—The Director shall issue guidance that—

“(A) requires agencies to use, when and where appropriate, penetration testing on agency systems; and

“(B) requires agencies to develop an agency operational plan and rules of engagement that meet the requirements under subsection (c).

“(2) PENETRATION TESTING GUIDANCE.—The guidance issued under this section shall—

“(A) permit an agency to use, for the purpose of performing penetration testing—

“(i) a shared service of the agency or another agency; or

“(ii) an external entity, such as a vendor; and

“(B) require agencies to provide the rules of engagement and results of penetration testing to the Director and the Director of the Cybersecurity and Infrastructure Security Agency, without regard to the status of the entity that performs the penetration testing.

“(c) AGENCY PLANS AND RULES OF ENGAGEMENT.—The agency operational plan and rules of engagement of an agency shall—

“(1) require the agency to—

“(A) perform penetration testing on the high value assets of the agency; or

“(B) coordinate with the Director of the Cybersecurity and Infrastructure Security Agency to ensure that penetration testing is being performed;

“(2) establish guidelines for avoiding, as a result of penetration testing—

“(A) adverse impacts to the operations of the agency;

“(B) adverse impacts to operational environments and systems of the agency; and

“(C) inappropriate access to data;

“(3) require the results of penetration testing to include feedback to improve the cybersecurity of the agency; and

“(4) include mechanisms for providing consistently formatted, and, if applicable, automated and machine-readable, data to the Di-

rector and the Director of the Cybersecurity and Infrastructure Security Agency.

“(d) RESPONSIBILITIES OF CISA.—The Director of the Cybersecurity and Infrastructure Security Agency shall—

“(1) establish a process to assess the performance of penetration testing by both Federal and non-Federal entities that establishes minimum quality controls for penetration testing;

“(2) develop operational guidance for instituting penetration testing programs at agencies;

“(3) develop and maintain a centralized capability to offer penetration testing as a service to Federal and non-Federal entities; and

“(4) provide guidance to agencies on the best use of penetration testing resources.

“(e) RESPONSIBILITIES OF OMB.—The Director, in coordination with the Director of the Cybersecurity and Infrastructure Security Agency, shall—

“(1) not less frequently than annually, inventory all Federal penetration testing assets; and

“(2) develop and maintain a standardized process for the use of penetration testing.

“(f) PRIORITIZATION OF PENETRATION TESTING RESOURCES.—

“(1) IN GENERAL.—The Director, in coordination with the Director of the Cybersecurity and Infrastructure Security Agency, shall develop a framework for prioritizing Federal penetration testing resources among agencies.

“(2) CONSIDERATIONS.—In developing the framework under this subsection, the Director shall consider—

“(A) agency system risk assessments performed under section 3554(a)(1)(A);

“(B) the Federal risk assessment performed under section 3553(i);

“(C) the analysis of Federal incident data performed under section 3597; and

“(D) any other information determined appropriate by the Director or the Director of the Cybersecurity and Infrastructure Security Agency.

“(g) EXCEPTION FOR NATIONAL SECURITY SYSTEMS.—The guidance issued under subsection (b) shall not apply to national security systems.

“(h) DELEGATION OF AUTHORITY FOR CERTAIN SYSTEMS.—The authorities of the Director described in subsection (b) shall be delegated—

“(1) to the Secretary of Defense in the case of systems described in section 3553(e)(2); and

“(2) to the Director of National Intelligence in the case of systems described in 3553(e)(3).”.

(b) DEADLINE FOR GUIDANCE.—Not later than 180 days after the date of enactment of this Act, the Director shall issue the guidance required under section 3559A(b) of title 44, United States Code, as added by subsection (a).

(c) CLERICAL AMENDMENT.—The table of sections for chapter 35 of title 44, United States Code, is amended by adding after the item relating to section 3559 the following:

“3559A. Federal penetration testing.”.

(d) PENETRATION TESTING BY THE SECRETARY OF HOMELAND SECURITY.—Section 3553(b) of title 44, United States Code, as amended by section 5121, is further amended—

(1) in paragraph (8)(B), by striking “and” at the end;

(2) by redesignating paragraph (9) as paragraph (10); and

(3) by inserting after paragraph (8) the following:

“(9) performing penetration testing with or without advance notice to, or authorization from, agencies, to identify vulnerabilities within Federal information systems; and”.

SEC. 5145. ONGOING THREAT HUNTING PROGRAM.

(a) THREAT HUNTING PROGRAM.—

(1) IN GENERAL.—Not later than 540 days after the date of enactment of this Act, the Director of the Cybersecurity and Infrastructure Security Agency shall establish a program to provide ongoing, hypothesis-driven threat-hunting services on the network of each agency.

(2) PLAN.—Not later than 180 days after the date of enactment of this Act, the Director of the Cybersecurity and Infrastructure Security Agency shall develop a plan to establish the program required under paragraph (1) that describes how the Director of the Cybersecurity and Infrastructure Security Agency plans to—

(A) determine the method for collecting, storing, accessing, and analyzing appropriate agency data;

(B) provide on-premises support to agencies;

(C) staff threat hunting services;

(D) allocate available human and financial resources to implement the plan; and

(E) provide input to the heads of agencies on the use of—

(i) more stringent standards under section 11331(c)(1) of title 40, United States Code; and

(ii) additional cybersecurity procedures under section 3554 of title 44, United States Code.

(b) REPORTS.—The Director of the Cybersecurity and Infrastructure Security Agency shall submit to the appropriate congressional committees—

(1) not later than 30 days after the date on which the Director of the Cybersecurity and Infrastructure Security Agency completes the plan required under subsection (a)(2), a report on the plan to provide threat hunting services to agencies;

(2) not less than 30 days before the date on which the Director of the Cybersecurity and Infrastructure Security Agency begins providing threat hunting services under the program under subsection (a)(1), a report providing any updates to the plan developed under subsection (a)(2); and

(3) not later than 1 year after the date on which the Director of the Cybersecurity and Infrastructure Security Agency begins providing threat hunting services to agencies other than the Cybersecurity and Infrastructure Security Agency, a report describing lessons learned from providing those services.

SEC. 5146. CODIFYING VULNERABILITY DISCLOSURE PROGRAMS.

(a) IN GENERAL.—Chapter 35 of title 44, United States Code, is amended by inserting after section 3559A, as added by section 5144 of this division, the following:

“§ 3559B. Federal vulnerability disclosure programs

“(a) DEFINITIONS.—In this section:

“(1) REPORT.—The term ‘report’ means a vulnerability disclosure made to an agency by a reporter.

“(2) REPORTER.—The term ‘reporter’ means an individual that submits a vulnerability report pursuant to the vulnerability disclosure process of an agency.

“(b) RESPONSIBILITIES OF OMB.—

(1) LIMITATION ON LEGAL ACTION.—The Director, in consultation with the Attorney General, shall issue guidance to agencies to not recommend or pursue legal action against a reporter or an individual that conducts a security research activity that the head of the agency determines—

“(A) represents a good faith effort to follow the vulnerability disclosure policy of the agency developed under subsection (d)(2); and

“(B) is authorized under the vulnerability disclosure policy of the agency developed under subsection (d)(2).

“(2) SHARING INFORMATION WITH CISA.—The Director, in coordination with the Director of the Cybersecurity and Infrastructure Security Agency and in consultation with the National Cyber Director, shall issue guidance to agencies on sharing relevant information in a consistent, automated, and machine readable manner with the Cybersecurity and Infrastructure Security Agency, including—

“(A) any valid or credible reports of newly discovered or not publicly known vulnerabilities (including misconfigurations) on Federal information systems that use commercial software or services;

“(B) information relating to vulnerability disclosure, coordination, or remediation activities of an agency, particularly as those activities relate to outside organizations—

“(i) with which the head of the agency believes the Director of the Cybersecurity and Infrastructure Security Agency can assist; or

“(ii) about which the head of the agency believes the Director of the Cybersecurity and Infrastructure Security Agency should know; and

“(C) any other information with respect to which the head of the agency determines helpful or necessary to involve the Cybersecurity and Infrastructure Security Agency.

“(3) AGENCY VULNERABILITY DISCLOSURE POLICIES.—The Director shall issue guidance to agencies on the required minimum scope of agency systems covered by the vulnerability disclosure policy of an agency required under subsection (d)(2).

“(c) RESPONSIBILITIES OF CISA.—The Director of the Cybersecurity and Infrastructure Security Agency shall—

“(1) provide support to agencies with respect to the implementation of the requirements of this section;

“(2) develop tools, processes, and other mechanisms determined appropriate to offer agencies capabilities to implement the requirements of this section; and

“(3) upon a request by an agency, assist the agency in the disclosure to vendors of newly identified vulnerabilities in vendor products and services.

“(d) RESPONSIBILITIES OF AGENCIES.—

“(1) PUBLIC INFORMATION.—The head of each agency shall make publicly available, with respect to each internet domain under the control of the agency that is not a national security system—

“(A) an appropriate security contact; and

“(B) the component of the agency that is responsible for the internet accessible services offered at the domain.

“(2) VULNERABILITY DISCLOSURE POLICY.—The head of each agency shall develop and make publicly available a vulnerability disclosure policy for the agency, which shall—

“(A) describe—

“(i) the scope of the systems of the agency included in the vulnerability disclosure policy;

“(ii) the type of information system testing that is authorized by the agency;

“(iii) the type of information system testing that is not authorized by the agency; and

“(iv) the disclosure policy of the agency for sensitive information;

“(B) with respect to a report to an agency, describe—

“(i) how the reporter should submit the report; and

“(ii) if the report is not anonymous, when the reporter should anticipate an acknowledgment of receipt of the report by the agency;

“(C) include any other relevant information; and

“(D) be mature in scope, to cover all Federal information systems used or operated by that agency or on behalf of that agency.

“(3) IDENTIFIED VULNERABILITIES.—The head of each agency shall incorporate any vulnerabilities reported under paragraph (2) into the vulnerability management process of the agency in order to track and remediate the vulnerability.

“(e) PAPERWORK REDUCTION ACT EXEMPTION.—The requirements of subchapter I (commonly known as the ‘Paperwork Reduction Act’) shall not apply to a vulnerability disclosure program established under this section.

“(f) CONGRESSIONAL REPORTING.—Not later than 90 days after the date of enactment of the Federal Information Security Modernization Act of 2021, and annually thereafter for a 3-year period, the Director shall provide to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Reform of the House of Representatives a briefing on the status of the use of vulnerability disclosure policies under this section at agencies, including, with respect to the guidance issued under subsection (b)(3), an identification of the agencies that are compliant and not compliant.

“(g) EXEMPTIONS.—The authorities and functions of the Director and Director of the Cybersecurity and Infrastructure Security Agency under this section shall not apply to national security systems.

“(h) DELEGATION OF AUTHORITY FOR CERTAIN SYSTEMS.—The authorities of the Director and the Director of the Cybersecurity and Infrastructure Security Agency described in this section shall be delegated—

“(1) to the Secretary of Defense in the case of systems described in section 3553(e)(2); and

“(2) to the Director of National Intelligence in the case of systems described in section 3553(e)(3).”

(b) CLERICAL AMENDMENT.—The table of sections for chapter 35 of title 44, United States Code, is amended by adding after the item relating to section 3559A, as added by section 204, the following:

“3559B. Federal vulnerability disclosure programs.”

SEC. 5147. IMPLEMENTING PRESUMPTION OF COMPROMISE AND LEAST PRIVILEGE PRINCIPLES.

(a) GUIDANCE.—Not later than 1 year after the date of enactment of this Act, the Director shall provide an update to the appropriate congressional committees on progress in increasing the internal defenses of agency systems, including—

(1) shifting away from “trusted networks” to implement security controls based on a presumption of compromise;

(2) implementing principles of least privilege in administering information security programs;

(3) limiting the ability of entities that cause incidents to move laterally through or between agency systems;

(4) identifying incidents quickly;

(5) isolating and removing unauthorized entities from agency systems quickly;

(6) otherwise increasing the resource costs for entities that cause incidents to be successful; and

(7) a summary of the agency progress reports required under subsection (b).

(b) AGENCY PROGRESS REPORTS.—Not later than 1 year after the date of enactment of this Act, the head of each agency shall submit to the Director a progress report on implementing an information security program based on the presumption of compromise and least privilege principles, which shall include—

(1) a description of any steps the agency has completed, including progress toward

achieving requirements issued by the Director;

(2) an identification of activities that have not yet been completed and that would have the most immediate security impact; and

(3) a schedule to implement any planned activities.

SEC. 5148. AUTOMATION REPORTS.

(a) OMB REPORT.—Not later than 180 days after the date of enactment of this Act, the Director shall submit to the appropriate congressional committees a report on the use of automation under paragraphs (1), (5)(C) and (8)(B) of section 3554(b) of title 44, United States Code.

(b) GAO REPORT.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall perform a study on the use of automation and machine readable data across the Federal Government for cybersecurity purposes, including the automated updating of cybersecurity tools, sensors, or processes by agencies.

SEC. 5149. EXTENSION OF FEDERAL ACQUISITION SECURITY COUNCIL.

Section 1328 of title 41, United States Code, is amended by striking “the date that” and all that follows and inserting “December 31, 2026.”

SEC. 5150. COUNCIL OF THE INSPECTORS GENERAL ON INTEGRITY AND EFFICIENCY DASHBOARD.

(a) DASHBOARD REQUIRED.—Section 11(e)(2) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) in subparagraph (A), by striking “and” at the end;

(2) by redesignating subparagraph (B) as subparagraph (C); and

(3) by inserting after subparagraph (A) the following:

“(B) that shall include a dashboard of open information security recommendations identified in the independent evaluations required by section 3555(a) of title 44, United States Code; and”

SEC. 5151. QUANTITATIVE CYBERSECURITY METRICS.

(a) DEFINITION OF COVERED METRICS.—In this section, the term “covered metrics” means the metrics established, reviewed, and updated under section 224(c) of the Cybersecurity Act of 2015 (6 U.S.C. 1522(c)).

(b) UPDATING AND ESTABLISHING METRICS.—Not later than 1 year after the date of enactment of this Act, the Director of the Cybersecurity and Infrastructure Security Agency, in coordination with the Director, shall—

(1) evaluate any covered metrics established as of the date of enactment of this Act; and

(2) as appropriate and pursuant to section 224(c) of the Cybersecurity Act of 2015 (6 U.S.C. 1522(c))—

(A) update the covered metrics; and

(B) establish new covered metrics.

(c) IMPLEMENTATION.—

(1) IN GENERAL.—Not later than 540 days after the date of enactment of this Act, the Director, in coordination with the Director of the Cybersecurity and Infrastructure Security Agency, shall promulgate guidance that requires each agency to use covered metrics to track trends in the cybersecurity and incident response capabilities of the agency.

(2) PERFORMANCE DEMONSTRATION.—The guidance issued under paragraph (1) and any subsequent guidance shall require agencies to share with the Director of the Cybersecurity and Infrastructure Security Agency data demonstrating the performance of the agency using the covered metrics included in the guidance.

(3) PENETRATION TESTS.—On not less than 2 occasions during the 2-year period following

the date on which guidance is promulgated under paragraph (1), the Director shall ensure that not less than 3 agencies are subjected to substantially similar penetration tests, as determined by the Director, in coordination with the Director of the Cybersecurity and Infrastructure Security Agency, in order to validate the utility of the covered metrics.

(4) ANALYSIS CAPACITY.—The Director of the Cybersecurity and Infrastructure Security Agency shall develop a capability that allows for the analysis of the covered metrics, including cross-agency performance of agency cybersecurity and incident response capability trends.

(d) CONGRESSIONAL REPORTS.—

(1) UTILITY OF METRICS.—Not later than 1 year after the date of enactment of this Act, the Director of the Cybersecurity and Infrastructure Security Agency shall submit to the appropriate congressional committees a report on the utility of the covered metrics.

(2) USE OF METRICS.—Not later than 180 days after the date on which the Director promulgates guidance under subsection (c)(1), the Director shall submit to the appropriate congressional committees a report on the results of the use of the covered metrics by agencies.

(e) CYBERSECURITY ACT OF 2015 UPDATES.—Section 224 of the Cybersecurity Act of 2015 (6 U.S.C. 1522) is amended—

(1) by striking subsection (c) and inserting the following:

“(c) IMPROVED METRICS.—

“(1) IN GENERAL.—The Director of the Cybersecurity and Infrastructure Security Agency, in coordination with the Director, shall establish, review, and update metrics to measure the cybersecurity and incident response capabilities of agencies in accordance with the responsibilities of agencies under section 3554 of title 44, United States Code.

“(2) QUALITIES.—With respect to the metrics established, reviewed, and updated under paragraph (1)—

“(A) not less than 2 of the metrics shall be time-based, such as a metric of—

“(i) the amount of time it takes for an agency to detect an incident; and

“(ii) the amount of time that passes between—

“(I) the detection of an incident and the remediation of the incident; and

“(II) the remediation of an incident and the recovery from the incident; and

“(B) the metrics may include other measurable outcomes.”;

(2) by striking subsection (e); and

(3) by redesignating subsection (f) as subsection (e).

TITLE LIII—RISK-BASED BUDGET MODEL

SEC. 5161. DEFINITIONS.

In this title:

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

(A) the Committee on Homeland Security and Governmental Affairs and the Committee on Appropriations of the Senate; and

(B) the Committee on Homeland Security and the Committee on Appropriations of the House of Representatives.

(2) COVERED AGENCY.—The term “covered agency” has the meaning given the term “executive agency” in section 133 of title 41, United States Code.

(3) DIRECTOR.—The term “Director” means the Director of the Office of Management and Budget.

(4) INFORMATION TECHNOLOGY.—The term “information technology”—

(A) has the meaning given the term in section 11101 of title 40, United States Code; and

(B) includes the hardware and software systems of a Federal agency that monitor

and control physical equipment and processes of the Federal agency.

(5) RISK-BASED BUDGET.—The term “risk-based budget” means a budget—

(A) developed by identifying and prioritizing cybersecurity risks and vulnerabilities, including impact on agency operations in the case of a cyber attack, through analysis of cyber threat intelligence, incident data, and tactics, techniques, procedures, and capabilities of cyber threats; and

(B) that allocates resources based on the risks identified and prioritized under subparagraph (A).

SEC. 5162. ESTABLISHMENT OF RISK-BASED BUDGET MODEL.

(a) IN GENERAL.—

(1) MODEL.—Not later than 1 year after the first publication of the budget submitted by the President under section 1105 of title 31, United States Code, following the date of enactment of this Act, the Director, in consultation with the Director of the Cybersecurity and Infrastructure Security Agency and the National Cyber Director and in coordination with the Director of the National Institute of Standards and Technology, shall develop a standard model for creating a risk-based budget for cybersecurity spending.

(2) RESPONSIBILITY OF DIRECTOR.—Section 3553(a) of title 44, United States Code, as amended by section 5121 of this division, is further amended by inserting after paragraph (6) the following:

“(7) developing a standard risk-based budget model to inform Federal agency cybersecurity budget development; and”.

(3) CONTENTS OF MODEL.—The model required to be developed under paragraph (1) shall—

(A) consider Federal and non-Federal cyber threat intelligence products, where available, to identify threats, vulnerabilities, and risks;

(B) consider the impact of agency operations of compromise of systems, including the interconnectivity to other agency systems and the operations of other agencies;

(C) indicate where resources should be allocated to have the greatest impact on mitigating current and future threats and current and future cybersecurity capabilities;

(D) be used to inform acquisition and sustainment of—

(i) information technology and cybersecurity tools;

(ii) information technology and cybersecurity architectures;

(iii) information technology and cybersecurity personnel; and

(iv) cybersecurity and information technology concepts of operations; and

(E) be used to evaluate and inform Government-wide cybersecurity programs of the Department of Homeland Security.

(4) REQUIRED UPDATES.—Not less frequently than once every 3 years, the Director shall review, and update as necessary, the model required to be developed under this subsection.

(5) PUBLICATION.—The Director shall publish the model required to be developed under this subsection, and any updates necessary under paragraph (4), on the public website of the Office of Management and Budget.

(6) REPORTS.—Not later than 1 year after the date of enactment of this Act, and annually thereafter for each of the 2 following fiscal years or until the date on which the model required to be developed under this subsection is completed, whichever is sooner, the Director shall submit a report to Congress on the development of the model.

(b) REQUIRED USE OF RISK-BASED BUDGET MODEL.—

(1) IN GENERAL.—Not later than 2 years after the date on which the model developed under subsection (a) is published, the head of each covered agency shall use the model to develop the annual cybersecurity and information technology budget requests of the agency.

(2) AGENCY PERFORMANCE PLANS.—Section 3554(d)(2) of title 44, United States Code, is amended by inserting “and the risk-based budget model required under section 3553(a)(7)” after “paragraph (1)”.

(c) VERIFICATION.—

(1) IN GENERAL.—Section 1105(a)(35)(A)(i) of title 31, United States Code, is amended—

(A) in the matter preceding subclause (I), by striking “by agency, and by initiative area (as determined by the administration)” and inserting “and by agency”;

(B) in subclause (III), by striking “and” at the end; and

(C) by adding at the end the following:

“(V) a validation that the budgets submitted were developed using a risk-based methodology; and

“(VI) a report on the progress of each agency on closing recommendations identified under the independent evaluation required by section 3555(a)(1) of title 44.”.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect on the date that is 2 years after the date on which the model developed under subsection (a) is published.

(d) REPORTS.—

(1) INDEPENDENT EVALUATION.—Section 3555(a)(2) of title 44, United States Code, is amended—

(A) in subparagraph (B), by striking “and” at the end;

(B) in subparagraph (C), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(D) an assessment of how the agency implemented the risk-based budget model required under section 3553(a)(7) and an evaluation of whether the model mitigates agency cyber vulnerabilities.”.

(2) ASSESSMENT.—Section 3553(c) of title 44, United States Code, as amended by section 5121, is further amended by inserting after paragraph (5) the following:

“(6) an assessment of—

“(A) Federal agency implementation of the model required under subsection (a)(7);

“(B) how cyber vulnerabilities of Federal agencies changed from the previous year; and

“(C) whether the model mitigates the cyber vulnerabilities of the Federal Government.”.

(e) GAO REPORT.—Not later than 3 years after the date on which the first budget of the President is submitted to Congress containing the validation required under section 1105(a)(35)(A)(i)(V) of title 31, United States Code, as amended by subsection (c), the Comptroller General of the United States shall submit to the appropriate congressional committees a report that includes—

(1) an evaluation of the success of covered agencies in developing risk-based budgets;

(2) an evaluation of the success of covered agencies in implementing risk-based budgets;

(3) an evaluation of whether the risk-based budgets developed by covered agencies mitigate cyber vulnerability, including the extent to which the risk-based budgets inform Federal Government-wide cybersecurity programs; and

(4) any other information relating to risk-based budgets the Comptroller General determines appropriate.

TITLE LIV—PILOT PROGRAMS TO ENHANCE FEDERAL CYBERSECURITY

SEC. 5181. ACTIVE CYBER DEFENSIVE STUDY.

(a) DEFINITION.—In this section, the term “active defense technique”—

(1) means an action taken on the systems of an entity to increase the security of information on the network of an agency by misleading an adversary; and

(2) includes a honeypot, deception, or purposefully feeding false or misleading data to an adversary when the adversary is on the systems of the entity.

(b) STUDY.—Not later than 180 days after the date of enactment of this Act, the Director of the Cybersecurity and Infrastructure Security Agency, in coordination with the Director, shall perform a study on the use of active defense techniques to enhance the security of agencies, which shall include—

(1) a review of legal restrictions on the use of different active cyber defense techniques in Federal environments, in consultation with the Department of Justice;

(2) an evaluation of—

(A) the efficacy of a selection of active defense techniques determined by the Director of the Cybersecurity and Infrastructure Security Agency; and

(B) factors that impact the efficacy of the active defense techniques evaluated under subparagraph (A);

(3) recommendations on safeguards and procedures that shall be established to require that active defense techniques are adequately coordinated to ensure that active defense techniques do not impede threat response efforts, criminal investigations, and national security activities, including intelligence collection; and

SA 4765. Mr. HAGERTY (for himself, Mr. KING, and Mr. PORTMAN) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title II, add the following:

SEC. 2. COVERED PROJECTS UNDER TITLE XLI OF THE FAST ACT.

Section 41001 of the FAST Act (42 U.S.C. 4370m) is amended—

(1) in paragraph (6)(A)—

(A) in the matter preceding clause (i), by inserting “key technology focus areas impacting national security,” after “broadband,”;

(B) in clause (iii)(III), by striking “or” at the end;

(C) in clause (iv)(II), by striking the period at the end and inserting “; or”;

(D) by adding at the end the following:

“(v)(I) is of substantial national importance and complexity, as determined by the Executive Director; and

“(II)(aa) is subject to NEPA;

“(bb) requires the preparation of an environmental document; or

“(cc) requires an authorization or environmental review that involves 2 or more agencies.”;

(2) by redesignating paragraphs (15) through (18) as paragraphs (16) through (19), respectively; and

(3) by inserting after paragraph (14) the following:

“(15) KEY TECHNOLOGY FOCUS AREA IMPACTING NATIONAL SECURITY.—The term ‘key technology focus area impacting national security’ means an area involving—

“(A) semiconductors;

“(B) artificial intelligence, machine learning, autonomy, and related advances;

“(C) high performance computing and advanced computer hardware and software;

“(D) quantum information science and technology;

“(E) robotics, automation, and advanced manufacturing;

“(F) natural and anthropogenic disaster prevention or mitigation;

“(G) advanced communications technology and immersive technology;

“(H) biotechnology, medical technology, genomics, and synthetic biology;

“(I) data storage, data management, distributed ledger technologies, and cybersecurity, including biometrics;

“(J) advanced energy and industrial efficiency technologies, such as batteries and advanced nuclear technologies, including but not limited to for the purposes of electric generation (consistent with section 15 of the National Science Foundation Act of 1950 (42 U.S.C. 1874)); and

“(K) advanced materials science, including composites and 2D materials.”.

SA 4766. Mr. HAGERTY submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. 1064. GUIDANCE ON FOREIGN TRANSPORTATION NETWORK COMPANIES.

Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretary of State and the Director of National Intelligence, shall assess the security vulnerabilities associated with the use members of the Armed Forces and Department of Defense civilian personnel of foreign transportation network companies and provide guidance on the appropriate use of such companies. The assessment shall include a review of the data privacy and national security risks inherent to third-party transportation operators with ties to foreign government agencies that provide transportation services to members of the Armed Forces, including the exposure of trip and route details and personally identifiable information.

SA 4767. Ms. DUCKWORTH submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. . CHILD CARE RESOURCE GUIDE.

The Small Business Act (15 U.S.C. 631 et seq.) is amended—

(1) by redesignating section 49 as section 50; and

(2) by inserting after section 48 the following new section:

“SEC. 49. CHILD CARE RESOURCE GUIDE.

“(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this section and not less frequently than every 5 years thereafter, the Administrator shall publish or update a resource guide, applicable to various business models as determined by the Administrator, for small business concerns operating as child care providers.

“(b) GUIDANCE ON SMALL BUSINESS CONCERN MATTERS.—The resource guide required under subsection (a) shall include guidance for such small business concerns related to—

“(1) operations (including marketing and management planning);

“(2) finances (including financial planning, financing, payroll, and insurance);

“(3) compliance with relevant laws (including the Internal Revenue Code of 1986 and this Act);

“(4) training and safety (including equipment and materials);

“(5) quality (including eligibility for funding under the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9857 et seq.) as an eligible child care provider); and

“(6) any other matters the Administrator determines appropriate.

“(c) CONSULTATION REQUIRED.—Before publication or update of the resource guide required under subsection (a), the Administrator shall consult with the following:

“(1) The Secretary of Health and Human Services.

“(2) Representatives from lead agencies designated under section 658D of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858b).

“(3) Representatives from local or regional child care resource and referral organizations described in section 658E(c)(3)(B)(iii)(I) of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858c(c)(3)(B)(iii)(I)).

“(4) Any other relevant entities as determined by the Administrator.

“(d) PUBLICATION AND DISSEMINATION REQUIRED.—

“(1) PUBLICATION.—The Administrator shall publish the resource guide required under subsection (a) in English and in the 10 most commonly spoken languages, other than English, in the United States, which shall include Mandarin, Cantonese, Japanese, and Korean. The Administrator shall make each translation of the resource guide available on a publicly accessible website of the Administration.

“(2) DISTRIBUTION.—

“(A) ADMINISTRATOR.—The Administrator shall distribute the resource guide required under subsection (a) to offices within the Administration, including district offices, and to the persons consulted under subsection (c).

“(B) OTHER ENTITIES.—Women’s business centers (as described under section 29), small business development centers, chapters of the Service Corps of Retired Executives (established under section 8(b)(1)(B)), and Veteran Business Outreach Centers (as described under section 32) shall distribute to small business concerns operating as child care providers, sole proprietors operating as child care providers, and child care providers that have limited administrative capacity, as determined by the Administrator—

“(i) the resource guide required under subsection (a); and

“(ii) other resources available that the Administrator determines to be relevant.”.

SA 4768. Mr. CRAMER (for himself, Ms. HIRONO, Mr. WICKER, and Mr. BLUMENTHAL) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title III, add the following:

SEC. 376. INCREASE IN FUNDING FOR PROCUREMENT AND CERTAIN OPERATION AND MAINTENANCE ACCOUNTS.

(a) ADDITIONAL FUNDING.—

(1) PROCUREMENT.—The amount authorized to be appropriated for fiscal year 2022 by section 101 for procurement is hereby increased by \$10,000,000.

(2) OPERATION AND MAINTENANCE.—The amount authorized to be appropriated for fiscal year 2022 by section 301 for operation and maintenance is hereby increased by \$40,000,000.

(b) OFFSET.—The amount authorized to be appropriated for fiscal year 2022 by section 301 for operation and maintenance is hereby decreased by \$50,000,000, with the amount of the reduction to be derived from Army Operation and Maintenance, Afghanistan Security Forces Fund, Afghan National Army, Sustainment, line 010 of the table in section 4301.

SA 4769. Mr. WARNOCK submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title XVI, insert the following:

SEC. ____ . REPORT ON PATHWAYS FOR CYBER AND SOFTWARE ENGINEERING WORKFORCE GROWTH.

(a) REPORT REQUIRED.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report on pathways for cyber and software engineering workforce growth.

(b) MATTERS COVERED.—The report required by subsection (a) shall cover the following:

(1) Any current Department of Defense hiring practices or restrictions that constrain workforce growth or retention.

(2) Areas where partnership with State and local educational agencies focused on elementary or secondary education can boost workforce in an area, especially in rural schools and schools that receive funds under part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.).

(3) Incentive and policy options to bring qualified individuals to the regions where the jobs are currently.

(4) Authorities and programs at the Department of Labor that could be used to educate, retrain, or incentivize individuals to pursue these fields in cyber and software engineering.

(5) Options for scholarships and internships to grow a cyber and software engineering workforce pipeline.

SA 4770. Ms. MURKOWSKI (for herself, Mr. KING, and Mr. SULLIVAN) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . MODIFICATION TO REGIONAL CENTERS FOR SECURITY STUDIES.

(a) IN GENERAL.—Section 342(b)(2) of title 10, United States Code, is amended by adding at the end the following new subparagraph:

“(F) The Ted Stevens Center for Arctic Security Studies, established in 2021 and located in Anchorage, Alaska.”.

(b) ACCEPTANCE OF GIFTS AND DONATIONS.—Section 2611(a)(2) of title 10, United States Code, is amended by adding at the end the following new subparagraph:

“(F) The Ted Stevens Center for Arctic Security Studies, established in 2021 and located in Anchorage, Alaska.”.

SA 4771. Mr. HICKENLOOPER (for himself, Mr. CRAMER, Mr. KELLY, and Mr. MORAN) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title XV, add the following:

SEC. 1516. SENSE OF SENATE ON ANTI-SATELLITE MISSILE TEST OF RUSSIAN FEDERATION.

It is the sense of the Senate that—

(1) the reckless anti-satellite missile test of the Russian Federation on November 15, 2021, and the threat the resulting orbital debris poses to satellites, ongoing and future space missions, and the safety of United States astronauts at the International Space Station, are to be condemned; and

(2) support for responsible norms of behavior in space should be reaffirmed.

SA 4772. Mr. VAN HOLLEN (for himself and Mr. TILLIS) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . HIGH RESEARCH ACTIVITY STATUS HBCU PILOT PROGRAM.

(a) PURPOSES.—The purposes of the program established under this section shall be—

(1) to enable high research activity status historically Black colleges and universities to achieve very high research activity status; and

(2) to increase the national number of African-American undergraduate and graduate students with degrees in science, technology, engineering, and mathematics.

(b) DEFINITIONS.—

(1) SECRETARY.—The term “Secretary” means the Secretary of Defense.

(2) HIGH RESEARCH ACTIVITY STATUS.—The term “high research activity status” means such status, as classified by the Carnegie Classification of Institutions of Higher Education.

(3) HISTORICALLY BLACK COLLEGE OR UNIVERSITY.—The term “historically Black college or university” has the meaning given the term “part B institution” under section 322 of the Higher Education Act of 1965 (20 U.S.C. 1061).

(4) VERY HIGH RESEARCH ACTIVITY STATUS.—The term “very high research activity status” means such status, as classified by the Carnegie Classification of Institutions of Higher Education.

(c) VERY HIGH RESEARCH ACTIVITY STATUS HISTORICALLY BLACK COLLEGES OR UNIVERSITIES PROGRAM.—

(1) PROGRAM.—The Secretary is authorized to establish and carry out, using funds made available for research activities across the Office of the Undersecretary of Defense for Research and Engineering, a pilot program to award grants in focused areas of scientific research on a competitive, merit-reviewed basis to grow high research activity status (R2) historically Black colleges and universities to achieve very high research activity status (R1), while increasing the national number of African-American undergraduate, graduate, and post-doctoral students with degrees in science, technology, engineering, and mathematics. The Secretary may expand the program to other historically Black colleges or universities beyond those historically Black colleges or universities classified as high research activity status if the Secretary determines that the program can support such an expansion.

(2) GRANTS.—In carrying out the program, the Secretary shall award grants for key areas of scientific research on a competitive, merit-reviewed basis to historically Black colleges or universities that are classified as high research activity status institutions at the time of application for such a grant.

(3) APPLICATION.—

(A) IN GENERAL.—To be eligible to receive a grant under this section, a historically Black college or university described in paragraph (2) shall submit an application to the Secretary at such time, in such manner, and containing such information and assurances as the Secretary may require.

(B) CONTENTS.—The application described in subparagraph (A) shall include, at a minimum, a description of—

(i) a plan for increasing the level of research activity and achieving very high research activity status classification within 10 years of the grant award, including measurable milestones such as growth in research expenditures, number of research doctoral degrees awarded, number of research-focused faculty, and other relevant factors;

(ii) how the institution of higher education will sustain the increased level of research activity beyond the duration of the award; and

(iii) how the implementation of the proposed plan will be evaluated and assessed.

(4) PROGRAM COMPONENTS.—

(A) STRATEGIC AREAS OF SCIENTIFIC RESEARCH.—In consultation with the Defense Science Board, the Secretary, or the Secretary's designee, shall establish annually a list of key areas of research for which applicants can seek funding.

(B) USE OF FUNDS.—An institution that receives a grant under this section shall use the grant funds to support research activities, including—

- (i) faculty professional development;
- (ii) stipends for undergraduate and graduate students and post-doctoral scholars;
- (iii) laboratory equipment and instrumentation; and
- (iv) other activities necessary to build research capacity.

(C) RESEARCH ASSESSMENT.—

(i) IN GENERAL.—An institution that submits a proposal for a grant under this section shall submit with their proposal a plan that describes the institution's plan to achieve very high research activity status, including making investments with institutional and non-Federal funds, to achieve that status within a decade of the grant award, to the extent practicable.

(ii) UPDATED PLAN.—An institution that receives a grant under this section shall submit to the Secretary an updated plan described in clause (i) not less than once every 3 years, which shall be based on a self-assessment of progress in achieving very high research activity status.

(D) TRANSITION ELIGIBILITY.—The Secretary may consider creating pathways for new historically Black colleges or universities to enter into the program under this section as participating institutions achieve very high research activity status.

SA 4773. Mr. MARKEY submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title III, add the following:

SEC. 318. DEPARTMENT OF DEFENSE PLAN TO MEET SCIENCE-BASED EMISSIONS TARGETS.

(a) PLAN REQUIRED.—Not later than September 30, 2022, the Secretary of Defense shall submit to Congress a plan to reduce the greenhouse gas emissions of the Department of Defense, including functions of the Department that are performed by contractors, in line with science-based emissions targets.

(b) UPDATES.—Not later than one year after the submittal of the plan under subsection (a), and annually thereafter, the Secretary shall submit to Congress a report on the progress of the Department toward meeting the science-based emissions targets in such plan.

(c) SCIENCE-BASED EMISSIONS TARGET DEFINED.—In this section, the term “science-based emissions target” means a reduction in greenhouse gas emissions consistent with preventing an increase in global average temperature of greater than or equal to 1.5 degrees Celsius compared to pre-industrial levels.

SA 4774. Mr. INHOFE submitted an amendment intended to be proposed to

amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title III, insert the following:

SEC. 3 . . . REQUIREMENTS RELATING TO JOINT USE AGREEMENTS.

(a) PROHIBITION.—The Secretary of a military department may not enter into or modify a joint use agreement with a non-Department of Defense organization that is not beneficial to the Department of Defense.

(b) NOTICE AND WAIT REQUIREMENT.—

(1) IN GENERAL.—The Secretary of a military department may not enter into a joint use agreement with a non-Department of Defense organization until 180 days after certifying to the congressional defense committees that the agreement will benefit the operations and readiness of the military installation concerned or the Department overall.

(2) ELEMENTS.—A certification required by paragraph (1) shall include the following elements:

(A) A determination that the operations and readiness of the military installation concerned will benefit as a result of the agreement.

(B) A description of the effect of the agreement on the installation and the Department.

(C) A description of the benefit of the agreement to outside agencies.

(D) A description of alternative options to the agreement that were investigated.

(E) Any other elements the Secretary considers relevant.

SA 4775. Mr. REED submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 1508 and insert the following:

SEC. 1508. MODIFICATIONS TO EFFECTIVE DATES RELATING TO THE ASSISTANT SECRETARY OF THE AIR FORCE FOR SPACE ACQUISITION AND INTEGRATION AND THE SERVICE ACQUISITION EXECUTIVE OF THE DEPARTMENT OF THE AIR FORCE FOR SPACE SYSTEMS AND PROGRAMS.

(a) MODIFICATION TO EFFECTIVE DATE OF TRANSFER OF ACQUISITION PROJECTS FOR SPACE SYSTEMS AND PROGRAMS.—Section 956(b)(3) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116-92; 133 Stat. 1566; 10 U.S.C. 9016 note), as amended by section 1507(c), is further amended—

(1) by striking “Effective” and inserting “Not later than”; and

(2) by striking “as of September 30, 2022” and inserting “at the time of such transfer”.

(b) MODIFICATIONS TO EFFECTIVE DATES FOR SERVICE ACQUISITION EXECUTIVE OF THE DEPARTMENT OF THE AIR FORCE FOR SPACE SYSTEMS AND PROGRAMS.—

(1) IN GENERAL.—Section 957 of the National Defense Authorization Act for Fiscal Year 2020 (10 U.S.C. 9016 note) is amended—

(A) in subsection (a), by striking “Effective” and inserting “Not later than”; and

(B) in subsection (b)—

(i) in paragraph (1), by striking “Effective as of” and inserting “Not later than”; and

(ii) in paragraph (2), by striking “as of October 1, 2022” and inserting “as described in paragraph (1)”.

(2) CONFORMING AMENDMENT.—Section 9016(b)(6)(vi) of title 10, United States Code, as amended by section 1505(b), is further amended by striking “Effective as of” and inserting “Not later than”.

(3) TECHNICAL CORRECTION.—Section 957(b)(1) of the National Defense Authorization Act for Fiscal Year 2020 (10 U.S.C. 9016 note) is amended by striking “section 1832(b)” and inserting “section 956(b)”.

SA 4776. Mr. PETERS (for himself, Mr. PORTMAN, and Mr. GRASSLEY) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

DIVISION E—INSPECTOR GENERAL INDEPENDENCE AND EMPOWERMENT ACT OF 2021

SEC. 5101. SHORT TITLE.

This division may be cited as the “Inspector General Independence and Empowerment Act of 2021”.

TITLE LI—INSPECTOR GENERAL INDEPENDENCE

SEC. 5111. SHORT TITLE.

This title may be cited as the “Securing Inspector General Independence Act of 2021”.

SEC. 5112. REMOVAL OR TRANSFER OF INSPECTORS GENERAL; PLACEMENT ON NON-DUTY STATUS.

(a) IN GENERAL.—The Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) in section 3(b)—

(A) by inserting “(1)(A)” after “(b)”;

(B) in paragraph (1), as so designated—

(i) in subparagraph (A), as so designated, in the second sentence—

(I) by striking “reasons” and inserting the following: “substantive rationale, including detailed and case-specific reasons,”; and

(II) by inserting “(including to the appropriate congressional committees)” after “Houses of Congress”; and

(ii) by adding at the end the following:

“(B) If there is an open or completed inquiry into an Inspector General that relates to the removal or transfer of the Inspector General under subparagraph (A), the written communication required under that subparagraph shall—

“(i) identify each entity that is conducting, or that conducted, the inquiry; and

“(ii) in the case of a completed inquiry, contain the findings made during the inquiry.”; and

(C) by adding at the end the following:

“(2)(A) Subject to the other provisions of this paragraph, only the President may place an Inspector General on non-duty status.

“(B) If the President places an Inspector General on non-duty status, the President

shall communicate in writing the substantive rationale, including detailed and case-specific reasons, for the change in status to both Houses of Congress (including to the appropriate congressional committees) not later than 15 days before the date on which the change in status takes effect, except that the President may submit that communication not later than the date on which the change in status takes effect if—

“(i) the President has made a determination that the continued presence of the Inspector General in the workplace poses a threat described in any of clauses (i) through (iv) of section 6329b(b)(2)(A) of title 5, United States Code; and

“(ii) in the communication, the President includes a report on the determination described in clause (i), which shall include—

“(I) a specification of which clause of section 6329b(b)(2)(A) of title 5, United States Code, the President has determined applies under clause (i) of this subparagraph;

“(II) the substantive rationale, including detailed and case-specific reasons, for the determination made under clause (i);

“(III) an identification of each entity that is conducting, or that conducted, any inquiry upon which the determination under clause (i) was made; and

“(IV) in the case of an inquiry described in subclause (III) that is completed, the findings made during that inquiry.

“(C) The President may not place an Inspector General on non-duty status during the 30-day period preceding the date on which the Inspector General is removed or transferred under paragraph (1)(A) unless the President—

“(i) has made a determination that the continued presence of the Inspector General in the workplace poses a threat described in any of clauses (i) through (iv) of section 6329b(b)(2)(A) of title 5, United States Code; and

“(ii) not later than the date on which the change in status takes effect, submits to both Houses of Congress (including to the appropriate congressional committees) a written communication that contains the information required under subparagraph (B), including the report required under clause (ii) of that subparagraph.

“(D) For the purposes of this paragraph—

“(i) the term ‘Inspector General’—

“(I) means an Inspector General who was appointed by the President, without regard to whether the Senate provided advice and consent with respect to that appointment; and

“(II) includes the Inspector General of an establishment, the Inspector General of the Intelligence Community, the Inspector General of the Central Intelligence Agency, the Special Inspector General for Afghanistan Reconstruction, the Special Inspector General for the Troubled Asset Relief Program, and the Special Inspector General for Pandemic Recovery; and

“(ii) a reference to the removal or transfer of an Inspector General under paragraph (1), or to the written communication described in that paragraph, shall be considered to be—

“(I) in the case of the Inspector General of the Intelligence Community, a reference to section 103H(c)(4) of the National Security Act of 1947 (50 U.S.C. 3033(c)(4));

“(II) in the case of the Inspector General of the Central Intelligence Agency, a reference to section 17(b)(6) of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3517(b)(6));

“(III) in the case of the Special Inspector General for Afghanistan Reconstruction, a reference to section 1229(c)(6) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 378);

“(IV) in the case of the Special Inspector General for the Troubled Asset Relief Pro-

gram, a reference to section 121(b)(4) of the Emergency Economic Stabilization Act of 2008 (12 U.S.C. 5231(b)(4)); and

“(V) in the case of the Special Inspector General for Pandemic Recovery, a reference to section 4018(b)(3) of the CARES Act (15 U.S.C. 9053(b)(3)).”; and

(2) in section 8G(e)—

(A) in paragraph (1), by inserting “or placement on non-duty status” after “a removal”;

(B) in paragraph (2)—

(i) by inserting “(A)” after “(2)”;

(ii) in subparagraph (A), as so designated, in the first sentence—

(I) by striking “reasons” and inserting the following: “substantive rationale, including detailed and case-specific reasons.”; and

(II) by inserting “(including to the appropriate congressional committees)” after “Houses of Congress”; and

(iii) by adding at the end the following:

“(B) If there is an open or completed inquiry into an Inspector General that relates to the removal or transfer of the Inspector General under subparagraph (A), the written communication required under that subparagraph shall—

“(i) identify each entity that is conducting, or that conducted, the inquiry; and

“(ii) in the case of a completed inquiry, contain the findings made during the inquiry.”; and

(C) by adding at the end the following:

“(3)(A) Subject to the other provisions of this paragraph, only the head of the applicable designated Federal entity (referred to in this paragraph as the ‘covered official’) may place an Inspector General on non-duty status.

“(B) If a covered official places an Inspector General on non-duty status, the covered official shall communicate in writing the substantive rationale, including detailed and case-specific reasons, for the change in status to both Houses of Congress (including to the appropriate congressional committees) not later than 15 days before the date on which the change in status takes effect, except that the covered official may submit that communication not later than the date on which the change in status takes effect if—

“(i) the covered official has made a determination that the continued presence of the Inspector General in the workplace poses a threat described in any of clauses (i) through (iv) of section 6329b(b)(2)(A) of title 5, United States Code; and

“(ii) in the communication, the covered official includes a report on the determination described in clause (i), which shall include—

“(I) a specification of which clause of section 6329b(b)(2)(A) of title 5, United States Code, the covered official has determined applies under clause (i) of this subparagraph;

“(II) the substantive rationale, including detailed and case-specific reasons, for the determination made under clause (i);

“(III) an identification of each entity that is conducting, or that conducted, any inquiry upon which the determination under clause (i) was made; and

“(IV) in the case of an inquiry described in subclause (III) that is completed, the findings made during that inquiry.

“(C) A covered official may not place an Inspector General on non-duty status during the 30-day period preceding the date on which the Inspector General is removed or transferred under paragraph (2)(A) unless the covered official—

“(i) has made a determination that the continued presence of the Inspector General in the workplace poses a threat described in any of clauses (i) through (iv) of section 6329b(b)(2)(A) of title 5, United States Code; and

“(ii) not later than the date on which the change in status takes effect, submits to

both Houses of Congress (including to the appropriate congressional committees) a written communication that contains the information required under subparagraph (B), including the report required under clause (ii) of that subparagraph.

“(D) Nothing in this paragraph may be construed to limit or otherwise modify—

“(i) any statutory protection that is afforded to an Inspector General; or

“(ii) any other action that a covered official may take under law with respect to an Inspector General.”.

(b) TECHNICAL AND CONFORMING AMENDMENT.—Section 12(3) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended by inserting “except as otherwise expressly provided,” before “the term”.

SEC. 5113. VACANCY IN POSITION OF INSPECTOR GENERAL.

(a) IN GENERAL.—Section 3 of the Inspector General Act of 1978 (5 U.S.C. App.) is amended by adding at the end the following:

“(h)(1) In this subsection—

“(A) the term ‘first assistant to the position of Inspector General’ means, with respect to an Office of Inspector General—

“(i) an individual who, as of the day before the date on which the Inspector General dies, resigns, or otherwise becomes unable to perform the functions and duties of that position—

“(I) is serving in a position in that Office; and

“(II) has been designated in writing by the Inspector General, through an order of succession or otherwise, as the first assistant to the position of Inspector General; or

“(ii) if the Inspector General has not made a designation described in clause (i)(II)—

“(I) the Principal Deputy Inspector General of that Office, as of the day before the date on which the Inspector General dies, resigns, or otherwise becomes unable to perform the functions and duties of that position; or

“(II) if there is no Principal Deputy Inspector General of that Office, the Deputy Inspector General of that Office, as of the day before the date on which the Inspector General dies, resigns, or otherwise becomes unable to perform the functions and duties of that position; and

“(B) the term ‘Inspector General’—

“(i) means an Inspector General who is appointed by the President, by and with the advice and consent of the Senate; and

“(ii) includes the Inspector General of an establishment, the Inspector General of the Intelligence Community, the Inspector General of the Central Intelligence Agency, the Special Inspector General for the Troubled Asset Relief Program, and the Special Inspector General for Pandemic Recovery.

“(2) If an Inspector General dies, resigns, or is otherwise unable to perform the functions and duties of the position—

“(A) section 3345(a) of title 5, United States Code, and section 103(e) of the National Security Act of 1947 (50 U.S.C. 3025(e)) shall not apply;

“(B) subject to paragraph (4), the first assistant to the position of Inspector General shall perform the functions and duties of the Inspector General temporarily in an acting capacity subject to the time limitations of section 3346 of title 5, United States Code; and

“(C) notwithstanding subparagraph (B), and subject to paragraphs (4) and (5), the President (and only the President) may direct an officer or employee of any Office of an Inspector General to perform the functions and duties of the Inspector General temporarily in an acting capacity subject to the time limitations of section 3346 of title 5, United States Code, only if—

“(i) during the 365-day period preceding the date of death, resignation, or beginning of inability to serve of the Inspector General, the officer or employee served in a position in an Office of an Inspector General for not less than 90 days, except that—

“(I) the requirement under this clause shall not apply if the officer is an Inspector General; and

“(II) for the purposes of this subparagraph, performing the functions and duties of an Inspector General temporarily in an acting capacity does not qualify as service in a position in an Office of an Inspector General;

“(ii) the rate of pay for the position of the officer or employee described in clause (i) is equal to or greater than the minimum rate of pay payable for a position at GS-15 of the General Schedule;

“(iii) the officer or employee has demonstrated ability in accounting, auditing, financial analysis, law, management analysis, public administration, or investigations; and

“(iv) not later than 30 days before the date on which the direction takes effect, the President communicates in writing to both Houses of Congress (including to the appropriate congressional committees) the substantive rationale, including the detailed and case-specific reasons, for such direction, including the reason for the direction that someone other than the individual who is performing the functions and duties of the Inspector General temporarily in an acting capacity (as of the date on which the President issues that direction) perform those functions and duties temporarily in an acting capacity.

“(3) Notwithstanding section 3345(a) of title 5, United States Code, section 103(e) of the National Security Act of 1947 (50 U.S.C. 3025(e)), and subparagraphs (B) and (C) of paragraph (2), and subject to paragraph (4), during any period in which an Inspector General is on non-duty status—

“(A) the first assistant to the position of Inspector General shall perform the functions and duties of the position temporarily in an acting capacity subject to the time limitations of section 3346 of title 5, United States Code; and

“(B) if the first assistant described in subparagraph (A) dies, resigns, or becomes otherwise unable to perform those functions and duties, the President (and only the President) may direct an officer or employee in that Office of Inspector General to perform those functions and duties temporarily in an acting capacity, subject to the time limitations of section 3346 of title 5, United States Code, if—

“(i) that direction satisfies the requirements under clauses (ii), (iii), and (iv) of paragraph (2)(C); and

“(ii) that officer or employee served in a position in that Office of Inspector General for not fewer than 90 of the 365 days preceding the date on which the President makes that direction.

“(4) An individual may perform the functions and duties of an Inspector General temporarily and in an acting capacity under subparagraph (B) or (C) of paragraph (2), or under paragraph (3), with respect to only 1 Inspector General position at any given time.

“(5) If the President makes a direction under paragraph (2)(C), during the 30-day period preceding the date on which the direction of the President takes effect, the functions and duties of the position of the applicable Inspector General shall be performed by—

“(A) the first assistant to the position of Inspector General; or

“(B) the individual performing those functions and duties temporarily in an acting capacity, as of the date on which the President

issues that direction, if that individual is an individual other than the first assistant to the position of Inspector General.”

(b) **RULE OF CONSTRUCTION.**—Nothing in the amendment made by subsection (a) may be construed to limit the applicability of sections 3345 through 3349d of title 5, United States Code (commonly known as the “Federal Vacancies Reform Act of 1998”), other than with respect to section 3345(a) of that title.

(c) **EFFECTIVE DATE.**—

(1) **DEFINITION.**—In this subsection, the term “Inspector General” has the meaning given the term in subsection (h)(1)(B) of section 3 of the Inspector General Act of 1978 (5 U.S.C. App.), as added by subsection (a) of this section.

(2) **APPLICABILITY.**—

(A) **IN GENERAL.**—Except as provided in subparagraph (B), this section, and the amendments made by this section, shall take effect on the date of enactment of this Act.

(B) **EXISTING VACANCIES.**—If, as of the date of enactment of this Act, an individual is performing the functions and duties of an Inspector General temporarily in an acting capacity, this section, and the amendments made by this section, shall take effect with respect to that Inspector General position on the date that is 30 days after the date of enactment of this Act.

SEC. 5114. OFFICE OF INSPECTOR GENERAL WHISTLEBLOWER COMPLAINTS.

(a) **WHISTLEBLOWER PROTECTION COORDINATOR.**—Section 3(d)(1)(C) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) in clause (i), in the matter preceding subclause (I), by inserting “, including employees of that Office of Inspector General” after “employees”; and

(2) in clause (iii), by inserting “(including the Integrity Committee of that Council)” after “and Efficiency”.

(b) **COUNCIL OF THE INSPECTORS GENERAL ON INTEGRITY AND EFFICIENCY.**—Section 11(c)(5)(B) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended by striking “, allegations of reprisal,” and inserting the following: “and allegations of reprisal (including the timely and appropriate handling and consideration of protected disclosures and allegations of reprisal that are internal to an Office of Inspector General)”.

TITLE LII—PRESIDENTIAL EXPLANATION OF FAILURE TO NOMINATE AN INSPECTOR GENERAL

SEC. 5121. PRESIDENTIAL EXPLANATION OF FAILURE TO NOMINATE AN INSPECTOR GENERAL.

(a) **IN GENERAL.**—Subchapter III of chapter 33 of title 5, United States Code, is amended by inserting after section 3349d the following:

“§ 3349e. Presidential explanation of failure to nominate an inspector general

“If the President fails to make a formal nomination for a vacant inspector general position that requires a formal nomination by the President to be filled within the period beginning on the later of the date on which the vacancy occurred or on which a nomination is rejected, withdrawn, or returned, and ending on the day that is 210 days after that date, the President shall communicate, within 30 days after the end of such period and not later than June 1 of each year thereafter, to the appropriate congressional committees, as defined in section 12 of the Inspector General Act of 1978 (5 U.S.C. App.)—

“(1) the reasons why the President has not yet made a formal nomination; and

“(2) a target date for making a formal nomination.”

(b) **TECHNICAL AND CONFORMING AMENDMENT.**—The table of sections for subchapter

III of chapter 33 of title 5, United States Code, is amended by inserting after the item relating to section 3349d the following:

“3349e. Presidential explanation of failure to nominate an Inspector General.”

(c) **EFFECTIVE DATE.**—The amendment made by subsection (a) shall take effect—

(1) on the date of enactment of this Act with respect to any vacancy first occurring on or after that date; and

(2) on the day that is 210 days after the date of enactment of this Act with respect to any vacancy that occurred before the date of enactment of this Act.

TITLE LIII—INTEGRITY COMMITTEE OF THE COUNCIL OF INSPECTORS GENERAL ON INTEGRITY AND EFFICIENCY TRANSPARENCY

SEC. 5131. SHORT TITLE.

This title may be cited as the “Integrity Committee Transparency Act of 2021”.

SEC. 5132. ADDITIONAL INFORMATION TO BE INCLUDED IN REQUESTS AND REPORTS TO CONGRESS.

Section 11(d) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) in paragraph (5)(B)(ii), by striking the period at the end and inserting “, the length of time the Integrity Committee has been evaluating the allegation of wrongdoing, and a description of any previous written notice provided under this clause with respect to the allegation of wrongdoing, including the description provided for why additional time was needed.”; and

(2) in paragraph (8)(A)(ii), by inserting “or corrective action” after “disciplinary action”.

SEC. 5133. AVAILABILITY OF INFORMATION TO CONGRESS ON CERTAIN ALLEGATIONS OF WRONGDOING CLOSED WITHOUT REFERRAL.

Section 11(d)(5)(B) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended by adding at the end the following:

“(iii) **AVAILABILITY OF INFORMATION TO CONGRESS ON CERTAIN ALLEGATIONS OF WRONGDOING CLOSED WITHOUT REFERRAL.**—

“(I) **IN GENERAL.**—With respect to an allegation of wrongdoing made by a member of Congress that is closed by the Integrity Committee without referral to the Chairperson of the Integrity Committee to initiate an investigation, the Chairperson of the Integrity Committee shall, not later than 60 days after closing the allegation of wrongdoing, provide a written description of the nature of the allegation of wrongdoing and how the Integrity Committee evaluated the allegation of wrongdoing to—

“(aa) the Chair and Ranking Minority Member of the Committee on Homeland Security and Governmental Affairs of the Senate; and

“(bb) the Chair and Ranking Minority Member of the Committee on Oversight and Reform of the House of Representatives.

“(II) **REQUIREMENT TO FORWARD.**—The Chairperson of the Integrity Committee shall forward any written description or update provided under this clause to the members of the Integrity Committee and to the Chairperson of the Council.”

SEC. 5134. SEMIANNUAL REPORT.

Section 11(d)(9) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended to read as follows:

“(9) **SEMIANNUAL REPORT.**—On or before May 31, 2022, and every 6 months thereafter, the Council shall submit to Congress and the President a report on the activities of the Integrity Committee during the immediately preceding 6-month periods ending March 31 and September 30, which shall include the following with respect to allegations of wrongdoing that are made against Inspectors

General and staff members of the various Offices of Inspector General described in paragraph (4)(C):

“(A) An overview and analysis of the allegations of wrongdoing disposed of by the Integrity Committee, including—

“(i) analysis of the positions held by individuals against whom allegations were made, including the duties affiliated with such positions;

“(ii) analysis of the categories or types of the allegations of wrongdoing; and

“(iii) a summary of disposition of all the allegations.

“(B) The number of allegations received by the Integrity Committee.

“(C) The number of allegations referred to the Department of Justice or the Office of Special Counsel, including the number of allegations referred for criminal investigation.

“(D) The number of allegations referred to the Chairperson of the Integrity Committee for investigation, a general description of the status of such investigations, and a summary of the findings of investigations completed.

“(E) An overview and analysis of allegations of wrongdoing received by the Integrity Committee during any previous reporting period, but remained pending during some part of the six months covered by the report, including—

“(i) analysis of the positions held by individuals against whom allegations were made, including the duties affiliated with such positions;

“(ii) analysis of the categories or types of the allegations of wrongdoing; and

“(iii) a summary of disposition of all the allegations.

“(F) The number and category or type of pending investigations.

“(G) For each allegation received—

“(i) the date on which the investigation was opened;

“(ii) the date on which the allegation was disposed of, as applicable; and

“(iii) the case number associated with the allegation.

“(H) The nature and number of allegations to the Integrity Committee closed without referral, including the justification for why each allegation was closed without referral.

“(I) A brief description of any difficulty encountered by the Integrity Committee when receiving, evaluating, investigating, or referring for investigation an allegation received by the Integrity Committee, including a brief description of—

“(i) any attempt to prevent or hinder an investigation; or

“(ii) concerns about the integrity or operations at an Office of Inspector General.

“(J) Other matters that the Council considers appropriate.”

SEC. 5135. ADDITIONAL REPORTS.

Section 5 of the Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) by redesignating subsections (e) and (f) as subsections (g) and (h), respectively; and

(2) by inserting after subsection (d) the following:

“(e) ADDITIONAL REPORTS.—

“(1) REPORT TO INSPECTOR GENERAL.—The Chairperson of the Integrity Committee of the Council of the Inspectors General on Integrity and Efficiency shall, immediately whenever the Chairperson of the Integrity Committee becomes aware of particularly serious or flagrant problems, abuses, or deficiencies relating to the administration of programs and operations of an Office of Inspector General for which the Integrity Committee may receive, review, and refer for investigation allegations of wrongdoing under section 11(d), submit a report to the Inspector General who leads the Office at which the

serious or flagrant problems, abuses, or deficiencies were alleged.

“(2) REPORT TO PRESIDENT, CONGRESS, AND THE ESTABLISHMENT.—Not later than 7 days after the date on which an Inspector General receives a report submitted under paragraph (1), the Inspector General shall submit to the President, the appropriate congressional committees, and the head of the establishment—

“(A) the report received under paragraph (1); and

“(B) a report by the Inspector General containing any comments the Inspector General determines appropriate.”

SEC. 5136. REQUIREMENT TO REPORT FINAL DISPOSITION TO CONGRESS.

Section 11(d)(8)(B) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended by inserting “and the appropriate congressional committees” after “Integrity Committee”.

SEC. 5137. INVESTIGATIONS OF OFFICES OF INSPECTORS GENERAL OF ESTABLISHMENTS BY THE INTEGRITY COMMITTEE.

Section 11(d)(7)(B)(i)(V) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended by inserting “, and that an investigation of an Office of Inspector General of an establishment is conducted by another Office of Inspector General of an establishment” after “size”.

TITLE LIV—NOTICE OF ONGOING INVESTIGATIONS WHEN THERE IS A CHANGE IN STATUS OF INSPECTOR GENERAL

SEC. 5141. NOTICE OF ONGOING INVESTIGATIONS WHEN THERE IS A CHANGE IN STATUS OF INSPECTOR GENERAL.

Section 5 of the Inspector General Act of 1978 (5 U.S.C. App.) is amended by inserting after subsection (e), as added by section 5135 of this division, the following:

“(f) Not later than 15 days after an Inspector General is removed, placed on paid or unpaid non-duty status, or transferred to another position or location within an establishment, the officer or employee performing the functions and duties of the Inspector General temporarily in an acting capacity shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Reform of the House of Representatives information regarding work being conducted by the Office as of the date on which the Inspector General was removed, placed on paid or unpaid non-duty status, or transferred, which shall include—

“(1) for each investigation—

“(A) the type of alleged offense;

“(B) the fiscal quarter in which the Office initiated the investigation;

“(C) the relevant Federal agency, including the relevant component of that Federal agency for any Federal agency listed in section 901(b) of title 31, United States Code, under investigation or affiliated with the individual or entity under investigation; and

“(D) whether the investigation is administrative, civil, criminal, or a combination thereof, if known; and

“(2) for any work not described in paragraph (1)—

“(A) a description of the subject matter and scope;

“(B) the relevant agency, including the relevant component of that Federal agency, under review;

“(C) the date on which the Office initiated the work; and

“(D) the expected time frame for completion.”

TITLE LV—COUNCIL OF THE INSPECTORS GENERAL ON INTEGRITY AND EFFICIENCY REPORT ON EXPENDITURES

SEC. 5151. CIGIE REPORT ON EXPENDITURES.

Section 11(c)(3) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended by adding at the end the following:

“(D) REPORT ON EXPENDITURES.—Not later than November 30 of each year, the Chairperson shall submit to the appropriate committees or subcommittees of Congress, including the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives, a report on the expenditures of the Council for the preceding fiscal year, including from direct appropriations to the Council, interagency funding pursuant to subparagraph (A), a revolving fund pursuant to subparagraph (B), or any other source.”

TITLE LVI—NOTICE OF REFUSAL TO PROVIDE INSPECTORS GENERAL ACCESS

SEC. 5161. NOTICE OF REFUSAL TO PROVIDE INFORMATION OR ASSISTANCE TO INSPECTORS GENERAL.

Section 6(c) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended by adding at the end the following:

“(3) If the information or assistance that is the subject of a report under paragraph (2) is not provided to the Inspector General by the date that is 30 days after the report is made, the Inspector General shall submit a notice that the information or assistance requested has not been provided by the head of the establishment involved or the head of the Federal agency involved, as applicable, to the appropriate congressional committees.”

TITLE LVII—TRAINING RESOURCES FOR INSPECTORS GENERAL AND OTHER MATTERS

SEC. 5171. TRAINING RESOURCES FOR INSPECTORS GENERAL.

Section 11(c)(1) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) by redesignating subparagraphs (E) through (I) as subparagraphs (F) through (J), respectively; and

(2) by inserting after subparagraph (D) the following:

“(E) support the professional development of Inspectors General, including by providing training opportunities on the duties, responsibilities, and authorities under this Act and on topics relevant to Inspectors General and the work of Inspectors General, as identified by Inspectors General and the Council.”

SEC. 5172. DEFINITION OF APPROPRIATE CONGRESSIONAL COMMITTEES.

The Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) in section 5—

(A) in subsection (b), in the matter preceding paragraph (1), by striking “committees or subcommittees of the Congress” and inserting “congressional committees”; and

(B) in subsection (d), by striking “committees or subcommittees of Congress” and inserting “congressional committees”;

(2) in section 6(h)(4)—

(A) in subparagraph (B), by striking “Government”; and

(B) by amending subparagraph (C) to read as follows:

“(C) Any other relevant congressional committee or subcommittee of jurisdiction.”;

(3) in section 8—

(A) in subsection (b)—

(i) in paragraph (3), by striking “the Committees on Armed Services and Governmental Affairs of the Senate and the Committee on Armed Services and the Committee on Government Reform and Oversight of the House of Representatives and to other appropriate committees or subcommittees of

the Congress” and inserting “the appropriate congressional committees, including the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives”; and

(i) in paragraph (4), by striking “and to other appropriate committees or subcommittees”; and

(B) in subsection (f)—

(i) in paragraph (1), by striking “the Committees on Armed Services and on Homeland Security and Governmental Affairs of the Senate and the Committees on Armed Services and on Oversight and Government Reform of the House of Representatives and to other appropriate committees or subcommittees of Congress” and inserting “the appropriate congressional committees, including the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives”; and

(ii) in paragraph (2), by striking “committees or subcommittees of the Congress” and inserting “congressional committees”;

(4) in section 8D—

(A) in subsection (a)(3), by striking “Committees on Governmental Affairs and Finance of the Senate and the Committees on Government Operations and Ways and Means of the House of Representatives, and to other appropriate committees or subcommittees of the Congress” and inserting “appropriate congressional committees, including the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives”; and

(B) in subsection (g)—

(i) in paragraph (1)—

(I) by striking “committees or subcommittees of the Congress” and inserting “congressional committees”; and

(II) by striking “Committees on Governmental Affairs and Finance of the Senate and the Committees on Government Reform and Oversight and Ways and Means of the House of Representatives” and inserting “Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives”; and

(ii) in paragraph (2), by striking “committees or subcommittees of Congress” and inserting “congressional committees”;

(5) in section 8E—

(A) in subsection (a)(3), by striking “Committees on Governmental Affairs and Judiciary of the Senate and the Committees on Government Operations and Judiciary of the House of Representatives, and to other appropriate committees or subcommittees of the Congress” and inserting “appropriate congressional committees, including the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives”; and

(B) in subsection (c)—

(i) by striking “committees or subcommittees of the Congress” and inserting “congressional committees”; and

(ii) by striking “Committees on the Judiciary and Governmental Affairs of the Senate and the Committees on the Judiciary and Government Operations of the House of Representatives” and inserting “Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives”;

(6) in section 8G—

(A) in subsection (d)(2)(E), in the matter preceding clause (i), by inserting “the appropriate congressional committees, including” after “are”; and

(B) in subsection (f)(3)—

(i) in subparagraph (A)(iii), by striking “Committee on Governmental Affairs of the Senate and the Committee on Government Reform and Oversight of the House of Representatives, and to other appropriate committees or subcommittees of the Congress”

and inserting “the appropriate congressional committees”; and

(ii) by striking subparagraph (C);

(7) in section 8I—

(A) in subsection (a)(3), in the matter preceding subparagraph (A), by striking “committees and subcommittees of Congress” and inserting “congressional committees”; and

(B) in subsection (d), by striking “committees and subcommittees of Congress” each place it appears and inserting “congressional committees”;

(8) in section 8N(b), by striking “committees of Congress” and inserting “congressional committees”;

(9) in section 11—

(A) in subsection (b)(3)(B)(viii)—

(i) by striking subclauses (III) and (IV);

(ii) in subclause (I), by adding “and” at the end; and

(iii) by amending subclause (II) to read as follows:

“(II) the appropriate congressional committees.”; and

(B) in subsection (d)(8)(A)(iii), by striking “to the” and all that follows through “jurisdiction” and inserting “to the appropriate congressional committees”; and

(10) in section 12—

(A) in paragraph (4), by striking “and” at the end;

(B) in paragraph (5), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(6) the term ‘appropriate congressional committees’ means—

“(A) the Committee on Homeland Security and Governmental Affairs of the Senate;

“(B) the Committee on Oversight and Reform of the House of Representatives; and

“(C) any other relevant congressional committee or subcommittee of jurisdiction.”.

SEC. 5173. SEMIANNUAL REPORTS.

The Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) in section 4(a)(2)—

(A) by inserting “, including” after “to make recommendations”; and

(B) by inserting a comma after “section 5(a)”;

(2) in section 5—

(A) in subsection (a)—

(i) by striking paragraphs (1) through (12) and inserting the following:

“(1) a description of significant problems, abuses, and deficiencies relating to the administration of programs and operations of the establishment and associated reports and recommendations for corrective action made by the Office;

“(2) an identification of each recommendation made before the reporting period, for which corrective action has not been completed, including the potential costs savings associated with the recommendation;

“(3) a summary of significant investigations closed during the reporting period;

“(4) an identification of the total number of convictions during the reporting period resulting from investigations;

“(5) information regarding each audit, inspection, or evaluation report issued during the reporting period, including—

“(A) a listing of each audit, inspection, or evaluation;

“(B) if applicable, the total dollar value of questioned costs (including a separate category for the dollar value of unsupported costs) and the dollar value of recommendations that funds be put to better use, including whether a management decision had been made by the end of the reporting period;

“(6) information regarding any management decision made during the reporting period with respect to any audit, inspection, or evaluation issued during a previous reporting period.”;

(ii) by redesignating paragraphs (13) through (22) as paragraphs (7) through (16), respectively;

(iii) by amending paragraph (13), as so redesignated, to read as follows:

“(13) a report on each investigation conducted by the Office where allegations of misconduct were substantiated, including the name of the senior Government employee, if already made public by the Office, and a detailed description of—

“(A) the facts and circumstances of the investigation; and

“(B) the status and disposition of the matter, including—

“(i) if the matter was referred to the Department of Justice, the date of the referral; and

“(ii) if the Department of Justice declined the referral, the date of the declination.”; and

(iv) in paragraph (15), as so redesignated, by striking subparagraphs (A) and (B) and inserting the following:

“(A) any attempt by the establishment to interfere with the independence of the Office, including—

“(i) with budget constraints designed to limit the capabilities of the Office; and

“(ii) incidents where the establishment has resisted or objected to oversight activities of the Office or restricted or significantly delayed access to information, including the justification of the establishment for such action; and

“(B) a summary of each report made to the head of the establishment under section 6(c)(2) during the reporting period.”; and

(B) in subsection (b)—

(i) by striking paragraphs (2) and (3) and inserting the following:

“(2) where final action on audit, inspection, and evaluation reports had not been taken before the commencement of the reporting period, statistical tables showing—

“(A) with respect to management decisions—

“(i) for each report, whether a management decision was made during the reporting period;

“(ii) if a management decision was made during the reporting period, the dollar value of disallowed costs and funds to be put to better use as agreed to in the management decision; and

“(iii) total number of reports where a management decision was made during the reporting period and the total corresponding dollar value of disallowed costs and funds to be put to better use as agreed to in the management decision; and

“(B) with respect to final actions—

“(i) whether, if a management decision was made before the end of the reporting period, final action was taken during the reporting period;

“(ii) if final action was taken, the dollar value of—

“(I) disallowed costs that were recovered by management through collection, offset, property in lieu of cash, or otherwise;

“(II) disallowed costs that were written off by management;

“(III) disallowed costs and funds to be put to better use not yet recovered or written off by management;

“(IV) recommendations that were completed; and

“(V) recommendations that management has subsequently concluded should not or could not be implemented or completed; and

“(iii) total number of reports where final action was not taken and total number of reports where final action was taken, including the total corresponding dollar value of disallowed costs and funds to be put to better use as agreed to in the management decisions.”;

(ii) by redesignating paragraph (4) as paragraph (3);

(iii) in paragraph (3), as so redesignated, by striking “subsection (a)(20)(A)” and inserting “subsection (a)(14)(A)”; and

(iv) by striking paragraph (5) and inserting the following:

“(4) a statement explaining why final action has not been taken with respect to each audit, inspection, and evaluation report in which a management decision has been made but final action has not yet been taken, except that such statement—

“(A) may exclude reports if—

“(i) a management decision was made within the preceding year; or

“(ii) the report is under formal administrative or judicial appeal or management of the establishment has agreed to pursue a legislative solution; and

“(B) shall identify the number of reports in each category so excluded.”;

(C) by redesignating subsection (h), as so redesignated by section 5135 of this division, as subsection (i); and

(D) by inserting after subsection (g), as so redesignated by section 5135 of this division, the following:

“(h) If an Office has published any portion of the report or information required under subsection (a) to the website of the Office or on oversight.gov, the Office may elect to provide links to the relevant webpage or website in the report of the Office under subsection (a) in lieu of including the information in that report.”.

SEC. 5174. SUBMISSION OF REPORTS THAT SPECIFICALLY IDENTIFY NON-GOVERNMENTAL ORGANIZATIONS OR BUSINESS ENTITIES.

(a) IN GENERAL.—Section 5(g) of the Inspector General Act of 1978 (5 U.S.C. App.), as so redesignated by section 5135 of this division, is amended by adding at the end the following:

“(6)(A) Except as provided in subparagraph (B), if an audit, evaluation, inspection, or other non-investigative report prepared by an Inspector General specifically identifies a specific non-governmental organization or business entity, whether or not the non-governmental organization or business entity is the subject of that audit, evaluation, inspection, or non-investigative report—

“(i) the Inspector General shall notify the non-governmental organization or business entity;

“(ii) the non-governmental organization or business entity shall have—

“(I) 30 days to review the audit, evaluation, inspection, or non-investigative report beginning on the date of publication of the audit, evaluation, inspection, or non-investigative report; and

“(II) the opportunity to submit a written response for the purpose of clarifying or providing additional context as it directly relates to each instance wherein an audit, evaluation, inspection, or non-investigative report specifically identifies that non-governmental organization or business entity; and

“(iii) if a written response is submitted under clause (ii)(II) within the 30-day period described in clause (ii)(I)—

“(I) the written response shall be attached to the audit, evaluation, inspection, or non-investigative report; and

“(II) in every instance where the report may appear on the public-facing website of the Inspector General, the website shall be updated in order to access a version of the audit, evaluation, inspection, or non-investigative report that includes the written response.

“(B) Subparagraph (A) shall not apply with respect to a non-governmental organization or business entity that refused to provide in-

formation or assistance sought by an Inspector General during the creation of the audit, evaluation, inspection, or non-investigative report.

“(C) An Inspector General shall review any written response received under subparagraph (A) for the purpose of preventing the improper disclosure of classified information or other non-public information, consistent with applicable laws, rules, and regulations, and, if necessary, redact such information.”.

(b) RETROACTIVE APPLICABILITY.—During the 30-day period beginning on the date of enactment of this Act—

(1) the amendment made by subsection (a) shall apply upon the request of a non-governmental organization or business entity named in an audit, evaluation, inspection, or other non-investigative report prepared on or after January 1, 2019; and

(2) any written response submitted under clause (iii) of section 5(g)(6)(A) of the Inspector General Act of 1978 (5 U.S.C. App.), as added by subsection (a), with respect to such an audit, evaluation, inspection, or other non-investigative report shall attach to the original report in the manner described in that clause.

SA 4777. Mrs. FISCHER (for herself and Ms. KLOBUCHAR) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title X, insert the following:

SEC. ———. ADVANCING IOT FOR PRECISION AGRICULTURE.

(a) SHORT TITLE.—This section may be cited as the “Advancing IoT for Precision Agriculture Act of 2021”.

(b) PURPOSE.—It is the purpose of this section to promote scientific research and development opportunities for connected technologies that advance precision agriculture capabilities.

(c) NATIONAL SCIENCE FOUNDATION DIRECTIVE ON AGRICULTURAL SENSOR RESEARCH.—In awarding grants under its applicable sensor systems and networked systems programs, and in coordination with the Department of Agriculture, the Director of the National Science Foundation shall include in consideration of portfolio balance research and development on sensor connectivity in environments of intermittent connectivity and intermittent computation—

(1) to improve the reliable use of advance sensing systems in rural and agricultural areas; and

(2) that considers—

(A) direct gateway access for locally stored data;

(B) attenuation of signal transmission;

(C) loss of signal transmission; and

(D) at-scale performance for wireless power.

(d) UPDATING CONSIDERATIONS FOR PRECISION AGRICULTURE TECHNOLOGY WITHIN THE NSF ADVANCED TECHNICAL EDUCATION PROGRAM.—Section 3 of the Scientific and Advanced-Technology Act of 1992 (42 U.S.C. 1862i) is amended—

(1) in subsection (d)(2)—

(A) in subparagraph (D), by striking “and” after the semicolon;

(B) in subparagraph (E), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(F) applications that incorporate distance learning tools and approaches.”;

(2) in subsection (e)(3)—

(A) in subparagraph (C), by striking “and” after the semicolon;

(B) in subparagraph (D), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(E) applications that incorporate distance learning tools and approaches.”; and

(3) in subsection (j)(1), by inserting “agricultural,” after “commercial.”.

(e) GAO REVIEW.—Not later than 18 months after the date of enactment of this section, the Comptroller General of the United States shall provide—

(1) a technology assessment of precision agriculture technologies, such as the existing use of—

(A) sensors, scanners, radio-frequency identification, and related technologies that can monitor soil properties, irrigation conditions, and plant physiology;

(B) sensors, scanners, radio-frequency identification, and related technologies that can monitor livestock activity and health;

(C) network connectivity and wireless communications that can securely support digital agriculture technologies in rural and remote areas;

(D) aerial imagery generated by satellites or unmanned aerial vehicles;

(E) ground-based robotics;

(F) control systems design and connectivity, such as smart irrigation control systems; and

(G) data management software and advanced analytics that can assist decision making and improve agricultural outcomes; and

(2) a review of Federal programs that provide support for precision agriculture research, development, adoption, education, or training, in existence on the date of enactment of this section.

SA 4778. Mr. BOOKER (for himself, Mr. CORNYN, Mr. COONS, Mr. PORTMAN, Mr. GRAHAM, and Mr. CARPER) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title X, add the following:

Subtitle H—Preventing Future Pandemics

SEC. 1071. SHORT TITLE.

This subtitle may be cited as the “Preventing Future Pandemics Act of 2021”.

SEC. 1072. DEFINITIONS.

In this subtitle:

(1) WILDLIFE MARKET.—The term “wildlife market”—

(A) means a commercial market or subsection of a commercial market—

(i) where live mammalian or avian wildlife is held, slaughtered, or sold for human consumption as food or medicine whether the animals originated in the wild or in a captive environment; and

(ii) that delivers a product in communities where alternative nutritional or protein sources are readily available and affordable; and

(B) does not include—

(i) markets in areas where no other practical alternative sources of protein or meat

exists, such as wildlife markets in rural areas on which indigenous people and rural local communities rely to feed themselves and their families; and

(i) dead wild game and fish processors.

(2) **COMMERCIAL TRADE IN LIVE WILDLIFE.**—The term “commercial trade in live wildlife”—

(A) means commercial trade in live wildlife for human consumption as food or medicine; and

(B) does not include—

(i) fish;

(ii) invertebrates;

(iii) amphibians and reptiles; and

(iv) the meat of ruminant game species—

(I) traded in markets in countries with effective implementation and enforcement of scientifically based, nationally implemented policies and legislation for processing, transport, trade, and marketing; and

(II) sold after being slaughtered and processed under sanitary conditions.

(3) **ONE HEALTH.**—The term “One Health” means a collaborative, multi-sectoral, and transdisciplinary approach working at the local, regional, national, and global levels with the goal of achieving optimal health outcomes that recognizes the interconnection between—

(A) people, animals, both wild and domestic, and plants; and

(B) the environment shared by such people, animals, and plants.

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

(A) the Committee on Foreign Relations of the Senate;

(B) the Committee on Appropriations of the Senate;

(C) the Committee on Foreign Affairs of the House of Representatives; and

(D) the Committee on Appropriations of the House of Representatives.

SEC. 1073. STUDY ON RISK OF WILDLIFE MARKETS ON THE EMERGENCE OF NOVEL VIRAL PATHOGENS.

(a) **STUDY.**—Not later than 30 days after the date of the enactment of this Act, the Secretary of State, in consultation with the Administrator of the United States Agency for International Development, the Secretary of Health and Human Services, the Secretary of the Interior, and the Secretary of Agriculture shall enter into an agreement with the National Academies of Sciences, Engineering, and Medicine to evaluate the risk wildlife markets pose to human health through the emergence or reemergence of pathogens and activities to reduce the risk of zoonotic spillover. The study shall evaluate—

(1) the impact of physical proximity to and the role of human use of terrestrial wildlife for food or medicine on the emergence or reemergence of pathogens, including novel pathogens;

(2) the conditions at live wildlife markets and within the associated supply chain that elevate risk factors leading to such emergence, reemergence, or transmission of pathogens, including sanitary conditions and the physical proximity of animals;

(3) animal taxa that present a high risk of contributing to zoonotic spillover and the associated risk factors that increase the emergence, reemergence, or transmission of pathogens;

(4) emerging pathogen risk reduction measures and control options across wildlife markets and the associated supply chain; and

(5) the methods by which the United States might work with international partners to effectively promote diversified, culturally appropriate alternative sources of nutritious food, protein, and related income in commu-

nities that currently rely upon the human use of wildlife as food or medicine for subsistence, while ensuring that existing natural habitats are not fragmented, degraded, or destroyed and that human pressure on natural habitats is not increased by this process.

(b) **REPORT.**—Not later than 1 year after the date of the agreement under subsection (a), the Secretaries described in such subsection shall submit a report on the findings of the study described in such subsection to—

(1) the appropriate congressional committees;

(2) the Committee on Health, Education, Labor, and Pensions and the Committee on Agriculture, Nutrition, and Forestry of the Senate; and

(3) the Committee on Energy and Commerce and the Committee on Agriculture of the House of Representatives.

(c) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated such sums as are necessary for the development of the study described in this section.

SEC. 1074. DETERMINATION OF RISK.

Not later than 90 days after the completion of the study in section 1073, the Director of the Centers for Disease Control and Prevention, in coordination with the heads of other relevant departments and agencies, including the Department of Agriculture, the Department of the Interior, and the United States Agency for International Development, and after consideration of such study after public notice and comment, shall publicly release a list of taxa that the Director, taking into account other risk factors examined in the study, determines present a high risk of contributing to the spillover of zoonotic pathogens capable of causing pandemics. The list shall be reviewed annually and updated as necessary by the Director, following additional public notice and comment.

SEC. 1075. SENSE OF CONGRESS.

It is the sense of Congress that global institutions, including the Food and Agriculture Organization of the United Nations (FAO), the World Organisation for Animal Health (OIE), the World Health Organization (WHO), and the United Nations Environment Programme (UNEP), together with leading intergovernmental and nongovernmental organizations, veterinary and medical colleges, the Department of State, and the United States Agency for International Development (USAID), should promote the paradigm of One Health as an effective and integrated way to address the complexity of emerging disease threats, and should support improved community health, biodiversity conservation, forest conservation and management, sustainable agriculture, and safety of livestock, domestic animals, and wildlife in developing countries, particularly in tropical landscapes where there is an elevated risk of zoonotic disease spill over.

SEC. 1076. STATEMENT OF POLICY.

It is the policy of the United States to—

(1) support the availability of scalable and sustainable alternative sources of protein and nutrition for local communities, where appropriate, in order to minimize human reliance on the commercial trade in live wildlife for human consumption;

(2) support foreign governments to—

(A) reduce commercial trade in live wildlife for human consumption;

(B) transition from the commercial trade in live wildlife for human consumption to sustainably produced alternate protein and nutritional sources;

(C) establish and effectively manage and protect natural habitat, including protected and conserved areas and the lands of Indige-

nous peoples and local communities, particularly in countries with tropical forest hotspots for emerging diseases; and

(D) strengthen public health capacity, particularly in countries where there is a high risk of emerging zoonotic viruses and other infectious diseases;

(3) respect the rights and needs of indigenous peoples and local communities dependent on such wildlife for nutritional needs and food security; and

(4) facilitate international cooperation by working with international partners through intergovernmental, international, and nongovernmental organizations such as the United Nations to—

(A) lead a resolution at the United Nations Security Council or General Assembly and World Health Assembly outlining the danger to human and animal health from emerging zoonotic infectious diseases, with recommendations for implementing the closure of wildlife markets and prevention of the commercial trade in live wildlife for human consumption, except where the consumption of wildlife is necessary for local food security or where such actions would significantly disrupt a readily available and irreplaceable food supply;

(B) raise awareness and build stakeholder engagement networks, including civil society, the private sector, and local and regional governments on the dangerous potential of wildlife markets as a source of zoonotic diseases and reduce demand for the consumption of wildlife through evidence-based behavior change programs, while ensuring that existing wildlife habitat is not encroached upon or destroyed as part of this process;

(C) encourage and support alternative forms of sustainable food production, farming, and shifts to sustainable sources of protein and nutrition instead of terrestrial wildlife, where able and appropriate, and reduce consumer demand for terrestrial and freshwater wildlife through enhanced local and national food systems, especially in areas where wildlife markets play a significant role in meeting subsistence needs while ensuring that existing wildlife habitat is not encroached upon or destroyed as part of this process; and

(D) strive to increase biosecurity and hygienic standards implemented in farms, gathering centers, transport, and market systems around the globe, especially those specializing in the provision of products intended for human consumption.

SEC. 1077. PREVENTION OF FUTURE ZOOONOTIC SPILLOVER EVENTS.

(a) **IN GENERAL.**—The Secretary of State and the Administrator of the United States Agency for International Development, in consultation with the Director of the United States Fish and Wildlife Service, the Secretary of Agriculture, the Director of the Centers for Disease Control and Prevention, and the heads of other relevant departments and agencies, shall work with foreign governments, multilateral entities, intergovernmental organizations, international partners, private sector partners, and nongovernmental organizations to carry out activities supporting the following objectives, recognizing that multiple interventions will likely be necessary to make an impact, and that interventions will need to be tailored to the situation to—

(1) immediately close wildlife markets which contain taxa listed pursuant to section 1074 and uncontrolled, unsanitary, or illicit wildlife markets and prevent associated commercial trade in live wildlife, placing a priority focus on countries with significant markets for live wildlife for human consumption, high-volume commercial trade and associated markets, trade in and across

urban centers, and trade for luxury consumption or where there is no dietary necessity—

(A) through existing treaties, conventions, and agreements;

(B) by amending existing protocols or agreements;

(C) by pursuing new protocols; or

(D) by other means of international coordination;

(2) improve regulatory oversight and reduce commercial trade in live wildlife and eliminate practices identified to contribute to zoonotic spillover and emerging pathogens;

(3) prevent commercial trade in live wildlife through programs that combat wildlife trafficking and poaching, including by—

(A) providing assistance to improve law enforcement;

(B) detecting and deterring the illegal import, transit, sale, and export of wildlife;

(C) strengthening such programs to assist countries through legal reform;

(D) improving information sharing and enhancing capabilities of participating foreign governments;

(E) supporting efforts to change behavior and reduce demand for such wildlife products;

(F) leveraging United States private sector technologies and expertise to scale and enhance enforcement responses to detect and prevent such trade; and

(G) strengthening collaboration with key private sector entities in the transportation industry to prevent and report the transport of such wildlife and wildlife products;

(4) leverage strong United States bilateral relationships to support new and existing inter-Ministerial collaborations or Task Forces that can serve as regional One Health models;

(5) build local agricultural and food safety capacity by leveraging expertise from the United States Department of Agriculture (USDA) and institutions of higher education with agricultural or natural resource expertise;

(6) work through international organizations to develop a set of objective risk-based metrics that provide a cross-country comparable measure of the level of risk posed by wildlife trade and marketing and can be used to track progress nations make in reducing risks, identify where resources should be focused, and potentially leverage a peer influence effect;

(7) prevent the degradation and fragmentation of forests and other intact ecosystems to minimize interactions between wildlife and human and livestock populations that could contribute to spillover events and zoonotic disease transmission, including by providing assistance or supporting policies to, for example—

(A) conserve, protect, and restore the integrity of such ecosystems;

(B) support the rights and needs of Indigenous People and local communities and their ability to continue their effective stewardship of their traditional lands and territories;

(C) support the establishment and effective management of protected areas, prioritizing highly intact areas; and

(D) prevent activities that result in the destruction, degradation, fragmentation, or conversion of intact forests and other intact ecosystems and biodiversity strongholds, including by governments, private sector entities, and multilateral development financial institutions;

(8) offer appropriate alternative livelihood and worker training programs and enterprise development to wildlife traders, wildlife breeders, and local communities whose members are engaged in the commercial trade in live wildlife for human consumption;

(9) ensure that the rights of Indigenous Peoples and local communities are respected and their authority to exercise these rights is protected;

(10) strengthen global capacity for prevention, prediction, and detection of novel and existing zoonoses with pandemic potential, including the support of innovative technologies in coordination with the United States Agency for International Development, the Centers for Disease Control and Prevention, and other relevant departments and agencies; and

(11) support the development of One Health systems at the local, regional, national, and global levels in coordination with the United States Agency for International Development, the Centers for Disease Control and Prevention, and other relevant departments and agencies, particularly in emerging infectious disease hotspots, through a collaborative, multisectoral, and transdisciplinary approach that recognizes the interconnections among people, animals, plants, and their shared environment to achieve equitable and sustainable health outcomes.

(b) ACTIVITIES.—

(1) GLOBAL COOPERATION.—The United States Government, working through the United Nations and its components, as well as international organization such as Interpol, the Food and Agriculture Organization of the United Nations, and the World Organisation for Animal Health, and in furtherance of the policies described in section 1076, shall—

(A) collaborate with other member states, issue declarations, statements, and communications urging countries to close wildlife markets, and prevent commercial trade in live wildlife for human consumption; and

(B) urge increased enforcement of existing laws to end wildlife trafficking.

(2) INTERNATIONAL COALITIONS.—The Secretary of State shall seek to build new, and support existing, international coalitions focused on closing wildlife markets and preventing commercial trade in live wildlife for human consumption, with a focus on the following efforts:

(A) Providing assistance and advice to other governments in the adoption of legislation and regulations to close wildlife markets and associated trade over such timeframe and in such manner as to minimize the increase of wildlife trafficking and poaching.

(B) Creating economic and enforcement pressure for the immediate shut down of wildlife markets which contain taxa listed pursuant to section 1074 and uncontrolled, unsanitary, or illicit wildlife markets and their supply chains to prevent their operation.

(C) Providing assistance and guidance to other governments on measures to prohibit the import, export, and domestic commercial trade in live wildlife for the purpose of human consumption.

(D) Implementing risk reduction interventions and control options to address zoonotic spillover along the supply chain for the wildlife market system.

(E) Engaging and receiving guidance from key stakeholders at the ministerial, local government, and civil society level, including Indigenous Peoples, in countries that will be impacted by this subtitle and where wildlife markets and associated wildlife trade are the predominant source of meat or protein, in order to mitigate the impact of any international efforts on food security, nutrition, local customs, conservation methods, or cultural norms.

(F) Promoting private sector engagement and public-private partnerships with industry groups (such as the transportation industry) to address transport and movement of

live wildlife to supply the commercial trade in live wildlife for human consumption.

(c) UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT.—

(1) SUSTAINABLE FOOD SYSTEMS FUNDING.—

(A) AUTHORIZATION OF APPROPRIATIONS.—In addition to any other amounts provided for such purposes, there is authorized to be appropriated such sums as necessary for each fiscal year from 2021 through 2030 to the United States Agency for International Development to reduce demand for consumption of wildlife from wildlife markets and support shifts to diversified alternative and sustainably produced sources of nutritious food and protein in communities that rely upon the consumption of wildlife for food security, while ensuring that existing wildlife habitat is not encroached upon or destroyed as part of this process, using a multisectoral approach and including support for demonstration programs.

(B) ACTIVITIES.—The Bureau for Development, Democracy and Innovation (DDI), the Bureau for Resilience and Food Security (RFS), and the Bureau for Global Health (GH) of the United States Agency for International Development shall, in partnership with United States and international institutions of higher education and nongovernmental organizations, co-develop approaches focused on safe, sustainable food systems that support and incentivize the replacement of terrestrial wildlife in diets, while ensuring that existing wildlife habitat is not encroached upon or destroyed as part of this process.

(2) ADDRESSING THREATS AND CAUSES OF ZOOONOTIC DISEASE OUTBREAKS.—The Administrator of the United States Agency for International Development, in consultation with the Secretary of the Interior, shall increase activities in United States Agency for International Development programs related to conserving biodiversity, combating wildlife trafficking, sustainable landscapes, global health, food security, and resilience in order to address the threats and causes of zoonotic disease outbreaks, including through—

(A) education;

(B) capacity building;

(C) strengthening human, livestock, and wildlife health monitoring systems of pathogens of zoonotic origin to support early detection and reporting of novel and known pathogens for emergence of zoonotic disease and strengthening cross-sectoral collaboration to align risk reduction approaches in consultation with the Director of the Centers for Disease Control and the Secretary of Health and Human Services;

(D) improved domestic and wild animal disease monitoring and control at production and market levels;

(E) development of alternative livelihood opportunities where possible;

(F) preventing degradation and fragmentation of forests and other intact ecosystems and restoring the integrity of such ecosystems, particularly in tropical countries, to prevent the creation of new pathways for zoonotic pathogen transmission that arise from interactions among wildlife, humans, and livestock populations;

(G) minimizing interactions between domestic livestock and wild animals in markets and captive production;

(H) supporting shifts from wildlife markets to diversified, safe, affordable, and accessible alternative sources of protein and nutrition through enhanced local and national food systems while ensuring that existing wildlife habitat is not encroached upon or destroyed as part of this process;

(I) improving community health, forest management practices, and safety of livestock production in tropical landscapes, particularly in hotspots for zoonotic spillover and emerging infectious diseases;

(J) preventing degradation and fragmentation of forests and other intact ecosystems, particularly in tropical countries, to minimize interactions between wildlife, human, and livestock populations that could contribute to spillover events and zoonotic disease transmission, including by providing assistance or supporting policies to—

(i) conserve, protect, and restore the integrity of such ecosystems; and

(ii) support the rights of Indigenous People and local communities and their ability to continue their effective stewardship of their intact traditional lands and territories; and

(K) supporting development and use of multi-data sourced predictive models and decisionmaking tools to identify areas of highest probability of zoonotic spillover and to determine cost-effective monitoring and mitigation approaches; and

(L) other relevant activities described in section 1076 that are within the mandate of the United States Agency for International Development.

(3) **IMMEDIATE RELIEF FUNDING TO STABILIZE PROTECTED AREAS.**—The Administrator of the United States Agency for International Development and the Secretary of State are authorized to administer immediate relief funding to stabilize protected areas and conservancies.

(d) **STAFFING REQUIREMENTS.**—The Administrator of the United States Agency for International Development, in collaboration with the United States Fish and Wildlife Service, the United States Department of Agriculture Animal and Plant Health Inspection Service, the Centers for Disease Control and Prevention, and other Federal entities as appropriate, is authorized to hire additional personnel—

(1) to undertake programs aimed at reducing the risks of endemic and emerging infectious diseases and exposure to antimicrobial resistant pathogens;

(2) to provide administrative support and resources to ensure effective and efficient coordination of funding opportunities and sharing of expertise from relevant United States Agency for International Development bureaus and programs, including emerging pandemic threats;

(3) to award funding to on-the-ground projects;

(4) to provide project oversight to ensure accountability and transparency in all phases of the award process; and

(5) to undertake additional activities under this subtitle.

(e) **REPORTING REQUIREMENTS.**—

(1) **UNITED STATES DEPARTMENT OF STATE.**—

(A) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, and annually thereafter until 2030, the Secretary of State and the Administrator of the United States Agency for International Development shall submit to the appropriate congressional committees a report—

(i) describing—

(I) the actions taken pursuant to this subtitle, including through the application of findings and recommendations generated from the study required by section 1073 and the provision of United States technical assistance;

(II) the impact and effectiveness of international cooperation on shutting down wildlife markets;

(III) the impact and effectiveness of international cooperation on disrupting, deterring, and ultimately ending wildlife trafficking; and

(IV) the impact and effectiveness of international cooperation on preventing the import, export, and domestic commercial trade in live wildlife for the purpose of human use as food or medicine, while accounting for the differentiated needs of vulnerable populations who depend upon such wildlife as a predominant source of meat or protein; and

(ii) identifying—

(I) foreign countries that continue to enable the operation of wildlife markets as defined by this subtitle and the associated trade of wildlife products for human use as food or medicine that feeds such markets;

(II) foreign governments, networks, or individuals who aid and abet or otherwise facilitate illicit wildlife trafficking; and

(III) recommendations for incentivizing or enforcing compliance with laws and policies to close wildlife markets that contain taxa listed pursuant to section 1074 and uncontrolled, unsanitary, or illicit wildlife markets and end the associated commercial trade in live wildlife for human use as food or medicine, which may include visa restrictions and other diplomatic or economic tools.

(B) **FORM.**—The report required under this paragraph shall be submitted in unclassified form, but may include a classified annex.

(2) **UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT.**—Not later than 180 days after the date of the enactment of this Act, the Administrator of the United States Agency for International Development shall submit to the appropriate congressional committees a report—

(A) describing the actions taken pursuant to this subtitle;

(B) describing the impact and effectiveness of key strategies for reducing demand for consumption of such wildlife and associated wildlife markets;

(C) summarizing additional personnel hired with funding authorized under this subtitle, including the number hired in each bureau; and

(D) describing partnerships developed with other institutions of higher learning and nongovernmental organizations.

SEC. 1078. PROHIBITION OF IMPORT, EXPORT, AND SALE OF CERTAIN LIVE WILD ANIMALS FOR HUMAN CONSUMPTION.

(a) **PROHIBITION.**—

(1) **IN GENERAL.**—Chapter 3 of title 18, United States Code, is amended by inserting after section 43 the following:

“SEC. 44. PROHIBITION OF IMPORT, EXPORT, AND SALE OF CERTAIN LIVE WILD ANIMALS FOR HUMAN CONSUMPTION.

“(a) **DEFINITIONS.**—In this section—

“(1) the phrase ‘human consumption’ shall include all consumption as food or medicine except consumption that is incidental to legal and regulated hunting, fishing, or trapping activities for subsistence, sport, or recreation;

“(2) the term ‘live wild animal’ means a live wild mammal, bird, reptile, or amphibian, whether or not bred, hatched, or born in captivity with the exception of ruminants; and

“(3) the term ‘wild’ has the meaning given that term in section 42.

“(b) **PROHIBITIONS.**—It shall be unlawful for any person—

“(1) to import or export any live wild animal for human consumption as food or medicine;

“(2) to sell for human consumption as food or medicine a live wild animal, including through sale or purchase at a live animal market; or

“(3) to attempt to commit any act described in paragraph (1) or (2).

“(c) **PENALTIES.**—

“(1) **IN GENERAL.**—Any person who knowingly violates subsection (b) shall be fined

not more than \$100,000, imprisoned for not more than 5 years, or both.

“(2) **MULTIPLE VIOLATIONS.**—Each violation of subsection (b) shall constitute a separate offense.

“(3) **VENUE.**—A violation of subsection (b) may be prosecuted in the judicial district in which the violation first occurred and any judicial district in which the defendant sold the live wild animal.

“(d) **ENFORCEMENT.**—The provisions of this section, and any regulations issued pursuant thereto, shall be enforced by the Secretary of the Interior. The Secretary of the Interior may utilize by agreement, with or without reimbursement, the personnel, services, equipment, and facilities of any other Federal agency or any State agency or Indian Tribe for purposes of enforcing this section.”.

(2) **CONFORMING AMENDMENT.**—The table of sections for chapter 3 of title 18, United States Code, is amended by inserting after the item relating to section 43 the following:

“44. Prohibition of import, export, and sale of certain live wild animals for human consumption.”.

(b) **FUNDING.**—There is authorized to be appropriated to carry out section 44 of title 18, United States Code, as added by subsection (a)—

(1) \$25,000,000 for each of fiscal years 2021 through 2030 for the United States Fish and Wildlife Service; and

(2) \$10,000,000 for each of fiscal years 2021 through 2030 for the Department of Justice.

SEC. 1079. LAW ENFORCEMENT ATTACHÉ DEPLOYMENT.

(a) **IN GENERAL.**—Beginning in fiscal year 2021, the Secretary of the Interior, acting through the Director of the United States Fish and Wildlife Service, in consultation with the Secretary of State, shall require the Chief of Law Enforcement of the United States Fish and Wildlife Service to hire, train, and deploy not fewer than 50 new United States Fish and Wildlife Service law enforcement attachés, and appropriate additional support staff, at one or more United States embassies, consulates, commands, or other facilities—

(1) in one or more countries designated as a focus country or a country of concern in the most recent report submitted under section 201 of the Eliminate, Neutralize, and Disrupt Wildlife Trafficking Act of 2016 (16 U.S.C. 7621); and

(2) in such additional countries or regions, as determined by the Secretary of Interior, that are known or suspected to be a source of illegal trade of species listed—

(A) as threatened species or endangered species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.); or

(B) under appendix I of the Convention on International Trade in Endangered Species of Wild Fauna and Flora, done at Washington March 3, 1973 (27 UST 1087; TIAS 8249).

(b) **FUNDING.**—There is authorized to be appropriated to carry out this section \$150,000,000 for each of fiscal years 2021 through 2030.

SEC. 1080. ONE HEALTH TASK FORCE.

(a) **ESTABLISHMENT.**—There is established a task force to be known as the “One Health Task Force”.

(b) **DUTIES OF TASK FORCE.**—The duties of the Task Force shall be to—

(1) ensure an integrated approach across the Federal Government and globally to the prevention of, early detection of, preparedness for, and response to zoonotic spillover and the outbreak and transmission of zoonotic diseases that may pose a threat to public health security;

(2) not later than 1 year after the date of the enactment of this Act, develop and publish, on a publicly accessible website, a plan

for global biosecurity and zoonotic disease prevention and response that leverages expertise in public health, consumer education and communication, behavior change, wildlife health, wildlife conservation, livestock production, veterinary health, food safety, sustainable forest management, community-based conservation, rural food security, and indigenous rights to coordinate zoonotic disease surveillance internationally, including support for One Health institutions around the world that can prevent and provide early detection of zoonotic outbreaks; and

(3) expand the scope of the implementation of the White House's Global Health Security Strategy to more robustly support the prevention of zoonotic spillover and respond to zoonotic disease investigations and outbreaks by establishing a 10-year strategy with specific Federal Government domestic and international goals, priorities, and timelines for action, including to—

(A) recommend policy actions and mechanisms in developing countries to reduce the risk of zoonotic spillover and zoonotic disease emergence and transmission, including in support of those activities described in section 1077;

(B) identify new mandates, authorities, and incentives needed to strengthen the global zoonotic disease plan under paragraph (2);

(C) define and list priority areas as countries or regions determined to be of high risk for zoonotic disease emergence, as well as based on, but not limited to, factors that include wildlife biodiversity, livestock production, human population density, and active drivers of disease emergence such as land use change, including forest degradation and loss, intensification of livestock production, and wildlife trade;

(D) prioritize engagement in programs that target tropical countries and regions experiencing high rates of biodiversity loss, deforestation, forest degradation, and land conversion and countries with significant markets for live wildlife for human consumption; and

(E) identify and recommend actions to address existing gaps in efforts to prevent and respond to domestic zoonotic disease emergence and transmission.

(c) MEMBERSHIP.—

(1) IN GENERAL.—The members of the Task Force established pursuant to subsection (a) shall be composed of representatives from each of the following agencies:

(A) One permanent Chairperson at the level of Deputy Assistant Secretary or above from the following agencies, to rotate every 2 years in an order to be determined by the Administrator:

(i) The Department of Agriculture or the Animal and Plant Health Inspection Service.

(ii) The Department of Health and Human Services or the Centers for Disease Control and Prevention.

(iii) The Department of the Interior or the United States Fish and Wildlife Service.

(iv) The Department of State.

(v) The United States Agency for International Development.

(vi) The National Security Council.

(B) At least 13 additional members, with at least 1 from each of the following agencies:

(i) The Centers for Disease Control and Prevention.

(ii) The Department of Agriculture.

(iii) The Department of Defense.

(iv) The Department of State.

(v) The Environmental Protection Agency.

(vi) The National Science Foundation.

(vii) The National Institutes of Health.

(viii) The National Institute of Standards and Technology.

(ix) The Office of Science and Technology Policy.

(x) The United States Agency for International Development.

(xi) The United States Fish and Wildlife Service.

(xii) The Department of Homeland Security, FEMA.

(xiii) United States Customs and Border Protection.

(2) TIMING OF APPOINTMENTS.—Appointments to the Task Force shall be made not later than 30 days after the date of the enactment of this Act.

(3) TERMS.—

(A) IN GENERAL.—Each member shall be appointed for a term of 2 years.

(B) VACANCIES.—Any member appointed to fill a vacancy occurring before the expiration of the term for which the member's predecessor was appointed shall be appointed only for the remainder of that term. A member may serve after the expiration of that term until a successor has been appointed.

(d) MEETING.—

(1) INITIAL MEETING.—The Task Force shall hold its initial meeting not later than 45 days after the final appointment of all members under subsection (c)(2).

(2) MEETINGS.—

(A) IN GENERAL.—The Task Force shall meet at the call of the Chairperson.

(B) QUORUM.—Eight members of the Task Force shall constitute a quorum, but a lesser number may hold hearings.

(e) COMPENSATION.—

(1) PROHIBITION OF COMPENSATION.—Except as provided in paragraph (2), members of the Task Force may not receive additional pay, allowances, or benefits by reason of their service on the Task Force.

(2) TRAVEL EXPENSES.—Each member shall receive travel expenses, including per diem in lieu of subsistence, in accordance with applicable provisions under subchapter I of chapter 57 of title 5, United States Code.

(f) REPORTS.—

(1) REPORT TO TASK FORCE.—Not later than 6 months after the date of the enactment of this Act and annually thereafter, the Federal agencies listed in subsection (c) shall submit a report to the Task Force containing a detailed statement with respect to the results of any programming within their agencies that addresses the goals of zoonotic spillover and disease prevention.

(2) REPORT TO CONGRESS.—Not later than 1 year after the date of the enactment of this Act and annually thereafter, the Task Force shall submit to the appropriate congressional committees and the National Security Advisor a report containing a detailed statement of the recommendations of the Council pursuant to subsection (b).

(g) FACA.—Section 14(a)(2)(B) of the Federal Advisory Committee Act shall not apply to the Task Force. This task force shall be authorized for 7 years after the date of the enactment of this Act and up to an additional 2 years at the discretion of the Task Force Chair.

SEC. 1081. RESERVATION OF RIGHTS.

Nothing in this subtitle shall restrict or otherwise prohibit—

(1) legal and regulated hunting, fishing, or trapping activities for subsistence, sport, or recreation; or

(2) the lawful domestic and international transport of legally harvested fish or wildlife trophies.

SA 4779. Mr. PETERS (for himself, Mr. PORTMAN, and Mr. GRASSLEY) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the De-

partment of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

DIVISION E—INSPECTORS GENERAL

SEC. 5101. SHORT TITLE.

This division may be cited as the “Afghanistan Vetting Review, the IG Testimonial Subpoena Authority, and Inspector General Access Act of 2021”.

TITLE LI—TESTIMONIAL SUBPOENA AUTHORITY FOR INSPECTORS GENERAL

SEC. 5111. SHORT TITLE.

This title may be cited as the “IG Testimonial Subpoena Authority Act”.

SEC. 5112. ADDITIONAL AUTHORITY PROVISIONS FOR INSPECTORS GENERAL.

The Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) by inserting after section 6 the following:

“SEC. 6A. ADDITIONAL AUTHORITY.

“(a) DEFINITIONS.—In this section—

“(1) the term ‘Chairperson’ means the Chairperson of the Council of the Inspectors General on Integrity and Efficiency;

“(2) the term ‘Inspector General’—

“(A) means an Inspector General of an establishment or a designated Federal entity (as defined in section 8G(a)); and

“(B) includes—

“(i) the Inspector General of the Central Intelligence Agency established under section 17 of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3517);

“(ii) the Inspector General of the Intelligence Community established under section 103H of the National Security Act of 1947 (50 U.S.C. 3033);

“(iii) the Special Inspector General for Afghanistan Reconstruction established under section 1229 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181; 122 Stat. 379);

“(iv) the Special Inspector General for the Troubled Asset Relief Plan established under section 121 of the Emergency Economic Stabilization Act of 2008 (12 U.S.C. 5231); and

“(v) the Special Inspector General for Pandemic Recovery established under section 4018 of the CARES Act (15 U.S.C. 9053); and

“(3) the term ‘Subpoena Panel’ means the panel to which requests for approval to issue a subpoena are submitted under subsection (e).

“(b) TESTIMONIAL SUBPOENA AUTHORITY.—

“(1) IN GENERAL.—In addition to the authority otherwise provided by this Act and in accordance with the requirements of this section, each Inspector General, in carrying out the provisions of this Act or the provisions of the authorizing statute of the Inspector General, as applicable, is authorized to require by subpoena the attendance and testimony of witnesses as necessary in the performance of an audit, inspection, evaluation, or investigation, which subpoena, in the case of contumacy or refusal to obey, shall be enforceable by order of any appropriate United States district court.

“(2) PROHIBITION.—An Inspector General may not require by subpoena the attendance and testimony of a Federal employee or employee of a designated Federal entity, but may use other authorized procedures.

“(3) DETERMINATION BY INSPECTOR GENERAL.—The determination of whether a matter constitutes an audit, inspection, evaluation, or investigation shall be at the discretion of the applicable Inspector General.

“(c) LIMITATION ON DELEGATION.—The authority to issue a subpoena under subsection

(b) may only be delegated to an official performing the functions and duties of an Inspector General when the Inspector General position is vacant or when the Inspector General is unable to perform the functions and duties of the Office of the Inspector General.

“(d) NOTICE TO ATTORNEY GENERAL.—

“(1) IN GENERAL.—Not less than 10 days before submitting a request for approval to issue a subpoena to the Subpoena Panel under subsection (e), an Inspector General shall—

“(A) notify the Attorney General of the plan of the Inspector General to issue the subpoena; and

“(B) take into consideration any information provided by the Attorney General relating to the subpoena.

“(2) RULE OF CONSTRUCTION.—Nothing in this subsection may be construed to prevent an Inspector General from submitting to the Subpoena Panel under subsection (e) a request for approval to issue a subpoena if 10 or more days have elapsed since the date on which the Inspector General submits to the Attorney General the notification required under paragraph (1)(A) with respect to that subpoena.

“(e) PANEL REVIEW BEFORE ISSUANCE.—

“(1) APPROVAL REQUIRED.—

“(A) REQUEST FOR APPROVAL BY SUBPOENA PANEL.—Before the issuance of a subpoena described in subsection (b), an Inspector General shall submit to a panel a request for approval to issue the subpoena, which shall include a determination by the Inspector General that—

“(i) the testimony is likely to be reasonably relevant to the audit, inspection, evaluation, or investigation for which the subpoena is sought; and

“(ii) the information to be sought cannot be reasonably obtained through other means.

“(B) COMPOSITION OF SUBPOENA PANEL.—

“(i) IN GENERAL.—Subject to clauses (ii) and (iii), a Subpoena Panel shall be comprised of 3 inspectors general appointed by the President and confirmed by the Senate, who shall be randomly drawn by the Chairperson or a designee of the Chairperson from a pool of all such inspectors general.

“(ii) CLASSIFIED INFORMATION.—If consideration of a request for a subpoena submitted under subparagraph (A) would require access to classified information, the Chairperson or a designee of the Chairperson may limit the pool of inspectors general described in clause (i) to appropriately cleared inspectors general.

“(iii) CONFIRMATION OF AVAILABILITY.—If an inspector general drawn from the pool described in clause (i) does not confirm their availability to serve on the Subpoena Panel within 24 hours of receiving a notification from the Chairperson or a designee of the Chairperson regarding selection for the Subpoena Panel, the Chairperson or a designee of the Chairperson may randomly draw a new inspector general from the pool to serve on the Subpoena Panel.

“(C) CONTENTS OF REQUEST.—The request described in subparagraph (A) shall include any information provided by the Attorney General related to the subpoena, which the Attorney General requests that the Subpoena Panel consider.

“(D) PROTECTION FROM DISCLOSURE.—

“(i) IN GENERAL.—The information contained in a request submitted by an Inspector General under subparagraph (A) and the identification of a witness shall be protected from disclosure to the extent permitted by law.

“(ii) REQUEST FOR DISCLOSURE.—Any request for disclosure of the information described in clause (i) shall be submitted to the Inspector General requesting the subpoena.

“(2) TIME TO RESPOND.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), the Subpoena Panel shall approve or deny a request for approval to issue a subpoena submitted under paragraph (1) not later than 10 days after the submission of the request.

“(B) ADDITIONAL INFORMATION FOR PANEL.—If the Subpoena Panel determines that additional information is necessary to approve or deny a request for approval to issue a subpoena submitted by an Inspector General under paragraph (1), the Subpoena Panel shall—

“(i) request that information; and

“(ii) approve or deny the request for approval submitted by the Inspector General not later than 20 days after the Subpoena Panel submits the request for information under clause (i).

“(3) APPROVAL BY PANEL.—If all members of the Subpoena Panel unanimously approve a request for approval to issue a subpoena submitted by an Inspector General under paragraph (1), the Inspector General may issue the subpoena.

“(4) NOTICE TO COUNCIL AND ATTORNEY GENERAL.—Upon issuance of a subpoena by an Inspector General under subsection (b), the Inspector General shall provide contemporaneous notice of such issuance to the Chairperson or a designee of the Chairperson and to the Attorney General.

“(f) SEMI-ANNUAL REPORTING.—On or before May 31, 2022, and every 6 months thereafter, the Council of the Inspectors General on Integrity and Efficiency shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Oversight and Reform of the House of Representatives, and the Comptroller General of the United States a report on the use of subpoenas described in subsection (b) in any audit, inspection, evaluation, or investigation that concluded during the immediately preceding 6-month periods ending March 31 and September 30, which shall include—

“(1) a list of each Inspector General that has submitted a request for approval of a subpoena to the Subpoena Panel;

“(2) for each applicable Inspector General, the number of subpoenas submitted to the Subpoena Panel, approved by the Subpoena Panel, and disapproved by the Subpoena Panel;

“(3) for each subpoena submitted to the Subpoena Panel for approval—

“(A) an anonymized description of the individual or organization to whom the subpoena was directed;

“(B) the date on which the subpoena request was sent to the Attorney General, the date on which the Attorney General responded, and whether the Attorney General provided information regarding the subpoena request, including whether the Attorney General opposed issuance of the proposed subpoena;

“(C) the members of the Subpoena Panel considering the subpoena;

“(D) the date on which the subpoena request was sent to the Subpoena Panel, the date on which the Subpoena Panel approved or disapproved the subpoena request, and the decision of the Subpoena Panel; and

“(E) the date on which the subpoena was issued, if approved; and

“(4) any other information the Council of the Inspectors General on Integrity and Efficiency considers appropriate to include.

“(g) TRAINING AND STANDARDS.—The Council of the Inspectors General on Integrity and Efficiency, in consultation with the Attorney General, shall promulgate standards and provide training relating to the issuance of subpoenas, conflicts of interest, and any

other matter the Council determines necessary to carry out this section.

“(h) APPLICABILITY.—The provisions of this section shall not affect the exercise of authority by an Inspector General of testimonial subpoena authority established under another provision of law.

“(i) TERMINATION.—The authorities provided under subsection (b) shall terminate on January 1, 2027, provided that this subsection shall not affect the enforceability of a subpoena issued on or before December 31, 2026.”;

(2) in section 5(a), as amended by section 903 of this Act—

(A) in paragraph (16)(B), as so redesignated, by striking the period at the end and inserting “; and”; and

(B) by adding at the end the following:

“(17) a description of the use of subpoenas for the attendance and testimony of certain witnesses authorized under section 6A.”; and

(3) in section 8G(g)(1), by inserting “6A,” before “and 7”.

SEC. 5113. REVIEW BY THE COMPTROLLER GENERAL.

Not later than January 1, 2026, the Comptroller General of the United States shall submit to the appropriate congressional committees a report reviewing the use of testimonial subpoena authority, which shall include—

(1) a summary of the information included in the semiannual reports to Congress under section 6A(f) of the Inspector General Act of 1978 (5 U.S.C. App.), as added by this title, including an analysis of any patterns and trends identified in the use of the authority during the reporting period;

(2) a review of subpoenas issued by inspectors general on and after the date of enactment of this Act to evaluate compliance with this Act by the respective inspector general, the Subpoena Panel, and the Council of the Inspectors General on Integrity and Efficiency; and

(3) any additional analysis, evaluation, or recommendation based on observations or information gathered by the Comptroller General of the United States during the course of the review.

TITLE LII—INVESTIGATIONS OF DEPARTMENT OF JUSTICE PERSONNEL

SEC. 5121. SHORT TITLE.

This title may be cited as the “Inspector General Access Act of 2021”.

SEC. 5122. INVESTIGATIONS OF DEPARTMENT OF JUSTICE PERSONNEL.

Section 8E of the Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) in subsection (b)—

(A) in paragraph (2), by striking “and paragraph (3)”;

(B) by striking paragraph (3);

(C) by redesignating paragraphs (4) and (5) as paragraphs (3) and (4), respectively; and

(D) in paragraph (4), as redesignated, by striking “paragraph (4)” and inserting “paragraph (3)”;

(2) in subsection (d), by striking “, except with respect to allegations described in subsection (b)(3).”.

TITLE LIII—REVIEW RELATING TO AFGHANISTAN RESETTLEMENT AND SPECIAL IMMIGRANT VISA PROGRAM

SEC. 5131. REVIEW RELATING TO VETTING, PROCESSING, AND RESETTLEMENT OF EVACUEES FROM AFGHANISTAN AND THE AFGHANISTAN SPECIAL IMMIGRANT VISA PROGRAM.

(a) IN GENERAL.—In accordance with the Inspector General Act of 1978 (5 U.S.C. App.), the Inspector General of the Department of Homeland Security, jointly with the Inspector General of the Department of State, and in coordination with any appropriate inspector general established by that Act or section 103H of the National Security Act of 1947

(50 U.S.C. 3033), shall conduct a thorough review of efforts to support and process evacuees from Afghanistan and the Afghanistan special immigrant visa program.

(b) ELEMENTS.—The review required by subsection (a) shall include an assessment of the systems, staffing, policies, and programs used—

(1) to the screen and vet such evacuees, including—

(A) an assessment of whether personnel conducting such screening and vetting were appropriately authorized and provided with training, including training in the detection of fraudulent personal identification documents;

(B) an analysis of the degree to which such screening and vetting deviated from United States law, regulations, policy, and best practices relating to—

(i) the screening and vetting of parolees, refugees, and applicants for United States visas that have been in use at any time since January 1, 2016, particularly for individuals from countries with active terrorist organizations; and

(ii) the screening and vetting of parolees, refugees, and applicants for United States visas pursuant to any mass evacuation effort since 1975, particularly for individuals from countries with active terrorist organizations;

(C) an identification of any risk to the national security of the United States posed by any such deviations;

(D) an analysis of the processes used for evacuees traveling without personal identification records, including the creation or provision of any new identification records to such evacuees; and

(E) an analysis of the degree to which such screening and vetting process was capable of detecting—

(i) instances of human trafficking and domestic abuse;

(ii) evacuees who are unaccompanied minors; and

(iii) evacuees with a spouse that is a minor;

(2) to admit and process such evacuees at United States ports of entry;

(3) to temporarily house such evacuees prior to resettlement;

(4) to account for the total number of individual evacuated from Afghanistan in 2021 with support of the United States Government, disaggregated by—

(A) country of origin;

(B) age;

(C) gender;

(D) eligibility for special immigrant visas under the Afghan Allies Protection Act of 2009 (8 U.S.C. 1101 note; Public Law 111–8) or section 1059 of the National Defense Authorization Act for Fiscal Year 2006 (8 U.S.C. 1101 note; Public Law 109–163) at the time of evacuation;

(E) eligibility for employment-based non-immigrant visas at the time of evacuation; and

(F) familial relationship to evacuees who are eligible for visas described in subparagraphs (D) and (E); and

(5) to provide eligible individuals with special immigrant visas under the Afghan Allies Protection Act of 2009 (8 U.S.C. 1101 note; Public Law 111–8) and section 1059 of the National Defense Authorization Act for Fiscal Year 2006 (8 U.S.C. 1101 note; Public Law 109–163) since the date of the enactment of the Afghan Allies Protection Act of 2009 (8 U.S.C. 1101 note; Public Law 111–8), including—

(A) a detailed step-by-step description of the application process for such special immigrant visas, including the number of days allotted by the United States Government for the completion of each step;

(B) the number of such special immigrant visa applications received, approved, and denied, disaggregated by fiscal year;

(C) the number of such special immigrant visas issued, as compared to the number available under law, disaggregated by fiscal year;

(D) an assessment of the average length of time taken to process an application for such a special immigrant visa, beginning on the date of submission of the application and ending on the date of final disposition, disaggregated by fiscal year;

(E) an accounting of the number of applications for such special immigrant visas that remained pending at the end of each fiscal year;

(F) an accounting of the number of interviews of applicants for such special immigrant visas conducted during each fiscal year;

(G) the number of noncitizens who were admitted to the United States pursuant to such a special immigrant visa during each fiscal year;

(H) an assessment of the extent to which each participating department or agency of the United States Government, including the Department of State and the Department of Homeland Security, adjusted processing practices and procedures for such special immigrant visas so as to vet applicants and expand processing capacity since the February 29, 2020, Doha Agreement between the United States and the Taliban;

(I) a list of specific steps, if any, taken between February 29, 2020, and August 31, 2021—

(i) to streamline the processing of applications for such special immigrant visas; and

(ii) to address longstanding bureaucratic hurdles while improving security protocols;

(J) a description of the degree to which the Secretary of State implemented recommendations made by the Department of State Office of Inspector General in its June 2020 reports on Review of the Afghan Special Immigrant Visa Program (AUD-MERO-20-35) and Management Assistance Report: Quarterly Reporting on Afghan Special Immigrant Visa Program Needs Improvement (AUD-MERO-20-34);

(K) an assessment of the extent to which challenges in verifying applicants' employment with the Department of Defense contributed to delays in the processing of such special immigrant visas, and an accounting of the specific steps taken since February 29, 2020, to address issues surrounding employment verification; and

(L) recommendations to strengthen and streamline such special immigrant visa process going forward.

(c) INTERIM REPORTING.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Inspector General of the Department of Homeland Security and the Inspector General of the Department of State shall submit to the appropriate congressional committees not fewer than one interim report on the review conducted under this section.

(2) FORM.—Any report submitted under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(3) DEFINITIONS.—In this subsection:

(A) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” has the meaning given the term in section 12 of the Inspector General Act of 1978 (5 U.S.C. App.), as amended by this Act.

(B) SCREEN; SCREENING.—The terms “screen” and “screening”, with respect to an evacuee, mean the process by which a Federal official determines—

(i) the identity of the evacuee;

(ii) whether the evacuee has a valid identification documentation; and

(iii) whether any database of the United States Government contains derogatory information about the evacuee.

(C) VET; VETTING.—The term “vet” and “vetting”, with respect to an evacuee, means the process by which a Federal official interviews the evacuee to determine whether the evacuee is who they purport to be, including whether the evacuee poses a national security risk.

(d) DISCHARGE OF RESPONSIBILITIES.—The Inspector General of the Department of Homeland Security and the Inspector General of the Department of State shall discharge the responsibilities under this section in a manner consistent with the authorities and requirements of the Inspector General Act of 1978 (5 U.S.C. App.) and the authorities and requirements applicable to the Inspector General of the Department of Homeland Security and the Inspector General of the Department of State under that Act.

(e) COORDINATION.—Upon request of an Inspector General for information or assistance under subsection (a), the head of any Federal agency involved shall, insofar as is practicable and not in contravention of any existing statutory restriction or regulation of the Federal agency from which the information is requested, furnish to such Inspector General, or to an authorized designee, such information or assistance.

(f) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to limit the ability of the Inspector General of the Department of Homeland Security or the Inspector General of the Department of State to enter into agreements to conduct joint audits, inspections, or investigations in the exercise of the oversight responsibilities of the Inspector General of the Department of Homeland Security and the Inspector General of the Department of State, in accordance with the Inspector General Act of 1978 (5 U.S.C. App.), with respect to oversight of the evacuation from Afghanistan, the selection, vetting, and processing of applicants for special immigrant visas and asylum, and any resettlement in the United States of such evacuees.

SA 4780. Mr. PETERS (for himself, Mr. PORTMAN, and Mr. GRASSLEY) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

DIVISION E—INSPECTOR GENERAL INDEPENDENCE AND EMPOWERMENT ACT OF 2021

SEC. 5101. SHORT TITLE.

This division may be cited as the “Inspector General Independence and Empowerment Act of 2021”.

TITLE LI—INSPECTOR GENERAL INDEPENDENCE

SEC. 5111. SHORT TITLE.

This title may be cited as the “Securing Inspector General Independence Act of 2021”.

SEC. 5112. REMOVAL OR TRANSFER OF INSPECTORS GENERAL; PLACEMENT ON NON-DUTY STATUS.

(a) IN GENERAL.—The Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) in section 3(b)—

(A) by inserting “(1)(A)” after “(b)”;

(B) in paragraph (1), as so designated—

(i) in subparagraph (A), as so designated, in the second sentence—

(I) by striking “reasons” and inserting the following: “substantive rationale, including detailed and case-specific reasons,”; and

(II) by inserting “(including to the appropriate congressional committees)” after “Houses of Congress”; and

(ii) by adding at the end the following:

“(B) If there is an open or completed inquiry into an Inspector General that relates to the removal or transfer of the Inspector General under subparagraph (A), the written communication required under that subparagraph shall—

“(i) identify each entity that is conducting, or that conducted, the inquiry; and

“(ii) in the case of a completed inquiry, contain the findings made during the inquiry.”; and

(C) by adding at the end the following:

“(2)(A) Subject to the other provisions of this paragraph, only the President may place an Inspector General on non-duty status.

“(B) If the President places an Inspector General on non-duty status, the President shall communicate in writing the substantive rationale, including detailed and case-specific reasons, for the change in status to both Houses of Congress (including to the appropriate congressional committees) not later than 15 days before the date on which the change in status takes effect, except that the President may submit that communication not later than the date on which the change in status takes effect if—

“(i) the President has made a determination that the continued presence of the Inspector General in the workplace poses a threat described in any of clauses (i) through (iv) of section 6329b(b)(2)(A) of title 5, United States Code; and

“(ii) in the communication, the President includes a report on the determination described in clause (i), which shall include—

“(I) a specification of which clause of section 6329b(b)(2)(A) of title 5, United States Code, the President has determined applies under clause (i) of this subparagraph;

“(II) the substantive rationale, including detailed and case-specific reasons, for the determination made under clause (i);

“(III) an identification of each entity that is conducting, or that conducted, any inquiry upon which the determination under clause (i) was made; and

“(IV) in the case of an inquiry described in subclause (III) that is completed, the findings made during that inquiry.

“(C) The President may not place an Inspector General on non-duty status during the 30-day period preceding the date on which the Inspector General is removed or transferred under paragraph (1)(A) unless the President—

“(i) has made a determination that the continued presence of the Inspector General in the workplace poses a threat described in any of clauses (i) through (iv) of section 6329b(b)(2)(A) of title 5, United States Code; and

“(ii) not later than the date on which the change in status takes effect, submits to both Houses of Congress (including to the appropriate congressional committees) a written communication that contains the information required under subparagraph (B), including the report required under clause (ii) of that subparagraph.

“(D) For the purposes of this paragraph—

“(i) the term ‘Inspector General’—

“(I) means an Inspector General who was appointed by the President, without regard to whether the Senate provided advice and consent with respect to that appointment; and

“(II) includes the Inspector General of an establishment, the Inspector General of the Intelligence Community, the Inspector General of the Central Intelligence Agency, the Special Inspector General for Afghanistan Reconstruction, the Special Inspector General for the Troubled Asset Relief Program, and the Special Inspector General for Pandemic Recovery; and

“(ii) a reference to the removal or transfer of an Inspector General under paragraph (1), or to the written communication described in that paragraph, shall be considered to be—

“(I) in the case of the Inspector General of the Intelligence Community, a reference to section 103H(c)(4) of the National Security Act of 1947 (50 U.S.C. 3033(c)(4));

“(II) in the case of the Inspector General of the Central Intelligence Agency, a reference to section 17(b)(6) of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3517(b)(6));

“(III) in the case of the Special Inspector General for Afghanistan Reconstruction, a reference to section 1229(c)(6) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181; 122 Stat. 378);

“(IV) in the case of the Special Inspector General for the Troubled Asset Relief Program, a reference to section 121(b)(4) of the Emergency Economic Stabilization Act of 2008 (12 U.S.C. 5231(b)(4)); and

“(V) in the case of the Special Inspector General for Pandemic Recovery, a reference to section 4018(b)(3) of the CARES Act (15 U.S.C. 9053(b)(3)).”;

(2) in section 8G(e)—

(A) in paragraph (1), by inserting “or placement on non-duty status” after “a removal”;

(B) in paragraph (2)—

(i) by inserting “(A)” after “(2)”;

(ii) in subparagraph (A), as so designated, in the first sentence—

(I) by striking “reasons” and inserting the following: “substantive rationale, including detailed and case-specific reasons,”; and

(II) by inserting “(including to the appropriate congressional committees)” after “Houses of Congress”; and

(iii) by adding at the end the following:

“(B) If there is an open or completed inquiry into an Inspector General that relates to the removal or transfer of the Inspector General under subparagraph (A), the written communication required under that subparagraph shall—

“(i) identify each entity that is conducting, or that conducted, the inquiry; and

“(ii) in the case of a completed inquiry, contain the findings made during the inquiry.”; and

(C) by adding at the end the following:

“(3)(A) Subject to the other provisions of this paragraph, only the head of the applicable designated Federal entity (referred to in this paragraph as the ‘covered official’) may place an Inspector General on non-duty status.

“(B) If a covered official places an Inspector General on non-duty status, the covered official shall communicate in writing the substantive rationale, including detailed and case-specific reasons, for the change in status to both Houses of Congress (including to the appropriate congressional committees) not later than 15 days before the date on which the change in status takes effect, except that the covered official may submit that communication not later than the date on which the change in status takes effect if—

“(i) the covered official has made a determination that the continued presence of the Inspector General in the workplace poses a threat described in any of clauses (i) through (iv) of section 6329b(b)(2)(A) of title 5, United States Code; and

“(ii) in the communication, the covered official includes a report on the determination described in clause (i), which shall include—

“(I) a specification of which clause of section 6329b(b)(2)(A) of title 5, United States Code, the covered official has determined applies under clause (i) of this subparagraph;

“(II) the substantive rationale, including detailed and case-specific reasons, for the determination made under clause (i);

“(III) an identification of each entity that is conducting, or that conducted, any inquiry upon which the determination under clause (i) was made; and

“(IV) in the case of an inquiry described in subclause (III) that is completed, the findings made during that inquiry.

“(C) A covered official may not place an Inspector General on non-duty status during the 30-day period preceding the date on which the Inspector General is removed or transferred under paragraph (2)(A) unless the covered official—

“(i) has made a determination that the continued presence of the Inspector General in the workplace poses a threat described in any of clauses (i) through (iv) of section 6329b(b)(2)(A) of title 5, United States Code; and

“(ii) not later than the date on which the change in status takes effect, submits to both Houses of Congress (including to the appropriate congressional committees) a written communication that contains the information required under subparagraph (B), including the report required under clause (ii) of that subparagraph.

“(D) Nothing in this paragraph may be construed to limit or otherwise modify—

“(i) any statutory protection that is afforded to an Inspector General; or

“(ii) any other action that a covered official may take under law with respect to an Inspector General.”.

(b) TECHNICAL AND CONFORMING AMENDMENT.—Section 12(3) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended by inserting “except as otherwise expressly provided,” before “the term”.

SEC. 5113. VACANCY IN POSITION OF INSPECTOR GENERAL.

(a) IN GENERAL.—Section 3 of the Inspector General Act of 1978 (5 U.S.C. App.) is amended by adding at the end the following:

“(h)(1) In this subsection—

“(A) the term ‘first assistant to the position of Inspector General’ means, with respect to an Office of Inspector General—

“(i) an individual who, as of the day before the date on which the Inspector General dies, resigns, or otherwise becomes unable to perform the functions and duties of that position—

“(I) is serving in a position in that Office; and

“(II) has been designated in writing by the Inspector General, through an order of succession or otherwise, as the first assistant to the position of Inspector General; or

“(ii) if the Inspector General has not made a designation described in clause (i)(II)—

“(I) the Principal Deputy Inspector General of that Office, as of the day before the date on which the Inspector General dies, resigns, or otherwise becomes unable to perform the functions and duties of that position; or

“(II) if there is no Principal Deputy Inspector General of that Office, the Deputy Inspector General of that Office, as of the day before the date on which the Inspector General dies, resigns, or otherwise becomes unable to perform the functions and duties of that position; and

“(B) the term ‘Inspector General’—

“(i) means an Inspector General who is appointed by the President, by and with the advice and consent of the Senate; and

“(i) includes the Inspector General of an establishment, the Inspector General of the Intelligence Community, the Inspector General of the Central Intelligence Agency, the Special Inspector General for the Troubled Asset Relief Program, and the Special Inspector General for Pandemic Recovery.

“(2) If an Inspector General dies, resigns, or is otherwise unable to perform the functions and duties of the position—

“(A) section 3345(a) of title 5, United States Code, and section 103(e) of the National Security Act of 1947 (50 U.S.C. 3025(e)) shall not apply;

“(B) subject to paragraph (4), the first assistant to the position of Inspector General shall perform the functions and duties of the Inspector General temporarily in an acting capacity subject to the time limitations of section 3346 of title 5, United States Code; and

“(C) notwithstanding subparagraph (B), and subject to paragraphs (4) and (5), the President (and only the President) may direct an officer or employee of any Office of an Inspector General to perform the functions and duties of the Inspector General temporarily in an acting capacity subject to the time limitations of section 3346 of title 5, United States Code, only if—

“(i) during the 365-day period preceding the date of death, resignation, or beginning of inability to serve of the Inspector General, the officer or employee served in a position in an Office of an Inspector General for not less than 90 days, except that—

“(I) the requirement under this clause shall not apply if the officer is an Inspector General; and

“(II) for the purposes of this subparagraph, performing the functions and duties of an Inspector General temporarily in an acting capacity does not qualify as service in a position in an Office of an Inspector General;

“(ii) the rate of pay for the position of the officer or employee described in clause (i) is equal to or greater than the minimum rate of pay payable for a position at GS-15 of the General Schedule;

“(iii) the officer or employee has demonstrated ability in accounting, auditing, financial analysis, law, management analysis, public administration, or investigations; and

“(iv) not later than 30 days before the date on which the direction takes effect, the President communicates in writing to both Houses of Congress (including to the appropriate congressional committees) the substantive rationale, including the detailed and case-specific reasons, for such direction, including the reason for the direction that someone other than the individual who is performing the functions and duties of the Inspector General temporarily in an acting capacity (as of the date on which the President issues that direction) perform those functions and duties temporarily in an acting capacity.

“(3) Notwithstanding section 3345(a) of title 5, United States Code, section 103(e) of the National Security Act of 1947 (50 U.S.C. 3025(e)), and subparagraphs (B) and (C) of paragraph (2), and subject to paragraph (4), during any period in which an Inspector General is on non-duty status—

“(A) the first assistant to the position of Inspector General shall perform the functions and duties of the position temporarily in an acting capacity subject to the time limitations of section 3346 of title 5, United States Code; and

“(B) if the first assistant described in subparagraph (A) dies, resigns, or becomes otherwise unable to perform those functions and duties, the President (and only the President) may direct an officer or employee in that Office of Inspector General to perform those functions and duties temporarily in an

acting capacity, subject to the time limitations of section 3346 of title 5, United States Code, if—

“(i) that direction satisfies the requirements under clauses (ii), (iii), and (iv) of paragraph (2)(C); and

“(ii) that officer or employee served in a position in that Office of Inspector General for not fewer than 90 of the 365 days preceding the date on which the President makes that direction.

“(4) An individual may perform the functions and duties of an Inspector General temporarily and in an acting capacity under subparagraph (B) or (C) of paragraph (2), or under paragraph (3), with respect to only 1 Inspector General position at any given time.

“(5) If the President makes a direction under paragraph (2)(C), during the 30-day period preceding the date on which the direction of the President takes effect, the functions and duties of the position of the applicable Inspector General shall be performed by—

“(A) the first assistant to the position of Inspector General; or

“(B) the individual performing those functions and duties temporarily in an acting capacity, as of the date on which the President issues that direction, if that individual is an individual other than the first assistant to the position of Inspector General.”.

(b) **RULE OF CONSTRUCTION.**—Nothing in the amendment made by subsection (a) may be construed to limit the applicability of sections 3345 through 3349d of title 5, United States Code (commonly known as the “Federal Vacancies Reform Act of 1998”), other than with respect to section 3345(a) of that title.

(c) **EFFECTIVE DATE.**—

(1) **DEFINITION.**—In this subsection, the term “Inspector General” has the meaning given the term in subsection (h)(1)(B) of section 3 of the Inspector General Act of 1978 (5 U.S.C. App.), as added by subsection (a) of this section.

(2) **APPLICABILITY.**—

(A) **IN GENERAL.**—Except as provided in subparagraph (B), this section, and the amendments made by this section, shall take effect on the date of enactment of this Act.

(B) **EXISTING VACANCIES.**—If, as of the date of enactment of this Act, an individual is performing the functions and duties of an Inspector General temporarily in an acting capacity, this section, and the amendments made by this section, shall take effect with respect to that Inspector General position on the date that is 30 days after the date of enactment of this Act.

SEC. 5114. OFFICE OF INSPECTOR GENERAL WHISTLEBLOWER COMPLAINTS.

(a) **WHISTLEBLOWER PROTECTION COORDINATOR.**—Section 3(d)(1)(C) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) in clause (i), in the matter preceding subclause (I), by inserting “, including employees of that Office of Inspector General” after “employees”; and

(2) in clause (iii), by inserting “(including the Integrity Committee of that Council)” after “and Efficiency”.

(b) **COUNCIL OF THE INSPECTORS GENERAL ON INTEGRITY AND EFFICIENCY.**—Section 11(c)(5)(B) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended by striking “, allegations of reprisal,” and inserting the following: “and allegations of reprisal (including the timely and appropriate handling and consideration of protected disclosures and allegations of reprisal that are internal to an Office of Inspector General)”.

TITLE LII—PRESIDENTIAL EXPLANATION OF FAILURE TO NOMINATE AN INSPECTOR GENERAL

SEC. 5121. PRESIDENTIAL EXPLANATION OF FAILURE TO NOMINATE AN INSPECTOR GENERAL.

(a) **IN GENERAL.**—Subchapter III of chapter 33 of title 5, United States Code, is amended by inserting after section 3349d the following:

“§ 3349e. Presidential explanation of failure to nominate an inspector general

“If the President fails to make a formal nomination for a vacant inspector general position that requires a formal nomination by the President to be filled within the period beginning on the later of the date on which the vacancy occurred or on which a nomination is rejected, withdrawn, or returned, and ending on the day that is 210 days after that date, the President shall communicate, within 30 days after the end of such period and not later than June 1 of each year thereafter, to the appropriate congressional committees, as defined in section 12 of the Inspector General Act of 1978 (5 U.S.C. App.)—

“(1) the reasons why the President has not yet made a formal nomination; and

“(2) a target date for making a formal nomination.”.

(b) **TECHNICAL AND CONFORMING AMENDMENT.**—The table of sections for subchapter III of chapter 33 of title 5, United States Code, is amended by inserting after the item relating to section 3349d the following:

“3349e. Presidential explanation of failure to nominate an Inspector General.”.

(c) **EFFECTIVE DATE.**—The amendment made by subsection (a) shall take effect—

(1) on the date of enactment of this Act with respect to any vacancy first occurring on or after that date; and

(2) on the day that is 210 days after the date of enactment of this Act with respect to any vacancy that occurred before the date of enactment of this Act.

TITLE LIII—INTEGRITY COMMITTEE OF THE COUNCIL OF INSPECTORS GENERAL ON INTEGRITY AND EFFICIENCY TRANSPARENCY

SEC. 5131. SHORT TITLE.

This title may be cited as the “Integrity Committee Transparency Act of 2021”.

SEC. 5132. ADDITIONAL INFORMATION TO BE INCLUDED IN REQUESTS AND REPORTS TO CONGRESS.

Section 11(d) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) in paragraph (5)(B)(ii), by striking the period at the end and inserting “, the length of time the Integrity Committee has been evaluating the allegation of wrongdoing, and a description of any previous written notice provided under this clause with respect to the allegation of wrongdoing, including the description provided for why additional time was needed.”; and

(2) in paragraph (8)(A)(ii), by inserting “or corrective action” after “disciplinary action”.

SEC. 5133. AVAILABILITY OF INFORMATION TO CONGRESS ON CERTAIN ALLEGATIONS OF WRONGDOING CLOSED WITHOUT REFERRAL.

Section 11(d)(5)(B) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended by adding at the end the following:

“(iii) **AVAILABILITY OF INFORMATION TO CONGRESS ON CERTAIN ALLEGATIONS OF WRONGDOING CLOSED WITHOUT REFERRAL.**—

“(I) **IN GENERAL.**—With respect to an allegation of wrongdoing made by a member of Congress that is closed by the Integrity Committee without referral to the Chairperson of the Integrity Committee to initiate an investigation, the Chairperson of

the Integrity Committee shall, not later than 60 days after closing the allegation of wrongdoing, provide a written description of the nature of the allegation of wrongdoing and how the Integrity Committee evaluated the allegation of wrongdoing to—

“(aa) the Chair and Ranking Minority Member of the Committee on Homeland Security and Governmental Affairs of the Senate; and

“(bb) the Chair and Ranking Minority Member of the Committee on Oversight and Reform of the House of Representatives.

“(II) REQUIREMENT TO FORWARD.—The Chairperson of the Integrity Committee shall forward any written description or update provided under this clause to the members of the Integrity Committee and to the Chairperson of the Council.”.

SEC. 5134. SEMIANNUAL REPORT.

Section 11(d)(9) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended to read as follows:

“(9) SEMIANNUAL REPORT.—On or before May 31, 2022, and every 6 months thereafter, the Council shall submit to Congress and the President a report on the activities of the Integrity Committee during the immediately preceding 6-month periods ending March 31 and September 30, which shall include the following with respect to allegations of wrongdoing that are made against Inspectors General and staff members of the various Offices of Inspector General described in paragraph (4)(C):

“(A) An overview and analysis of the allegations of wrongdoing disposed of by the Integrity Committee, including—

“(i) analysis of the positions held by individuals against whom allegations were made, including the duties affiliated with such positions;

“(ii) analysis of the categories or types of the allegations of wrongdoing; and

“(iii) a summary of disposition of all the allegations.

“(B) The number of allegations received by the Integrity Committee.

“(C) The number of allegations referred to the Department of Justice or the Office of Special Counsel, including the number of allegations referred for criminal investigation.

“(D) The number of allegations referred to the Chairperson of the Integrity Committee for investigation, a general description of the status of such investigations, and a summary of the findings of investigations completed.

“(E) An overview and analysis of allegations of wrongdoing received by the Integrity Committee during any previous reporting period, but remained pending during some part of the six months covered by the report, including—

“(i) analysis of the positions held by individuals against whom allegations were made, including the duties affiliated with such positions;

“(ii) analysis of the categories or types of the allegations of wrongdoing; and

“(iii) a summary of disposition of all the allegations.

“(F) The number and category or type of pending investigations.

“(G) For each allegation received—

“(i) the date on which the investigation was opened;

“(ii) the date on which the allegation was disposed of, as applicable; and

“(iii) the case number associated with the allegation.

“(H) The nature and number of allegations to the Integrity Committee closed without referral, including the justification for why each allegation was closed without referral.

“(I) A brief description of any difficulty encountered by the Integrity Committee

when receiving, evaluating, investigating, or referring for investigation an allegation received by the Integrity Committee, including a brief description of—

“(i) any attempt to prevent or hinder an investigation; or

“(ii) concerns about the integrity or operations at an Office of Inspector General.

“(J) Other matters that the Council considers appropriate.”.

SEC. 5135. ADDITIONAL REPORTS.

Section 5 of the Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) by redesignating subsections (e) and (f) as subsections (g) and (h), respectively; and

(2) by inserting after subsection (d) the following:

“(e) ADDITIONAL REPORTS.—

“(1) REPORT TO INSPECTOR GENERAL.—The Chairperson of the Integrity Committee of the Council of the Inspectors General on Integrity and Efficiency shall, immediately whenever the Chairperson of the Integrity Committee becomes aware of particularly serious or flagrant problems, abuses, or deficiencies relating to the administration of programs and operations of an Office of Inspector General for which the Integrity Committee may receive, review, and refer for investigation allegations of wrongdoing under section 11(d), submit a report to the Inspector General who leads the Office at which the serious or flagrant problems, abuses, or deficiencies were alleged.

“(2) REPORT TO PRESIDENT, CONGRESS, AND THE ESTABLISHMENT.—Not later than 7 days after the date on which an Inspector General receives a report submitted under paragraph (1), the Inspector General shall submit to the President, the appropriate congressional committees, and the head of the establishment—

“(A) the report received under paragraph (1); and

“(B) a report by the Inspector General containing any comments the Inspector General determines appropriate.”.

SEC. 5136. REQUIREMENT TO REPORT FINAL DISPOSITION TO CONGRESS.

Section 11(d)(8)(B) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended by inserting “and the appropriate congressional committees” after “Integrity Committee”.

SEC. 5137. INVESTIGATIONS OF OFFICES OF INSPECTORS GENERAL OF ESTABLISHMENTS BY THE INTEGRITY COMMITTEE.

Section 11(d)(7)(B)(i)(V) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended by inserting “, and that an investigation of an Office of Inspector General of an establishment is conducted by another Office of Inspector General of an establishment” after “size”.

TITLE LIV—TESTIMONIAL SUBPOENA AUTHORITY FOR INSPECTORS GENERAL

SEC. 5141. SHORT TITLE.

This title may be cited as the “IG Testimonial Subpoena Authority Act”.

SEC. 5142. ADDITIONAL AUTHORITY PROVISIONS FOR INSPECTORS GENERAL.

The Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) by inserting after section 6 the following:

“SEC. 6A. ADDITIONAL AUTHORITY.

“(a) DEFINITIONS.—In this section—

“(1) the term ‘Chairperson’ means the Chairperson of the Council of the Inspectors General on Integrity and Efficiency;

“(2) the term ‘Inspector General’—

“(A) means an Inspector General of an establishment or a designated Federal entity (as defined in section 8G(a)); and

“(B) includes—

“(i) the Inspector General of the Central Intelligence Agency established under sec-

tion 17 of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3517);

“(ii) the Inspector General of the Intelligence Community established under section 103H of the National Security Act of 1947 (50 U.S.C. 3033);

“(iii) the Special Inspector General for Afghanistan Reconstruction established under section 1229 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 379);

“(iv) the Special Inspector General for the Troubled Asset Relief Plan established under section 121 of the Emergency Economic Stabilization Act of 2008 (12 U.S.C. 5231); and

“(v) the Special Inspector General for Pandemic Recovery established under section 4018 of the CARES Act (15 U.S.C. 9053); and

“(3) the term ‘Subpoena Panel’ means the panel to which requests for approval to issue a subpoena are submitted under subsection (e).

“(b) TESTIMONIAL SUBPOENA AUTHORITY.—

“(1) IN GENERAL.—In addition to the authority otherwise provided by this Act and in accordance with the requirements of this section, each Inspector General, in carrying out the provisions of this Act or the provisions of the authorizing statute of the Inspector General, as applicable, is authorized to require by subpoena the attendance and testimony of witnesses as necessary in the performance of an audit, inspection, evaluation, or investigation, which subpoena, in the case of contumacy or refusal to obey, shall be enforceable by order of any appropriate United States district court.

“(2) PROHIBITION.—An Inspector General may not require by subpoena the attendance and testimony of a Federal employee or employee of a designated Federal entity, but may use other authorized procedures.

“(3) DETERMINATION BY INSPECTOR GENERAL.—The determination of whether a matter constitutes an audit, inspection, evaluation, or investigation shall be at the discretion of the applicable Inspector General.

“(c) LIMITATION ON DELEGATION.—The authority to issue a subpoena under subsection (b) may only be delegated to an official performing the functions and duties of an Inspector General when the Inspector General position is vacant or when the Inspector General is unable to perform the functions and duties of the Office of the Inspector General.

“(d) NOTICE TO ATTORNEY GENERAL.—

“(1) IN GENERAL.—Not less than 10 days before submitting a request for approval to issue a subpoena to the Subpoena Panel under subsection (e), an Inspector General shall—

“(A) notify the Attorney General of the plan of the Inspector General to issue the subpoena; and

“(B) take into consideration any information provided by the Attorney General relating to the subpoena.

“(2) RULE OF CONSTRUCTION.—Nothing in this subsection may be construed to prevent an Inspector General from submitting to the Subpoena Panel under subsection (e) a request for approval to issue a subpoena if 10 or more days have elapsed since the date on which the Inspector General submits to the Attorney General the notification required under paragraph (1)(A) with respect to that subpoena.

“(e) PANEL REVIEW BEFORE ISSUANCE.—

“(1) APPROVAL REQUIRED.—

“(A) REQUEST FOR APPROVAL BY SUBPOENA PANEL.—Before the issuance of a subpoena described in subsection (b), an Inspector General shall submit to a panel a request for approval to issue the subpoena, which shall include a determination by the Inspector General that—

“(i) the testimony is likely to be reasonably relevant to the audit, inspection, evaluation, or investigation for which the subpoena is sought; and

“(ii) the information to be sought cannot be reasonably obtained through other means.

“(B) COMPOSITION OF SUBPOENA PANEL.—

“(i) IN GENERAL.—Subject to clauses (ii) and (iii), a Subpoena Panel shall be comprised of 3 inspectors general appointed by the President and confirmed by the Senate, who shall be randomly drawn by the Chairperson or a designee of the Chairperson from a pool of all such inspectors general.

“(ii) CLASSIFIED INFORMATION.—If consideration of a request for a subpoena submitted under subparagraph (A) would require access to classified information, the Chairperson or a designee of the Chairperson may limit the pool of inspectors general described in clause (i) to appropriately cleared inspectors general.

“(iii) CONFIRMATION OF AVAILABILITY.—If an inspector general drawn from the pool described in clause (i) does not confirm their availability to serve on the Subpoena Panel within 24 hours of receiving a notification from the Chairperson or a designee of the Chairperson regarding selection for the Subpoena Panel, the Chairperson or a designee of the Chairperson may randomly draw a new inspector general from the pool to serve on the Subpoena Panel.

“(C) CONTENTS OF REQUEST.—The request described in subparagraph (A) shall include any information provided by the Attorney General related to the subpoena, which the Attorney General requests that the Subpoena Panel consider.

“(D) PROTECTION FROM DISCLOSURE.—

“(i) IN GENERAL.—The information contained in a request submitted by an Inspector General under subparagraph (A) and the identification of a witness shall be protected from disclosure to the extent permitted by law.

“(ii) REQUEST FOR DISCLOSURE.—Any request for disclosure of the information described in clause (i) shall be submitted to the Inspector General requesting the subpoena.

“(2) TIME TO RESPOND.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), the Subpoena Panel shall approve or deny a request for approval to issue a subpoena submitted under paragraph (1) not later than 10 days after the submission of the request.

“(B) ADDITIONAL INFORMATION FOR PANEL.—If the Subpoena Panel determines that additional information is necessary to approve or deny a request for approval to issue a subpoena submitted by an Inspector General under paragraph (1), the Subpoena Panel shall—

“(i) request that information; and

“(ii) approve or deny the request for approval submitted by the Inspector General not later than 20 days after the Subpoena Panel submits the request for information under clause (i).

“(3) APPROVAL BY PANEL.—If all members of the Subpoena Panel unanimously approve a request for approval to issue a subpoena submitted by an Inspector General under paragraph (1), the Inspector General may issue the subpoena.

“(4) NOTICE TO COUNCIL AND ATTORNEY GENERAL.—Upon issuance of a subpoena by an Inspector General under subsection (b), the Inspector General shall provide contemporaneous notice of such issuance to the Chairperson or a designee of the Chairperson and to the Attorney General.

“(f) SEMIANNUAL REPORTING.—On or before May 31, 2022, and every 6 months thereafter, the Council of the Inspectors General on Integrity and Efficiency shall submit to the Committee on Homeland Security and Gov-

ernmental Affairs of the Senate, the Committee on Oversight and Reform of the House of Representatives, and the Comptroller General of the United States a report on the use of subpoenas described in subsection (b) in any audit, inspection, evaluation, or investigation that concluded during the immediately preceding 6-month periods ending March 31 and September 30, which shall include—

“(1) a list of each Inspector General that has submitted a request for approval of a subpoena to the Subpoena Panel;

“(2) for each applicable Inspector General, the number of subpoenas submitted to the Subpoena Panel, approved by the Subpoena Panel, and disapproved by the Subpoena Panel;

“(3) for each subpoena submitted to the Subpoena Panel for approval—

“(A) an anonymized description of the individual or organization to whom the subpoena was directed;

“(B) the date on which the subpoena request was sent to the Attorney General, the date on which the Attorney General responded, and whether the Attorney General provided information regarding the subpoena request, including whether the Attorney General opposed issuance of the proposed subpoena;

“(C) the members of the Subpoena Panel considering the subpoena;

“(D) the date on which the subpoena request was sent to the Subpoena Panel, the date on which the Subpoena Panel approved or disapproved the subpoena request, and the decision of the Subpoena Panel; and

“(E) the date on which the subpoena was issued, if approved; and

“(4) any other information the Council of the Inspectors General on Integrity and Efficiency considers appropriate to include.

“(g) TRAINING AND STANDARDS.—The Council of the Inspectors General on Integrity and Efficiency, in consultation with the Attorney General, shall promulgate standards and provide training relating to the issuance of subpoenas, conflicts of interest, and any other matter the Council determines necessary to carry out this section.

“(h) APPLICABILITY.—The provisions of this section shall not affect the exercise of authority by an Inspector General of testimonial subpoena authority established under another provision of law.

“(i) TERMINATION.—The authorities provided under subsection (b) shall terminate on January 1, 2027, provided that this subsection shall not affect the enforceability of a subpoena issued on or before December 31, 2026.”;

(2) in section 5(a), as amended by section 903 of this Act—

(A) in paragraph (16)(B), as so redesignated, by striking the period at the end and inserting “; and”; and

(B) by adding at the end the following:

“(17) a description of the use of subpoenas for the attendance and testimony of certain witnesses authorized under section 6A.”; and

(3) in section 8G(g)(1), by inserting “6A,” before “and 7”.

SEC. 5143. REVIEW BY THE COMPTROLLER GENERAL.

Not later than January 1, 2026, the Comptroller General of the United States shall submit to the appropriate congressional committees a report reviewing the use of testimonial subpoena authority, which shall include—

(1) a summary of the information included in the semiannual reports to Congress under section 6A(f) of the Inspector General Act of 1978 (5 U.S.C. App.), as added by this title, including an analysis of any patterns and trends identified in the use of the authority during the reporting period;

(2) a review of subpoenas issued by inspectors general on and after the date of enactment of this Act to evaluate compliance with this Act by the respective inspector general, the Subpoena Panel, and the Council of the Inspectors General on Integrity and Efficiency; and

(3) any additional analysis, evaluation, or recommendation based on observations or information gathered by the Comptroller General of the United States during the course of the review.

TITLE LV—INVESTIGATIONS OF DEPARTMENT OF JUSTICE PERSONNEL

SEC. 5151. SHORT TITLE.

This title may be cited as the “Inspector General Access Act of 2021”.

SEC. 5152. INVESTIGATIONS OF DEPARTMENT OF JUSTICE PERSONNEL.

Section 8E of the Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) in subsection (b)—

(A) in paragraph (2), by striking “and paragraph (3)”;

(B) by striking paragraph (3);

(C) by redesignating paragraphs (4) and (5) as paragraphs (3) and (4), respectively; and

(D) in paragraph (4), as redesignated, by striking “paragraph (4)” and inserting “paragraph (3)”;

(2) in subsection (d), by striking “, except with respect to allegations described in subsection (b)(3).”.

TITLE LVI—NOTICE OF ONGOING INVESTIGATIONS WHEN THERE IS A CHANGE IN STATUS OF INSPECTOR GENERAL

SEC. 5161. NOTICE OF ONGOING INVESTIGATIONS WHEN THERE IS A CHANGE IN STATUS OF INSPECTOR GENERAL.

Section 5 of the Inspector General Act of 1978 (5 U.S.C. App.) is amended by inserting after subsection (e), as added by section 5135 of this division, the following:

“(f) Not later than 15 days after an Inspector General is removed, placed on paid or unpaid non-duty status, or transferred to another position or location within an establishment, the officer or employee performing the functions and duties of the Inspector General temporarily in an acting capacity shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Reform of the House of Representatives information regarding work being conducted by the Office as of the date on which the Inspector General was removed, placed on paid or unpaid non-duty status, or transferred, which shall include—

“(1) for each investigation—

“(A) the type of alleged offense;

“(B) the fiscal quarter in which the Office initiated the investigation;

“(C) the relevant Federal agency, including the relevant component of that Federal agency for any Federal agency listed in section 901(b) of title 31, United States Code, under investigation or affiliated with the individual or entity under investigation; and

“(D) whether the investigation is administrative, civil, criminal, or a combination thereof, if known; and

“(2) for any work not described in paragraph (1)—

“(A) a description of the subject matter and scope;

“(B) the relevant agency, including the relevant component of that Federal agency, under review;

“(C) the date on which the Office initiated the work; and

“(D) the expected time frame for completion.”.

TITLE LVII—COUNCIL OF THE INSPECTORS GENERAL ON INTEGRITY AND EFFICIENCY REPORT ON EXPENDITURES

SEC. 5171. CIGIE REPORT ON EXPENDITURES.

Section 11(c)(3) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended by adding at the end the following:

“(D) REPORT ON EXPENDITURES.—Not later than November 30 of each year, the Chairperson shall submit to the appropriate committees or subcommittees of Congress, including the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives, a report on the expenditures of the Council for the preceding fiscal year, including from direct appropriations to the Council, interagency funding pursuant to subparagraph (A), a revolving fund pursuant to subparagraph (B), or any other source.”.

TITLE LVIII—NOTICE OF REFUSAL TO PROVIDE INSPECTORS GENERAL ACCESS

SEC. 5181. NOTICE OF REFUSAL TO PROVIDE INFORMATION OR ASSISTANCE TO INSPECTORS GENERAL.

Section 6(c) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended by adding at the end the following:

“(3) If the information or assistance that is the subject of a report under paragraph (2) is not provided to the Inspector General by the date that is 30 days after the report is made, the Inspector General shall submit a notice that the information or assistance requested has not been provided by the head of the establishment involved or the head of the Federal agency involved, as applicable, to the appropriate congressional committees.”.

TITLE LIX—TRAINING RESOURCES FOR INSPECTORS GENERAL AND OTHER MATTERS

SEC. 5191. TRAINING RESOURCES FOR INSPECTORS GENERAL.

Section 11(c)(1) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) by redesignating subparagraphs (E) through (I) as subparagraphs (F) through (J), respectively; and

(2) by inserting after subparagraph (D) the following:

“(E) support the professional development of Inspectors General, including by providing training opportunities on the duties, responsibilities, and authorities under this Act and on topics relevant to Inspectors General and the work of Inspectors General, as identified by Inspectors General and the Council.”.

SEC. 5192. DEFINITION OF APPROPRIATE CONGRESSIONAL COMMITTEES.

The Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) in section 5—

(A) in subsection (b), in the matter preceding paragraph (1), by striking “committees or subcommittees of the Congress” and inserting “congressional committees”; and

(B) in subsection (d), by striking “committees or subcommittees of Congress” and inserting “congressional committees”;

(2) in section 6(h)(4)—

(A) in subparagraph (B), by striking “Government”; and

(B) by amending subparagraph (C) to read as follows:

“(C) Any other relevant congressional committee or subcommittee of jurisdiction.”;

(3) in section 8—

(A) in subsection (b)—

(i) in paragraph (3), by striking “the Committees on Armed Services and Governmental Affairs of the Senate and the Committee on Armed Services and the Committee on Government Reform and Oversight of the House of Representatives and to other appropriate committees or subcommittees of

the Congress” and inserting “the appropriate congressional committees, including the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives”; and

(ii) in paragraph (4), by striking “and to other appropriate committees or subcommittees”; and

(B) in subsection (f)—

(i) in paragraph (1), by striking “the Committees on Armed Services and on Homeland Security and Governmental Affairs of the Senate and the Committees on Armed Services and on Oversight and Government Reform of the House of Representatives and to other appropriate committees or subcommittees of Congress” and inserting “the appropriate congressional committees, including the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives”; and

(ii) in paragraph (2), by striking “committees or subcommittees of the Congress” and inserting “congressional committees”;

(4) in section 8D—

(A) in subsection (a)(3), by striking “Committees on Governmental Affairs and Finance of the Senate and the Committees on Government Operations and Ways and Means of the House of Representatives, and to other appropriate committees or subcommittees of the Congress” and inserting “appropriate congressional committees, including the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives”; and

(B) in subsection (g)—

(i) in paragraph (1)—

(I) by striking “committees or subcommittees of the Congress” and inserting “congressional committees”; and

(II) by striking “Committees on Governmental Affairs and Finance of the Senate and the Committees on Government Reform and Oversight and Ways and Means of the House of Representatives” and inserting “Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives”; and

(ii) in paragraph (2), by striking “committees or subcommittees of Congress” and inserting “congressional committees”;

(5) in section 8E—

(A) in subsection (a)(3), by striking “Committees on Governmental Affairs and Judiciary of the Senate and the Committees on Government Operations and Judiciary of the House of Representatives, and to other appropriate committees or subcommittees of the Congress” and inserting “appropriate congressional committees, including the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives”; and

(B) in subsection (c)—

(i) by striking “committees or subcommittees of the Congress” and inserting “congressional committees”; and

(ii) by striking “Committees on the Judiciary and Governmental Affairs of the Senate and the Committees on the Judiciary and Government Operations of the House of Representatives” and inserting “Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives”;

(6) in section 8G—

(A) in subsection (d)(2)(E), in the matter preceding clause (i), by inserting “the appropriate congressional committees, including” after “are”; and

(B) in subsection (f)(3)—

(i) in subparagraph (A)(iii), by striking “Committee on Governmental Affairs of the Senate and the Committee on Government Reform and Oversight of the House of Representatives, and to other appropriate committees or subcommittees of the Congress”

and inserting “the appropriate congressional committees”; and

(ii) by striking subparagraph (C);

(7) in section 8I—

(A) in subsection (a)(3), in the matter preceding subparagraph (A), by striking “committees and subcommittees of Congress” and inserting “congressional committees”; and

(B) in subsection (d), by striking “committees and subcommittees of Congress” each place it appears and inserting “congressional committees”;

(8) in section 8N(b), by striking “committees of Congress” and inserting “congressional committees”;

(9) in section 11—

(A) in subsection (b)(3)(B)(viii)—

(i) by striking subclauses (III) and (IV);

(ii) in subclause (I), by adding “and” at the end; and

(iii) by amending subclause (II) to read as follows:

“(II) the appropriate congressional committees.”; and

(B) in subsection (d)(8)(A)(iii), by striking “to the” and all that follows through “jurisdiction” and inserting “to the appropriate congressional committees”; and

(10) in section 12—

(A) in paragraph (4), by striking “and” at the end;

(B) in paragraph (5), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(6) the term ‘appropriate congressional committees’ means—

“(A) the Committee on Homeland Security and Governmental Affairs of the Senate;

“(B) the Committee on Oversight and Reform of the House of Representatives; and

“(C) any other relevant congressional committee or subcommittee of jurisdiction.”.

SEC. 5193. SEMIANNUAL REPORTS.

The Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) in section 4(a)(2)—

(A) by inserting “, including” after “to make recommendations”; and

(B) by inserting a comma after “section 5(a)”;

(2) in section 5—

(A) in subsection (a)—

(i) by striking paragraphs (1) through (12) and inserting the following:

“(1) a description of significant problems, abuses, and deficiencies relating to the administration of programs and operations of the establishment and associated reports and recommendations for corrective action made by the Office;

“(2) an identification of each recommendation made before the reporting period, for which corrective action has not been completed, including the potential costs savings associated with the recommendation;

“(3) a summary of significant investigations closed during the reporting period;

“(4) an identification of the total number of convictions during the reporting period resulting from investigations;

“(5) information regarding each audit, inspection, or evaluation report issued during the reporting period, including—

“(A) a listing of each audit, inspection, or evaluation;

“(B) if applicable, the total dollar value of questioned costs (including a separate category for the dollar value of unsupported costs) and the dollar value of recommendations that funds be put to better use, including whether a management decision had been made by the end of the reporting period;

“(6) information regarding any management decision made during the reporting period with respect to any audit, inspection, or evaluation issued during a previous reporting period.”;

(ii) by redesignating paragraphs (13) through (22) as paragraphs (7) through (16), respectively;

(iii) by amending paragraph (13), as so redesignated, to read as follows:

“(13) a report on each investigation conducted by the Office where allegations of misconduct were substantiated, including the name of the senior Government employee, if already made public by the Office, and a detailed description of—

“(A) the facts and circumstances of the investigation; and

“(B) the status and disposition of the matter, including—

“(i) if the matter was referred to the Department of Justice, the date of the referral; and

“(ii) if the Department of Justice declined the referral, the date of the declination;”;

(iv) in paragraph (15), as so redesignated, by striking subparagraphs (A) and (B) and inserting the following:

“(A) any attempt by the establishment to interfere with the independence of the Office, including—

“(i) with budget constraints designed to limit the capabilities of the Office; and

“(ii) incidents where the establishment has resisted or objected to oversight activities of the Office or restricted or significantly delayed access to information, including the justification of the establishment for such action; and

“(B) a summary of each report made to the head of the establishment under section 6(c)(2) during the reporting period;”;

(B) in subsection (b)—

(i) by striking paragraphs (2) and (3) and inserting the following:

“(2) where final action on audit, inspection, and evaluation reports had not been taken before the commencement of the reporting period, statistical tables showing—

“(A) with respect to management decisions—

“(i) for each report, whether a management decision was made during the reporting period;

“(ii) if a management decision was made during the reporting period, the dollar value of disallowed costs and funds to be put to better use as agreed to in the management decision; and

“(iii) total number of reports where a management decision was made during the reporting period and the total corresponding dollar value of disallowed costs and funds to be put to better use as agreed to in the management decision; and

“(B) with respect to final actions—

“(i) whether, if a management decision was made before the end of the reporting period, final action was taken during the reporting period;

“(ii) if final action was taken, the dollar value of—

“(I) disallowed costs that were recovered by management through collection, offset, property in lieu of cash, or otherwise;

“(II) disallowed costs that were written off by management;

“(III) disallowed costs and funds to be put to better use not yet recovered or written off by management;

“(IV) recommendations that were completed; and

“(V) recommendations that management has subsequently concluded should not or could not be implemented or completed; and

“(iii) total number of reports where final action was not taken and total number of reports where final action was taken, including the total corresponding dollar value of disallowed costs and funds to be put to better use as agreed to in the management decisions;”;

(ii) by redesignating paragraph (4) as paragraph (3);

(iii) in paragraph (3), as so redesignated, by striking “subsection (a)(20)(A)” and inserting “subsection (a)(14)(A)”;

(iv) by striking paragraph (5) and inserting the following:

“(4) a statement explaining why final action has not been taken with respect to each audit, inspection, and evaluation report in which a management decision has been made but final action has not yet been taken, except that such statement—

“(A) may exclude reports if—

“(i) a management decision was made within the preceding year; or

“(ii) the report is under formal administrative or judicial appeal or management of the establishment has agreed to pursue a legislative solution; and

“(B) shall identify the number of reports in each category so excluded.”;

(C) by redesignating subsection (h), as so redesignated by section 305, as subsection (i); and

(D) by inserting after subsection (g), as so redesignated by section 305, the following:

“(h) If an Office has published any portion of the report or information required under subsection (a) to the website of the Office or on oversight.gov, the Office may elect to provide links to the relevant webpage or website in the report of the Office under subsection (a) in lieu of including the information in that report.”.

SEC. 5194. SUBMISSION OF REPORTS THAT SPECIFICALLY IDENTIFY NON-GOVERNMENTAL ORGANIZATIONS OR BUSINESS ENTITIES.

(a) IN GENERAL.—Section 5(g) of the Inspector General Act of 1978 (5 U.S.C. App.), as so redesignated by section 5135 of this division, is amended by adding at the end the following:

“(6)(A) Except as provided in subparagraph (B), if an audit, evaluation, inspection, or other non-investigative report prepared by an Inspector General specifically identifies a specific non-governmental organization or business entity, whether or not the non-governmental organization or business entity is the subject of that audit, evaluation, inspection, or non-investigative report—

“(i) the Inspector General shall notify the non-governmental organization or business entity;

“(ii) the non-governmental organization or business entity shall have—

“(I) 30 days to review the audit, evaluation, inspection, or non-investigative report beginning on the date of publication of the audit, evaluation, inspection, or non-investigative report; and

“(II) the opportunity to submit a written response for the purpose of clarifying or providing additional context as it directly relates to each instance wherein an audit, evaluation, inspection, or non-investigative report specifically identifies that non-governmental organization or business entity; and

“(iii) if a written response is submitted under clause (ii)(II) within the 30-day period described in clause (ii)(I)—

“(I) the written response shall be attached to the audit, evaluation, inspection, or non-investigative report; and

“(II) in every instance where the report may appear on the public-facing website of the Inspector General, the website shall be updated in order to access a version of the audit, evaluation, inspection, or non-investigative report that includes the written response.

“(B) Subparagraph (A) shall not apply with respect to a non-governmental organization or business entity that refused to provide information or assistance sought by an Inspec-

tor General during the creation of the audit, evaluation, inspection, or non-investigative report.

“(C) An Inspector General shall review any written response received under subparagraph (A) for the purpose of preventing the improper disclosure of classified information or other non-public information, consistent with applicable laws, rules, and regulations, and, if necessary, redact such information.”.

(b) RETROACTIVE APPLICABILITY.—During the 30-day period beginning on the date of enactment of this Act—

(1) the amendment made by subsection (a) shall apply upon the request of a non-governmental organization or business entity named in an audit, evaluation, inspection, or other non-investigative report prepared on or after January 1, 2019; and

(2) any written response submitted under clause (iii) of section 5(g)(6)(A) of the Inspector General Act of 1978 (5 U.S.C. App.), as added by subsection (a), with respect to such an audit, evaluation, inspection, or other non-investigative report shall attach to the original report in the manner described in that clause.

SEC. 5195. REVIEW RELATING TO VETTING, PROCESSING, AND RESETTLEMENT OF EVACUEES FROM AFGHANISTAN AND THE AFGHANISTAN SPECIAL IMMIGRANT VISA PROGRAM.

(a) IN GENERAL.—In accordance with the Inspector General Act of 1978 (5 U.S.C. App.), the Inspector General of the Department of Homeland Security, jointly with the Inspector General of the Department of State, and in coordination with any appropriate inspector general established by that Act or section 103H of the National Security Act of 1947 (50 U.S.C. 3033), shall conduct a thorough review of efforts to support and process evacuees from Afghanistan and the Afghanistan special immigrant visa program.

(b) ELEMENTS.—The review required by subsection (a) shall include an assessment of the systems, staffing, policies, and programs used—

(1) to the screen and vet such evacuees, including—

(A) an assessment of whether personnel conducting such screening and vetting were appropriately authorized and provided with training, including training in the detection of fraudulent personal identification documents;

(B) an analysis of the degree to which such screening and vetting deviated from United States law, regulations, policy, and best practices relating to—

(i) the screening and vetting of parolees, refugees, and applicants for United States visas that have been in use at any time since January 1, 2016, particularly for individuals from countries with active terrorist organizations; and

(ii) the screening and vetting of parolees, refugees, and applicants for United States visas pursuant to any mass evacuation effort since 1975, particularly for individuals from countries with active terrorist organizations;

(C) an identification of any risk to the national security of the United States posed by any such deviations;

(D) an analysis of the processes used for evacuees traveling without personal identification records, including the creation or provision of any new identification records to such evacuees; and

(E) an analysis of the degree to which such screening and vetting process was capable of detecting—

(i) instances of human trafficking and domestic abuse;

(ii) evacuees who are unaccompanied minors; and

(iii) evacuees with a spouse that is a minor;

(2) to admit and process such evacuees at United States ports of entry;

(3) to temporarily house such evacuees prior to resettlement;

(4) to account for the total number of individual evacuated from Afghanistan in 2021 with support of the United States Government, disaggregated by—

(A) country of origin;

(B) age;

(C) gender;

(D) eligibility for special immigrant visas under the Afghan Allies Protection Act of 2009 (8 U.S.C. 1101 note; Public Law 111-8) or section 1059 of the National Defense Authorization Act for Fiscal Year 2006 (8 U.S.C. 1101 note; Public Law 109-163) at the time of evacuation;

(E) eligibility for employment-based non-immigrant visas at the time of evacuation; and

(F) familial relationship to evacuees who are eligible for visas described in subparagraphs (D) and (E); and

(5) to provide eligible individuals with special immigrant visas under the Afghan Allies Protection Act of 2009 (8 U.S.C. 1101 note; Public Law 111-8) and section 1059 of the National Defense Authorization Act for Fiscal Year 2006 (8 U.S.C. 1101 note; Public Law 109-163) since the date of the enactment of the Afghan Allies Protection Act of 2009 (8 U.S.C. 1101 note; Public Law 111-8), including—

(A) a detailed step-by-step description of the application process for such special immigrant visas, including the number of days allotted by the United States Government for the completion of each step;

(B) the number of such special immigrant visa applications received, approved, and denied, disaggregated by fiscal year;

(C) the number of such special immigrant visas issued, as compared to the number available under law, disaggregated by fiscal year;

(D) an assessment of the average length of time taken to process an application for such a special immigrant visa, beginning on the date of submission of the application and ending on the date of final disposition, disaggregated by fiscal year;

(E) an accounting of the number of applications for such special immigrant visas that remained pending at the end of each fiscal year;

(F) an accounting of the number of interviews of applicants for such special immigrant visas conducted during each fiscal year;

(G) the number of noncitizens who were admitted to the United States pursuant to such a special immigrant visa during each fiscal year;

(H) an assessment of the extent to which each participating department or agency of the United States Government, including the Department of State and the Department of Homeland Security, adjusted processing practices and procedures for such special immigrant visas so as to vet applicants and expand processing capacity since the February 29, 2020, Doha Agreement between the United States and the Taliban;

(I) a list of specific steps, if any, taken between February 29, 2020, and August 31, 2021—

(i) to streamline the processing of applications for such special immigrant visas; and

(ii) to address longstanding bureaucratic hurdles while improving security protocols;

(J) a description of the degree to which the Secretary of State implemented recommendations made by the Department of State Office of Inspector General in its June 2020 reports on Review of the Afghan Special Immigrant Visa Program (AUD-MERO-20-35) and Management Assistance Report: Quarterly Reporting on Afghan Special Immi-

grant Visa Program Needs Improvement (AUD-MERO-20-34);

(K) an assessment of the extent to which challenges in verifying applicants' employment with the Department of Defense contributed to delays in the processing of such special immigrant visas, and an accounting of the specific steps taken since February 29, 2020, to address issues surrounding employment verification; and

(L) recommendations to strengthen and streamline such special immigrant visa process going forward.

(c) INTERIM REPORTING.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Inspector General of the Department of Homeland Security and the Inspector General of the Department of State shall submit to the appropriate congressional committees not fewer than one interim report on the review conducted under this section.

(2) FORM.—Any report submitted under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(3) DEFINITIONS.—In this subsection:

(A) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term "appropriate congressional committees" has the meaning given the term in section 12 of the Inspector General Act of 1978 (5 U.S.C. App.), as amended by this Act.

(B) SCREEN; SCREENING.—The terms "screen" and "screening", with respect to an evacuee, mean the process by which a Federal official determines—

(i) the identity of the evacuee;

(ii) whether the evacuee has a valid identification documentation; and

(iii) whether any database of the United States Government contains derogatory information about the evacuee.

(C) VET; VETTING.—The term "vet" and "vetting", with respect to an evacuee, means the process by which a Federal official interviews the evacuee to determine whether the evacuee is who they purport to be, including whether the evacuee poses a national security risk.

(d) DISCHARGE OF RESPONSIBILITIES.—The Inspector General of the Department of Homeland Security and the Inspector General of the Department of State shall discharge the responsibilities under this section in a manner consistent with the authorities and requirements of the Inspector General Act of 1978 (5 U.S.C. App.) and the authorities and requirements applicable to the Inspector General of the Department of Homeland Security and the Inspector General of the Department of State under that Act.

(e) COORDINATION.—Upon request of an Inspector General for information or assistance under subsection (a), the head of any Federal agency involved shall, insofar as is practicable and not in contravention of any existing statutory restriction or regulation of the Federal agency from which the information is requested, furnish to such Inspector General, or to an authorized designee, such information or assistance.

(f) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to limit the ability of the Inspector General of the Department of Homeland Security or the Inspector General of the Department of State to enter into agreements to conduct joint audits, inspections, or investigations in the exercise of the oversight responsibilities of the Inspector General of the Department of Homeland Security and the Inspector General of the Department of State, in accordance with the Inspector General Act of 1978 (5 U.S.C. App.), with respect to oversight of the evacuation from Afghanistan, the selection, vetting, and processing of applicants for special immigrant visas and asylum, and any resettlement in the United States of such evacuees.

SA 4781. Mr. RISCH submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title XII, add the following:

SEC. 1237. IMPOSITION OF SANCTIONS WITH RESPECT TO NORD STREAM 2.

(a) IN GENERAL.—Not later than 15 days after the date of the enactment of this Act, the President shall—

(1) impose sanctions under subsection (b) with respect to any corporate officer of an entity established for or responsible for the planning, construction, or operation of the Nord Stream 2 pipeline or a successor entity; and

(2) impose sanctions under subsection (c) with respect to any entity described in paragraph (1).

(b) INELIGIBILITY FOR VISAS, ADMISSION, OR PAROLE OF IDENTIFIED PERSONS AND CORPORATE OFFICERS.—

(1) IN GENERAL.—

(A) VISAS, ADMISSION, OR PAROLE.—An alien described in subsection (a)(1) is—

(i) inadmissible to the United States;

(ii) ineligible to receive a visa or other documentation to enter the United States; and

(iii) otherwise ineligible to be admitted or paroled into the United States or to receive any other benefit under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

(B) CURRENT VISAS REVOKED.—

(i) IN GENERAL.—The visa or other entry documentation of an alien described in subsection (a)(1) shall be revoked, regardless of when such visa or other entry documentation is or was issued.

(ii) IMMEDIATE EFFECT.—A revocation under clause (i) shall—

(I) take effect immediately; and

(II) automatically cancel any other valid visa or entry documentation that is in the alien's possession.

(c) BLOCKING OF PROPERTY OF IDENTIFIED PERSONS.—The President shall exercise all powers granted to the President by the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) to the extent necessary to block and prohibit all transactions in all property and interests in property of an entity described in subsection (a)(1) if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(d) EXCEPTIONS.—

(1) EXCEPTION FOR INTELLIGENCE, LAW ENFORCEMENT, AND NATIONAL SECURITY ACTIVITIES.—Sanctions under this section shall not apply to any authorized intelligence, law enforcement, or national security activities of the United States.

(2) EXCEPTION TO COMPLY WITH UNITED NATIONS HEADQUARTERS AGREEMENT.—Sanctions under this section shall not apply with respect to the admission of an alien to the United States if the admission of the alien is necessary to permit the United States to comply with the Agreement regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, between the United Nations and the United States, the Convention on Consular Relations, done at Vienna April 24, 1963, and entered into force

March 19, 1967, or other applicable international obligations.

(3) EXCEPTION RELATING TO IMPORTATION OF GOODS.—

(A) IN GENERAL.—Notwithstanding any other provision of this section, the authorities and requirements to impose sanctions under this section shall not include the authority or a requirement to impose sanctions on the importation of goods.

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

(e) IMPLEMENTATION; PENALTIES.—

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

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

(f) SUNSET.—The authority to impose sanctions under this section shall terminate on the date that is 5 years after the date of the enactment of this Act.

(g) DEFINITIONS.—In this section:

(1) ADMISSION; ADMITTED; ALIEN.—The terms “admission”, “admitted”, and “alien” have the meanings given those terms in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101).

(2) APPROPRIATE CONGRESSIONAL COMMITTEES AND LEADERSHIP.—The term “appropriate congressional committees and leadership” means—

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

(B) the Committee on Foreign Affairs, the Committee on Financial Services, and the Speaker, the majority leader, and the minority leader of the House of Representatives.

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

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

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

(C) any person within the United States.

SEC. 1238. REPEAL OF NATIONAL INTEREST WAIVER UNDER PROTECTING EUROPE'S ENERGY SECURITY ACT OF 2019.

Section 7503 of the Protecting Europe's Energy Security Act of 2019 (title LXXV of Public Law 116-92; 22 U.S.C. 9526 note) is amended—

(1) in subsection (a)(1)(C), by striking “subsection (i)” and inserting “subsection (h)”;

(2) by striking subsection (f);

(3) by redesignating subsections (g) through (k) as subsections (f) through (j), respectively; and

(4) in subsection (i), as redesignated by paragraph (3), by striking “subsection (h)” and inserting “subsection (g)”.

SEC. 1239. APPLICATION OF CONGRESSIONAL REVIEW UNDER COUNTERING AMERICA'S ADVERSARIES THROUGH SANCTIONS ACT TO TERMINATION OR REMOVAL OF SANCTIONS.

(a) IN GENERAL.—Section 216(a)(2)(B)(i) of the Countering America's Adversaries Through Sanctions Act (22 U.S.C. 9511(a)(2)(B)(i)) is amended—

(1) in subclause (II), by striking “; or” and inserting a semicolon;

(2) in subclause (III), by striking “; and” and inserting a semicolon; and

(3) by adding at the end the following:

“(IV) section 7503 of the Protecting Europe's Energy Security Act of 2019 (title LXXV of Public Law 116-92; 22 U.S.C. 9526 note); or

“(V) section 1237 of the National Defense Authorization Act for Fiscal Year 2022; and”.

(b) INCLUSION OF ADDITIONAL MATTER IN CAATSA REPORT.—Each report submitted under section 216(a)(1) of the Countering America's Adversaries Through Sanctions Act (22 U.S.C. 9511(a)(1)) with respect to the waiver or termination of, or a licensing action with respect to, sanctions under section 1237 of this Act or section 7503 of the Protecting Europe's Energy Security Act of 2019 (title LXXV of Public Law 116-92; 22 U.S.C. 9526 note) shall include—

(1) an assessment of the security risks posed by Nord Stream 2, including—

(A) the presence along Nord Stream 2 or Nord Stream 1 infrastructure or pipeline corridors of undersea surveillance systems and sensors, fiber optic terminals, or other systems that are capable of conducting military or intelligence activities unrelated to civilian energy transmission, including those designed to enhance Russian Federation anti-submarine warfare, surveillance, espionage, or sabotage capabilities;

(B) the use of Nord Stream-affiliated infrastructure, equipment, personnel, vessels, financing, or other assets—

(i) to facilitate, carry out, or conceal Russian Federation maritime surveillance, espionage, or sabotage activities;

(ii) to justify the presence of Russian Federation naval vessels or military personnel or equipment in international waters or near North Atlantic Treaty Organization or partner countries;

(iii) to disrupt freedom of navigation; or

(iv) to pressure or intimidate countries in the Baltic Sea;

(C) the involvement in the Nord Stream 2 pipeline or its affiliated entities of current or former Russian, Soviet, or Warsaw Pact intelligence and military personnel and any business dealings between Nord Stream 2 and entities affiliated with the intelligence or defense sector of the Russian Federation; and

(D) malign influence activities of the Government of the Russian Federation, including strategic corruption and efforts to influence European decision-makers, supported or financed through the Nord Stream 2 pipeline;

(2) an assessment of whether the Russian Federation maintains gas transit through Ukraine at levels consistent with the volumes set forth in the Ukraine-Russian Federation gas transit agreement of December 2019 and continues to pay the transit fees specified in that agreement;

(3) an assessment of the status of negotiations between the Russian Federation and Ukraine to secure an agreement to extend gas transit through Ukraine beyond the expiration of the agreement described in paragraph (2); and

(4) an assessment of whether the United States and Germany have agreed on a common definition for energy “weaponization” and the associated triggers for sanctions and other enforcement actions, pursuant to the

Joint Statement of the United States and Germany on support for Ukraine, European energy security, and our climate goals, dated July 21, 2021; and

(5) a description of the consultations with United States allies and partners in Europe, including Ukraine, Poland, and the countries in Central and Eastern Europe most impacted by the Nord Stream 2 pipeline concerning the matters agreed to as described in paragraph (4).

SA 4782. Mr. CORNYN (for himself, Mr. COONS, Mr. YOUNG, and Mr. LEAHY) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. 1064. NATIONAL SECURITY EXCLUSION FOR ARTICLES OR COMPONENTS OF ARTICLES THAT CONTAIN, WERE PRODUCED USING, BENEFIT FROM, OR USE TRADE SECRETS MISAPPROPRIATED OR ACQUIRED THROUGH IMPROPER MEANS BY A FOREIGN AGENT OR FOREIGN INSTRUMENTALITY.

(a) SHORT TITLE.—This section may be cited as the “Stopping and Excluding Commercial Ripoffs and Espionage with U.S. Trade Secrets” or the “Secrets Act of 2021”.

(b) NATIONAL SECURITY EXCLUSION.—Title III of the Tariff Act of 1930 is amended by inserting after section 341 (19 U.S.C. 1341) the following:

“SEC. 342. NATIONAL SECURITY EXCLUSION FOR ARTICLES OR COMPONENTS OF ARTICLES THAT CONTAIN, WERE PRODUCED USING, BENEFIT FROM, OR USE TRADE SECRETS MISAPPROPRIATED OR ACQUIRED THROUGH IMPROPER MEANS BY A FOREIGN AGENT OR FOREIGN INSTRUMENTALITY.

“(a) IN GENERAL.—Upon a determination under subsection (c)(1), and subject to the procedures required under subsection (d), the Commission shall direct the exclusion from the United States of, on the basis of national security, imports of articles that contain, were produced using, benefit from, or use any trade secret acquired through improper means or misappropriation by a foreign agent or foreign instrumentality (in this section referred to as a ‘covered article’).

“(b) INTERAGENCY COMMITTEE ON TRADE SECRETS.—

“(1) IN GENERAL.—There is established an Interagency Committee on Trade Secrets (in this section referred to as the ‘Committee’) to carry out the review and submission of allegations under paragraph (5) and such other duties as the President may designate as necessary to carry out this section.

“(2) MEMBERSHIP.—

“(A) IN GENERAL.—The Committee shall be comprised of the following voting members (or the designee of any such member):

“(i) The Secretary of the Treasury.

“(ii) The Secretary of Homeland Security.

“(iii) The Secretary of Commerce.

“(iv) The Attorney General.

“(v) The Intellectual Property Enforcement Coordinator.

“(vi) The United States Trade Representative.

“(vii) The head of such other Federal agency or other executive office as the President determines appropriate, generally or on a case-by-case basis.

“(B) DIRECTOR OF NATIONAL INTELLIGENCE.—

“(i) IN GENERAL.—The Director of National Intelligence shall serve as an ex officio, non-voting member of the Committee.

“(ii) NOTICE.—The Director of National Intelligence shall be provided with all notices received by the Committee regarding allegations under paragraph (5) but shall serve no policy role on the Committee other than to provide analysis unless serving on the Committee under subparagraph (A)(vii).

“(3) CHAIRPERSON.—The Attorney General shall serve as the chairperson of the Committee.

“(4) MEETINGS.—The Committee shall meet upon the direction of the President or upon the call of the chairperson, without regard to section 552b of title 5, United States Code (if otherwise applicable).

“(5) UNFAIR TRADE PRACTICE REVIEW.—The Committee—

“(A) shall review upon complaint under oath by the owner of a trade secret or on its own initiative any allegations that an article imported or to be imported into the United States is a covered article; and

“(B) shall, if the Committee decides to proceed with those allegations, submit to the Commission a report including those allegations.

“(C) EX PARTE PRELIMINARY REVIEW, INVESTIGATION, AND DETERMINATION.—

“(1) EX PARTE PRELIMINARY REVIEW.—Not later than 30 days after receipt of an allegation contained in a report under subsection (b)(5)(B) with respect to an article imported or to be imported into the United States, the Commission shall conduct a confidential, ex parte, preliminary review to determine whether the article is more likely than not a covered article.

“(2) INVESTIGATION.—

“(A) IN GENERAL.—Not later than 150 days after an affirmative determination under paragraph (1), the Commission shall conduct an ex parte investigation, which may include a hearing at the discretion of the Commission, to consider if that determination should be extended under paragraph (3).

“(B) ANALYSIS BY DIRECTOR OF NATIONAL INTELLIGENCE.—

“(i) IN GENERAL.—As part of an investigation conducted under subparagraph (A) with respect to an allegation contained in a report under subsection (b)(5)(B), the Director of National Intelligence, at the request of the Commission, shall expeditiously carry out a thorough analysis of the allegation and shall incorporate the views of appropriate intelligence agencies with respect to the allegation.

“(ii) TIMING.—

“(I) BEGINNING OF ANALYSIS.—The Director of National Intelligence shall begin an analysis under clause (i) of an allegation contained in a report under subsection (b)(5)(B) before investigation by the Commission of the allegation under subparagraph (A), in accordance with applicable law.

“(II) SUBMISSION OF ANALYSIS.—Not later than 20 days after the date on which the Commission begins an investigation under subparagraph (A), the Director of National Intelligence shall submit to the Commission the analysis requested under clause (i).

“(iii) SUPPLEMENTATION OR AMENDMENT.—Any analysis submitted under clause (i) may be supplemented or amended as the Director of National Intelligence considers necessary or appropriate or upon request by the Commission for additional information.

“(3) EXTENSION, MODIFICATION, OR TERMINATION.—

“(A) IN GENERAL.—The Commission, at its sole discretion, may extend, modify, or terminate a determination under paragraph (1) for good cause and as necessary and appropriate, as determined by the Commission and based on the findings of the investigation conducted under paragraph (2).

“(B) RECONSIDERATION.—The Commission shall reconsider any extension, modification, or termination under subparagraph (A) of a determination under paragraph (1) upon request in writing from the Committee.

“(4) CONSIDERATION.—In conducting a preliminary review under paragraph (1) or an investigation under paragraph (2) with respect to an article, the Commission may consider the following:

“(A) If the article contains, was produced using, benefits from, or uses any trade secret acquired through improper means or misappropriation by a foreign agent or foreign instrumentality.

“(B) The national security and policy interests of the United States, as established by the Committee for purposes of this section.

“(5) DISCLOSURE OF CONFIDENTIAL INFORMATION.—

“(A) IN GENERAL.—Information submitted to the Commission or exchanged among the interested persons in connection with a preliminary review under paragraph (1) or an investigation under paragraph (2), including by the owner of the trade secret with respect to which the review or investigation is connected, may not be disclosed (except under a protective order issued under regulations of the Commission that authorizes limited disclosure of such information) to any person other than a person described in subparagraph (B).

“(B) EXCEPTION.—Notwithstanding the prohibition under subparagraph (A), information described in that subparagraph may be disclosed to—

“(i) an officer or employee of the Commission who is directly concerned with—

“(I) carrying out the preliminary review, investigation, or related proceeding in connection with which the information is submitted;

“(II) the administration or enforcement of a national security exclusion order issued under subsection (d);

“(III) a proceeding for the modification or rescission of a national security exclusion order issued under subsection (d); or

“(IV) maintaining the administrative record of the preliminary review, investigation, or related proceeding;

“(ii) an officer or employee of the United States Government who is directly involved in the review under subsection (d)(2); or

“(iii) an officer or employee of U.S. Customs and Border Protection who is directly involved in administering an exclusion from entry under subsection (d) resulting from the preliminary review, investigation, or related proceeding in connection with which the information is submitted.

“(6) PUBLICATION OF RESULTS.—Not later than 30 days after a determination under paragraph (1) or an extension under paragraph (3), the Commission shall publish notice of the determination or extension, as the case may be, in the Federal Register.

“(7) DESIGNATION OF LEAD AGENCY FROM COMMITTEE.—

“(A) IN GENERAL.—The Attorney General shall designate, as appropriate, a Federal agency or agencies represented on the Committee to be the lead agency or agencies on behalf of the Committee for each action under paragraphs (1) through (3).

“(B) DUTIES.—The duties of the lead agency or agencies designated under subparagraph (A), with respect to an action under paragraphs (1) through (3), shall include as-

sisting in the action and coordinating activity between the Committee and the Commission.

“(8) CONSULTATION.—

“(A) IN GENERAL.—In conducting an action under paragraphs (1) through (3), the Commission shall consult with the heads of such other Federal agencies (or their designees) as the Commission determines appropriate on the basis of the facts and circumstances of the action.

“(B) COOPERATION.—The heads of Federal agencies consulted under subparagraph (A) for an action, and the agency or agencies designated under paragraph (7)(A), shall cooperate with the Commission in conducting the action, including by—

“(i) producing documents and witnesses for testimony; and

“(ii) assisting with any complaint or report or any analysis by the Committee.

“(9) INTERACTION WITH INTELLIGENCE COMMUNITY.—The Director of National Intelligence shall ensure that the intelligence community (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)) remains engaged during the course of any action conducted under paragraphs (1) through (3).

“(10) RULE OF CONSTRUCTION REGARDING SUBMISSION OF ADDITIONAL INFORMATION.—Nothing in this subsection shall be construed as prohibiting any interested person to an allegation described in subsection (b)(5) from submitting additional information concerning the allegation while an action under paragraphs (1) through (3) with respect to the allegation is ongoing.

“(d) PROCEDURES FOR NATIONAL SECURITY EXCLUSION.—

“(1) IN GENERAL.—If the Commission determines under subsection (c)(1) that it is more likely than not that an article to be imported into the United States is a covered article, not later than 30 days after receipt of the allegation described in that subsection with respect to that determination, the Commission shall—

“(A) issue an order directing that the article concerned be excluded from entry into the United States under subsection (a); and

“(B) notify the President of that determination.

“(2) PRESIDENTIAL REVIEW.—If, before the end of the 30-day period beginning on the day after the date on which the President is notified under paragraph (1)(B) of the determination of the Commission under subsection (c)(1), the President disapproves of that determination and notifies the Commission of that disapproval, effective on the date of that notice, that determination shall have no force or effect.

“(3) EXCLUSION OF COVERED ARTICLES.—

“(A) NOTIFICATION.—Upon expiration of the 30-day period described in paragraph (2), or notification from the President of approval of the determination of the Commission under subsection (c)(1) before the expiration of that period, the Commission shall notify the Secretary of the Treasury and the Secretary of Homeland Security of its action under subsection (a) to direct the exclusion of covered articles from entry.

“(B) REFUSAL OF ENTRY.—Upon receipt of notice under subparagraph (A) regarding the exclusion of covered articles from entry, the Secretary of the Treasury and the Secretary of Homeland Security shall refuse the entry of those articles.

“(4) CONTINUATION IN EFFECT.—Any exclusion from entry of covered articles under subsection (a) shall continue in effect until the Commission—

“(A) determines that the conditions that led to such exclusion from entry do not exist; and

“(B) notifies the Secretary of the Treasury and the Secretary of Homeland Security of that determination.

“(5) MODIFICATION OR RESCISSION.—

“(A) IN GENERAL.—An interested person may petition the Commission for a modification or rescission of an exclusion order issued under subsection (a) with respect to covered articles only after an affirmative extension of the order is issued under subsection (c)(3) in accordance with the procedures under subsection (c)(2).

“(B) REVISITATION OF EXCLUSION.—The Commission may modify or rescind an exclusion order issued under subsection (a) at any time at the discretion of the Commission.

“(C) BURDEN OF PROOF.—The burden of proof in any proceeding before the Commission regarding a petition made by an interested person under subparagraph (A) shall be on the interested person.

“(D) RELIEF.—A modification or rescission for which a petition is made under subparagraph (A) may be granted by the Commission—

“(i) on the basis of new evidence or evidence that could not have been presented at the prior proceeding; or

“(ii) on grounds that would permit relief from a judgment or order under the Federal Rules of Civil Procedure.

“(E) EVIDENTIARY STANDARD.—A modification or rescission may be made under subparagraph (A) if the Commission determines that there has been a clear and convincing showing to the Commission from an interested person that such a modification or rescission should be made.

“(e) JUDICIAL REVIEW.—

“(1) IN GENERAL.—Any person adversely affected by a final modification or rescission determination by the Commission under subsection (d)(5) may appeal such determination only—

“(A) in the United States Court of Appeals for the Federal Circuit; and

“(B) not later than 60 days after that determination has become final.

“(2) NO OTHER JUDICIAL REVIEW.—Except as authorized under paragraph (1), the determinations of the Commission under this section and any exclusion from entry or delivery or demand for redelivery in connection with the enforcement of an order by the Commission under this section may not be reviewed by any court, including for constitutional claims, whether by action in the nature of mandamus or otherwise.

“(3) PROCEDURES FOR REVIEW OF PRIVILEGED INFORMATION.—If an appeal is brought under paragraph (1) and the administrative record contains classified or other information subject to privilege or protections under law, that information shall be submitted confidentially to the court and the court shall maintain that information under seal.

“(4) APPLICABILITY OF USE OF INFORMATION PROVISIONS.—The use of information provisions of sections 106, 305, 405, and 706 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1806, 1825, 1845, and 1881e) shall not apply to an appeal under paragraph (1).

“(f) INAPPLICABILITY OF THE ADMINISTRATIVE PROCEDURE ACT.—

“(1) IN GENERAL.—The requirements of subchapter II of chapter 5 of title 5, United States Code, shall not apply to—

“(A) an action conducted by the Commission under paragraphs (1) through (3) of subsection (c); or

“(B) the procedures for exclusion under paragraphs (4) and (5) of subsection (d).

“(2) ADJUDICATION.—Any adjudication under this section shall not be subject to the requirements of sections 554, 556, and 557 of title 5, United States Code.

“(g) FREEDOM OF INFORMATION ACT EXCEPTION.—Section 552 of title 5, United States

Code (commonly referred to as the ‘Freedom of Information Act’), shall not apply to the activities conducted under this section.

“(h) APPLICABILITY TO CERTAIN INTELLIGENCE ACTIVITIES.—Nothing in this section shall apply to authorized intelligence activities of the United States.

“(i) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to require or permit the disclosure of classified information or information relating to intelligence sources and methods to any party other than an officer or employee of the United States Government who has been appropriately cleared to receive that information.

“(j) REGULATIONS.—The Commission may prescribe such regulations as the Commission considers necessary and appropriate to carry out this section.

“(k) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this section.

“(1) DEFINITIONS.—In this section:

“(1) ARTICLE.—The term ‘article’ includes any article or component of an article.

“(2) FOREIGN AGENT; FOREIGN INSTRUMENTALITY; IMPROPER MEANS; MISAPPROPRIATION; OWNER; TRADE SECRET.—The terms ‘foreign agent’, ‘foreign instrumentality’, ‘improper means’, ‘misappropriation’, ‘owner’, and ‘trade secret’ have the meanings given those terms in section 1839 of title 18, United States Code.

“(3) INTERESTED PERSON.—The term ‘interested person’, with respect to an allegation under subsection (b)(5), means a person named in the allegation or otherwise identified by the Commission as having a material interest with respect to the allegation.”

(c) CLERICAL AMENDMENT.—The table of contents for the Tariff Act of 1930 is amended by inserting after the item relating to section 341 the following:

“Sec. 342. National security exclusion for articles or components of articles that contain, were produced using, benefit from, or use trade secrets misappropriated or acquired through improper means by a foreign agent or foreign instrumentality.”

(d) CONFORMING AMENDMENT.—Section 514(a)(4) of the Tariff Act of 1930 (19 U.S.C. 1514(a)(4)) is amended by striking “a determination appealable under section 337 of this Act” and inserting “in connection with the enforcement of an order of the United States International Trade Commission issued under section 337 or 342”.

AUTHORITY FOR COMMITTEES TO MEET

Mrs. SHAHEEN. Mr. President, I have 14 requests for committees to meet during today’s session of the Senate. They have the approval of the Majority and Minority Leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today’s session of the Senate:

COMMITTEE AGRICULTURE, NUTRITION, AND FORESTRY

The Committee on Agriculture, Nutrition, and Forestry is authorized to meet during the session of the Senate on Wednesday, November 17, 2021, at 10:15 a.m., to conduct a hearing on nominations.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

The Committee on Banking, Housing, and Urban Affairs is authorized to

meet during the session of the Senate on Wednesday, November 17, 2021, in executive session to vote on nominations.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

The Committee on Commerce, Science, and Transportation is authorized to meet during the session of the Senate on Wednesday, November 17, 2021, at 10 a.m., in executive session.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

The Committee on Commerce, Science, and Transportation is authorized to meet during the session of the Senate on Wednesday, November 17, 2021, at 10:15 a.m., to conduct a hearing on nominations.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

The Committee on Environment and Public Works is authorized to meet during the session of the Senate on Wednesday, November 17, 2021, at 10 a.m., to conduct a hearing on a nomination.

COMMITTEE ON FINANCE

The Committee on Finance is authorized to meet during the session of the Senate on Wednesday, November 17, 2021, at 9:30 a.m., to conduct a hearing on nominations.

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Wednesday, November 17, 2021, at 10 a.m., to conduct a hearing.

COMMITTEE ON INDIAN AFFAIRS

The Committee on Indian Affairs is authorized to meet during the session of the Senate on Wednesday, November 17, 2021, at 2:30 p.m., to conduct a business meeting.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Wednesday, November 17, 2021, at 10 a.m., to conduct hearing on nominations.

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

The Committee on Small Business and Entrepreneurship is authorized to meet during the session of the Senate on Wednesday, November 17, 2021, at 2:30 p.m., to conduct a business meeting.

COMMITTEE ON VETERANS’ AFFAIRS

The Committee on Veterans’ Affairs is authorized to meet during the session of the Senate on Wednesday, November 17, 2021, at 3 p.m., to conduct a hearing.

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Wednesday, November 17, 2021, at 2 p.m., to conduct a closed briefing.

SUBCOMMITTEE ON GOVERNMENT OPERATIONS AND BORDER MANAGEMENT

The Subcommittee on Government Operations and Border Management of the Committee on Homeland Security

and Governmental Affairs is authorized to meet during the session of the Senate on Wednesday, November 17, 2021, at 2:30 p.m., to conduct a hearing.

SUBCOMMITTEE ON STRATEGIC FORCES

The Subcommittee on Strategic Forces of the Committee on Armed Services is authorized to meet during the session of the Senate on Wednesday, November 17, 2021, at 4:30 p.m., to receive a briefing.

PRIVILEGES OF THE FLOOR

Mr. KING. Mr. President, I ask unanimous consent that my military fellow, Sean McDonald, have floor privileges during the consideration of the fiscal year 2022 National Defense Authorization Act and any consideration of matters pertaining to national security.

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

ORDERS FOR THURSDAY,
NOVEMBER 18, 2021

Mr. SCHUMER. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Thursday, November 18; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; that upon the conclusion of morning business, the Senate resume consideration of the motion to proceed to H.R. 4350, the National Defense Authorization Act, postcloture; further, that all time during adjournment, morning business, recess, and leader time count postcloture.

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

ADJOURNMENT UNTIL 10 A.M.
TOMORROW

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.

There being no objection, the Senate, at 9:27 p.m., adjourned until Thursday, November 18, 2021, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF STATE

LAURA FARNSWORTH DOGU, OF TEXAS, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF CAREER MINISTER, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF HONDURAS.

N. NICKOLAS PERRY, OF NEW YORK, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO JAMAICA.

FEDERAL RETIREMENT THRIFT INVESTMENT BOARD

MICHAEL F. GERBER, OF PENNSYLVANIA, TO BE A MEMBER OF THE FEDERAL RETIREMENT THRIFT INVESTMENT BOARD FOR A TERM EXPIRING SEPTEMBER 25, 2022, VICE MICHAEL D. KENNEDY, TERM EXPIRED.

MICHAEL F. GERBER, OF PENNSYLVANIA, TO BE A MEMBER OF THE FEDERAL RETIREMENT THRIFT IN-

VESTMENT BOARD FOR A TERM EXPIRING SEPTEMBER 25, 2026. (REAPPOINTMENT)

DEPARTMENT OF HOMELAND SECURITY

KENNETH L. WAINSTEIN, OF VIRGINIA, TO BE UNDER SECRETARY FOR INTELLIGENCE AND ANALYSIS, DEPARTMENT OF HOMELAND SECURITY, VICE DAVID JAMES GLAWE.

IN THE AIR FORCE

THE FOLLOWING NAMED AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be colonel

ADRIAN A. ANDREWS

IN THE ARMY

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

PETER S. BLACK
BENNY F. COLLINS
INGRID Y. HAWKINS
LAWRENCE A. JOINER
BRETT W. MARTIN
JENNIFER R. MARTIN
DENNIS M. OBRIEN
BOBBY R. PATTON, JR.
ROBERT G. SACCA

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

NICHOLAS P. ADAMS
GABRIEL D. ADIBE
MICHAEL P. ADKINS
JESSICA R. AICH
YUSEF A. AKBARUT
PATRICK A. ANDERSON, JR.
SHELLEY T. ANSBIGIAN
RICHARD D. ATWOOD
MATTHEW R. AUDETTE
GIOVANNI E. AVELAR
SARAH D. AX
GABRA A. BAILEY
LOGAN D. BAISSDEN
RACHEL C. BAKER
JASON M. BALDWIN
GEOFFREY T. BALL
BRIAN S. BANKO
BRIAN A. BARNES
WESTON E. BARTKOSKI
SAMUEL L. BATCHELDER
ALLISON E. BATES
CHARLES J. BAUMANN III
ANTHONY E. BEAUPRE
DREW W. BECK
ILANA B. BENCHICH
STEPHEN R. BENDER
JUSTIN S. BENNETT
HOLLY M. BERGER
BRIAN J. BERLING
RAMON A. BERNI
THOMAS W. BERTRAM
NATHAN T. BERTRAND
ANDREW P. BIBBY
PAUL S. BLACKBURN
ANDREW S. BLACKER
TIMOTHY P. BLAINE
PHILIP E. BLAIS
JASPREET BLEVINS
JOHN L. BOATNER
NICHOLAS J. BOIRE
TYLER D. BONNETT
MATTHEW T. BORKOWSKI
LUCAS T. BOSCH
ROBIN C. BOSMAN
JACK T. BOSWELL
COREY L. BOUDIETTE
CHARLES K. BOUSA III
TYLER P. BRACONI
PRESTON P. BRAINERD
MICHAEL A. BRESSLER
KYLE D. BRITT
MARK T. BROOKMAN
JOSHUA P. BROOKS
THOMAS K. BROUGHNER
ASHLEY S. BROWN
JAMES A. BROWN
ROBERT V. BROWN
KYLE BROWNE
TIMOTHY P. BRUNSTETTER
ANDREW M. BUCK
NICHOLAS J. BUDA
DAVID A. BUNTING
ALLISON M. BURGOS
PATRICK J. BURNS II
CHARLOTTE M. BUTTERS
ROBERT D. CAMERON
DANIEL J. CANHAM
REBECCA R. CARLSON
ADRIAN ARRILLO
DYLAN M. CASEY
MORGAN T. CELAYA
ALICIA E. CHAMBERS
HECTOR T. CHEN

SONG L. CHEN
RACHEL E. CLINE
BRENT A. COCHRAN
DAVID W. COFFMAN, JR.
BLAKE C. COLE
STEPHEN M. COLLINS
KENTON M. COMSTOCK
MICHAEL R. CONLON
RENATO COSTA
SCOTT M. COTTON
JOHN M. COUTOUMAS
ALLEN M. COWHERD
RUSSELL S. COX
KELLEN E. CRAWFORD
NATHANIEL S. CREMEAN
AVERY M. CRISP
NICHOLAS A. CRYMES
LUCAS C. CULVER
THOMAS W. CUNNINGHAM
KYLE W. DALY
STEPHANIE L. DAMREN
CHARLES T. DANIELS
KRISTOFER T. DANIELSON
TEDI J. DAVIDSON
RAQUEL R. DAVILA
GREGORY S. DAVIS
JESSICA M. DAVIS
NICHOLAS R. DAVIS
EZRA F. DAY
CALIXTE DEFAY
DOMINIC P. DELLAPELLE
NICHOLAS J. DELUCA
CHARLES J. DEMMER
NICHOLAS A. DENNEY
GARRETT A. DENNIS
KEVIN D. DEPINTO
PETER J. DESCHLER
MATTHEW P. DESMET
ADAM J. DICKSON
JARROD M. DLUGOS
ANDREW G. DOLVIN
ALEXANDRA DONNENWIRTH
CHARLES C. DOWLING, JR.
CONOR J. DOWNS
ANDREW P. DUNBECK
MATTHEW A. DUNCAN
FAIGE E. DUNLAP
MARK A. DURAN
MCKENZIE B. EHRHARDT
VALONNE B. EHRHARDT
DAVID A. EKLUND
BRANDON S. ELLISON
EMILY E. ELLEDGE
STEVEN M. ELLINGTON
CHRISTOPHER R. EMDE
DAVID J. ENGEL
ERIK J. ERLANDSON
MILES A. ESSAY
PAUL B. ESTES
ANDREW J. EUBANKS
MATTHEW H. EVERS
ANDREW H. EZELL
DAVID J. FAERBER
CHRISTOPHER M. FARHAR
EMILY R. FAVORITE
ADAM FEDERICO
MATTHEW D. FERNES
ELVIN J. FINNICUM III
THOMAS G. FISCHER
ADRIAN N. FORTEZA
JORDAN L. FOX
WILLIAM R. FRANTZ
SETH T. FREEDMAN
MICHAEL A. FREIBERGER
ANDREW J. FREMMING
RICHARD A. FRENCH
JASON B. FREY
MARIA T. FULCHER
JOSEPH F. GABEL
MATTHEW V. GALADYK
KYLE T. GANNON
LONDON M. GANT
MICHAEL H. GARDINER, JR.
CHRISTOPHER L. GARIBAY
YICHENG S. GARRARD
JOHN V. GATS
JOHN E. GELDMACHER
KYLE C. GENTRY
JOHN T. GEORGE
STEPHEN M. GEORGE
ROSS D. GESKE
CHRISTOPHER G. GIBBILY
NICKOLAS J. GILLESPIE
SEAN M. GILROY
ERIK V. GILYNN
BENJAMIN N. GOODRICH
LUKE T. GOODWILL
STEVEN J. GORE
LESLIE L. GRANTHAM
JASON P. GRANZELLA
DARRYL D. GRAVELLE
WALTER L. GRAVES II
JOSHUA A. GRAY
CHAD M. GREENE
JAMIE R. GREENE
DANIEL J. GREENLEE
JOSHUA R. GREGG
MATTHEW G. GREGORY
DAVID G. GREY
STUART C. GRIFFITHS
JOSEPH C. GUNTER
MATTHEW D. GURRISTER
DUSTIN K. HAISLIP
EDWARD R. HAMER II
JEREMY S. HANEY
WILLIAM R. HANLEY
JASON S. HARBISON

THEODORE J. HARDEE
 MICHAEL H. HARP
 MATTHEW J. HARRIS
 MICHAEL L. HARRISON
 AUSTIN W. HARTZ
 MARK T. HARVEY
 BENJAMIN J. HASSEL
 JARED A. HASSON
 STEPHEN J. HAURY
 CHRISTOPHER A. HAWLEY
 SPENCER A. HAYASHI
 CHAD D. HAYES
 CHRISTOPHER W. HAYES
 DYLAN M. HEATH
 DAVIN B. HEATON
 JONATHAN E. HEEREN
 CHRISTOPHER K. HEMLER
 DERIK A. HENDERSON
 GRAYSON K. HENDRIX
 KATE J. HERREN
 RICHARD C. HETRICK
 JOSIAH B. HIBBITTS V
 RYAN M. HILGENDORF
 JEFFERY H. HILL
 JOSHUA M. HINES
 THOMAS J. HOGAN
 MITCHELL A. HOLBERT
 THOMAS B. HOLBROOK
 MATTHEW D. HOLFINGER
 DONOVAN HOLLOWAY, JR.
 ROBERT J. HOPKINS
 SAMUEL R. HOUGHTLING
 WILLIAM A. HUCKEBA
 RYAN H. HUGHES
 BRANDON J. HUMMER
 DAVID J. HUNTER
 EASTON B. HUNTER
 MOLLY J. HURT
 JAMES J. HURTON
 JORDAN M. IIDA
 WHITNEY E. IRBY
 LARRY J. IRSIK
 SAMUEL T. IRVINE
 ERIK W. ISE
 HEATHER R. JACKSON
 LAMBERT J. JACKSON
 BRENT C. JACOBS
 GREGORY G. JAMERO
 MATTHEW G. JARRELL
 VINCENT A. JARRELLS
 JESSE L. JARVIS
 BRYCEN S. JOHNSON
 PAUL R. JOHNSON
 RAHSAN S. JOHNSON
 ARMAH E. JONES
 CAMERON W. JONES
 CHARLES P. JONES V
 KENNETH M. JOSEPH
 HEATHER R. JUDY
 JOSHUA S. KALLERUD
 ALUSINE S. KAMARA
 SEAN P. KANE
 DAVID K. KEE, JR.
 NATHANIEL E. KEEGAN
 BEN T. KELLER
 ANDREW R. KELLY
 DANIEL J. KELLY
 SHANNON A. KELLY
 SHANE M. KENNELLY
 CHRISTOPHER B. KENNEY
 CHRISTOPHER M. KEOHANE
 MEGAN E. KILBER
 CRISPUS M. KIMANI
 MASON H. KIMMEL
 CASEY H. KINDERS
 CURTIS C. KING
 BRIAN A. KIRALY
 KYLE H. KIRKPATRICK
 ZACKARY A. KITTS
 KAITLIN E. KLEIBER
 CHRISTOPHER D. KLEIN
 DYLAN T. KLOSSNER
 ADAM J. KOHLER
 CHRISTOPHER M. KOHN
 JOSHUA L. KOSINSKI
 NICHOLAS P. KOSTOVNY
 KENNETH E. KOZINSKI
 MICHAEL R. KRISTEK
 ZACHARIAH G. KRUDER
 DUSTIN A. KRUGER
 VALERIE M. KRYGIER
 PHILIP J. KULCZEWSKI
 SHAWN C. KUNZLER
 CAMERON W. LAHREN
 MATTHEW N. LAKE
 DOUGLAS A. LAMPTON
 KATRINA E. LAMSA
 NEAL G. LANGSTON
 CRISTOBAL V. LARA
 ALEXANDER N. LARSON
 ZACHARY S. LASER
 JORDAN A. LASKOWSKI
 MELISSA D. LATHAM
 PATRICK J. LAUER
 SCOTT J. LAUX
 CHRISTOPHER M. LAZORITZ
 KHANG T. LE
 DIANA A. LECHARD
 JOHN C. LECOURT
 VIVIANA W. LEE
 BRYAN T. LEICHT
 ROBIN L. LELIMARRAZZO
 PATRICK S. LEMPKA
 CHRISTOPHER D. LEONA
 JONATHAN D. LEWIS
 WILLIAM A. LI
 JOSHUA D. LIDDLE

HUGH A. LIST
 DAVID J. LIU
 KANG M. LIU
 CHRISTINE A. LIVI
 KIA M. LOGAN
 DAVID M. LONG
 BRENDAN P. LOPEZ
 HERIBERTO A. LOPEZ
 CHRISTOPHER J. LOVE
 CASEY K. LOW
 MATTHEW T. LOWERY
 ASHLYN L. LUCERO
 SETH A. MABRY
 NICHOLAS C. MACDONALD
 MARK W. MACHADO
 PAUL G. MAILE
 PATRICK A. MAJESKI
 ANGEL R. MALDONADO
 TRISTAN J. MANOSH
 STEPHEN M. MARAIST
 JOSHUA M. MARANO
 DANIEL J. MARCHAND
 CHRISTOPHER L. MARION
 STEVEN A. MARION
 JARED R. MARKS
 JAMES M. MARLEY
 STEPHEN L. MARSTON
 DOUGLAS J. MARTIN
 ERIC S. MARTIN
 DANIEL I. MARTINEZ
 JON G. MARTINEZ
 MARTIN N. MARTINEZ
 GREGORY W. MATTEO
 JONATHAN H. MATTHEWS
 TIMOTHY J. MAURER
 NAOMI E. MAY
 JAHI S. MAYO
 JOHN A. MCANDREW
 GEORGE T. MCARTHUR
 ALVIN D. MCBRIDE
 JOHN F. MCCOURT
 CHRISTOPHER F. MCCOY
 DANIEL R. MCCOY
 CHRISTINA B. MCDONNELL
 COLLEEN B. MCFADDEN
 JOSE A. MCPARLAND
 DANIEL J. MCGILL
 DAVID J. MCINNIS
 LEE F. MCKINNON
 HUGH M. MCSHANE
 MARTIN J. MEBHAN
 GEOFFREY A. MELVIN
 ANDREW D. MESSENGER
 ADAM G. MEYERS
 ANDREW J. MIDDLEBROOKS
 CLARENCE J. MILLER
 CORDON J. MILLER
 ELIZABETH C. MILLER
 KEVIN C. MILLER
 SCOTT A. MILLER
 ROSS I. MILLIGAN
 JULIAN A. MINTO
 FORREST P. MITCHELL
 ALEXANDER S. MITAKAWA
 NICKOLAS S. MOHR
 JONATHAN D. MONTI
 ROBERT J. MOORE
 JOSEPH P. MORLEY
 JOHN L. MORROW
 THOMAS K. MORTON
 AARON D. MOSSGROVE
 JENNIFER L. MOZZETTA
 MATTHEW G. MUGNAINI
 JEREMY C. MURRAY
 JAMES A. MURTHA
 SAMUEL B. MUTSCHLER
 JOHN O. MUTTON
 MEYERDALE P. NAIDAS
 RANDY A. NAVES
 CLIFFORD D. NELSEN
 ALEXANDER D. NEWHAM
 ZACHARY K. NICKLESS
 PAUL D. NIGGL
 JORGE M. NOLASCO
 NICHOLAS A. NORVILLE
 AUDREY C. NOVICK
 RYAN M. NOWAK
 CHASE J. OBERFIELD
 ALEXANDER OCHOAGONZALEZ
 SHELBY A. OCHS
 ADAM T. ODEGAARD
 CHARLES E. O'DONNELL, JR.
 ZEBULON R. OEHLMAN
 OLAOLU N. OGUNYEMI
 KERRY F. OLINGER
 ROBERT E. OLIVER
 MATTHEW J. OLSON
 CHRISTOPHER M. ONEIL
 ISAAC S. ORTA
 MATTHEW J. ORZECZOWSKI II
 DEAN K. OTTINGER
 ANGELIQUE N. OWCZYNSKY
 MALLORY C. OWENS
 MICHAEL J. PAGANI
 SARA H. PAGNOTTA
 MATTHEW R. PALUMBO
 JUSTIN A. PANIKOWSKI
 SUNDAR J. PAPPU
 BRIAN B. PARKER
 ANDREW A. PATE
 THOMAS J. PATTERSON II
 CAMERON M. PAUL
 DAVID W. PECK
 JOSHUA J. PENA
 MARILYN C. PENDLYSHOK
 JOSEPH A. PERAINO
 JACOB R. PERDUE

DAVID A. PEREZ
 ELLIOTT S. PERKO
 SHARI A. PETERS
 MARK N. PETERSEN
 ALICIA D. PETERSON
 ANDREI S. PETROV
 DAVID A. PHEIFFER
 ALEXANDER M. PINCUS
 JUAN F. PINZON
 BENTON W. PITTMAN, JR.
 RYAN B. POITRAS
 KATHERINE E. POLLOCK
 TOBY W. POPE
 JOHN B. PORTER
 WILLIAM A. PRESNELL
 JERRID K. PROCTER
 TRAVIS H. PROULX
 DEANNA S. PUDDY
 ALEKSANDR K. PULEO
 CYRUS G. PURA
 AHMAD J. PURDY
 MICHAEL K. RACICOT
 JOSEPH W. RADLOFF
 ADAM I. RAHMAN
 JOSHUA M. RAMIREZ
 ARIC A. RAMSEY
 JOHN R. RASMUSSEN
 VICTOR G. RAY III
 SHANE C. REARDON
 AARON W. REEP
 CHRISTOPHER M. RESS
 BERNARDO C. REYNOSO
 SARAH D. RHODES
 BENJAMIN F. RINKLIN
 REBECCA J. RIOPELLE
 JACOB A. RITTENHOUSE
 ASTRID M. RIVAS
 JOHN P. ROBERTS
 JOSEPH P. ROBERTS
 JAMES D. ROCKROHR
 ISMAEL E. RODRIGUEZ
 MATTHEW ROJO
 JEFFREY M. ROONEY
 RYAN A. RULLMAN
 KENNETH J. RUTH
 MITCHELL S. RYAN
 KAO M. SABAURN
 RILEY D. SAHM
 JOSEPH R. SALA
 DANIEL A. SALAZAR
 LORNE D. SAMSON
 JON D. SANKO
 SAGE J. SANTANGELO
 MICHAEL T. SAVAGE
 ROBERT M. SAWYER
 STEVEN N. SCHIESSER, JR.
 OWEN T. SCHREIBER
 JOSHUA A. SCHUBERT
 JEFFREY W. SCHULLER, JR.
 NICHOLAS A. SCHWARTZ
 ZACHARY D. SCHWARTZ
 ANDREW P. SCHWEERS
 DANIEL R. SCHWEITZER
 MICHAEL D. SCHWIER
 JAMES W. SEBESTA
 NICHOLAS J. SENTENEY
 SIMONE N. SEWARD
 GERRICO N. SHANKLIN
 DAVID A. SHANKS
 MICHAEL J. SHEEHAN
 PETER H. SHELTON
 EMMA R. SHIMN
 CARMELLA A. SHIVERS
 NATHAN W. SHUBICK
 DANIEL M. SIEMENIEC
 PATRICK H. SILBERBERG
 CARLOS M. SILVA
 THOMAS B. SIMONDS
 JACOB B. SIMS
 AUSTIN W. SINGHOFFER
 SCOTT J. SISK
 DAVID M. SKAGGS
 JOHN J. SKILLMAN II
 EVAN M. SLUSSER
 RANDALL C. SMALL
 CALEB D. SMITH
 CULLIN R. SMITH
 GONZALO R. SMITH
 KEVIN J. SMITH
 VALERIE K. SMITH
 JUSTIN C. SNEY
 TRENTON D. SNODY
 TESSA L. SNOW
 CALEB J. SNYDER
 CHRISTOPHER B. SNYDER
 CHRISTOPHER M. SOKOLOSKI
 MIGUEL A. SOLIS
 JOSHUA R. SOMERLOT
 BRIAN S. SOCIA
 WILSON T. SOUTHERLAND
 WILLIAM N. SPRINGER
 DANIEL J. SPYKERMAN
 JOSHUA S. STACEY
 DEREK L. STALNECKER
 JAMES E. STAUFFER
 AIDAN D. STEELE
 JEFFREY A. STEINMETZ
 MARK D. STEPHENS
 CHRISTOPHER J. STEWART
 MAXWELL H. STEWART
 NOEL S. STITT
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EXTENSIONS OF REMARKS

APPRECIATING CHAIRMAN HUGH
LEATHERMAN WHO PASSED
AWAY FRIDAY

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 17, 2021

Mr. WILSON of South Carolina. Madam Speaker, Roxanne, a native of Florence, and I extend our thoughts and prayers for Jean and the family of South Carolina State Senate Finance Chairman Hugh Leatherman of Florence.

I was grateful to serve with Chairman Leatherman for 17 years in the State Senate and I saw firsthand his determined service for the citizens of the Pee Dee. He was relentless recruiting industries to locate for jobs and it is appropriate the new billion dollar terminal for the Port of Charleston is named in his honor.

We worked together as conservative Democrats and Republicans in the State Senate to develop The Renegades, challenging the status quo. With his party switch to Republican, he was unleashed to promote limited government with expanded freedom, leading to the Republican majority today.

The following is the obituary provided by the Waters-Powell Funeral Home:

Senator Hugh K. Leatherman, Sr., died peacefully at his home on Friday, November 12, 2021, after a recent non-COVID related illness. He was surrounded by his beloved wife, children, and his grandchildren.

Senator Leatherman was born in Lincoln County, North Carolina on April 14, 1931, the son of the late John and Ada Gantt Leatherman. In addition to his parents, he was predeceased by his brother, Ralph Leatherman. He is survived by his loving wife of 43 years, Jean Helms Leatherman, his children: Sheila Hardee (John), Hugh Kenneth Leatherman, Jr., MD (Sue), Karen Leatherman (Robin Parker), Lynn Leatherman, Amy L. Smith (Merritt), Sarah L. Allen, MD (Keels). Grandchildren: Hugh K. Leatherman, III (Cate), Alice Anne Coakley (John), John N. Hardee, II, Ada Cathryn Allen, McCauley Allen, Louise Allen, Mary Keels Allen and Lula Smith. Great-grandchildren: Hugh K. Leatherman, IV, Tucker Leatherman, and John A. Coakley, V. Hugh is also survived by his sisters Jewell Eggleston (Max) and Jeanette Schalow (Dick) along with niece, Tracy Eggleston.

A well-known public servant and successful businessman, Senator Leatherman received a Bachelor of Science degree in civil engineering from North Carolina State University. In 1955, he formed Florence Concrete Products in Florence, South Carolina, which grew into a successful business with over 147 employees and is still in operation to this day.

In 1967, he was elected to Town Council in Quinby, South Carolina and in 1980, he was elected to the South Carolina Senate where he continued to serve until his death. During his tenure in the Senate, he held many leadership positions including President Pro Tempore from 2014–2019 and Chairman of the Senate Finance Committee from 2001 until his death.

His legacy is felt at home and across the entire state. He played a leading role in recruiting Honda and Boeing, among many others, to open plants in South Carolina as well as obtained funding to improve the South Carolina Port. A terminal at the Port was named in his honor for his ongoing efforts in support of this important driver to our state's economic development. He was also a leading advocate to improve South Carolina's road infrastructure.

A tireless leader and champion for Florence County, he dedicated his life to improving his cherished Pee Dee region with an emphasis on education, infrastructure, and job creation. Senator Leatherman played a vital role in gaining support and funds for enhancements to Francis Marion University, the Florence Veteran's Village, The Continuum Center for Education and Training, and Florence-Darlington Technical College, among many others. He was also key in creating the Pee Dee Medical Health Education Consortium that will enhance medical and health science education at Francis Marion.

Senator Leatherman knew first-hand the importance of a quality education and attributed much of his success to family and teachers who believed in him and ensured he became the first member of his family to graduate from college. He passed on this love of education to his children ensuring a college education became the norm and not the exception. He was often quoted as saying, "They can take everything away from you, but they can't take away your education."

Senator Leatherman was an active member of Central United Methodist Church and the Florence Rotary Club.

IN RECOGNITION OF ARTE
MUNDIAL GALLERY & HISPANIC
MUSEUM

HON. DARREN SOTO

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 17, 2021

Mr. SOTO. Madam Speaker, the National Hispanic Corporate Achievers has been a non-profit organization in the state of Florida for over 20 years.

In 1998, the National Hispanic Corporate Achievers opened the first Hispanic Museum in Altamonte Springs to celebrate Latino art and culture. After 10 years, the space was purchased by a local hospital, but reopened in September of 2020 due to the growing Hispanic presence in Central Florida.

On September 25, 2021, the National Hispanic Corporate Achievers opened the Arte Mundial Gallery and Hispanic Museum to showcase Hispanic artists across the state of Florida, 25 of which are exhibited today. The gallery and museum now have a collection of artifacts including original Taino carvings dated over 600 years and a collection of South American Indian sculptures, the latter donated by attorney and community leader Anthony Suarez. The museum is located at the Motor Trend building and occupies approximately 3,000 square feet donated by Jay Rosario, the president of Motor Trend.

The following is a list of the Arte Mundial Gallery and Hispanic Museum Executive Artists Committee:

Danny Ramos—Award-winning graphic designer, painter, president of the National Hispanic Corporate Achievers and founder of Arte Mundial Gallery & Hispanic Museum

Felipe Morales—Nationally known sculptor
Julio Sanchez—Regionally known Hispanic culture abstract artist

Janette Falcon—Chairperson and curator of Arte Mundial Gallery & Hispanic Museum

Yesenia Garcia—Artist, graphic designer, and communications director of the Arte Mundial Gallery and Hispanic Museum

Pedro Brull—Cultural Impressionist
Maria Ramos—Artist that features lifestyle of Taino Indians

General Committee members include:

Louis Nieves—Urban New York culture artist

Delfi Cruces—Environmental portrait painter
Hiremio Garcia—Highly cultural and abstract artist

Tom Correll—Modern abstract artist

Melvin Antuna—Stylized cultural reflections artist

Juan Felipe Benemelis—Stylized cultural reflections of different eras

Jose Sanchez—Portrait and surrealism highly cultural artist

F. Burgos—Cultural artist

J. Jimenez—Cultural artist

Kelvin Figueroa—Historical/realism artist

Irene Napier—Abstract artist

Jose Pardo—Realist

Alberto Quintero—Modern portrait artist

These committee members are presently exhibiting their works at the Arte Mundial Gallery and the Hispanic Museum. The National Hispanic Corporate Achievers' Arte Mundial Gallery and Hispanic Museum are now the only permanent exhibitions reflecting Hispanic culture by Hispanic artists in the state of Florida.

HONORING AND THANKING KIM
LEMON OF WGAL NEWS 8

HON. LLOYD SMUCKER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 17, 2021

Mr. SMUCKER. Madam Speaker, I rise today to honor Kim Lemon, who after spending 42 years serving the public as an award-winning journalist and anchor, is retiring from WGAL News 8, which is headquartered in Lancaster, Pennsylvania, in the heart of my Congressional District.

Kim was born and raised in Lancaster, graduating from Manheim Township High School. She pursued higher education, graduating from Clarion University with a degree in Speech Communications and Theatre. She joined WGAL News 8 in 1979, hired to cover the weekend weather segment. She then spent time as a reporter, morning news anchor, then co-host of "PM Magazine." For the

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

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

last 36 years, the people of Susquehanna Valley have known Kim as an anchor of WGAL's evening news, serving as their Senior Anchor. Kim has been the longest serving anchor in the station's history. She has earned 12 Mid-Atlantic Emmy Awards and many other distinguished recognitions for her reporting.

Beyond sharing the news with our community, Kim has worked to give back. She has supported charitable efforts for the Children's Miracle Network, The Salvation Army, The Extraordinary Give and more. She also has been an advocate on behalf of families who are caring for loved ones with dementia, as she cares for her husband John who has Lewy Body Dementia.

Kim said that it was "her lifelong dream to work at WGAL 8." And so, we thank her for living out her dream to faithfully share the news with our community for so many years. We wish her continued success and happiness in her retirement.

IN RECOGNITION OF THE LIFE OF
BISHOP DR. MACY CARR

HON. MIKE ROGERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 17, 2021

Mr. ROGERS of Alabama. Madam Speaker, I rise today to recognize the remarkable life of Bishop Dr. Macy Carr who passed away on November 5, 2021.

Macy Carr was born in Anniston, Alabama, on May 14, 1942 to Joseph and Mattie Carr. He was the second of eight children. He graduated from Cobb High School in 1962. He attended Alabama State University prior to enlisting in the United States Army in 1963. His military decorations include the National Defense Service Medal, the Vietnam Campaign Medal with one device, the Overseas Bar, the Army good conduct medal and qualified as a sharpshooter twice on the M-16 and M-14 rifles.

After serving in the Army, Carr returned home and devoted his life to Christ. He began as a member of Miracle Revival Temple (MRT) under the leadership of Pastor Ruby K. Blackwell and Elder Paul Blackwell, Sr. He became head Deacon and a member of the evangelistic team.

Not only did Bishop Carr find the Lord and a church home at MRT, but he also found his wife, Sister Lana T. Carr.

He united with the Back to the Bible Ministry under Bishop Raymond Moss, Sr. It all began in the basement of Carr's house. His family made the weekly trek to Marietta, Georgia, for seven years. This established the Alabama Back to the Bible Miracle Revival Fellowship Church in September of 1987.

In 2010, The Alabama Back to the Bible Church entered the family of Full Gospel Holy Temple Church Inc. under the late Apostle Lobias Murray and the late Evangelist Dr. Shirley Murray. Bishop Carr was blessed to see his son and daughter-in-law, Elder Christopher D. Carr, Sr. and Lady LaShunda S. Carr elevated to Pastor and First Lady of Anniston Full Gospel Holy Temple Church Inc. just before his transition.

He was blessed with four wonderful children, 16 grandchildren, four great-grandchildren and one on the way.

Madam Speaker, please join me in remembering Bishop Carr and his life of service.

IN MEMORY OF NORM HARDEE

HON. TOM COLE

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 17, 2021

Mr. COLE. Madam Speaker, in the early morning hours of Sunday, November 14, Norm Hardee entered eternal life and joined the communion of saints after a more than 30-year battle with Parkinson's disease. He was surrounded by those who loved him, including his soul mate, Jana.

Norm was born on March 14, 1948 to Donnie and Mary Hardee in Mullins, South Carolina. He was raised a poor sharecropper's son in the tobacco fields of North Carolina. Norm enlisted in the U.S. Navy January 6, 1969, which enabled him to find and marry the love of his life, Jana Nall, in 1973. Norm went on to become a commissioned officer in the Navy, serving for 20 years until his retirement in 1989. When he gave his final salute, he didn't hesitate to head west to his adopted home of Oklahoma.

Following his Naval career, he went on to become the electronics instructor at the Pontotoc County Career Tech Center in Ada, Oklahoma. Norm made a positive and lasting impact on the lives of many who served with him in the Navy as well as his students in the classroom. He was a proud father to two children, Jill and Ben, a doting Papa to five grandchildren, and one great granddaughter.

He is survived by his loving wife of 48 years, Jana; daughter, Jill Daugherty and husband Michael; son, Ben Hardee and wife Cassidy; brother, Don Hardee and wife Beth; grandchildren, Sydney Daugherty, Caleb Jones, Nathan Jones, Owen Hardee and Brendon Hardee; great granddaughter, Delliah Jones; nephews, Justin Hardee and Adam Hancock; nieces, Ashley Jasmin and husband Jamie and Amy Hornback and husband Joe; cousin, Susan Busby; his mother-in-law, Drusilla Nall; sister-in-law, Labeth Nall; and special friends, Norma Robins; Donna Blankenship, and Mary Beth Norman. He was preceded in death by his parents, brothers, Harold and Ronald Hardee and his nephew Aaron Hancock.

RECOGNIZING PASTOR JAMES D.
CORBETT

HON. GREGORY F. MURPHY

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 17, 2021

Mr. MURPHY of North Carolina. Madam Speaker, I rise today to pay a heartfelt tribute to Pastor James D. Corbett of Greenville, North Carolina, to honor his long and illustrious life in service to his God and country.

In 1977, Pastor James D. Corbett became a born-again believer and received the baptism of the Holy Spirit while serving in the United States Army. After eight years of active duty in the military, God called Pastor Corbett into the ministry. He returned to Greenville, NC, where he attended Pitt Community College. Pastor

Corbett later received a BSA degree in Accounting from East Carolina University where he was a two-time honor graduate. Pastor Corbett went on to earn his Doctoral degree in Biblical Studies and Divinity from the World Christian College Council in Fresno, California in December 1994. He also received an Honorary Degree from Covenant Theological Seminary in Creve Coeur, Missouri. Pastor Corbett currently serves as the Eastern Regional Director and Trustee for the International Convention of Faith Ministries.

In 1984, Pastor Corbett and the late Pastor Delores Corbett founded Greenville Community Christian Church. God gave him a vision to minister to the whole man: spirit, soul and body. The vision includes reaching communities with the gospel and taking the message of Jesus Christ around the world. It includes mass media presentation, training sessions, schools for ministry, programs for the disadvantaged and a Christian K-12 school.

His practical teaching is done through individualized group fellowships, seminars, crusades, the Word in Season devotional, CDs, books, radio, internet and television broadcasts. His messages are widely distributed throughout the world. Lives are being saved, healed and delivered by the power of God through his ministry. He is also an author of three books: Men of Honor, Tithing the Tithe and Honoring Your Husband-Honoring Your Wife.

Pastor James D. Corbett and Lady Sarah were united in marriage in February 2013. They have five children, fourteen grandchildren and five great-grandchildren. Together, they help meet the needs of people by reaching the lost for Christ.

Madam Speaker, please join me in honoring the accomplishments of Pastor James D. Corbett and recognizing all that he has done for his community.

RECOGNIZING THE SERVICE OF
MIKE MADDOX

HON. RALPH NORMAN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 17, 2021

Mr. NORMAN. Madam Speaker, I rise today to recognize the lifesaving and heroic actions of Mike Maddox of Rock Hill, South Carolina.

On the evening of August 13, 2021, Mike was enjoying a quiet evening out to dinner with his wife and members of their church family. While dining, Mike noticed a gentleman at a nearby table began choking. He quickly realized the gentleman had a complete airway obstruction and immediately sprang into action. With confidence and composure, Mike directed bystanders to call 911 while he began performing the Heimlich maneuver repeatedly until the gentleman's airway cleared. The gentleman soon resumed breathing and was then examined by EMS. Throughout the evening, Mike displayed brave yet humble leadership.

In addition to these valiant actions, Mike is also an involved and dedicated community leader. A strong man of faith, Mike is an active member of the West End Baptist Church and a Lieutenant Colonel in the South Carolina State Guard Chaplains Corps. Mike has also achieved great professional success and currently serves as a corporate Vice President with Bayview Financial.

Mike is a true example of a servant-leader. On behalf of the 5th District of South Carolina, I thank Mike for his service and wish him all the best in his future endeavors. Rock Hill is truly blessed to have him as a community guardian.

PERSONAL EXPLANATION

HON. CHRIS PAPPAS

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 17, 2021

Mr. PAPPAS. Madam Speaker, yesterday I missed three roll call votes. Had I been present, I would have voted as follows:

Roll Call No. 374—YES; Roll Call No. 375—YES; and Roll Call No. 376—YES.

IN RECOGNITION OF MARY KATE “MK” McTAGUE FOR THREE YEARS OF OUTSTANDING SERVICE

HON. SUZAN K. DeIBENE

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 17, 2021

Ms. DeIBENE. Madam Speaker, I rise today to thank Mary Kate McTague for three years of invaluable service to my office and my constituents in Washington’s 1st Congressional District. Mary Kate joined my office as an intern in September 2018, became my scheduler in January 2019, and was promoted to director of operations in May 2021. In each of these roles, Mary Kate exceeded the mark and met the challenges that come with running congressional operations with her signa-

ture resourcefulness, quick wit, and joyful personality. Over her tenure, she played an instrumental role in overseeing the smooth management of a fast-paced office and shaping internal processes—all while building lasting relationships with my team and those who had the pleasure of getting to know her. Mary Kate has grown into an amazing leader, and we will sorely miss her.

Madam Speaker, I ask my colleagues to join me in honoring Mary Kate and wishing her the best on her next step, one that she will undoubtedly rise to meet and make the most of.

IN RECOGNITION OF VALDEMAR DEHERRERA

HON. TERESA LEGER FERNANDEZ

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 17, 2021

Ms. LEGER FERNANDEZ. Madam Speaker, I rise to honor veteran Valdemar DeHerrera from the beautiful Costilla, Nuevo Mexico.

Mr. DeHerrera is one of the more than 1,800 New Mexicans that bravely fought in the Battle of Bataan during World War II.

He endured a grueling three years and seven months as a prisoner of war under Japanese forces.

He demonstrated unimaginable courage in the face of unimaginable abuse. I had the pleasure of meeting Mr. DeHerrera last month and was in awe of his story. His love for his community showed in his service and continues to show to this day.

For 102 years, Mr. DeHerrera has led an exemplary life. I’m proud to serve him in Congress and recognize his noble service.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, November 18, 2021 may be found in the Daily Digest of today’s RECORD.

MEETINGS SCHEDULED

NOVEMBER 22

10 a.m.

Commission on Security and Cooperation in Europe

To receive a briefing on western corporations investing in authoritarian regimes.

WEBEX

DECEMBER 1

10 a.m.

Committee on Environment and Public Works

To hold an oversight hearing to examine the Nuclear Regulatory Commission.

SD-406

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S8319–S8406

Measures Introduced: Fifteen bills and five resolutions were introduced, as follows: S. 3216–3230, S.J. Res. 29–30, and S. Res. 453–455. **Page S8345**

Measures Reported:

S. 2342, to amend title 9 of the United States Code with respect to arbitration of disputes involving sexual assault and sexual harassment, with an amendment in the nature of a substitute. **Page S8344**

Measures Passed:

Congressional Gold Medal: Senate passed H.R. 5142, to award posthumously a Congressional Gold Medal, in commemoration to the servicemembers who perished in Afghanistan on August 26, 2021, during the evacuation of citizens of the United States and Afghan allies at Hamid Karzai International Airport. **Page S8341**

National Hospice and Palliative Care Month: Senate agreed to S. Res. 455, designating November 2021 as “National Hospice and Palliative Care Month”. **Page S8341**

Measures Considered:

National Defense Authorization Act—Agreement: Senate resumed consideration of the motion to proceed to consideration of H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year. **Pages S8321–41, S8403**

During consideration of this measure today, Senate also took the following action:

By 84 yeas to 15 nays (Vote No. 472), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to close further debate on the motion to proceed to consideration of the bill. **Page S8341**

A unanimous-consent agreement was reached providing for further consideration of the motion to proceed to consideration of the bill, post-cloture, at approximately 10 a.m., on Thursday, November 18,

2021; and that all time during adjournment, morning business, recess, and Leader time count post-cloture. **Page S8403**

Nelson Nomination: Senate continued consideration of the nomination of Brian Eddie Nelson, of California, to be Under Secretary of the Treasury for Terrorism and Financial Crimes. **Pages S8319–21**

During consideration of this nomination today, Senate also took the following action:

By 51 yeas to 50 nays, Vice President voting yeas (Vote No. EX. 471), Senate agreed to the motion to close further debate on the nomination. **Page S8321**

Nominations Received: Senate received the following nominations:

Laura Farnsworth Dogu, of Texas, to be Ambassador to the Republic of Honduras.

N. Nickolas Perry, of New York, to be Ambassador to Jamaica.

Michael F. Gerber, of Pennsylvania, to be a Member of the Federal Retirement Thrift Investment Board for a term expiring September 25, 2022.

Michael F. Gerber, of Pennsylvania, to be a Member of the Federal Retirement Thrift Investment Board for a term expiring September 25, 2026.

Kenneth L. Wainstein, of Virginia, to be Under Secretary for Intelligence and Analysis, Department of Homeland Security.

Routine lists in the Air Force, Army, Foreign Service, and Marine Corps. **Pages S8403–06**

Messages from the House: **Page S8343**

Measures Referred: **Pages S8343–44**

Executive Communications: **Page S8344**

Executive Reports of Committees: **Pages S8344–45**

Notice of a Tie Vote Under S. Res. 27: **Page S8341**

Additional Cosponsors: **Pages S8346–50**

Statements on Introduced Bills/Resolutions: **Pages S8350–51**

Additional Statements: **Pages S8342–43**

Amendments Submitted: **Pages S8351–S8402**

Authorities for Committees to Meet: **Pages S8402–03**

Privileges of the Floor: Page S8403

Record Votes: Two record votes were taken today. (Total—472) Pages S8321, S8341

Adjournment: Senate convened at 9:30 a.m. and adjourned at 9:27 p.m., until 10 a.m. on Thursday, November 18, 2021. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S8403.)

Committee Meetings

(Committees not listed did not meet)

NOMINATIONS

Committee on Agriculture, Nutrition, and Forestry: Committee concluded a hearing to examine the nominations of Chavonda J. Jacobs-Young, of Georgia, to be Under Secretary for Research, Education, and Economics, and Margo Schlanger, of Michigan, to be an Assistant Secretary, both of the Department of Agriculture, after the nominees testified and answered questions in their own behalf.

BUSINESS MEETING

Committee on Commerce, Science, and Transportation: Committee ordered favorably reported the following business items:

S. 594, to double the existing penalties for the provision of misleading or inaccurate caller identification information;

S. 1127, to require the National Oceanic and Atmospheric Administration to make certain operational models available to the public;

S. 2699, to establish a cybersecurity literacy campaign, with an amendment in the nature of a substitute; and

The nominations of Laurie E. Locascio, of Maryland, to be Under Secretary of Commerce for Standards and Technology, Max Vekich, of Washington, to be a Federal Maritime Commissioner, Christopher A. Coes, of Georgia, to be an Assistant Secretary of Transportation, and routine lists in the Coast Guard

NOMINATIONS

Committee on Commerce: Committee concluded a hearing to examine the nominations of Jessica Rosenworcel, of Connecticut, to be a Member of the Federal Communications Commission, who was introduced by Senator Blumenthal, Alvaro M. Bedoya, of Maryland, to be a Federal Trade Commissioner, who was introduced by Senator Luján, and Jainey Kumar Bavishi, of New York, to be Assistant Secretary for Oceans and Atmosphere, and Arun Venkataraman, of the District of Columbia, to be Assistant Secretary and Director General of the United States and Foreign Commercial Service, both

of the Department of Commerce, after the nominees testified and answered questions in their own behalf.

NOMINATION

Committee on Environment and Public Works: Committee concluded a hearing to examine the nomination of Martha Williams, of Montana, to be Director of the United States Fish and Wildlife Service, Department of the Interior, after the nominee testified and answered questions in her own behalf.

BUSINESS MEETING

Committee on Finance: Committee ordered favorably reported the nominations of Maria L. Pagan, of Puerto Rico, to be a Deputy United States Trade Representative (Geneva Office), with the rank of Ambassador, Brent Neiman, of Illinois, to be a Deputy Under Secretary, and Joshua Frost, of New York, to be an Assistant Secretary, both of the Department of the Treasury, Christi A. Grimm, of Colorado, to be Inspector General, Department of Health and Human Services, and Christopher S. Wilson, of the District of Columbia, to be Chief Innovation and Intellectual Property Negotiator, Office of the United States Trade Representative, with the rank of Ambassador.

AFGHANISTAN

Committee on Foreign Relations: Committee concluded a hearing to examine Afghanistan, focusing on United States policy lessons learned, after receiving testimony from Laurel E. Miller, International Crisis Group, and Ryan Crocker, Carnegie Endowment for International Peace, both of Washington, D.C.

SECURITY, TRADE, AND TRAVEL AT THE SOUTHWEST BORDER

Committee on Homeland Security and Governmental Affairs: Subcommittee on Government Operations and Border Management concluded a hearing to examine security, trade, and travel flows at the Southwest border ports of entry, focusing on the Federal government perspective, after receiving testimony from Diane J. Sabatino, Deputy Executive Assistant Commissioner, Office of Field Operations, Customs and Border Protection, and Jose M. Jeronimo, Deputy Assistant Director, Public Safety and Border Security Division, Homeland Security Investigations, Immigration and Customs Enforcement, both of the Department of Homeland Security; and Stuart Burns, Assistant Commissioner, Public Buildings Service, General Services Administration.

BUSINESS MEETING

Committee on Indian Affairs: Committee ordered favorably reported S. 648, to amend the Omnibus Public Land Management Act of 2009 to make a technical

correction to the water rights settlement for Shoshone-Paiute Tribes of the Duck Valley Reservation, with an amendment in the nature of a substitute.

LEGISLATION

Committee on Indian Affairs: Committee concluded a hearing to examine S. 1364, to provide for the recognition of the Lumbee Tribe of North Carolina, H.R. 1975, to take certain land located in San Diego County, California, into trust for the benefit of the Pala Band of Mission Indians, H.R. 2088, to take certain Federal lands in Tennessee into trust for the benefit of the Eastern Band of Cherokee Indians, and H.R. 4881, to direct the Secretary of the Interior to take into trust for the Pascua Yaqui Tribe of Arizona certain land in Pima County, Arizona, after receiving testimony from Senators Burr and Tillis; Representatives Butterfield and Issa; Bryan Newland, Assistant Secretary of the Interior for Indian Affairs; Harvey Godwin, Lumbee Tribe of North Carolina, Pembroke; Robert Smith, Pala Band of Mission Indians, Pala, California; Richard G. Sneed, Eastern Band of Cherokee Indians, Cherokee, North Carolina; and Peter Yucupicio, Pascua Yaqui Tribe, Tucson, Arizona.

NOMINATIONS

Committee on the Judiciary: Committee concluded a hearing to examine the nominations of Bridget Meehan Brennan, Charles Esque Fleming, and David Augustin Ruiz, each to be a United States District Judge for the Northern District of Ohio, who were all introduced by Senators Brown and Portman, and John H. Chun, to be United States District Judge for the Western District of Washington, who was introduced by Senator Murray, after the nominees testified and answered questions in their own behalf.

VETERANS LEGISLATION

Committee on Veterans' Affairs: Committee concluded a hearing to examine S. 1296, to require a pilot program on activities under the Transition Assistance Program for a reduction in suicide among veterans, S. 1564, to authorize the Secretary of Veterans Affairs to provide support to university law school programs that are designed to provide legal assistance to veterans, S. 1607, to require the Secretary of Veterans Affairs to improve how the Department of Veterans Affairs discloses to individuals entitled to educational assistance from the Department risks associated with using such assistance at particular educational institutions and to restore entitlement of students to such assistance who are pursuing programs of education at educational institutions that are subject to Federal or State civil enforcement action, S. 1664, to require the Secretary of Veterans Affairs to take certain actions to improve the proc-

essing by the Department of Veterans Affairs of claims for disability compensation for post-traumatic stress disorder, S. 1838, to require the Secretary of Veterans Affairs to carry out a pilot program on using alternative credit scoring information for veterans and members of the Armed Forces, S. 1850, to preserve the memorials to chaplains at Arlington National Cemetery, S. 1881, to reauthorize and improve a grant program to assist institutions of higher education in establishing, maintaining, improving, and operating Student Veteran Centers, S. 1936, to amend title 38, United States Code, to provide for extensions of the time limitations for use of entitlement under Department of Veterans Affairs educational assistance programs by reason of school closures due to emergency and other situations, S. 2089, to amend title 38, United States Code, to ensure that grants provided by the Secretary of Veterans Affairs for State veterans' cemeteries do not restrict States from authorizing the interment of certain deceased members of the reserve components of the Armed Forces in such cemeteries, S. 2329, to ensure that only licensed health care professionals furnish disability examinations under a certain Department of Veterans Affairs pilot program for use of contract physicians for disability examinations, S. 2405, to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to award grants to States to improve outreach to veterans, S. 2431, to require the Secretary of Veterans Affairs to require the employees of the Department of Veterans Affairs to receive training developed by the Inspector General of the Department on reporting wrongdoing to, responding to requests from, and cooperating with the Office of Inspector General, S. 2513, to amend title 38, United States Code, to improve the application and review process of the Department of Veterans Affairs for clothing allowance claims submitted by veterans, S. 2644, to amend title 38, United States Code, to expand eligibility for Post-9/11 Educational Assistance to members of the National Guard who perform certain full-time duty, S. 2687, to provide the Inspector General of the Department of Veterans Affairs testimonial subpoena authority, S. 2761, to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to maintain demographic information regarding veterans and publish such information on a website of the Department of Veterans Affairs, S. 2794, to amend title 38, United States Code, to increase automatic maximum coverage under the Servicemembers' Group Life Insurance program and the Veterans' Group Life Insurance program, S. 3047, to establish a pilot program to support medical residency and fellowship programs that assist veterans, S. 3094, to amend title 38, United States Code, to improve

homeless veterans reintegration programs, S. 3163, to improve access to medical examinations required by veterans to obtain disability compensation or pension under laws administered by the Secretary of Veterans Affairs, and an original bill entitled, “Veterans Benefits Improvement Act”, after receiving testimony from Brianne Ogilvie, Assistant Deputy Undersecretary for Policy and Oversight, Veterans Benefits Administration, Jill DeBord, Executive Director, Care Management and Social Work, Veterans Health Administration, and Marjorie Bowman, Chief Academic Affiliations Officer, Office of Academic Affiliations, both of the Veterans Health Administration, and Christopher A. Wilber, Counselor to the Inspector General, Office of Inspector General, all of the Department of Veterans Affairs; and Jeremy M. Villanueva, Disabled American Veterans, and Patrick Murray, Veterans of Foreign Wars of the United States, both of Washington, D.C.

INTELLIGENCE

Select Committee on Intelligence: Committee met in closed session to receive a briefing on certain intel-

ligence matters from officials of the intelligence community.

ILLICIT DRUG TRADE AND CORRUPTION

United States Senate Caucus on International Narcotics Control: Caucus concluded a hearing to examine the nexus between the illicit drug trade and corruption, after receiving testimony from Todd D. Robinson, Assistant Secretary of State for International Narcotics and Law Enforcement Affairs; Bruce C. Swartz, Deputy Assistant Attorney General and Counselor for International Affairs, Department of Justice; Shannon N. Green, Executive Director of the Anti-Corruption Task Force and Senior Advisor to the Administrator, U.S. Agency for International Development; John Brandolino, United Nations Office on Drugs and Crime, Vienna, Austria; Vanda Felbab-Brown, Brookings Institution, Washington, D.C.; and Clay R. Fuller, University of South Carolina Walker Institute, Columbia.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 23 public bills, H.R. 5991–6013; and 9 resolutions, H.J. Res. 64–65; and H. Res. 796–802, were introduced.

Pages H6368–70

Additional Cosponsors:

Pages H6371–72

Report Filed: A report was filed today as follows:

H. Res. 795, providing for consideration of the resolution (H. Res. 789) censuring Representative Paul Gosar (H. Rept. 117–174).

Page H6368

Speaker: Read a letter from the Speaker wherein she appointed Representative Espaillat to act as Speaker pro tempore for today.

Page H6321

Recess: The House recessed at 10:43 a.m. and reconvened at 12 noon.

Pages H6325–26

Censuring Representative Paul Gosar: The House agreed to H. Res. 789, censuring Representative Paul Gosar, by a yea-and-nay vote of 223 yeas to 207 nays with one answering “present”, Roll No. 379. Subsequently, the House has resolved: that Representative Gosar be censured;

that Representative Gosar forthwith present himself in the well of the House of Representatives for the pronouncement of censure;

that Representative Gosar be censured with the public reading of this resolution by the Speaker; and that Representative Gosar be, and is hereby, removed from the Committee on Natural Resources and the Committee on Oversight and Reform. **Pages H6336–48**

H. Res. 795, the rule providing for consideration of the resolution (H. Res. 789) was agreed to by a yea-and-nay vote of 222 yeas to 208 nays, Roll No. 378, after the previous question was ordered by a yea-and-nay vote of 221 yeas to 207 nays, Roll No. 377.

Pages H6329–36

House Democracy Partnership-Appointment:

The Chair announced the Speaker’s appointment of the following Members of the House to the House Democracy Partnership: Representative Price (NC), Chair; Representatives Moore (WI), Titus, Connolly, Lieu, Torres (CA), Kelly (IL), Sewell, DeGette, Lee (CA), and Cicilline.

Page H6350

Senate Message: Message received from the Senate by the Clerk and subsequently presented to the House today appears on page H6329.

Quorum Calls—Votes: Three yea-and-nay votes developed during the proceedings of today and appear on pages H6335, H6336, and H6347.

Adjournment: The House met at 10 a.m. and adjourned at 7:39 p.m.

Committee Meetings

TRADE POLICY AND PRIORITIES

Committee on Agriculture: Subcommittee on Livestock and Foreign Agriculture held a hearing entitled “Trade Policy and Priorities”. Testimony was heard from public witnesses.

U.S. ROLE IN GLOBAL COVID–19 VACCINE EQUITY

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, Education, and Related Agencies held a hearing entitled “U.S. Role in Global COVID–19 Vaccine Equity”. Testimony was heard from Gary Disbrow, Director, Biomedical Advanced Research and Development Authority, Department of Health and Human Services; David Kessl, Chief Science Officer for COVID–19 Task Force, Department of Health and Human Services; and Loyce Pace, Director, Office of Global Affairs, Department of Health and Human Services.

EXAMINING THE IMPLEMENTATION OF COVID–19 EDUCATION FUNDS

Committee on Education and Labor: Subcommittee on Early Childhood, Elementary, and Secondary Education; and Subcommittee on Higher Education and Workforce Investment held a joint hearing entitled “Examining the Implementation of COVID–19 Education Funds”. Testimony was heard from Cindy Marten, Deputy Secretary, Department of Education; and James Kvaal, Under Secretary, Department of Education.

MISCELLANEOUS MEASURES

Committee on Energy and Commerce: Full Committee held a markup on H.R. 5561, the “Early Hearing Detection and Intervention Reauthorization Act”; H.R. 5487, the “SHINE for Autumn Act of 2021”; H.R. 1193, the “CAROL Act”; H.R. 1667, the “Dr. Lorna Breen Health Care Provider Protection Act”; H.R. 3320, the “Allied Health Workforce Diversity Act of 2021”; H.R. 4555, the “Oral Health Literacy and Awareness Act of 2021”; H.R. 5551, the “Improving the Health of Children Act”; H.R. 3537, the “Accelerating Access to Critical Therapies for ALS Act”; H.R. 1218, the “Data Mapping to Save Moms’ Lives Act”; H.R. 2501, the “Spectrum Coordination Act”; and H.R. 5502, the “Integrity, Notification, and Fairness in Online Retail Marketplaces for Consumers Act”. H.R. 5561, H.R. 5487, H.R. 1193, H.R. 1667, H.R. 3320, H.R. 5551, H.R. 3537, H.R. 1218, and H.R. 2501 were or-

dered reported, as amended. H.R. 4555 and H.R. 5502 were ordered reported, without amendment.

THE FY22 BUDGET: STATE DEPARTMENT COUNTERTERRORISM BUREAU

Committee on Foreign Affairs: Subcommittee on the Middle East, North Africa, and Global Counterterrorism, hearing entitled “The FY22 Budget: State Department Counterterrorism Bureau”. Testimony was heard from Chris Landberg, Acting Principal Deputy Coordinator, Bureau of Counterterrorism, Department of State.

A WHOLE-OF-GOVERNMENT APPROACH TO COMBATTING RANSOMWARE: EXAMINING DHS’S ROLE

Committee on Homeland Security: Subcommittee on Intelligence and Counterterrorism; and Subcommittee on Cybersecurity, Infrastructure Protection, and Innovation held a joint hearing entitled “A Whole-of-Government Approach to Combatting Ransomware: Examining DHS’s Role”. Testimony was heard from Robert Silvers, Office of Strategy, Policy, and Plans, Department of Homeland Security; Brandon Wales, Executive Director, Cybersecurity and Infrastructure Security Agency, Department of Homeland Security; and Jeremy Sheridan, Assistant Director of Investigations, U.S. Secret Service, Department of Homeland Security.

MISCELLANEOUS MEASURES

Committee on the Judiciary: Full Committee held a markup on H.R. 4445, the “Ending Forced Arbitration of Sexual Assault and Sexual Harassment Act of 2021”; H.R. 612, the “Downwinders Parity Act of 2021”; H.R. 1621, the “Prohibiting Punishment of Acquitted Conduct Act of 2021”; H.R. 5720, the “Courthouse Ethics and Transparency Act of 2021”; H.R. 5961, to make revisions in title 5, United States Code, as necessary to keep the title current, and to make technical amendments to improve the United States Code; and H.R. 5982, to make revisions in title 51, United States Code, as necessary to keep the title current, and to make technical amendments to improve the United States Code. H.R. 4445, H.R. 612, and H.R. 5720 were ordered reported, as amended. H.R. 1621, H.R. 5961, and H.R. 5982 were ordered reported, without amendment.

MISCELLANEOUS MEASURES

Committee on Natural Resources: Full Committee held a markup on H.R. 404, the “Driftnet Modernization and Bycatch Reduction Act of 2021”; H.R. 667, the “Desert Sage Youth Wellness Center Access Improvement Act”; H.R. 1931, the “Japanese American Confinement Education Act”; H.R. 2026, the

“Global Amphibian Protection Act of 2021”; H.R. 3128, the “American Fisheries Advisory Committee Act of 2021”; H.R. 3197, the “Save the Liberty Theatre Act of 2021”; H.R. 3326, the “Public Land Renewable Energy Development Act of 2021”; H.R. 3531, the “Women Who Worked on the Home Front World War II Memorial Act”; H.R. 3600, the “Route 66 National Historic Trail Designation Act”; H.R. 4494, the “Frederick Jobs and Historic Preservation Training Center Land Acquisition Act”; H.R. 4648, the “Cane River Creole National Historical Park Boundary Modification Act”; H.R. 4706, the “Blackwell School National Historic Site Act”; H.R. 5001, the “Upper Colorado and San Juan River Basins Recovery Act”; H.R. 5345, the “Saline Lake Ecosystems in the Great Basin States Program Act of 2021”; and S. 2923, the “Fishery Resource Disasters Improvement Act”. H.R. 404, H.R. 1931, H.R. 2026, H.R. 4494, H.R. 4648, H.R. 5001, H.R. 5345, and S. 2923 were ordered reported, as amended. H.R. 667, H.R. 3128, H.R. 3197, H.R. 3326, H.R. 3531, H.R. 4706, and H.R. 3600 were ordered reported, without amendment.

INVISIBLE WOUNDS: PREVENTING SUICIDE IN OUR NATION’S MILITARY AND VETERAN COMMUNITIES

Committee on Oversight and Reform: Subcommittee on National Security held a hearing entitled “Invisible Wounds: Preventing Suicide in Our Nation’s Military and Veteran Communities”. Testimony was heard from Alyssa M. Hundrup, Director, Health Care, Government Accountability Office; and public witnesses.

COMBATING CORONAVIRUS CONS AND THE MONETIZATION OF MISINFORMATION

Committee on Oversight and Reform: Select Subcommittee on the Coronavirus Crisis, hearing entitled “Combating Coronavirus Cons and the Monetization of Misinformation”. Testimony was heard from public witnesses.

FOSTERING A NEW ERA OF FUSION ENERGY RESEARCH AND TECHNOLOGY DEVELOPMENT

Committee on Science, Space, and Technology: Subcommittee on Energy held a hearing entitled “Fostering a New Era of Fusion Energy Research and Technology Development”. Testimony was heard from public witnesses.

INDUSTRY AND LABOR PERSPECTIVES: A FURTHER LOOK AT NORTH AMERICAN SUPPLY CHAIN CHALLENGES

Committee on Transportation and Infrastructure: Full Committee held a hearing entitled “Industry and Labor Perspectives: A Further Look at North American Supply Chain Challenges”. Testimony was heard from public witnesses.

SUPPORTING SURVIVORS: ASSESSING VA’S MILITARY SEXUAL TRAUMA PROGRAMS

Committee on Veterans’ Affairs: Subcommittee on Disability Assistance and Memorial Affairs; and Subcommittee on Health held a joint hearing entitled “Supporting Survivors: Assessing VA’s Military Sexual Trauma Programs”. Testimony was heard from public witnesses.

STRENGTHENING THE U.S.-AFRICA TRADE AND INVESTMENT RELATIONSHIP

Committee on Ways and Means: Subcommittee on Trade held a hearing entitled “Strengthening the U.S.-Africa Trade and Investment Relationship”. Testimony was heard from public witnesses.

Joint Meetings

CRYPTOCURRENCY

Joint Economic Committee: Committee concluded a hearing to examine cryptocurrency, focusing on digital assets and the role of government, after receiving testimony from Alexis Goldstein, Open Markets Institute, Timothy Massad, Harvard Kennedy School, and Peter Van Valkenburgh, Coin Center, all of Washington, D.C.; and Kevin Werbach, University of Pennsylvania Wharton School, Philadelphia.

COMMITTEE MEETINGS FOR THURSDAY, NOVEMBER 18, 2021

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Banking, Housing, and Urban Affairs: to hold hearings to examine the nomination of Saule T. Omarova, of New York, to be Comptroller of the Currency, 9:30 a.m., SD-538/VTC.

Committee on Energy and Natural Resources: business meeting to consider S. 172 and H.R. 1664, bills to authorize the National Medal of Honor Museum Foundation to establish a commemorative work in the District of Columbia and its environs, S. 180, to withdraw certain Bureau of Land Management land from mineral development, S. 270, to amend the Act entitled “Act to provide for the establishment of the Brown v. Board of Education National Historic Site in the State of Kansas” to provide for inclusion of additional related sites in the National

Park System, S. 491, to amend the Wild and Scenic Rivers Act to designate certain river segments in the York River watershed in the State of Maine as components of the National Wild and Scenic Rivers System, S. 535, to authorize the location of a memorial on the National Mall to commemorate and honor the members of the Armed Forces that served on active duty in support of the Global War on Terrorism, S. 554 and H.R. 297, bills to require the Secretary of Agriculture to conduct a study on the establishment of, and the potential land that could be included in, a unit of the National Forest System in the State of Hawaii, S. 569, to direct the Secretary of Agriculture to transfer certain National Forest System land to the State of South Dakota, S. 609, to withdraw the National Forest System land in the Ruby Mountains subdistrict of the Humboldt-Toiyabe National Forest and the National Wildlife Refuge System land in Ruby Lake National Wildlife Refuge, Elko and White Pine Counties, Nevada, from operation under the mineral leasing laws, S. 753, to reauthorize the Highlands Conservation Act, to authorize States to use funds from that Act for administrative purposes, S. 904, to require the Secretary of the Interior, the Secretary of Agriculture, and the Assistant Secretary of the Army for Civil Works to digitize and make publicly available geographic information system mapping data relating to public access to Federal land and waters for outdoor recreation, S. 990, to reauthorize the Northern Rio Grande National Heritage Area, S. 1317, to modify the boundary of the Sunset Crater Volcano National Monument in the State of Arizona, S. 1318, to reauthorize the Yuma Crossing National Heritage Area, S. 1320, to establish the Chiricahua National Park in the State of Arizona as a unit of the National Park System, S. 1321, to modify the boundary of the Casa Grande Ruins National Monument, S. 1354, to amend the National Trails System Act to designate the Chilkoot National Historic Trail and to provide for a study of the Alaska Long Trail, S. 1583, to reauthorize the Lake Tahoe Restoration Act, S. 1589, to designate certain land administered by the Bureau of Land Management and the Forest Service in the State of Oregon as wilderness and national recreation areas, to withdraw certain land located in Curry County and Josephine County, Oregon, from all forms of entry, appropriation, or disposal under the public land laws, location, entry, and patent under the mining laws, and operation under the mineral leasing and geothermal leasing laws, S. 1620, to direct the Secretary of the Interior to convey to the city of Eunice, Louisiana, certain Federal land in the State of Louisiana, S. 1631, to authorize the Secretary of Agriculture to convey certain National Forest System land in the State of Arizona to the Arizona Board of Regents, S. 1771, to authorize reference to the museum located at Blytheville/Eaker Air Force Base in Blytheville, Arkansas, as the “National Cold War Center”, S. 1964, to amend the Omnibus Parks and Public Lands Management Act of 1996 to provide for the establishment of a Ski Area Fee Retention Account, S. 2158, to extend the authorization for the Cape Cod National Seashore Advisory Commission, S. 2433, to require the Secretary of the Interior to develop and maintain a cadastre of Federal real property,

S. 2490, to establish the Blackwell School National Historic Site in Marfa, Texas, S. 2524, to amend the Alaska Native Claims Settlement Act to exclude certain payments to aged, blind, or disabled Alaska Natives or descendants of Alaska Natives from being used to determine eligibility or certain programs, H.R. 1192, to impose requirements on the payment of compensation to professional persons employed in voluntary cases commenced under title III of the Puerto Rico Oversight Management and Economic Stability Act (commonly known as “PROMESA”), H.R. 2497, to establish the Amache National Historic Site in the State of Colorado as a Unit of the National Park System, H.R. 4300, to direct the Secretary of the Interior and the Secretary of Agriculture to make free National Parks and Federal Recreational Lands Passes available to members of the Armed Forces, and an original bill to reauthorize funding for certain National Heritage Areas, 10 a.m., SD-366.

Committee on Foreign Relations: Subcommittee on Western Hemisphere, Transnational Crime, Civilian Security, Democracy, Human Rights, and Global Women’s Issues, to hold hearings to examine vaccine diplomacy in Latin America and the Caribbean, focusing on the importance of U.S. engagement, 10 a.m., SD-419/VTC.

Committee on Homeland Security and Governmental Affairs: to hold hearings to examine the nominations of Erik Adrian Hooks, of North Carolina, to be Deputy Administrator, Federal Emergency Management Agency, Department of Homeland Security, Michael Kubayanda, of Ohio, to be a Commissioner of the Postal Regulatory Commission, Laurel A. Blatchford, of the District of Columbia, to be Controller, Office of Federal Financial Management, Office of Management and Budget, and Ebony M. Scott, to be an Associate Judge of the Superior Court of the District of Columbia, 10:15 a.m., SD-342/VTC.

Committee on the Judiciary: business meeting to consider S. 2629, to establish cybercrime reporting mechanisms, S. 2340, to improve the safety and security of the Federal judiciary, S. 2614, to provide for the modernization of electronic case management systems, and for other purposes, and the nominations of Holly A. Thomas, of California, to be United States Circuit Judge for the Ninth Circuit, Mary Katherine Dimke, to be United States District Judge for the Eastern District of Washington, Charlotte N. Sweeney, to be United States District Judge for the District of Colorado, Jennifer L. Thurston, to be United States District Judge for the Eastern District of California, Hernan D. Vera, and Maame Ewusi-Mensah Frimpong, both to be a United States District Judge for the Central District of California, Linda Lopez, and Jinsook Ohta, both to be a United States District Judge for the Southern District of California, Katherine Marie Menendez, to be United States District Judge for the District of Minnesota, David Herrera Urias, to be United States District Judge for the District of New Mexico, and Cindy K. Chung, to be United States Attorney for the Western District of Pennsylvania, Gregory K. Harris, to be United States Attorney for the Central District of Illinois, Gary M. Restaino, to be United States Attorney for the District of Arizona, and Philip R. Sellinger, to be

United States Attorney for the District of New Jersey, all of the Department of Justice, 9 a.m., SH-216.

Special Committee on Aging: to hold hearings to examine inclusive disaster management, focusing on improving preparedness, response, and recovery, 9:30 a.m., SD-562.

House

Committee on Foreign Affairs, Subcommittee on International Development, International Organizations and Global Corporate Social Impact, hearing entitled “Personnel is Policy: UN Elections and US Leadership in International Organizations”, 10 a.m., 2172 Rayburn and Webex.

Committee on Veterans' Affairs, Subcommittee on Oversight and Investigations; and Subcommittee on Technology Modernization, joint hearing entitled “Modernizing VA’s Medical Supply Chain: Progress Made?”, 10 a.m., Zoom.

Select Committee on the Climate Crisis, Full Committee, hearing entitled “Tribal Voices, Tribal Wisdom: Strategies for the Climate Crisis”, 9:30 a.m., 210 Cannon and Zoom.

Joint Meetings

Commission on Security and Cooperation in Europe: to hold hearings to examine confronting the Kremlin and Communist corruption, 10:30 a.m., SD-G50.

Next Meeting of the SENATE

10 a.m., Thursday, November 18

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Thursday, November 18

Senate Chamber

Program for Thursday: Senate will continue consideration of the motion to proceed to consideration of H.R. 4350, National Defense Authorization Act, post-cloture.

House Chamber

Program for Thursday: Consideration of H.R. 5376—Build Back Better Act.

Extensions of Remarks, as inserted in this issue

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