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PROCEEDINGS AND DEBATES OF THE 117th CONGRESS, FIRST SESSION

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# Senate

The Senate met at 10 a.m. and was called to order by the Honorable JACKY ROSEN, a Senator from the State of Nevada.

## PRAYER

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

Let us pray.

Eternal God, You are wisdom without end, mercy without limit, and strength beyond resistance. Lord, we glorify Your Name.

Today, lead our lawmakers around the obstacles that hinder them from accomplishing Your purposes. Lord, guide them around the stumbling blocks of resentment, pessimism, and unbelief that impede legislative effectiveness. Help our Senators to live to honor You. Fill their hours with Your redeeming radiance and their hearts with Your peace. May they work to advance the influence of Your Kingdom.

We pray, in Your loving Name. Amen.

## PLEDGE OF ALLEGIANCE

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

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

## APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The senior assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
*Washington, DC, April 15, 2021.*

*To the Senate:*

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JACKY ROSEN, a Senator from the State of Nevada, to perform the duties of the Chair.

PATRICK J. LEAHY,
*President pro tempore.*

Ms. ROSEN thereupon assumed the Chair as Acting President pro tempore.

## RECOGNITION OF THE MAJORITY LEADER

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

## VIOLENCE AGAINST ASIAN AMERICANS

Mr. SCHUMER. Madam President, yesterday, an overwhelming bipartisan majority of Senators voted to move forward on Senator HIRONO and Senator DUCKWORTH's anti-Asian hate crimes bill. I was pleased the vote was so substantial, 92 to 6. Rarely do you see 92 Senators agree to move forward with any piece of legislation. But if there was ever a topic that deserves a strong showing of bipartisan support, it is standing up to bigotry and racism against a particular group of Americans.

Today, we will continue to work on a bipartisan agreement regarding amendments. I have committed to start the process with the bipartisan Moran-Blumenthal amendment. I understand my Republican colleague from Maine has some modifications to the bill, which we welcome, and those negotiations are proceeding afoot. I expect the Republican leader and I, in consultation with the relevant committees, will be able to figure out an appropriate number of reasonable, germane, and non-gotcha amendments for the Senate to consider.

We are working with Senators MORAN, GRASSLEY, and COLLINS in a very bipartisan way, and we should be able to wrap up this bill next week. By doing so, the Senate will deliver a powerful message to Asian Americans that their voices are heard, their concerns are felt, and that their government will take swift, decisive action to protect them. They are not alone.

Before I move on, I just want to say to my Republican colleagues: This is how the Senate can work, even though it is closely divided. When there is a pressing issue, like the rising tide of anti-Asian violence, the Senate can act quickly and in a bipartisan way to address it.

We don't need to always distrust the other party. This bill was never intended to be a messaging bill or gotcha legislation. This bill is like a drive straight down the middle of the fairway—well-timed, modest, unobjectionable.

At the end of the day, we can achieve a result that has both substantive and symbolic importance: substantive because we are going to adjust the focus of the Justice Department to better respond to anti-Asian hate crimes and symbolic because both parties are standing up to deliver a message that racism and bigotry have no place—no place—in America. That is an undeniably good result.

## NOMINATION OF VANITA GUPTA

Mr. SCHUMER. Madam President, on another, less happy, matter, this afternoon the Senate will need to go through a rare procedure to discharge a nomination from the Judiciary Committee: Ms. Vanita Gupta to serve as Associate Attorney General.

The daughter of immigrants from India, Ms. Gupta is the first civil rights attorney and the first woman of color to ever be nominated for Associate Attorney General, the third ranking official at the Department of Justice. Her public track record is nothing short of exemplary.

In her very first case after law school, Ms. Gupta won the release of several African Americans who had

been wrongly convicted by all-White juries in Texas, clients who eventually won a pardon from Texas Governor Rick Perry. She continued her work at the ACLU, where she launched a bipartisan criminal justice reform effort, before going on to lead the Civil Rights Division of the Justice Department under President Obama.

Despite her sterling credentials, some of my Republican colleagues on the Judiciary Committee would have you believe that Ms. Gupta is some hair-raising, leftwing radical. In her hearing, Ms. Gupta was unfortunately subjected to a mind-numbingly repetitious line of questions about whether or not she supports the police or wants to decriminalize all drugs.

A conservative judicial organization launched a national ad campaign to smear her nomination. It was disgraceful. Just yesterday, a Republican Senator on the Judiciary Committee grilled another DOJ nominee, Kristen Clarke, over an obviously satirical piece she published for her college newspaper.

The political right seems to relish trying to score political points by connecting every Justice Department to hot-button partisan issues, whether or not they have any relevance, sometimes to the point of absurdity. And in the case of Ms. Gupta, the accusations of radicalism are especially false.

Ms. Gupta has worked with stakeholders and legislators from all corners, including a number of Republican Senators, during various criminal justice reform efforts. She has been endorsed by—listen to this—the National Fraternal Order of Police. Let me repeat that so my colleagues hear it. She has been endorsed by the National Fraternal Order of Police, as well as the International Association of Chiefs of Police, the Federal Law Enforcement Officers Association, and the National Sheriffs' Association. It is making the decrying that she is a crazy leftwing radical just absurd, and you wonder how and why they come to that conclusion.

Vanita Gupta will make an outstanding Associate Attorney General. The Senate should discharge her nomination from the Judiciary Committee this afternoon.

I yield the floor.

I suggest the absence of a quorum.

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

The senior assistant legislative clerk proceeded to call the roll.

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

## U.S. SUPREME COURT

Mr. MCCONNELL. Madam President, time and again, prominent Democrats show they are no longer content to work within the ground rules and norms of our institutions. They prefer to threaten the institutions themselves.

We have seen it in Presidential elections when Democrats say our democracy is sacrosanct when they win but illegitimate and broken if Republicans win.

We have seen it with the Senate's rules. Democrats just spent 4 years not only praising but using the legislative filibuster. But now that they hold the majority, they say it has actually been intrinsically evil all along and must be scrapped.

We are seeing it right now with voting regulations, where the mere fact that sometimes Republicans win elections has Democrats wanting to rewrite all 50 States' election laws right here in Washington and turn the Federal Election Commission into a partisan body.

And then there is the judiciary. In recent years, we have seen the Democratic leader stand on the steps of the Court and threaten that specific Justices ''won't know what hit them'' if they didn't rule the way he wanted. We have seen a number of Democratic Senators send a threatening brief suggesting the Court might need to be ''restructured'' if its rulings upset liberals.

Last week, President Biden, who was marketed to the country as a moderate and institutionalist, jumped in with both feet. He set up a pseudo-academic commission to study the merits of packing the Supreme Court. It is just an attempt to clothe this transparent power play in fake legitimacy.

But alas, the far left cannot even wait for the fake theatrics of the fake study to play out. Today, Democrats in the Senate and the House have announced they will once again threaten judicial independence from the steps of the Court. They are introducing a bill to add four new seats to the Supreme Court so that Democrats can pack the Court, destroy its legitimacy, and guarantee the rulings that liberals want.

Across the ideological spectrum, top jurists have been outspoken on what a terrible idea Court packing would be. The late liberal icon, Ruth Bader Ginsburg, explicitly warned against Court packing saying: ''If anything would make the Court appear partisan, it would be that.'' ''Nine seems to be a good number''—Justice Ginsburg.

Justice Stephen Breyer reaffirmed his own opposition just last week. The public, by the way, agrees. They see through this discredited concept. One survey late last year showed that a clear majority of Americans opposed packing the Supreme Court.

But the farthest left activists aren't interested in the common good. They want power. And the same Democrats and the same corporate media that spent the last 4 years hyperventilating and declaring a new constitutional crisis was under way every 30 seconds seem to be perfectly content to play along.

Now, if Republicans had introduced a bill to add four Supreme Court seats for the last President to fill, there would have been weeks of wall-to-wall outrage on every newspaper and cable TV channel nonstop. Now it seems the main strategies are either to shrug off, look the other way, or to actively play along and somehow lend credence.

It is not about whether this insane bill becomes law. Part of the point here is the threats themselves. The left wants a sword dangling over the Justices when they weigh the facts in every case. As the Democratic leader threatened just 2 years ago, Democrats want the Justices to know that they will ''pay the price'' for rulings that Democrats don't like.

The left wants these swords dangling over the Senate and State legislators and independent judges. The threats are the point. The hostage-taking is the point. And responsible people across the political spectrum have an absolute duty to denounce this.

(The remarks of Mr. MCCONNELL pertaining to the introduction of S. 1133 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

## TRIBUTE TO KATELYN CONNER BUNNING

Mr. MCCONNELL. Now, Madam President, on one final matter, over the years, a lot of talented Kentuckians have joined my team at the start of their careers. I have gotten to watch them hone their skills and grow into real leaders.

Unfortunately, the privilege of working with ultratalented young people also means you often see a real all-star fly the nest, and today I have to offer a reluctant goodbye.

Katelyn Conner Bunning was from Louisville. She joined my personal office almost 11 years ago. She has done just about every job there is, from answering phones to mastering policy issues.

For the last 4 years, I have relied on her extensively as my legislative director. Katelyn has been a key adviser to me, a role model to junior staffers, a key link between my leadership office and my Kentucky-focused staff. Who better to help me deliver for the Commonwealth than the daughter of a former Mr. Kentucky Basketball?

Along the way, some of the trickiest issues facing the Bluegrass have landed on Katelyn's desk: securing retired miners' pensions and healthcare, revitalizing abandoned coalfields, strengthening Kentucky schools and helping students succeed, delivering certainty for Kentucky farmers while opening new doors for industrial hemp, even protecting kids' health by raising the minimum tobacco purchase age to 21.

Last year, I asked Katelyn to take charge of improving safety and medication standards in the thoroughbred racing industry. Even as a national publication was calling to end this sport altogether, Katelyn assembled owners, trainers, jockeys, breeders, and fans to preserve Kentucky's signature industry.

This is a long list of accomplishments. Yet it is only a short summary of Katelyn's impact on my team and our Commonwealth. She has set very high standards. She has helped everyone achieve them.

We are certainly going to miss her around here, but I am sure her husband Eric and their new daughter Alice are looking forward to seeing a bit more of her every day.

So, Katelyn, thank you for your ability, for your friendship. I wish you and your family all the best.

## RESERVATION OF LEADER TIME

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

## CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

## COVID–19 HATE CRIMES ACT—MOTION TO PROCEED—Resumed

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of the motion to proceed to S. 937, which the clerk will report.

The senior assistant legislative clerk read as follows:

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

The ACTING PRESIDENT pro tempore. The Senator from Connecticut.

### NOMINATION OF VANITA GUPTA

Mr. BLUMENTHAL. Madam President, I feel very privileged to be here today to speak on behalf of Vanita Gupta, a dedicated public servant who is devoted, deeply devoted, to equal justice, civil rights, and the rule of law.

I have seen firsthand, and I know I am not the only one who has done so, her consummate dedication to the integrity of the Department of Justice, which is so vital to be restored at this moment in our history.

The support for her reflects a broad, professionally and ideologically diverse coalition of individuals and organizations that know she is eminently qualified to be Associate Attorney General.

When she is confirmed, she will not only be the first civil rights lawyer but also the first woman of color to serve as Associate Attorney General.

She is, in effect, the leader we need in that position now. And we need it right now. The Attorney General needs her right now. He has said so. And we should be proud to confirm this eminently qualified woman. Hers is the character that the Department of Justice requires to help restore trust and credibility.

Now, the fact is that she has been a target of a smear campaign, a vial and despicable campaign of lies and deception that are completely unfounded. These attacks are based on demonstrable lies and mischaracterizations.

Her previous tenure in the civil rights division makes absolutely clear her commitment to enforcing the law with integrity and honesty, with balance and insight. She has a proven record as a consensus builder and as a leader.

And her work with law enforcement is the reason why she has such support among law enforcement leaders, and that support is across party lines. In fact, every major law enforcement organization refers and supports her nomination.

Try as they might, unfortunately, our Republican colleagues continue to smear her. She has never—she has never called for defunding the police. She has never said many of the lies that are attributed to her. And even more than being unfounded, these attacks are really the height hypocrisy. It is unconscionable that Republicans would criticize this lifelong public servant and Justice Department veteran after they silently sat by when there was no Senate-confirmed Associate Attorney General for nearly 3 years during the Trump administration. The outrage that they feign should fall on deaf ears.

Our moment of reckoning is soon. It is not just our moment of reckoning; it is a moment of reckoning for the Nation because, in the last year, we have faced a global pandemic. We have grappled with racial justice issues that have been ignored for too long, and we have defended against an onslaught of hate and extremism.

We are at a pivotal moment. We urgently need her kind of leadership to combat domestic terrorism, extremist violence, and hate crimes. In fact, we are in the midst right now of considering a measure that will help combat hate crimes, including my No Hate legislation. We know hate crimes are surging, and Asian Americans and Pacific Islanders have been the target of them, particularly the alarming wave of vitriolic attacks most recently.

Vanita Gupta has been a leader in the fight against hate crimes. As the head of the civil rights division, she was the Nation's chief civil rights enforcer and prosecutor. And while leading that division, she also headed the first prosecutions under the Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act, which expanded the Federal hate crime law to include, among other things, crimes motivated by a victim's sexual orientation—crimes motivated by whom a person loved.

During her confirmation hearing, she committed to using the Department of Justice tools to investigate and prosecute hate crimes where they happen and to use its bully pulpit to prevent hate from festering in communities around the country.

The plain truth is that Vanita Gupta is the right person at the right time for this job. The Senate should confirm her as supremely qualified for this eminently important assignment, and it should do so swiftly with bipartisan support.

Thank you.

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. THUNE. 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.

### INFRASTRUCTURE

Mr. THUNE. Madam President, I am feeling a sense of deja vu this morning. In March, Democrats used reconciliation to pass a massive, partisan bill that served as a cover for a collection of payoffs to Democratic interest groups in Democratic States.

Now, just over a month later, we are facing the prospect of round 2. Democrats are once again looking at reconciliation to pass a massive, partisan piece of legislation that serves to cover a long wish list of liberal priorities. The subject this time, of course, is infrastructure—like COVID relief, a subject that Republicans are very ready to tackle, but, just like with their COVID bill, Democrats aren't showing a lot of interest in bipartisan cooperation. Once again, their message seems to be ''Go along with everything we want or be completely excluded from any part of this bill.''

As I said, Republicans would be happy to take up infrastructure legislation. Our Nation is overdue for additional infrastructure investment. But an infrastructure bill should be focused on actual infrastructure: roads, bridges, airports, waterways, and digital infrastructure like broadband.

Democrats have some of that in their bill, but they also have been very busy expanding the definition of ''infrastructure'' to include a whole host of Democratic priorities. One Democratic Senator tweeted:

Paid leave is infrastructure. Childcare is infrastructure. Caregiving is infrastructure.

Well, actually, no, they are not. Neither is the Civilian Climate Corps or community colleges or support for Big Labor. None of those things are infrastructure.

Now, it may be that some—and I say ''some''—of Democrats' noninfrastructure proposals are things that we should have a discussion about here in Congress, a bipartisan discussion, but they are not infrastructure, and they

don't belong in an infrastructure bill. Democrats should stop rewriting the definition of ''infrastructure'' to suit their purposes. The word ''infrastructure'' is not, in fact, anything that Democrats say it is. ''Infrastructure'' has an actual meaning, and it is not childcare or assistance for unions.

Even Democrats' actual infrastructure spending is frequently problematic. Democrats' infrastructure proposals would cost $2.2 trillion. Less than 6 percent of that—less than 6 percent—would be spent on roads and bridges. Under the Democrats' plan, spending on electric vehicle promotion would exceed investments in roads, bridges, ports, and waterways combined. That includes tax credits and rebates for electric vehicles, measures that will primarily benefit wealthier car buyers and leave rural States like South Dakota, where electric vehicles remain impractical, behind.

The bill also includes a massive sum for transit and high-speed rail—substantially more than the bill spends on highways, roads, and bridges—despite Americans' limited interest in rail travel.

On the tax front, Speaker PELOSI has expressed her interest in including a lifting of the current cap on State and local tax deductions. Now, this one is really interesting. It is a very interesting priority for Democrats, considering that repealing the SALT deduction would mostly benefit wealthy taxpayers, including that evil 1 percent whom Democrats are always talking about. But I guess sometimes principle has to take a back seat to keeping Democratic donors happy.

While we are talking about taxes, let's talk about how Democrats plan to at least partially—and I say ''partially'' because a lot of this could go on to debt—pay for this bill. Democrats would like to partially pay for this legislation with the largest corporate tax increase in a generation. They would sharply increase the corporate tax rate, once again putting American companies at a disadvantage next to their foreign competitors and threatening American jobs and wages. It is pretty hard to think of any worse proposal right now, with our economy still trying to recover from the effects of the pandemic.

What, in effect, you are doing when you are raising taxes dramatically—when I say ''raising taxes dramatically,'' I am talking the largest or highest tax rate in the developed world. We will be leading the OECD when it comes to taxation of businesses if the Democrats get their way and raise the tax rate on businesses from 21 percent to 28 percent. What you are doing when you do that is not punishing some corporation; it is punishing workers who work for those companies. This is about jobs. It is fundamentally about jobs. When you raise taxes on businesses, it hurts jobs.

Now, there is a history of bipartisan collaboration on infrastructure legislation. Our last major transportation infrastructure bill, the FAST Act, was supported by both Democrats and Republicans, and it was a remarkably successful bill. Last Congress, the Environment and Public Works Committee here in the Senate developed bipartisan transportation infrastructure legislation. There is absolutely no reason—no reason—why we couldn't replicate past bipartisan success in this Congress.

The word is that next week the Democratic leader is going to bring up a bipartisan water infrastructure bill that recently passed the Senate Environment and Public Works Committee unanimously. I hope he will. That should be a model for a larger infrastructure bill, not the partisan process that Democrats embraced with their COVID legislation and not the partisan, wasteful proposal full of non-infrastructure-related measures that Democrats have put forward.

I saw an op-ed the other day that pointed out that ''President Biden promised to usher in a golden age of bipartisan cooperation, but instead he is showing a reverse Midas touch—taking issues that once united Republicans and Democrats and making them partisan and divisive.'' Sad but true. But the President has a chance to turn that around with infrastructure.

It is not too late for Democrats and the President to sit down at the table with Republicans and develop a substantial, bipartisan proposal that would address our country's infrastructure needs without spending taxpayer dollars on wasteful or extraneous proposals.

I am encouraged that President Biden is meeting with Republicans on infrastructure legislation, but I hope these meetings are not just for show. The President, as we all recall, met with Republicans on COVID legislation, too, before rejecting bipartisan cooperation. Let's hope he will choose a different path this time.

It is not too late for the President to start fulfilling his inauguration promise of unity and bipartisanship. He should start with this infrastructure bill.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BENNET). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

UNANIMOUS CONSENT REQUEST—S. 1132

Mr. KENNEDY. Mr. President, I want to talk a little bit today about a subject that I have struggled with in terms of how to address, and I am going to finish my remarks by offering a bill up for the Senate's consideration.

Mr. President, I know you are aware of all of this, but we can't live without glucose. Glucose fuels our cells, and, of course, our cells make up our muscles and our tissues and our organs, and we can't live without insulin. Insulin is a hormone that regulates the amount of glucose in our blood. Thankfully, for most people, their pancreas produces insulin naturally. It is just an undeniable fact that without insulin, without glucose, you are dead.

Unfortunately, as you know, sometimes our pancreas does not create insulin or doesn't create enough insulin or creates it erratically, and that condition, of course, is called diabetes. Thankfully, 100 years ago, in 1920, there was a Canadian physician and scientist whose name was Dr. Frederick Banting. He invented a synthetic form of insulin to help people whose pancreas could not produce the hormone. He won a Nobel Prize for it. It was extraordinary.

He was so committed to helping humanity that he and his other colleagues who had patents on this synthetic insulin sold their insulin patents for $1, 1 buck. They wanted to make sure that insulin was affordable. God bless them.

Today, 34.2 million Americans have diabetes. Not all people who have diabetes need insulin, but of that 34.2 million people, 7.4 million people need synthetic insulin; otherwise, they are dead men; they are dead women. Eighty-eight million Americans have what we call prediabetes. That means they are just a hair away from having full-blown diabetes. It is a problem in Louisiana, Mr. President, as I am sure it might be in Colorado. Louisiana has about 500,000 people with diabetes, most of whom need insulin. That is 12 percent of my population.

Now, here is where the story becomes dark. Three pharmaceutical companies have a monopoly on synthetic insulin. These three companies control about 90 percent of the global supply of insulin. Diabetes is certainly not unique to Americans, and these three pharmaceutical companies control almost, well, virtually, 100 percent of the U.S. market. Their cost, as best I can tell, you might be surprised to learn that a lot of the cost of these pharmaceutical drugs—and that is what synthetic insulin is; some call it a biologic—but the cost, as best I can tell, to produce a vial of insulin is about 10 bucks in today's dollars. There is no viable generic. You have to buy a brand name from one of the three companies.

Now, the cost of synthetic insulin has increased fairly recently very dramatically. The average list price for insulin tripled from 2002 to 2013, and then from 2013 to 2016 it doubled again. In the last 10 years, the out-of-pocket costs because many people have insurance—not everyone, but many people have insurance—in the last 10 years, the out-of-pocket cost of insulin for the average patient has doubled. Most diabetes patients, to give you some context, require two, quite often, three vials a month.

Let me try to get out of the conceptual and be specific. One type of insulin, and I don't mean just to single them out, but it is called Humalog. It was released in 1996. Its price since 1996, which costs about 10 bucks to make it per vial, has increased 1,700 percent. It has gone from $21 a vial to $375 a vial. Now, that same vial in Canada that costs $375 here costs about 50 bucks in Canada. Remember, you need three vials, sometimes two, hopefully, a month to live, to survive. So if you use three vials a month at 375 bucks a crack, the cost has gone from $750 a year in 1996 to $13,500 a year. Nothing has changed about the insulin. This insulin is 100 years old—100 years old.

Now, that, of course, is the list price. As we know, many people have insurance, and there are all sorts of insurance plans with differing amounts of deductions and differing amounts of copays, but I think a recent report by the Health Care Cost Institute is instructive. It found that the average American with type 1 diabetes, who needs insulin, has out-of-pocket insulin costs every year of about $6,000. That is every year. You will not be surprised to learn that, as a result of that, about one in four Americans has to ration the insulin—they don't take their full doses—to make them last longer.

Now, I have a bill. It is called the Ending Pricey Insulin Act. I don't know where my staff comes up with these names. I can hardly say that. Anyway, it is to try to lower the cost of insulin. It is going to cap out-of-pocket costs for insulin if this bill, in its wisdom, passes the Senate. It is going to cap the cost at 50 bucks for a 30-day supply. It is going to cap the cost for people who have insurance. It is going to cap the cost for people who have Medicare. It is going to cap the cost for people who have Medicaid, and it is going to cap the cost for the people who don't have anything—no insurance whatsoever. It is going to cover high-deductible health plans. It is going to cover the CHIP program. It is going to cover veterans' health plans. It is going to cover TRICARE. It is going to cover everybody and have a maximum out-of-pocket cost per month of $50.

This bill would take effect for plan year 2022. Health plans, as the Presiding Officer knows, set their rates 6 to 9 months in advance, so I want to give them fair warning here. My bill provides a workable runway for the insurance plans to comply, but the bill does include a retroactive clause that insures any out-of-pocket costs above 50 bucks that people pay. After that, they will be reimbursed. The bill is only five pages long. I don't think it is complicated to fix this problem.

Now, I really struggled with whether to offer this bill. Let me say first that I am not trying to pick on our pharmaceutical drug companies. What they have done in the last year is nothing short of miraculous. To me, it is just evidence that American and human ingenuity can never be underestimated, and it is extraordinary what the private sector can accomplish when the government gets out of the way. I am talking, of course, about the coronavirus vaccines. I happen to have two brothers who are physicians, and I called both of them right after the coronavirus was determined to be the coronavirus.

I said: How long for a vaccine?

They both said: A minimum of 2 years, probably 3 or 4.

The pharmaceutical drug industry did it in less than a year. God bless them.

So I don't mean to criticize them. I understand they have research costs, and I understand they have marketing costs, and I certainly understand that the health insurance delivery system and the market itself is opaque. God, how did we design such a system? I yearn for the day—we all do—when we have a healthcare delivery system for pharmaceutical drugs that looks like somebody designed it on purpose.

I have spent a lot of time—I certainly don't pretend to be an expert—researching the problem surrounding the cost of insulin, and everybody blames everybody else. The pharmaceutical drug companies blame the PBMs. The PBMs blame the insurance companies. They all blame each other. Some of them blame the doctors. Some of them blame patients for whining. You know, at some point, you say: Gosh. You know, it is almost as if you are intentionally making it opaque, and that is a big part of our health insurance market problem.

I was reading an article the other day, and this is on a slightly different subject. As you know, the Trump administration issued an Executive order saying hospitals have to post their prices. The hospitals sued, and the government won. So now the hospitals have to post their prices.

The Wall Street Journal did a very interesting investigative piece. It really was a fine piece of work in this post-journalism, pay-to-play world that we live in. It looked at the websites of all of the major hospitals throughout the United States, and it found, I think—I don't remember the number—over 100 that had implemented or put it on their websites' software so that the posted prices for their services that they offered, which the Executive order required, were there on the websites, but you just couldn't see it, and consumers couldn't find it. Those who could find it had to go through about 10 different layers to get to it. When the Wall Street Journal contacted the hospitals, they said: Oh, whoops. It is just a software mistake. We will get it fixed.

So the market is opaque.

Look, some of my colleagues are going to oppose this bill, and I understand their point of view in their saying: Kennedy, this is price-fixing. We thought you were a free market guy. I am. I am. I don't want to have to do this, but we have been talking about this problem for years, and it just keeps getting worse and worse and worse.

I think the Members of the U.S. Senate—the most interesting group of people I have ever been around—are intelligent enough to understand nuance. They understand that this is price-fixing, but they also understand this argument of, well, you are going down a slippery slope. No, we are not. There is nothing in this bill that says we have to go down a slippery slope. I think most fair-minded people understand that insulin, as a biologic, pharmaceutical drug, is unique. We are not talking about a drug that the pharmaceutical industry has spent hundreds of billions of dollars developing and has taken on extraordinary risk. This is a product that has been around since 1920. It is virtually unchanged. It costs 10 bucks a vial to produce. There is virtually no risk, none whatsoever. It hasn't changed much in 100 years, and people have to have it. The costs were recouped long ago.

I am not accusing anybody of anything, but I think a big part of the problem is the fact that three companies have a monopoly, and there is no generic because some people engage in what is called evergreening, which is a very clever way devised by the patent lawyers to keep patents from ever running out. I am just tired of holding hearings and issuing press releases and talking to the press about it and then doing nothing.

I will just say—and I am going to end because I know Senator CRAPO has something he wants to say, and I want to hear him—that I really struggled with this. I guess I am being inconsistent, because I do believe in the free market. I don't believe in having the government set prices, but I don't know what else to do.

I don't think we are going down a slippery slope. Insulin is unique. We have all got good pairs of L.L. Bean and other boots to keep us from going down that slippery slope. There is no law that says the U.S. Senate can't consider issues on an ad hoc basis. Senators understand nuance, and in any event, I would rather be right than consistent.

For that reason, Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 1132, introduced earlier today. I ask unanimous consent that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

The Senator from Idaho.

Mr. CRAPO. Mr. President, in reserving the right to object, first of all, I want to respond to Senator KENNEDY.

The first thing I want to say to Senator KENNEDY is that I am impressed. He did this in only five pages. I wish we could all learn to write our legislation

in five pages or less. I don't disagree with the history Senator KENNEDY went through, with his powerful declaration, in that this is a critical issue that we must deal with, and I don't disagree with the fact that we have to have some serious pressure built here in the U.S. Congress to get this over the finish line.

That being said, I think we just got this language last night, and what Senator KENNEDY is asking us to do today is to bypass the committee and go immediately to the floor with his language. There are several reasons I am going to have to, ultimately, object to that.

The first is that he is correct. I and a number of my colleagues who would be here if I were not standing here have a real problem with the solution, the mechanism, that Senator KENNEDY has chosen—just outright price-fixing. Senator KENNEDY doesn't even try to deny that. It goes beyond imposing government regulatory price controls in government-run programs by going through the private market as well. That is a solution mechanism that I have opposed and many of my colleagues oppose in terms of dealing with this issue. That is one of the key reasons for my objection.

The other one, though, is that the Committee on Finance, of which I am the ranking member, is working on this. I know that this is not an answer, because the Committee on Finance has been working on this now for a year or 2 or more, but there is work underway in a number of different arenas to try to get a handle on how to solve this without having to take the drastic step of just having the government come in and take control over the private sector market.

I will just point to, for example, what happened under the Trump administration in just the last couple of years. Through the Trump administration's effort to try to deal with this, a demonstration project has been operating under Medicare Part D in which the effort was to try to get the monthly cost of insulin down to $35 a month, and they have had some success in that program to demonstrate how it can be accomplished.

Now, look. I get that Medicare Part D is different than private sector insurance and that it is different than Medicaid and that it is different than other pieces of our healthcare system; it is also different than CHIP, but in one sector, a pretty significant sector, we have some solutions that are starting to show real potential.

In addition, as Senator KENNEDY knows, I drafted legislation in the last Congress and am working on that legislation in this Congress that will deal not just with insulin but with many different other pieces of drug pricing in our system.

I can tell you that Senator WYDEN himself, my counterpart on the Democratic side on the Finance Committee, has been working on his own ideas, and he and I have been working hard to prioritize this to get to a solution in the committee. I know, as I talked to Senator WYDEN just before I came to the floor, that Senator WYDEN and I both welcome the opportunity to work with Senator KENNEDY as we try to put together that bipartisan solution.

I know that there would be other Senators on the other side of this issue who would stand here if I were not today and say they don't like this solution because they want it to go further in the other direction. They want to see a complete government takeover of the entire market and move to a single-payer system, that single payer being the government. That is another thing that some on my side have been working hard not to have happen.

There is a lot of political controversy over what the mechanism must be, and that is the primary reason I want this to be able to be worked on in the committee, in the proper way that we manage legislation in the Senate. I commit to Senator KENNEDY that he can be as engaged as he wants to be with us in that as we move forward, but it is not the time right now to come and bypass that whole process.

I think Senator KENNEDY would probably make a very powerful rejoinder that we have heard that we are working on it a lot and we need to now get to the point where we put solutions here on the floor for the entire Senate to consider, but today is not the day to do it by a unanimous consent request, and for that purpose I do object.

The PRESIDING OFFICER. The objection is heard.

The Senator from Louisiana.

Mr. KENNEDY. Mr. President, my colleague, the Senator from Idaho, knows how much I respect him, and I certainly appreciate the invitation to work with him and his committee, and I intend to do that.

And I know that the Senator didn't say this, but I don't believe in government-run healthcare. But we have a discrete problem here and a very unique situation that can be addressed. This is not a biologic, as I said earlier, that costs hundreds of millions of dollars to develop. This is insulin, and a lot of Americans need it or they will die.

There is a monopoly, and there are efforts that have been made to maintain that monopoly, and my people in Louisiana—I know the people in Idaho—many of them feel the same way, and that is why they applaud Senator CRAPO's efforts, but they are hurting.

You can die without insulin. You can die. And it costs 10 bucks a vial to make, and it has been around 100 years, and now it costs 375 bucks. And all you have to do is walk across the border into Canada, and you can buy it for 50 bucks.

The market is being manipulated. I know it is complicated, and I understand politics. I have been around it a good portion of my life, but this is an issue where we need to stop—we need to stop—talking about it, strutting around, issuing press releases, holding hearings, and doing nothing.

I don't want to price fix. I don't. It makes me real uncomfortable to be proposing this, but I don't know what else to do. There comes a point where patience—where patience—ceases to be a virtue.

And here is what I know. I mean, the bill has been objected to, and I appreciate it. You pass a bill like this or a similar bill like this; you are going to see a solution pretty fast. You are going to see a solution real fast. You are going to see some—this opaque market react with new energy. They are going to be running around like hounds from hell, trying to keep this from becoming the law, and that is why we need to hit this head-on.

But with that, I thank the President for his attention, and I thank my colleague for his eloquent remarks.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

## COVID–19 HATE CRIMES ACT

The PRESIDING OFFICER. Under the previous order, all postcloture time has expired, and the motion is agreed to.

The clerk will report the bill by title.

The bill clerk read as follows:

A bill (S. 937) to facilitate the expedited review of COVID–19 hate crimes, and for other purposes.

## EXECUTIVE SESSION—MOTION TO PROCEED

Mr. SCHUMER. Mr. President, I move to proceed to executive session, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Vermont (Mr. SANDERS) is necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Kansas (Mr. MARSHALL), the Senator from Kansas (Mr. MORAN), the Senator from Ohio (Mr. PORTMAN), the Senator from South Dakota (Mr. ROUNDS), and the Senator from North Carolina (Mr. TILLIS).

Further, if present and voting, the Senator from Kansas (Mr. MARSHALL) would have voted ''no.''

The result was announced—yeas 49, nays 45, as follows:

[Rollcall Vote No. 152 Leg.]

YEAS—49

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

NAYS—45

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

NOT VOTING—6

| | | |
|---|---|---|
| Marshall | Portman | Sanders |
| Moran | Rounds | Tillis |

The motion was agreed to.

The PRESIDING OFFICER (Mr. SCHATZ). The majority leader.

## EXECUTIVE SESSION

### MOTION TO DISCHARGE

Mr. SCHUMER. Mr. President, pursuant to S. Res. 27, the Judiciary Committee being tied on the question of reporting, I move to discharge the Senate Judiciary Committee from further consideration of the nomination of Vanita Gupta, of Virginia, to be Associate Attorney General.

The PRESIDING OFFICER. Under the provisions of S. Res. 27, there will now be up to 4 hours of debate on the motion, equally divided between the two leaders, or their designees, with no motions, points of order, or amendments in order.

Mr. SCHUMER. Thank you, Mr. President.

The PRESIDING OFFICER. The majority whip.

Mr. DURBIN. Mr. President, I would like to ask the Chair for clarification. It is my understanding there is 4 hours of debate, evenly divided between the Democrats and Republicans, on the discharge petition.

The PRESIDING OFFICER. Yes, between the leaders or their designees.

Mr. DURBIN. And either side can yield back; is that correct?

The PRESIDING OFFICER. That is correct.

Mr. DURBIN. Thank you.

Mr. President, let me be the first to rise today on our side and say that I am in strong support of the nomination of Vanita Gupta to be the Associate Attorney General.

The Justice Department has not had a Senate-confirmed Associate Attorney General in over 3 years because President Trump never put forward a nominee. The No. 3 position in the Department of Justice has been virtually vacant of a Senate-confirmed nominee for 3 years.

That position, by definition, oversees the Department's civil litigation components. This is no small deal. It is a big deal. The Department of Justice needs and deserves to have full leadership in place.

Vanita Gupta will be the first woman of color and the very first civil rights attorney to serve as Associate Attorney General. This historic nominee is also exceptionally well qualified. She is a veteran of the Justice Department. She has a proven record of working across political and ideological lines to uphold the rule of law in a nonpartisan fashion. I don't believe President Biden could have picked a better nominee.

Vanita Gupta first joined the Justice Department shortly after the shooting death of Michael Brown by a police officer in Ferguson, MO. I remember it. I am sure many of my colleagues do as well. It was a difficult moment for many. As the head of the Department's Civil Rights Division, Ms. Gupta worked closely with all of the stakeholders involved in police reform: community leaders, civil rights leaders, and law enforcement.

Not only did Ms. Gupta implement meaningful reforms in Ferguson, MO, and other cities, but she did so by helping to repair the relationship between law enforcement and the communities they serve. Can you think of a better qualification at this moment in time in our history?

Sadly, in recent days, our Nation has been rocked by controversial police shootings. Vanita Gupta is exactly the type of person we need at the Justice Department at this very moment. One strong piece of evidence is the incredibly broad range of support her nomination has received. When you say the words ''civil rights lawyer,'' you say, ''Oh, way off on the left. I will bet she is out of touch with reality.''

Not so. It is not just the civil rights groups that support her. Her nomination has the support of virtually every major law enforcement organization in the country. I want to repeat that because in the ensuing several hours, when we will discuss the discharge of her nomination, there will be assertions made which do not acknowledge the obvious.

Vanita Gupta has the support of virtually every major law enforcement organization in the country, including the Fraternal Order of Police, the National Sheriffs' Association, the Major Cities Chiefs Association, and the International Association of Chiefs of Police, just to name a few.

I can read numerous quotes from law enforcement groups praising Ms. Gupta. I am going to read one. In a letter to the Senate, David Mahoney, President of the National Sheriffs' Association, said:

''I strongly believe that Ms. Gupta is exactly the type of leader who is needed in the Justice Department today. She possesses immense credibility among law enforcement leaders and community leaders.''

Immense credibility, with both law enforcement and community leaders. Isn't that exactly the type of person we need in the Department of Justice at this moment in history?

It comes as no surprise when you look back on her background. Throughout her career, Ms. Gupta has worked across the partisan divide, forming broad coalitions to get things done when people said it was impossible. A great example of this is criminal justice reform. Over a number of years, Vanita Gupta partnered with numerous conservatives—certifiable, reported conservatives. Let me give you a couple names: Grover Norquist; Mark Holden, the former general counsel of Koch Industries.

These efforts helped lay the groundwork for the passage of the FIRST STEP Act, a bill which I worked on with Senator GRASSLEY, Senator LEE, Senator WHITEHOUSE, Senator CORNYN, a number of Democrats, CORY BOOKER included. We put together a bipartisan bill, signed into law by the President of the United States.

Vanita Gupta was part of that effort. She knew how to put Republicans and Democrats at the table and come up with a reasonable compromise. Isn't that exactly what we need at this moment in history?

The Judiciary Committee has received so many letters from Republicans supporting Ms. Gupta's nomination that I only have time to scratch the surface. Former Republican Congressman Tom Coleman, whom I served with in the House, put it very well. He represented Missouri's Sixth Congressional District for 16 years. He understood the challenge of Ferguson, and he understands the record of Vanita Gupta. Here is what he wrote: ''Ms. Gupta is a person who seeks the common good, without concern for partisan gamesmanship.''

He added: ''I urge you, my former colleagues, to recognize the truth with respect to Vanita Gupta: She is an ideal public servant. She possesses wisdom and an ability to work across partisan lines.''

Ms. Gupta has spent her career fighting to uphold the rule of law, almost always on behalf of those who had little power or little money. In her previous tenure at the Justice Department, Vanita Gupta undertook critically important work. In addition to police reform, she led efforts to prosecute human trafficking, combat religious discrimination, and protect the rights of servicemembers to ensure that they didn't have to be worried about being taken advantage of financially while they were protecting our Nation.

More recently, during her tenure at the Leadership Conference on Civil and Human Rights, Ms. Gupta led initiatives on voting rights, criminal justice reform, and the census.

Ms. Gupta began her career as a civil rights lawyer with the NAACP Legal Defense and Educational Fund. One of the first matters she worked on as a young attorney involved nearly 40 wrongfully convicted individuals in the small town of Tulia, TX. The individuals who had been wrongfully convicted were almost all African Americans, and they had been convicted of drug charges based solely on the false testimony of one corrupt, blatantly racist undercover police officer.

How about walking into that situation, trying to resolve that situation. She did. Despite being completely innocent, these individuals were sitting in jail, and their appeals had been rejected. Vanita Gupta took their case anyway.

As a result of her work, not only were these individuals exonerated, but they received pardons from the Republican Governor of Texas, Rick Perry, and Texas eventually paid out a $6 million settlement. That is nothing short of a political miracle, and she achieved it by hard work, being smart as can be, and reaching out to both sides to find some area of agreement.

Ms. Gupta's commitment to ensure the equal protection of the law has been praised by Republicans and Democrats alike. Michael Chertoff, former Secretary of Homeland Security under President George Bush, said about Ms. Vanita Gupta in a letter to the Senate. ''She is a relentless advocate for fairness and the rule of law.''

How would you like to have that as the lead sentence of your legal biography: ''a relentless advocate for fairness and the rule of law.'' How would we like to have a person like that in this administration, in the Department of Justice? Obviously, we would jump at the chance.

She is the right person at the right time. She will bring experience, dedication, and a nonpartisan approach to the role of Associate Attorney General, and I urge my colleagues to support her nomination.

Now, if you heard what I just said about Vanita Gupta, you might think: Why was this a tie vote in the Senate Judiciary Committee? First, it is an evenly divided committee: 11 Democrats, 11 Republicans. And there are a lot of things going on, on both sides of the table, when it comes to the final vote on nominees like this.

Several Republicans told me they might be leaning in her direction but they couldn't vote for her in the committee. I hope they will reconsider when it comes to the floor.

And there was another thing going on too. Rightwing groups were spending millions—millions—of dollars on television in Washington trying to attack the reputation and character of Vanita Gupta.

I think I have made it clear. Vanita Gupta is highly qualified and historic, with broad support from law enforcement and civil rights organizations, advocates across the political spectrum. She, clearly, on the merits, will be an outstanding Associate Attorney General.

But every step of the way, her detractors have tried to delay and obstruct her nomination. We saw that in our Judiciary Committee markup on March 25. I allowed committee Republicans to speak for 94 minutes about Ms. Gupta's nomination at markup. One Senator from Texas spoke for 29 minutes himself. I didn't cut him off.

But someone on the Republican side made the decision to invoke the 2-hour rule, a Senate rule that says that a committee cannot operate more than 2 hours after the Senate comes into session, to try to cut off the markup for the vote even before the vote.

I had received assurances earlier that the 2-hour rule would not be invoked, but at 11:55, with barely 5 minutes to spare, I was told the other side had changed their mind. Just as the previous two chairs of the committee, Senators Graham and Grassley, had done in the past, I ended debate, notwithstanding committee rule IV, and called for a vote on the nomination.

I won't go into a debate over committee rule IV other than to say it is a doomsday filibuster. Any Senator can object to the business in the Senate Judiciary Committee and virtually stop all proceedings indefinitely. There is no recourse.

I gave Republicans ample time to make their arguments in the committee. I was prepared to give them even more time until the 2-hour rule was invoked. But someone on the other side decided to force my hand. I had to act quickly.

I told Republicans in writing in a March 24 letter that we would hold a vote on Ms. Gupta's nomination the next day, and I meant it. In the future, I would be happy to limit the number of minutes that Senators can speak in order for all Senators to have an opportunity, but at this moment in time, we have to accept the obvious.

Vanita Gupta has been subjected to blatantly false attacks from many rightwingers and conservative, dark money groups. Republicans have falsely claimed that she supports defunding the police. Be prepared. You are going to hear this mantra again and again.

In reality, Gupta has the support of virtually every major law enforcement organization in America. Republicans have made false claims about Gupta's position on drugs. For example, the senior Senator from Texas alleged that Gupta previously advocated, ''All drugs should be legal.'' In reality, Vanita Gupta has never advocated that all drugs should be legal. As the senior Senator from Texas knows, Gupta did write, 9 years ago, that she favored decriminalizing the ''simple possession'' of ''small amounts'' of marijuana and other drugs.

Take a look at what we have done with sentencing and drug crimes in America, even under the Trump administration.

At her hearing, Ms. Gupta was completely forthright in explaining that she changed her mind over the years in terms of decriminalizing drug possession, due in part to a family experience with opioid addiction.

Republicans have criticized Ms. Gupta's past statements on Twitter, despite the fact that they strongly supported President Donald Trump and many of his nominees, many of whom were just White males, who made such harsh statements in speeches and social media posts that they were legendary.

Republicans have argued that Gupta is radical and dangerous. In reality, Vanita Gupta has a career-long record of working closely with conservatives, business leaders and community leaders and law enforcement. That is why she has the support of so many prominent Republican leaders now.

I am looking forward to voting for her and to watching her serve in the Department of Justice. She will follow the trail that she set in her legal career, looking for solutions, bringing us together. Can you think of a moment in history in this country when we needed that more? I can't.

Every day we have these conflicting stories coming at us, from the courts in Minnesota on a question of George Floyd and the culpability for his death to a situation here in the Capitol, where we are honoring law enforcement when Officer Billy Evans of the Capitol Hill Police gave his life serving this country.

We are torn trying to find the right combination for law enforcement that is sensible and principled and humane. We need someone like Vanita Gupta at the table in the Department of Justice, leading. I hope her critics will have second thoughts.

Give this outstanding woman an opportunity to serve her country even more than she has in the past.

I yield the floor.

The PRESIDING OFFICER (Mr. PETERS). The Senator from Utah.

MOTION TO DISCHARGE

Mr. GRASSLEY. Mr. President, right now, I just want to speak about the motion to discharge as opposed to whether people should vote for or against Gupta.

I am opposed to this effort to discharge Gupta from the Judiciary Committee. In fact, it is not properly in order. In theory, we are moving this nomination because it failed in Committee by an even, tie vote. But that vote should never have been called, and it was improper when it was.

Under the committee rules, members have a right to unlimited debate. This can only be stopped either by a bipartisan vote to end debate under the rules or by a vote of the majority of the committee to set a time certain to vote under precedent. Because Republicans at Ms. Gupta's markup wanted

to talk, there couldn't have been a bipartisan vote to end debate. In fact, some, like my colleagues from North Carolina, didn't have a chance to speak and were still waiting their turn. And because the Democrats don't have a majority in the committee, they couldn't have set a time certain.

Under the rules and precedents of the committee, then, they had to let Republicans talk, and if it took more than one markup, so be it. The Democrats did this talkathon when I was chairman. During our second markup of 2017, in order to delay Senator Sessions' nomination to be Attorney General, Democrats filibustered in the Judiciary Committee. When it happened, I didn't interrupt anyone or break any rules. I simply continued the markup the next day, checking to see who would want to be recognized and for how long.

The fact is that the Democrats frequently used these filibuster tactics against us over the past 4 years. We simply dealt with them from a position of confidence in the rules and precedents of our committee. Sometimes being chairman and moving nominees takes hard work, but we did the job we needed to do.

That is not what happened in the discussion of Gupta. Instead, my colleague from Arkansas was interrupted and the roll was called while he was still speaking.

This was not the power of the majority being used. It was the power of the chairman. What is the point of having rules if you can just ignore them—just ignore them when you find yourself dealing with an unfamiliar situation.

So I don't think the even vote—the tie vote—in committee even properly happened. As far as I am concerned, Senator COTTON had the floor. That rollcall vote was illegitimate under committee rules, and so the one that we are going to have in the Senate this afternoon is just as illegitimate.

And why did the Chairman scrap the committee rules for this nominee? This isn't a Supreme Court nomination. The nominee is a sub-Cabinet official at the Justice Department. So I have to wonder why. I think it is because the Democrats know how really powerful she will be in the Justice Department.

As Judge Garland told us during his hearing, he didn't pick Ms. Gupta. He only got to know her after they were both picked. That is quite a position for a subordinate to be in.

The late Congressman Dingell famously said this—and I will clean it up a bit: ''You let me write the precedent, and I'll [beat] . . . you every time.''

The Judiciary Committee has done him one better: Now there is no procedure.

If the rules are not respected, the Senate is an institution that loses every time.

I urge my colleagues to vote no and protect the traditions of the body.

The PRESIDING OFFICER. The Senator from Illinois is recognized.

Mr. DURBIN. Mr. President, I don't know that there is another Republican Senator that I have worked with as much and as effectively and with as much pleasure as Senator CHUCK GRASSLEY of Iowa—and I mean it. We have done some good things together.

We sometimes started off in opposing positions and tried to find some common ground. The First Step Act was a good illustration of that, but it is not the only demonstration, and I trust that there will be more. I am sorry we disagree today.

Two points I will make. Rule 4, as described by Senator GRASSLEY, is virtually, as I mentioned earlier, a doomsday filibuster. There is just no way out of it, particularly with an evenly divided committee. I am not the first to discover that as chairman.

I will make as part of the RECORD, and I am going to share with my colleague from Iowa, the four or five instances when previous Republican chairs of the committee did exactly what I did with this nomination and said: We are moving forward; we are not going to pay attention to rule 4.

Senator GRAHAM, Senator GRASSLEY, and others have done just exactly that in the past. So I think we adopted that as a rule because it was already in the rules, and we were evenly tied in committee. But it sure ties the hands of a chairman or anyone who is trying to accomplish anything if there is one person who just stands and objects and objects and objects. It is a very difficult situation.

The second thing I will mention is—I am going to make this a part of the RECORD, and I don't have it at hand as I stand here—the quote from Merrick Garland in his nomination hearing when someone raised the question about Vanita Gupta and Kristen Clarke, another nominee working her way through the committee. Merrick Garland may not have known either one of them personally beforehand. He could have, but I am not sure. But he made it abundantly clear that this is the team he wanted to manage the Department of Justice—no ifs, ands, or buts about it. He totally committed and believed that each of them brought a perspective in the law and by their own legal experience valuable to him and the Department of Justice and to the Nation. So I don't think there is any question that he is committed to Vanita Gupta, as he should be.

I will yield back at this point.

The PRESIDING OFFICER. The Senator from Virginia is recognized.

Mr. WARNER. Mr. President, I am sorry that I missed the incredibly thoughtful comments of the Democratic whip, who I think spoke on the topic—one of the topics—that I am going to speak about.

I think I have 10 minutes. Is that right?

OK. Thank you.

The PRESIDING OFFICER. Clarification: The Senator may use whatever time he needs to.

Mr. WARNER. I thank the Presiding Officer and thank the—I want to thank the brilliant ruling of the Parliamentarian on that subject.

Mr. DURBIN. Excuse me. If I can have a clarification. As I understand it, we are in measured time, 2 hours to a side. Any speakers on our side will be taken from that 2-hour total.

The PRESIDING OFFICER. That is correct.

Mr. DURBIN. Thank you very much.

NOMINATION OF VANITA GUPTA

Mr. WARNER. Mr. President, I want to touch on two critically important subjects that the Senate is considering today. First, I want to rise in support of Vanita Gupta, President Biden's nominee to serve as the Associate Attorney General, the third highest ranking position in our Justice Department.

I think my good friend, the Senator from Illinois, has already spoken about Ms. Gupta. I want to make a personal note. First, that Vanita is a fellow Virginian. I am proud to say that she and her husband, Chinh Le, are raising their two sons in the Commonwealth. They live in Arlington.

Ms. Gupta is also an outstanding public servant. She served from 2014 to 2017 as the Principal Deputy Assistant Attorney General in the Civil Rights Division at DOJ. She led the Division, as the Acting Assistant Attorney General, until 2015.

Since 2017, she has led one of the country's preeminent civil rights organizations—the Leadership Conference for Civil and Human Rights. This means that, if confirmed, Ms. Gupta will be the first civil rights leader in any of the top three positions at Justice.

The sheer depth and breadth of Ms. Gupta's legal and professional experience makes her an outstanding selection to serve as the Associate Attorney General. Perhaps that is why Ms. Gupta's supporters span the political spectrum.

My understanding is that my friend, the Senator from Illinois, has already pointed out some of this broad-based bipartisan support. Let me elaborate on some of that support. Grover Norquist calls her an ''honest broker'' in his endorsement letter.

Let me just state for the record that I have had interactions with Grover Norquist since before I was Governor, over 20 years, and Grover Norquist has never called me anything close to as nice as he called Vanita Gupta as an ''honest broker.''

Mark Holden, the former general counsel of Koch Industries, writes: ''Ms. Gupta is an exceptional lawyer, and among the most talented lawyers I have worked with in my career.''

Ms. Gupta has spent years and years collaborating with people from across the spectrum to promote a more fair and equal justice system.

And let me note for the record, as well, that I have not always agreed with Ms. Gupta. I was very involved in

housing finance reform. Ms. Gupta, as chairman of the Conference on Civil Rights, had a different opinion, but I always respected her intellect and her willingness to listen to alternative views and her willingness to really dig into the facts.

With that background as a civil rights leader in the thick of issues around policing, race, and criminal justice reform, she actually led the investigations of police departments in Ferguson, Chicago, and Baltimore.

At the same time, I have a long list of law enforcement groups that are supporting Ms. Gupta's nomination, including the National Fraternal Order of Police. Again, in terms of the FOP, I think in all my career, one time they endorsed me. Again, her receiving that endorsement is different than myself and perhaps even the Senator from Illinois.

Ms. Gupta has also led broad-ranging and robust enforcement and education efforts to combat hate crimes, including the first-ever prosecutions under the newly enacted Matthew Shepard and James Byrd, Jr., Hate Crimes Prevention Act.

Under her leadership, the Civil Rights Division trained local and Federal law enforcement throughout the country in recognizing, investigating, and proving hate crimes; in educating communities and engaging them in a process of ensuring public safety; and in encouraging better hate crime reporting and data collection.

I would like to close on one other timely credential. As chairman of the Intelligence Committee, I have meticulously chronicled the corrosive effects of disinformation and foreign interference into our elections—something the Presiding Officer is also a national leader on.

Ms. Gupta has been a leading voice for election integrity, thoughtfully and firmly engaging social media platforms to address disinformation on their platforms, as well as voter suppression, hate, division, and violence.

Among the many important roles the Department of Justice has right now, securing our democracy itself is surely near the top of the list.

Vanita Gupta is a person of extraordinary ability. She has the right experience for this role, and I am honored to support her in her nomination today and hope that later today, we will get broad bipartisan support to move forward that nomination.

COVID–19 HATE CRIMES ACT

Mr. President, this may be a transfer to a second subject, which actually goes a little bit in concert with talking about Vanita Gupta, and that is rising in support of the COVID–19 Hate Crimes Act and the Jabara-Heyer NO HATE Act.

During the COVID–19 pandemic, our Nation has witnessed a surge in racism, xenophobia, and violence against Asian Americans and Pacific Islanders. In fact, between March of last year and February of this year, there were nearly 3,800 hate incidents targeting Asian Americans. It should go without saying that these actions have no place in our communities.

To address this spike in anti-Asian rhetoric and hate crimes, we must stand in solidarity with the AAPI community, and we must act against these heinous crimes. The COVID–19 Hate Crimes Act helps address this crisis head-on.

This bill, very simply, requires Attorney General Garland to designate a coordinator within the Department of Justice to expedite, review, and facilitate reporting of COVID–19 related hate crimes. Further, it requires the DOJ to issue guidance to State and local law enforcement, to equip them with the tools needed to deal with the disturbing surge in incidents targeting the AAPI community.

It is tragic but not surprising that hate crimes in America have always been critically underreported. In fact, reports released by the Department of Justice in recent years suggest that the majority of hate crimes are not even reported—not even reported.

Our current patchwork system, paired with inconsistent reporting and resources, guarantees that many instances of hate-related violence and crimes go uncounted. Not only does this mask the true scale of hate incidents across our Nation, it also means that investigative resources and support structures may not be available to victims who need it.

This problem can be exacerbated by cultural and language barriers and made even worse by the pandemic, which has made it more difficult for folks to get connected with reporting mechanisms or useful resources. Fortunately, the COVID–19 Hate Crimes Act seeks to address these challenges by providing a clearinghouse for these cases.

Over the past decade, our Nation has seen a steady rise in hate crimes. Groups and individuals targeting minority and religious groups have increasingly perpetrated sickening acts of violence fueled by hateful ideologies.

We saw that here on January 6. We also saw it earlier in my State, in Virginia. In Charlottesville, back in 2017, we saw this hate and violence on our streets when a White supremacist drove a car through a group of peaceful protesters, injuring many and killing a young woman named Heather Heyer.

It is critical that we give our law enforcement the tools they need to curb these horrific acts. That is why, on a related item, I am also cosponsor of the bipartisan Jabara-Heyer NO HATE Act. My hope is that it will be offered as an amendment to the COVID–19 bill that we hopefully will be addressing shortly.

This bill modernizes our reporting system for hate crimes so that we can respond to accurate data. It also provides grants to establish hate crime hotlines, to record information about hate crimes, and to redirect victims and witnesses to law enforcement and local support services as needed. Finally, this bill provides a Federal private right of action for hate crime victims and allows judges to sentence community-specific education and community service. Together, these changes create a new model for addressing these crimes and preventing them from going unreported or unpunished.

Both the COVID–19 Hate Crime Act and the Jabara-Heyer NO HATE Act are straightforward pieces of legislation that give victims and law enforcement officers the tools they desperately need to tackle the increasing prevalence of hate incidents in our country. I hope that we move quickly on both these pieces of legislation in major bipartisan fashion.

I yield the floor.

The PRESIDING OFFICER (Mr. KING). The Senator from Arkansas.

NOMINATION OF VANITA GUPTA

Mr. COTTON. Mr. President, Vanita Gupta is President Biden's nominee to be Associate Attorney General. She is unfit for that role. She is unfit because of her radical view that every single American and every single institution in the United States is inherently racist. She is unfit because she lacks the temperament to do the job, as evidenced by her relentless attacks on the integrity and character of judges and Senators alike, seemingly anytime she had a mere disagreement with them. She is certainly unfit based on her attempts to mislead the Senate in her Judiciary Committee hearing.

Ms. Gupta has been before the committee many times as a partisan advocate. There is nothing wrong with that, but her past appearances do give us a glimpse of what she believes when she isn't seeking our votes for confirmation.

Less than a year ago, June of last year, she came before the Senate Judiciary Committee to testify on police reform. When she was asked ''Do you believe all Americans are racist?'' she replied under oath ''Yes, I do.'' Think about that. The person nominated by Joe Biden to oversee, among other things, the Federal Government's civil rights enforcement says that she believes every single American is racist.

This preposterous idea that anyone and everyone is inherently racist is at the core of the pernicious ideology pushed by the left called ''critical race theory.'' But this position was not an anomaly, a misstatement, or a new position for Mrs. Gupta. In 2005, she published an article in the Fordham Law Review on what she called ''Critical Race Lawyering.'' In that article, Ms. Gupta argued that ''the rule of law'' and ''equal justice for all'' and ''equal protection'' aren't the great bulwarks of our liberty, aren't the single achievements of our Republic and our constitutional form of government, but instead ''code words''—that is what she called them—for some kind of twisted racism. Anyone who thinks that the rule of law or equal justice for all or

equal protection are simply ''code words'' for racism is unfit for any position in our government but especially a position of leadership in the Department of Justice.

The concerns with Ms. Gupta's nomination are not limited to extreme views on these topics. Ms. Gupta has made a career over the last few years on social media attacking the character and integrity of Federal judges, judicial nominees, and Members of the Senate. She accused four different jurists currently on the Supreme Court of being liars, extremists, ''dangerous,'' or ''opposed to civil and human rights.'' She must have had a macro; she just hit a shortcut button that said ''opposed to civil and human rights.''

By my count, she has leveled incendiary attacks on the integrity and character of around 50 currently sitting Federal judges. It could be more. I may have lost count when it got so high. I asked her about these attacks. While she said during her hearings that she ''regrets'' some of her rhetoric, she steadfastly refused to renounce these attacks on those judges.

Ms. Gupta has leveled similarly caustic comments against Members of this body, posting online that dozens of Members of the Senate are—you guessed it—''opposed to civil and human rights.'' She accused one of our colleagues of being ''a disgrace,'' another of being a ''hypocrite,'' and another of ''failing her constituents.'' At one point, she commented: ''How many of us are done with SUSAN COLLINS's concerns?''

I want to be clear. Disagreement with or even deep dislike for Members of the Senate is not disqualifying for any position in the Federal Government. People are entitled to have their opinions. They are entitled to have their political views. But honestly, the Associate Attorney General of the United States must be able to effectively represent the United States in court while also working with Congress on important issues. It might be hard to represent the United States in court when you have accused dozens of Federal judges of being ''opposed to human and civil rights'' or being a ''disgrace'' or a ''liar.'' Likewise, I wonder what Senator COLLINS thinks about Vanita Gupta being done with her concerns.

Perhaps most concerning, though, is that Ms. Gupta repeatedly misled the Judiciary Committee under oath. Every single Republican member of the Judiciary Committee joined a letter on March 23 outlining some of her most blatant misrepresentations that she made during her hearing, and we asked the chairman of the committee for a second hearing. That request was promptly refused.

Mr. President, I asked unanimous consent that the March 23 letter be printed in the RECORD.

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

U.S. SENATE,
*Washington, DC, March 23, 2021.*

Hon. RICHARD DURBIN,
*Committee on the Judiciary,*
*U.S. Senate, Washington, DC.*

DEAR CHAIRMAN DURBIN: On March 9, the Senate Judiciary Committee held a hearing to consider the nominations of Lisa Monaco, nominee to be Deputy Attorney General of the United States, and Vanita Gupta, nominee to be Associate Attorney General of the United States. While under oath, Vanita Gupta misled the Committee on at least four issues: (1) Her support for eliminating qualified immunity; (2) her support for decriminalizing all drugs; (3) her support for defunding the police; and (4) her death penalty record. Unfortunately, in her responses a week later to our written questions, Ms. Gupta was no more forthcoming. In some cases, she doubled down on her misleading statements from the hearing, and in others she refused to answer altogether. In ''response'' to scores of our questions, she merely copied-and-pasted the same inapplicable, general statements for one question after another.

We urge you to immediately schedule a second hearing with Ms. Gupta so that she can answer for her misleading statements, and for her refusal to respond to our written questions. Indeed, Ms. Gupta herself asked for similar measures in the context of past nominees. On November 20, 2017, Ms. Gupta issued an open letter in which she wrote that, as a result of what she described as ''credible evidence'' that two nominees were not forthcoming with the Committee, ''Chairman Grassley must put politics aside and bring back both nominees before the committee so that they can be asked about their truthfulness under oath. Failure to do so would abdicate the independent role of the Senate . . . If the Senate Judiciary Committee is going to be taken seriously by this and future administrations, it must demand that nominees accurately respond to questions[.]''

Ms. Gupta's misleading statements to this Committee include, at minimum:

1. HER SUPPORT FOR ELIMINATING QUALIFIED IMMUNITY

During the hearing, Ms. Gupta was asked whether she supported eliminating the doctrine of qualified immunity. She responded that she doesn't ''support[] elimination one way or another.''

In June 2020, Ms. Gupta testified before this Committee that ''Congress should end qualified immunity in Section 1983 claims.''

When pressed about her June 2020 testimony before this Committee, Ms. Gupta claimed those were not her own opinions, but that she had been merely ''representing the consensus views of the Civil Rights Coalition at the Leadership Conference.'' But in June 2020, she said, ''I am pleased'' (not that the Leadership Conference was ''pleased'') that reforms she had recommended, including the elimination of qualified immunity, were ''included in the newly introduced Justice in Policing Act of 2020.''

Additionally, during the June 2020 hearing, when one of the other witnesses said that he believed qualified immunity should be eliminated, Ms. Gupta added, ''I agree.''

2. HER SUPPORT FOR DECRIMINALIZING ALL DRUGS

When asked whether she advocates for ''decriminalization of all drugs,'' Ms. Gupta answered, unequivocally, ''No, Senator, I do not.''

Ms. Gupta doubled down on this misleading statement in response to written questions, writing that she had ''never advocated for the decriminalization of all drugs.''

In a September 2012 op-ed in the Huffington Post, Ms. Gupta wrote that ''States should decriminalize simple possession of all drugs, particularly marijuana, and for small amounts of other drugs.'' This directly contradicts Ms. Gupta's answers.

A member of the Committee pressed Ms. Gupta for explanation during the hearing, and referred to the September 2012 op-ed. Ms. Gupta answered, ''Senator, I have advocated, as I believe President Biden has, for decriminalization of marijuana possession.''

Later in the hearing, another member of the Committee followed up on the question by reading aloud Ms. Gupta's statement from the 2012 op-ed, to which Ms. Gupta responded that she had only been ''speaking for [her] position today.'' But her answer had specifically referred to her past-tense advocacy when she stated she had only advocated for decriminalization of marijuana possession, and her written answers a week later explicitly claimed that she had ''never'' advocated for decriminalizing possession of all drugs.

3. HER SUPPORT FOR DEFUNDING THE POLICE

During the hearing, Ms. Gupta repeatedly stated that she did not ''support defunding the police.'' She added, ''I have, in fact, spent my career advocating where it's been necessary for greater resources for law enforcement.'' She later added that she had advocated for greater law enforcement resources ''at every point in [her] career.''

These statements directly contradict her sworn testimony before this very Committee on June 16, 2020, where she said that leaders must ''heed calls . . . to decrease police budgets and the scope, role, and responsibility of police in our lives.''

When pressed by a member of the Committee that her statement in June 2020 was, by any measure, advocating for defunding the police, Gupta responded that she ''disagree[d]'' with that characterization. But Ms. Gupta used the same characterization while speaking on a webinar just two days after her June 2020 testimony, saying, ''Localities have been overspending on criminal-justice system infrastructure and policing and divesting in housing, education, jobs, and healthcare. Some people call [changing this] 'defunding the police,' other people call it 'divest/invest.' ''

The Washington Post—the same outlet that you cited in defense of Ms. Gupta's nomination during a March 10 hearing on another topic—correctly noted that Ms. Gupta's June 2020 statement was ''exactly what 'defunding' the police is all about. Now Gupta says she has never supported the idea.''

A contemporaneous article by Reuters on June 8, 2020, also noted that ''defund the police'' was a term ''being used by activists to propose eliminating or cutting spending on police departments, often the largest expense for municipalities, and instead funneling the money to programs for education, social welfare, housing, and other community needs.''

Any claim that Ms. Gupta was not aware that the policies she espouses are what other activists mean by ''defunct the police,'' directly contradicts how she described her own policies just months ago.

4. HER DEATH PENALTY RECORD

In response to a question about her prior statements against the death penalty, Ms. Gupta said that, while she had been an opponent of the death penalty, ''I also know how to enforce the law. And I did so when I was in the Justice Department before, when Dylann Roof committed the heinous act against nine parishioners at the Charleston [Emanuel African Methodist Episcopal] Church. And that prosecution and conviction happened under my watch.''

Ms. Gupta's statement suggested that she had supported the application of the death

penalty in the Dylann Roof case because it met the requirements under the law, despite her personal feelings. That was not the case. Contemporaneous reporting by the Washington Post in 2016 noted that Attorney General Loretta Lynch approved prosecutors seeking the death penalty for Dylann Roof ''over the objections of some advising her, including . . . Vanita Gupta, the head of the Justice Department's civil rights division.''

What Ms. Gupta said was that the ''prosecution and conviction'' of Dylann Roof, including the application of the death penalty, ''happened under [her] watch.'' She misled Senators by neglecting to say that it also happened over her objection.

When asked about these contradictions in written questions, Ms. Gupta found a new way to avoid answering: She said it ''would not be appropriate . . . to discuss'' what she did at the Department of Justice, either on the Dylann Roof case ''or on any other matter [she] worked on during [her] prior government experience.''

Further, there remain significant questions about Ms. Gupta's temperament, about which she refuses to answer even simple questions. During her hearing, multiple members of this Committee asked her about her harsh rhetoric and her attacks on the character and integrity of sitting federal judges and members of the Senate. In response, she told the Committee that she ''regrets'' her rhetoric. Yet, in responses to written questions after the hearing, Ms. Gupta repeatedly and notably refused to renounce her previous attacks, such as her prior assertions that four different jurists on the Supreme Court are liars, extremists, ''dangerous,'' or ''opposed to civil and human rights.'' Instead, in response to written questions from multiple members about her attacks on senators or the federal judiciary, Ms. Gupta chose to copy-and-paste more than 40 times a generalized statement that she has either ''tremendous respect'' or ''immense respect'' for judges or for members of the United States Senate.

Our call for a second hearing is not due to Ms. Gupta's substantive views—either her longstanding views or her new ones claimed only since her nomination. It's about her lack of candor with the Committee. If her answers at the hearing were misleading about her record, and in written questions she shifted her answers again or refused to answer at all, the Senate Judiciary Committee cannot perform its role to consider her nomination.

The position of Associate Attorney General is the third-ranking position in the Department of Justice. The Associate Attorney General oversees, among other things, the civil litigation and enforcement apparatus of the United States. It is critical that the Associate Attorney General be someone who can be trusted to tell the truth. Further, the Senate must be able to trust that the testimony of public officials under oath will be truthful and complete.

Unfortunately, this is not the case with Ms. Gupta, and the Committee should immediately schedule a second hearing.

Sincerely,

Chuck Grassley, Ranking Member, Committee on the Judiciary; John Cornyn, U.S. Senator; Ted Cruz, U.S. Senator; Josh Hawley, U.S. Senator; John Kennedy, U.S. Senator; Marsha Blackburn, U.S. Senator; Lindsey O. Graham, U.S. Senator; Michael S. Lee, U.S. Senator; Ben Sasse, U.S. Senator; Tom Cotton, U.S. Senator; Thom Tillis, U.S. Senator.

Mr. COTTON. Finally, Mr. President, I have to observe something independent of Ms. Gupta herself. The discharge petition filed today requires that there has been a valid, tied vote in committee. That is the rule we all agreed to in the beginning of this Congress. Yet Ms. Gupta still has not received a valid vote in the committee. In fact, during the markup of her nomination, just minutes into my 15-minute remarks, the chairman of the committee cut off my remarks midsentence and called for a vote, in violation of committee rules. I guess somehow allowing members to finish their statements, which are guaranteed under the committees rules, had somehow become inconvenient for the scheduling preferences of our Democratic colleagues, or perhaps the committee's meeting had been mismanaged and they were worried about the 2-hour rule. It wasn't just me. My remarks were interrupted. At least one Republican Senator didn't have an opportunity to speak at all. The Democrats simply broke the rules and voted out Ms. Gupta's nomination—not in accordance with Judiciary Committee rules.

There must be consequences when the Democrats break the rules. Here is what the consequences are going to be in this case. I will refuse consent or time agreements for the nomination of any U.S. attorney from any State represented by a Democrat on the Judiciary Committee. What we need to have is a valid vote in committee in accordance with the committee rules, not ramming through this nomination today.

Today we are faced not only with the choice of whether Ms. Gupta is fit to be the Associate Attorney General, we are also faced with the question of whether to legitimize yet again the partisan bulldozing of the Senate's rules if those rules are even marginally inconvenient, even in committee session. Going down this path is not going to improve the Senate.

I will be voting no, and I urge my colleagues to do the same.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, I ask unanimous consent to be allowed to talk as in morning business for up to 15 minutes.

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

AFGHANISTAN

Mr. REED. Mr. President, President Biden has decided to withdraw all forces from Afghanistan by September 11, 2021. I believe this decision was one of the hardest President Biden will ever make.

As Washington Post columnist David Ignatius pointed out, ''Biden's military and intelligence advisers had presented him with three unpleasant alternatives: leave May 1 as previously agreed, even though this would probably mean the fall of the Kabul government and a return to civil war; stay for a limited period, perhaps negotiated with the Taliban, which would delay its eventual takeover; or stay for an undefined period, which could mean a long continuation of what is already the United States longest war.''

In effect, there were no good choices. The President exercised his best judgment to endorse a path that is most likely to protect the national security interests of the United States.

I believe there were several factors over 20 years of conflict in Afghanistan that shaped the President's decision. The most critical miscalculation over the past 20 years was the Bush administration's decision to invade Iraq.

We took our eye off the ball in Afghanistan at a crucial time and instead pursued a war of choice in Iraq. The attacks by al-Qaida on September 11 galvanized the world. The authorization for use of military force passed the Senate 98 to nothing, while the French newspaper Le Monde proclaimed, ''We are all Americans.'' Most notably, for the first time, NATO invoked article 5 of its charter, which calls upon its members to take action on behalf of any member nation which is attacked. The world was with us.

But before we could really gain momentum in Afghanistan, the United States diverted to an unnecessary war of choice in Iraq. As journalist Steve Coll wrote in his definitive history of the war in Afghanistan, months after 9/11, ''On November 21, 2001, then Central Commander Tommy Franks, who was planning our operations against Tora Bora, took a call from Donald Rumsfeld, who ordered him to start working on the plan for the invasion of Iraq. Rumsfeld told him to have something ready within a week.''

As a consequence, General Franks' attention was being forced elsewhere. As journalist Susan Glasser wrote in the Washington Post, in the Battle of Tora Bora, ''corrupt warlords allowed bin Laden to escape, while special forces pleaded with the Pentagon to let them get in the fight.'' As we now know, Osama bin Laden, the leader of al-Qaida and the mastermind of the 9/11 attacks, was not captured for another decade. This decision wasted a period when the Taliban was routed and the Afghan population was welcoming.

More recently, President Biden inherited a flawed agreement from the Trump administration. Known as the Doha agreement, it required the United States, its allies, and coalition partners to withdraw all military forces by May 1, 2021. Nondiplomatic civilian personnel, private security contractors, trainers, and advisers were also required to leave. In effect, the entire international presence that has been the foundation for almost two decades of the Afghanistan effort was to disappear on May 1. In exchange, the Taliban agreed not to attack the United States or its allies and promised not to allow ''other individuals or groups, including al-Qaida, to use the soil of Afghanistan to threaten the security of the United States and its allies.''

The only really verifiable condition on the Taliban of the Trump agreement was that the Taliban would not attack the United States or its allies. The remaining conditions were unenforceable and very, very difficult to certify. As General McKenzie, the commander of Central Command, testified to the Armed Services Committee just a few weeks after the agreement was concluded: ''We don't need to trust them; we don't need to like them; we don't need to believe anything they say. We need to observe what they do.''

What we have observed is alarming. While the Taliban may have adhered to one aspect of the deal by not attacking U.S. forces, they have violated the spirit of the agreement, as overall violence is on the rise.

The Special Inspector General for Afghan Reconstruction assessed that enemy attacks against Afghan security forces and civilians increased by 50 percent in the third quarter of 2020. Former Acting Special Representative for Afghanistan and Pakistan Laurel Miller described ''an uptick in targeted assassinations [which] has sent shock waves through urban areas.'' In mid-March, Secretary of Defense Austin noted that, after meeting with Afghan President Ghani, ''It's obvious that the level of violence remains pretty high in the country.''

Additionally, a United Nations report from last fall concluded that the relationship between al-Qaida and the Taliban had not been substantially changed by the February 2020 agreement between the Taliban and the United States. The U.N. assessment noted, alarmingly, that ''al-Qaida has been operating covertly in Afghanistan while still maintaining close relations with the Taliban'' and that the group is, in their words, ''quietly gaining strength in Afghanistan while continuing to operate with the Taliban under their protection.''

Beyond the substance of the Trump agreement, the manner in which it was concluded was also deeply flawed. To begin with, the Trump administration concluded a deal with the Taliban, a fundamentalist group using the name ''Islamic Emirate of Afghanistan.'' Even though the agreement states that the United States does not recognize such a state, its very formulation is a propaganda boon for the Taliban.

As former Pakistani Ambassador to the United States Husain Haqqani noted: ''Allowing the Taliban to refer to themselves as the Islamic Emirate, even in parentheses, allows them to build the narrative that they forced the U.S. to negotiate an exit from Afghanistan just as the mujahideen had forced the Soviets out. If the administration is eager to withdraw U.S. troops from Afghanistan, it would have done better to announce a no-deal exit than allowing the Taliban such a huge propaganda victory.''

Additionally, the Trump agreement was completed exclusively between the Trump administration and the Taliban. There was no involvement of the Afghan Government, reversing the long-standing position of the United States, which prioritized an ''Afghan-led, Afghan-owned reconciliation process.'' Further, there was no visible involvement of our NATO allies who went into Afghanistan after we were attacked on September 11, 2001, when article 5 of the NATO charter was invoked for the first time.

As the Afghan Study Group noted, the group led ably by General Dunford and our previous colleague Senator Ayotte: ''Our NATO allies in particular have been steadfast in their support and have shared the sacrifice; over 1,000 coalition troops have been killed since 2001.'' The Trump administration negotiated their exit without their say, without their involvement. There was no involvement either by regional partners despite potentially significant consequences for security in the region. As the Afghan Study Group further noted: ''An unstable Afghanistan risks destabilizing the region through continued trade in illicit drugs, the attraction of extremist ideologies and the possible exacerbation of the rivalry between India and Pakistan, two nuclear-armed powers.''

Trump's go-it-alone, rush-to-the-exits mentality led to a deal where the Taliban emerged as the key benefactor. The United States, its allies, and partners won very little from the Trump deal.

Now, we are approaching 20 years of warfare in Afghanistan, spanning over three different Presidential administrations or, perhaps more accurately, 1 year of warfare repeated 20 times as we rotated troops in and out of Afghanistan. In addition to the disastrous pivot to Iraq and the flawed agreement with the Taliban, despite all our efforts over multiple administrations, we have been unable to build an effective fighting force that could defeat the Taliban and hold territory. Afghan soldiers have fought bravely despite continuing pressure and massive casualties, and several components have emerged as particularly capable, such as the Afghan special security forces, but after 20 years, this is not sufficient progress.

As the Afghan Study Group assessed: ''The ongoing lack of capacity and inefficiency of the [Afghan National Defense and Security Forces or] ANDSF limit its strategic options against the Taliban. As a result, the ANDSF is generally on the defensive to provide security for much of the population.'' We were never able to change the ''checkpoint mentality'' of the Afghan forces. Their focus on static positions, as much for appearance as for tactical advantage, still persists today, making them extremely vulnerable to a more agile Taliban.

Moreover, two decades later, the Afghan forces still have no organic logistical capabilities. An assessment by the Department of Defense from last June noted: ''All components of the Afghan National Defense and Security Forces will . . . continue to rely over the long term on contracted logistic support and on the United States for the vast majority of the funding needed to sustain combat operations.'' As I recall the agreement that the Trump administration negotiated, it requires the withdrawal of all contracted logistical support, and as Napoleon once commented, ''An army moves on its stomach.'' Without a logistical capability and without a tactically capable army, with few exceptions, the ability of the Government of Afghanistan and the military of Afghanistan to resist the Taliban is highly questionable. We should be looking seriously at ourselves because, for 20 years of efforts and billions of dollars, I would have hoped that we would have seen a credible, decisive, effective Afghan force.

Another crucial factor contributing immensely to the Taliban's success has been the inability of the United States to eliminate the sanctuary the Taliban was granted in Pakistan. Center for Strategic and International Studies terrorism expert Seth Jones wrote in 2018: ''The Taliban['s] . . . sanctuary in Pakistan and state support from organizations like [Inter-Services Intelligence or] ISI have been essential to their war effort, and the U.S. failure to undermine this safe haven may be Washington's most significant mistake [of the war].'' As the Afghan Study Group notes, these ''sanctuaries are essential to the viability of the insurgency.''

Additionally, Pakistan's ISI aided and abetted the Taliban while opportunistically cooperating with the United States. As Brookings scholar Vanda Felbab-Brown assessed in 2018: ''Pakistan provided direct military and intelligence aid . . . resulting in the deaths of U.S. soldiers, Afghan security personnel, and civilians, plus significant destabilization of Afghanistan.'' This support to the Taliban runs counter to Pakistani cooperation with the United States, including, as they have, allowing the use of airspace and other infrastructure for which the United States provided significant funding. As the Afghan Study Group noted: ''Pakistan has played both sides of the field.''

These dynamics further play out against a complex environment in Pakistan, which has implications for the national security of the United States, its allies, and partners. Pakistan is simultaneously fragile and armed with nuclear weapons, making its vulnerability particularly dangerous. To add to this toxic mix, Pakistan is in a longstanding struggle with its neighbor, India, which is also armed with nuclear weapons. As Seth Jones described: ''Pakistan and India have long been involved in a balance-of-power struggle in South Asia. Both lay claim to the Kashmir region, and have fought three wars over Kashmir since 1947. Afghanistan is not the ultimate objective of either country but rather an arena for competition in what has

long been called the 'great game.''' While bogged down politically and militarily in daily crises in Afghanistan and Iraq, the United States, over multiple administrations, has been unable to focus the necessary attention on Pakistan. Therefore, these problems have only gotten worse.

Another factor shaping the President's decision is that the United States and its coalition partners were never able to develop an Afghan Government that could gain the confidence of the people, especially beyond the cities, and provide basic services, including security, education, healthcare, and justice. A study by the World Bank in late 2019 found that 55 percent of Afghans were living below the poverty line, with even basic civilian services underfunded. The lack of the government's ability to meet such needs erodes the people's support for the government.

Afghanistan has also been undermined by profound corruption. The Afghan Study Group assessed that corruption has ''delegitimized the existing government and created grievances that are exploited by the Taliban to gain support and, at times, legitimacy.'' Corruption is a national security concern that further erodes the ability of the government to build faith and trust.

Additionally, the leadership of the Afghan Government is seen as being removed from the populace. This makes it harder to understand the needs of the people and to govern effectively. A prime example of this conundrum is the current President, Ashraf Ghani. Ghani was reelected after a 5-month delay in the polling results and following a longstanding dispute with his political rival. While Ghani is a serious scholar and technocrat who literally wrote a book on fixing failed states, he appears unable to fix his own state. As the New York Times reported just last week, ''From most advantage points, Mr. Ghani—well qualified for his job and deeply credentialed, with Johns Hopkins, Berkeley, Columbia, the World Bank, and the United Nations in his background—is thoroughly isolated. A serious author with a first class intellect, he is dependent on the counsel of a handful, unwilling to even watch television news, those who know him say, and losing allies fast.''

But even if President Ghani was a strong leader, it would likely not be enough. The instability of the central government, which has been fueled by rival factions seeking power resulting in inconclusive elections, has led to unwieldy power sharing arrangements. Beyond challenges between those political officials and technocrats who want to serve the government and may have competing visions, there is the fundamental tension between those trying to achieve the complex task of governing Afghanistan in Kabul and the Taliban, who have a single focus: ejecting foreign forces. There also appears to be a lack of willingness by the government to seriously negotiate with the Taliban and make tough choices that could have obtained, perhaps, a lasting peace deal.

The Afghan Government also remains unable to generate revenue to fund its operations. Instead, it relies almost solely on foreign contributions. This includes an average of $5 billion in security assistance, along with $3.5 billion in civilian assistance from the United States and the international donors each year. The World Bank assessed in late 2019 that even if there was a peace agreement between the Afghan Government and the Taliban, Afghanistan would still need as much as $7 billion a year from foreign forces to sustain its most basic spending.

With all of these complex dynamics at play, it underscores a further, albeit profoundly unsatisfactory conclusion facing the President. The alternative to withdrawal was not the status quo. More U.S. and NATO forces would have been required for self defense and especially if there was another attempt to ''surge'' forces to degrade the Taliban. It appears that the President concluded that more troops might buy more time and casualties, but more time would not create a government that could defeat the Taliban and effectively govern Afghanistan. As the old Afghan saying goes: ''You have all the watches; we have all the time.''

It is important to emphasize, though, that the President's decision should be seen as a transition, not closure. We still have vital security interests in the region. Afghanistan is not in the rearview mirror. Pakistan is not in the rearview mirror. There is a high probability that without NATO and U.S. support, the Afghan security forces will degrade and collapse, which will ultimately cause the Afghan Government to collapse. The Trump administration's agreement with the Taliban included the departure of all security personnel, logisticians, and contractors, which means that when the United States leaves, the international presence that, again, is the foundation for Afghan resistance is removed. The intelligence community's Annual Threat Assessment for 2021 noted: ''The Afghan government will struggle to hold the Taliban at bay if the coalition withdraws support.'' And according to the New York Times, American intelligence agencies assessed that if U.S. troops leave before a peace deal is reached between the Afghan Government and the Taliban, Afghanistan ''could fall largely under the control of the Taliban within two or three years after the withdrawal of international forces.'' We have already seen evidence of this trend even prior to the full withdrawal. The International Crisis Group assessed that ''as U.S. force levels have fallen, battlefield dynamics have steadily shifted in the insurgents' favor.'' Dexter Filkins described: ''Since 2001, the main arena of conflict in Afghanistan has been the countryside: the government held the cities, while the Taliban fought to control the villages and the towns, particularly in the south, their heartland. But by early this year, the paradigm had begun to fall apart. The Taliban were entrenched across the north; their shadow government had begun to creep into the cities.''

Another possibility, either in the interim or a permanent fact, is that the country could fracture with local warlords and the Taliban controlling different territory. This would further intensify conflict, increase instability, and create second order effects, such as the flow of internationally displaced persons and refugees. The International Crisis Group noted that the likelihood of fracture increases ''if U.S. and other funding declines'' and that it has the possibility of pulling Afghanistan's neighbors and other regional powers into backing proxies in a multisided struggle. Again, the Afghan Study Group warned: ''Any scenario in which the state collapses, as it did in 1992, will make it considerably more difficult for the United States to ensure its fundamental national security interests.''

If the Taliban reestablishes its emirate in Afghanistan, it would likely result in erasing all the progress that has been made toward building democracy and particularly the rights of women and girls. As Seth Jones, again, wrote in a recent article published by the Combating Terrorism Center at West Point, ''The Taliban is in many ways a different organization from the one that governed Afghanistan in the 1990s. Yet most of their leaders are nevertheless committed to an extreme interpretation of Islam that is not shared by many Afghans, an autocratic political system that eschews democracy, and the persistence of relations with terrorist groups like al-Qa'ida.''

If NATO and the United States depart, another consequence is increasing pressure to limit or end international aid. Afghanistan cannot fund itself and, even under the best case scenario, would require $7 billion from international donors annually. It will be extremely difficult to administer programs and provide aid on the ground without oversight, and that, too, would very well lead to smaller international donations. Furthermore, the entire budget of the Afghan Ministry of Defense is paid for by international contributions. If soldiers are not getting paid, it would have a profound impact on national security.

Another likely consequence of withdrawal, which has been previously discussed, is the creation of a vacuum that allows the resurgence of terrorist groups, including al-Qaida and ISIS of the Khorasan Province. As the Afghan Study Group also pointed out, these groups are ''for now limited by the military presence of the United States and its allies, which allows the threat to be monitored and, when necessary, disrupted, while also enabling Afghan Security Forces to continue to put

pressure on these groups.'' However, the group warned: ''During its deliberations, the Study Group was advised that a complete U.S. withdrawal without a peace agreement would allow these groups to gradually rebuild their capabilities in the Afghanistan Pakistan region such that they might be able to attack the U.S. homeland within eighteen to thirty six months.'' This timeline is short, alarming, and has direct implications for our national security.

Also, an immediate concern as the United States begins to withdraw is an increase in attacks from Afghan forces against the United States and coalition forces, commonly referred to as ''green on blue attacks.'' Finally, we must anticipate a flood of refugees as Afghans flee the chaos. In addition, we must do our part to aid those Afghans who have aided us.

Given these facts and given the President's difficult decision to leave Afghanistan, I believe we must take serious actions to mitigate these threats. The withdrawal of U.S. forces should not mean an end to our counterterrorism efforts. Most importantly, we must ensure that Afghanistan will not be a source of planning, plotting, or projection of terrorist attacks around the globe, including against our homeland.

Instead, we must transition to a new type of presence leaving the country but staying in the region in a meaningful capacity. We must build an anti terrorism infrastructure on the periphery of Afghanistan. We must continue to direct the proper level of attention, intelligence, and resources to evaluate the evolving terrorist threat in the region. This also includes closer cooperation with our allies and partners.

We must continue to engage regional powers diplomatically, and the Biden administration has already begun to reinvigorate that process. We must use the power of our alliances and particularly those in the region who would endure severe consequences and instability from sharing a border with a failed Afghanistan. Working in cooperation, the United States and its allies and regional partners must be a check on potential instability.

President Biden is committed to ensuring that this is not a forever war. But he has also made it clear he won't allow Afghanistan to become a safe haven for terrorism. Our mission to protect the homeland remains. Our duty to do so remains. As we go forward, this is a moment of transition, not of closure; this is a moment to do all we can to protect this country and hopefully ensure a safer region.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

MOTION TO DISCHARGE

Mr. LEE. Mr. President, I stand today in opposition to this illegitimate motion to discharge the nomination of Vanita Gupta to become the Associate Attorney General of the United States.

I say that this motion to discharge is illegitimate because it was—because the Senate Judiciary Committee and its chairman decided unilaterally to ram through a vote on Ms. Gupta in violation of the rules and precedents of the Senate Judiciary Committee.

As has been the longstanding tradition in the Judiciary Committee, members were debating the nomination of Vanita Gupta and expected that everyone would be given the opportunity to speak.

But in the middle of a speech being delivered by one of the Judiciary Committee's members, Senator COTTON from Arkansas, the chairman of the committee, Senator DURBIN, cut him off and unilaterally proceeded to a vote, effectively nuking the committee rules that should have allowed Senator COTTON and others to speak.

Never, in the more than 10 years that I have served on the Judiciary Committee, have I seen a chairman of that committee so blatantly, brazenly violate rule and principle and precedent in this way. This behavior is not only unusual, but it is inexcusable.

Lengthy debate in committee markups is actually much more common than some in this Chamber might have you believe. For example, Democrats filibustered the nomination of former Attorney General Jeff Sessions for so long that then-Chairman CHUCK GRASSLEY was forced to delay a consideration of his nomination until the next markup.

You have got that right. Chairman GRASSLEY actually followed the committee rules and allowed for all of our colleagues to speak, notwithstanding the fact that they disagreed with him, notwithstanding the fact that it was contentious, notwithstanding the fact that he didn't like what they were saying.

And by doing so, he was forced—because he was complying with the rules and the precedents of the Senate—to delay the consideration of Attorney General Sessions' nomination. But that is what he did. He did that instead because it was preferable to an act of unilaterally forcing a vote and thereby nuking the Judiciary Committee's rules.

Now, to put this in context, we need to understand that Judiciary Committee rule IV states:

> The Chair shall enter a non-debatable motion to bring a matter before the Committee to a vote. If there is objection to bringing a matter to a vote without further debate, a roll call vote of the Committee shall be taken, and debate shall be terminated if the motion to bring the matter to a vote without further debate passes with twelve votes in the affirmative, one of which must be cast by the minority.

Rule IV essentially preserves the right of minority members to speak.

Chairman DURBIN decided to nuke that part of rule IV in particular because he knew that he didn't have 12 votes to prematurely end debate.

Now, when you are in the majority, it can be tempting to run right past certain rules, knocking things over in the process in order to get your party's nominees confirmed. But I think it is important for us to resist that temptation in order to protect the rules of our institution from partisan passions.

Following these rules, respecting minority prerogatives, is precisely what allows us to maintain bipartisan cooperation in the Senate and lower the partisan tensions in our country. This is all the more important when we consider that there is no true majority in the Senate, and there is no majority at all on the Senate Judiciary Committee.

Unfortunately, with this breach, it looks like some of my colleagues might prefer convenience over debate. I find that most unfortunate, especially because I have worked with so many of them on a bipartisan basis on so many issues.

Now, some of my colleagues may claim that Republicans have done this very thing many times. That, however, is not the case. On multiple occasions, we allowed for extended debate and even delayed reporting of matters before the committee, like Attorney General Sessions' nomination and the Crossfire Hurricane subpoenas, until the next markup. When we set votes with the consent of the majority, the chairman followed committee precedent and did so through a rollcall vote—again, consistent with committee precedent.

NOMINATION OF VANITA GUPTA

Now, you might ask why Republicans felt so strongly about speaking on Ms. Gupta's nomination before the vote was cast in the committee markup. Well, it might have something to do with the fact that Ms. Gupta's answers to questions were troubling to many members on the committee, including answers to questions regarding a wide range of topics, including the legalization of narcotics, eliminating qualified immunity, defunding police, the death penalty, among many others, and the fact that it appears that many of those answers were inconsistent with her past statements, and in other cases, difficult to defend.

When before the Judiciary Committee, Ms. Gupta provided answers to questions regarding some of these evolving positions. Many of those answers were less than compelling—indeed, she seemed to be intending to distance herself from fairly radical positions that she had, in fact, taken in the past.

Before the same committee, the Senate Judiciary Committee, the very same Judiciary Committee that recently had this markup vote that ended in a violation of the Senate rules—before that very same committee last year, on June 16, 2020, Ms. Gupta testified under oath that leaders must ''heed calls . . . to decrease police budgets and the scope, role, and responsibility of police in our lives.'' When asked about her advocacy for defunding the police, Ms. Gupta said that she ''disagreed'' with that characterization.

Even the Washington Post, not exactly a conservative media outlet, caught Ms. Gupta's flip-flop, correctly characterizing her June 16, 2020, testimony as ''exactly what 'defunding the police' is all about. Now Gupta says she has never supported the idea.''

Now, does President Biden really think it is a good idea to put radical ideologues who have publicly espoused support for defunding the police in charge of the Department of Justice?

Well, perhaps he does, as evidenced by his nominations of Vanita Gupta and Kristen Clarke for top roles.

I am concerned about Ms. Gupta's apparent disregard for Americans who hold views dissimilar from her own. In 2018, she tweeted that Senator SUSAN COLLINS had failed her constituents based on her support for Justice Brett Kavanaugh and was ''sending a dangerous message'' to survivors of sexual assault.

While Ms. Gupta repeatedly asked Senators for forgiveness for her many inappropriate tweets and asked for a second chance, it is significant here that she didn't give that second chance to others when the shoe was on the other foot.

For example, when Ryan Bounds was nominated to the U.S. Court of Appeals for the Ninth Circuit, Ms. Gupta said the following about some comments he had made when he was in college:

> While he has recently apologized for those comments, the timing of that apology suggests it is one of convenience rather than remorse, offered in a last-ditch effort to salvage his nomination and win the support of his home-state senators.

It appears here that Ms. Gupta perhaps wants to provide no grace, no second chance to others for things they wrote in college but then has asked for Senators to give her grace and a second chance for insensitive statements from only a few years ago or, in some cases, only a few months ago.

If past practices are any indication, I am concerned that she might begin to wield the Department of Justice as a weapon of sorts against anyone and anything holding different views from her own and that she may do so aggressively by conducting as many expensive, hostile pattern-and-practice investigations against State and local law enforcement as she can, whether they are warranted or not, if, in her view, they somehow deserve it or they somehow disagree with her. Based on her past use of pattern-and-practice investigations while she was running the Department of Justice's Civil Rights Division, I worry that she might subject State and local law enforcement jurisdictions to lengthy and expensive review requirements, forcing them to buckle under her policy preferences and sending warning messages to other jurisdictions.

I am concerned that she might inappropriately rely on the outside activist groups for which she has lobbied to formulate policy and practices for the Department of Justice and State and local law enforcement agencies. I am concerned, too, that she will use third-party settlement agreements to reward the activist groups for which she has lobbied at the expense of others.

Now, advocates of Ms. Gupta claim frequently that she is a consensus builder. I don't doubt that. In fact, I would note here that Ms. Gupta and I have worked on the same side of issues that I care deeply about, and I note here that I find her to be a delightful person and a remarkably gifted mind and lawyer. She is very talented, and she is someone who seems to be a genuinely nice person in many, many ways. But if we are going to talk about consensus building, I think a fair test to evaluate whether someone is a consensus builder might involve looking at how they treat those with whom they disagree. Unfortunately, Ms. Gupta's public statements don't necessarily result in flying colors on that test. Again, the issue here is not whether she agrees with those who disagree with her. We have already established that she disagrees with those who hold different views than her own. The question is, How does she treat them?

Here is what Ms. Gupta said about Judge Sarah Pitlyk:

> Sarah Pitlyk is unqualified and unfit for a lifetime position on our federal courts. . . . She has defended the most extreme, anti-abortion laws our Nation has seen to date.

This is what she said about Judge Lee Rudofsky:

> Rudofsky . . . has challenged the constitutionality of reproductive rights under the Fourteenth Amendment and has effectively asked the Supreme Court to overturn Roe v. Wade and Casey v. Planned Parenthood. . . . Rudofsky is unfit and would bring a clear bias to the bench.

In a 2017 blog post, Ms. Gupta advocated for forcing Colorado baker, Jack Phillips, to create a custom-designed cake celebrating a same-sex wedding even though it would violate his religious beliefs. She said:

> Religious liberty is not a talisman that confers absolute immunity from any personal constraints at all: At times, the free exercise of religion yields to other foundational values, including freedom from harm and [freedom from] discrimination.

Now, fortunately, in this instance, Supreme Court Justices—seven of the nine Supreme Court Justices, in fact—disagreed with her position in the Masterpiece Cakeshop case.

Now, she has reiterated this sentiment time and time again. In 2017, she tweeted: ''Yes, freedom of religion is a fundamental right, but it is not an absolute right.''

After the Supreme Court ruled in favor of the conscience rights of the Little Sisters' of the Poor, she called the decision ''troubling'' and ''discrimination sanctioned by the Court,'' writing that ''this type of discrimination will potentially inflict harm on hundreds of thousands of people and disproportionately impact women of color and people in lower-income groups.''

Now, let me be very clear on this issue. Let me be very clear about what she was talking about. Ms. Gupta in that statement was indicating that she thought the government should force a convent of nuns who have taken vows of celibacy to provide birth control against their religious convictions.

That is troubling, and that is not consistent with our understanding of the free exercise of religion. Look, no one would argue that any one constitutional right is absolute, in that no other consideration can ever come into play. No one would argue that a generally applicable religiously neutral law can have no application ever where it conflicts in some way with an assertion of religious freedom. We are not talking here about whether it is absolute or not. But her own application of that would be deeply troubling I think to most Americans.

What also concerns me is whether, with the force of the U.S. Department of Justice behind her, whether she is capable of respecting the constraints of the law, of the Constitution, and of federalism.

In her efforts to push her policy preferences and reward those with whom she disagrees, I am very concerned that she might stretch the boundaries of her authority much further than it was ever intended to go.

Ms. Gupta has exhibited on Twitter and elsewhere that she is someone who holds very strident political views, views that many would regard as very radical, and I feel neither confident nor comfortable that she will respect those with views contrary to her own.

On that basis, I urge my fellow Senators to vote against Ms. Gupta and this illegitimate motion to discharge. I urge President Biden to send us nominees who will achieve his stated goal of unifying our country and not dividing it.

I yield the floor.

The PRESIDING OFFICER (Mr. VAN HOLLEN). The Senator from Illinois is recognized.

MOTION TO DISCHARGE

Mr. DURBIN. Mr. President, my friend and colleague from Utah is not the first to come to the floor on the Republican side and raise questions about committee procedure that led to Vanita Gupta being considered today before the U.S. Senate.

They say it is unheard of, unthinkable, unimaginable, unfathomable that the Senate committee rules were not carefully followed and that their attempt at a filibuster was in some way diverted.

I would ask unanimous consent to have printed into the RECORD a memo entitled ''Senate Judiciary Committee Rule Violations by [Senate Judiciary Committee] Chairs Graham, Grassley, and Hatch.''

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

SENATE JUDICIARY COMMITTEE RULE VIOLATIONS BY CHAIRS GRAHAM, GRASSLEY, AND HATCH

CHAIRMAN GRAHAM RULE VIOLATIONS

Graham (116th Cong.)

a. Violation: Rule III

i. Date: July 25, 2019

ii. Summary: Chairman Graham's Secure and Protect Act was on the agenda. Then-Ranking Member Feinstein was the only Democrat in attendance. Graham stated that he would deem the bill held over at the following week's markup. This constituted ''conducting business'' under the Committee's rules, despite the lack of a quorum.

iii. Source: https://www.judiciary.senate.gov/meetings/07/25/2019/executive-business-meeting

2. Graham (116th Cong.)

a. Violation: Rule I; Rule IV; Rule V

i. Date: August 1, 2019

ii. Summary: At an August 1, 2019, markup, Chairman Graham forced a vote on his Secure and Protect Act despite a request to hold over the bill. Graham ignored Democratic requests to hold the bill over; called a vote—setting a time certain for final passage of the bill—without first allowing any Democratic members to speak; and did not allow any amendments to be offered.

iii. Source: https://www.judiciary.senate.gov/meetings/08/01/2019/executive-business-meeting

3. Graham (116th Cong.)

a. Violation: Rule III; Rule IV

i. Date: October 15, 2020

ii. Summary: Chairman Graham held a markup during which Committee Republicans held over Amy Coney Barrett's nomination to the Supreme Court. Chairman Graham also called a vote to vote on Barrett's nomination at a time certain the following week. However, Barrett's hearing had not yet concluded by this point—the witness panels were held in the afternoon on October 15, 2020, after the markup vote. Committee Democrats objected to holding this markup before the hearing concluded, and Senator Durbin—the only Democrat in attendance—moved to adjourn the markup. Graham overrode Durbin's motion on a roll call vote in violation of the Committee's quorum rule.

iii. Source: https://www.judiciary.senate.gov/meetings/nomination-of-the-honorable-amy-coney- barrett-to-be-an-associate-justice-of-the-supreme-court-of-the-united-states-day-4

Durbin Comments: https://twitter.com/SenatorDurbin/status/1316751184468865025?ref_src=twsrc%5Etfw%7Ctwcamp%5Etweetembed%7Ctwterm%5E1316751184468865025% 7Ctwgr%5E% 7Ctwcon%5Es1_&ref_url=https%3A %2F%2Fwww.commondreams.org%2Fnews%2F2020%2F10%2F 15%2Funpreceden ted-lindsey-graham-openly-violates-committee-rules-schedule-vote-barrett

4. Graham (116th Cong.)

a. Violation: Rule III

i. Date: October 22, 2020

ii. Summary: Chairman Graham broke the Committee's business quorum rule, which states that nine Members of the Committee, including at least two Members of the minority, must be present to transact business. No Committee Democrats attended this markup, at which Amy Coney Barrett's nomination was voted out of Committee. Chairman Graham ignored this rule, and Committee Republicans voted 12–0 to advance Barrett along with the other nominees on the agenda that day.

iii. Source: https://www.judiciary.senate.gov/meetings/1 0/22/2020/executive-business-meeting

CHAIRMAN GRASSLEY RULE VIOLATIONS

1. Grassley (115th Cong.)

a. Violation: Rule IV

i. Date: September 13, 2018

ii. Summary: Then-Chairman Grassley violated Rule IV by passing a motion to cut off debate on Brett Kavanaugh's nomination without an affirmative vote from one member of the minority. At this markup, the Judiciary Committee held over Brett Kavanaugh's nomination. Numerous other items were on the agenda that day, most notably a motion from thenChairman Grassley to set a precise time at which the committee would vote on Kavanaugh's nomination the following week. Senators Leahy and Durbin argued that Grassley's motion violated Rule IV by cutting off debate without the consent of any member of the minority. Senator Durbin read Rule IV aloud and then summarized: ''The point is, you need 11 votes and one member of the minority to stop debate on any matter, let alone a nomination to the Supreme Court.'' Grassley responded, ''The answer to your question is no we don't, and we've checked with the Senate Parliamentarian.'' Grassley asserted that Chairman Hatch had done the same thing in 2003, setting a precedent that he was following.

Other items on the agenda that day included: six motions to subpoena various documents related to Kavanaugh' s record; 21 lower court judicial nominees; a nominee to be a U.S. Attorney; a nominee to be a U.S. Marshal; a nominee to be Director of National Drug Control Policy; and five legislative bills.

iii. Source: Video of the markup, from approximately minute marker 00:44:48 to 00:48:15: https://www.judiciary.senate.gov/meetings/09/13/2018/executive-business-meeting

CHAIRMAN HATCH RULE VIOLATIONS

1. Hatch (108th Cong.)

a. Violation: Rule IV

i. Date: February 27, 2003

ii. Summary: At a markup, Chairman Hatch ignored Rule IV by cutting short Committee debate on the nominations of John Roberts (D.C. Cir.) and Deborah Cook (6th Cir.). Pursuant to Rule IV, then-Ranking Member Leahy asked for a vote before Hatch ended debate, but Hatch refused, directing the clerk to call the roll and noting that ''[t]he Chairman's prerogative is to determine that we can go ahead to a vote'' and that Rule IV ''does not apply to executive nominations.''

iii. February 27, 2003 Executive Business Meeting Record, on file with the Senate Judiciary Committee Library

The PRESIDING OFFICER. The Senator from Minnesota is recognized.

NOMINATION OF VANITA GUPTA

Ms. KLOBUCHAR. Mr. President, I thank Senator DURBIN for his leadership, and following my colleague and friend, Senator LEE, I disagree with him vehemently about Vanita Gupta. She is someone I have worked closely with for years on voting rights, on police reform, and just last year I marched with her across the Edmund Pettus Bridge with the late John Lewis to mark the 55th anniversary of Bloody Sunday in Selma, AL.

After working alongside her to build a more just system, I have no doubt that she will take this job on with two words, two words that I think are so important right now to build trust with the people of this country: honor and integrity. That is what has marked her career.

As a civil rights lawyer, public servant, and as President of the Leadership Conference on Civil and Human Rights, the Nation's oldest, largest, and most diverse civil and human rights coalition, she has a record of fighting for all Americans, with dedication, consistency, and—and—a willingness to work across ideological lines to achieve results.

Why did she get those police endorsements and the kind of support that she got, even though she was taking on reform? It is because she earned people's respect. She is the right person for the right time in the Justice Department, and I say this coming from Minnesota, where my State is reeling after the killing of Duante Wright.

Our hearts break for Daunte's family and for our community, which is still in the midst of the George Floyd murder trial of Derek Chauvin. I was so proud and am so proud of the ordinary citizens that came forward and testified from my State: a clerk in the store, a man walking by, all of them having carried the burden—the burden—of this murder, looking inside themselves thinking: What could I have done better?

And that case will soon conclude, but those citizens coming forward and actually the law enforcement coming forward and testifying at all levels of law enforcement for the prosecution of Derek Chauvin—that meant something to the people of my State. I want to be able to go back and tell those citizens who testified that you don't carry this burden alone; that we have a Justice Department that is going to stand up for you.

And, for me, one of those key people is Vanita Gupta. She is exactly who we need right now to champion the cause of equal justice under the law.

She has described the Department as an institution she loves dearly because, as she said, it bears the name of a value—justice—one that carries a unique charge and North Star. It is the sacred keeper of the promise of equal justice under the law, and coming from the North Star State, that means a lot.

Her commitment to defending the Constitution and upholding the integrity of this important Agency is, for her, a professional calling. It is also a personal calling. As she has described, she inherited from her parents, who came to this country, a belief in the promise of America, one that carries with it a personal responsibility to make this country better for everyone.

We all know immigrants who think like that every day—people who have just arrived and people who have raised their families here. They are Vanita Gupta. There is no question that Ms. Gupta has the experience for this job.

As an attorney for the NAACP Legal Defense and Educational Fund, she worked on the frontlines, fighting in court to protect the civil rights of some of the most vulnerable people. Later, at the American Civil Liberties Union, she brought cases on behalf of immigrant children and worked to end mass incarceration while keeping communities safe.

While serving as our country's chief civil rights prosecutor at the Department of Justice, during the Obama administration, she led critical work on criminal justice reform, prosecuting hate crimes and human trafficking, defending the right to vote, and protecting the rights of the LGBTQ community and those with disabilities.

Ms. Gupta's depth of experience at the Department of Justice and her years as a civil rights attorney make her imminently qualified to serve as Associate Attorney General. In that position, she will oversee the work of the Department's Civil Rights Division and will help direct the Department's work to reform our justice system. Having helped to lead the Federal review of police practices, she understands the need for systemic reform in our justice system, as well as ways to work with law enforcement—with law enforcement—to make necessary changes.

That is why she has the support of police chiefs, sheriffs, and major law enforcement groups across the country, including the National Sheriffs' Association, including the International Association of Chiefs of Police, and including the Major Cities Chiefs Association. They know that Ms. Gupta is a trusted partner who, as the Fraternal Order of Police wrote in a letter of support, has ''always worked with us to find common ground even when that seemed impossible.''

Grover Norquist, a Republican and president of Americans for Tax Reform, described Ms. Gupta as ''an honest broker; someone with an ability not only to understand but also appreciate different perspectives. She was someone who sought consensus,'' he said. That is exactly the kind of person we need at the Department right now.

I look forward to working with her on the next steps in our efforts to reform our criminal justice system, which we were able to discuss at her hearing. We talked about her commitment to police reform and the need to increase funding for alternatives to incarceration, such as drug court, which is something I have worked on for years since my time as county attorney, and her support for conviction integrity units to help States to review legal cases for people believed to be innocent. She gets that the work of a prosecutor is, yes, working for safety, but it is also to be a minister of justice and to make sure that people are treated equally under the law.

I also have talked to Ms. Gupta about the urgent need to finally reauthorize the Violence Against Women Act, which I hope my colleagues and I will work to pass and get to President Biden's desk. In the Obama administration, she coordinated the Department of Justice's efforts to develop guidance supported by data on how law enforcement can prevent gender bias when responding to sexual assault and domestic violence. At our hearing, she affirmed the important role that the Department has in protecting victims of domestic violence, and I look forward to working with her on these issues.

As chair of the Subcommittee on Antitrust, Competition Policy and Consumer Rights, I am also pleased that Ms. Gupta committed to make vigorous antitrust enforcement a priority. I think there is agreement from both sides of the aisle that robust competition is essential to protect consumers, workers, and businesses, large and small.

I am confident that Ms. Gupta will lead the Department's efforts to confront monopoly power and restore competitive markets along with Lisa Monaco and along with, of course, the Attorney General himself, Merrick Garland.

Ms. Gupta's history as a champion of civil rights and record as a consensus builder makes her, as I said, the right person at the right time. She has the backing of more than 220 national civil and human rights organizations, including the ACLU, the NAACP, and the Human Rights Campaign.

She has, as I said, the support from law enforcement and from former Department of Justice leaders from both parties. She is a person who works to bring people together to get big things done. That is what we need right now, someone who sees that vision but also understands that the way we get to justice is by doing things step by step by step and bringing people with you as you march along. We need to do more than restore what has been undermined or lost. We need the courage of leadership to preserve and strengthen our democracy by protecting the rule of law.

I would like to finally acknowledge that her nomination is historic. In addition to Ms. Gupta's years of experience, dedication to justice, and support from across the ideological spectrum, she will be the first civil rights lawyer and the first woman of color to serve as Associate Attorney General. I look forward to confirming her to be Associate Attorney General, and I urge my colleagues to do the same.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. COONS. Mr. President, I rise today in support of Vanita Gupta's nomination to be the Associate Attorney General of the U.S. Department of Justice. Those of us who have had the joy and the honor of getting to know her and working with her know Ms. Gupta to be engaging and smart, a skilled and balanced lawyer and practitioner, and someone who will bring great values in leadership to the U.S. Department of Justice.

Ms. Gupta has devoted her career to public service and to protecting and advancing the civil and constitutional rights we all cherish as Americans. President Biden, Attorney General Garland, and Lisa Monaco, the President's nominee to be Deputy Attorney General, have all made clear Ms. Gupta would serve as an integral part of the leadership team at the Justice Department. She would bring to that critical role a long record of working with folks across the ideological spectrum in our country on some of our Nation's most difficult and most sensitive issues, some that are urgent and pressing like criminal justice reform and policing.

Unfortunately, a campaign launched against Ms. Gupta shortly after her nomination has painted a misleading portrait of her as a partisan and a radical. I won't repeat or rehash these unfounded critiques, but the fact is this caricature could not be further from the truth.

As letter after letter has come in from her supporters to the Judiciary Committee, in which I serve, we heard over and over that, at her core, Ms. Gupta is a person who seeks to build bridges, to understand others' points of view, and to build consensus and solve problems.

One of the elements of this campaign to mischaracterize her suggests that somehow she is anti-police or anti-law enforcement, and, in this particular instance, the distinction between those who worked with her and know her and what we have heard in this social media campaign and in our committee and here on the floor of the Senate could not be sharper.

We heard from multiple leading national law enforcement organizations that have worked with her in specific and clear and concrete terms. The National Sheriffs' Association, in their letter of support, said:

> Ms. Gupta has an open mind and a strong desire to understand the viewpoint of each stakeholder. She is able to find common ground with law enforcement.

They added:

> [Ms. Gupta] possesses immense credibility among law enforcement leaders.

And they said:

> [She is] exactly the type of leader who is needed in the Justice Department today.

From the Fraternal Order of Police:

> She always worked with us to find common ground, even when that seemed impossible. Her open and candid approach has created a working relationship grounded in mutual respect and understanding.

And the Federal Law Enforcement Officers Association in their letter said:

> [Ms. Gupta has a] proven history of working with law enforcement agencies . . . and elected officials across the spectrum.

We even heard from a leading conservative advocate and activist, Grover Norquist, the leader of Americans for Tax Reform. Mr. Norquist wrote:

> I have come to know and respect Ms. Gupta through our common work on criminal justice reform issues. I found her strongly qualified, effective, principled, driven by a desire to seek common purpose and consensus. . . . At every step, Ms. Gupta was an honest broker, someone with an ability to understand, appreciate different perspectives, someone who sought consensus.

Last but not least, we heard from Mark Holden, general counsel of Koch

Industries, who worked with her on criminal justice reform and wrote the committee saying:

> I respected and admired how Ms. Gupta was not ideologically driven, but principled and solutions-oriented. . . . Ms. Gupta is a principled leader who seeks to find common ground and will work with anyone committed to making the system better and more effective.

I just plead with my colleagues to reflect for a moment: Are these the sorts of letters that we would have received in support of someone who is genuinely intolerant and in support of someone who is the radical activist this misleading campaign has attempted to portray her as being?

Instead, Vanita Gupta has demonstrated in her work and in her career that she is pragmatic, she is principled, and she is a relationship builder in search of solutions. Given this broad and bipartisan support in the letters that came to us on the committee and as Members of this body, I was surprised and disappointed that some of my colleagues on the other side have continued to levee this misleading barrage of unsubstantiated attacks.

So, in conclusion, I would ask my colleagues to consider her fairly and to listen to the range and the scores of groups that have described her as a principled, honest broker. She cares deeply about protecting the civil rights and civil liberties of all Americans and about being fairminded and taking into consideration all points of view. She will bring that same approach to her service and leadership as Associate Attorney General.

This should not be a party-line, partisan vote. Vanita Gupta is the right leader at the right time to help our U.S. Department of Justice tackle some very difficult issues, and I am pleased to stand in support of her nomination and will vote for her confirmation.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. Mr. President, later this afternoon, the Senate will vote on whether to discharge the nomination of Vanita Gupta, the nominee for Associate Attorney General, from the Judiciary Committee.

Ms. Gupta is a polarizing figure, as reflected by the vote in the Judiciary Committee. It was a tie vote, 11 votes to 11. So she failed to receive a majority support from the committee, and now the Senate must vote on whether or not her nomination can come to the Senate floor for consideration.

I want to be clear, though, the passionate opposition of this nominee is not about politics. I voted to confirm the vast majority of President Biden's nominees, my attitude being that he won the election and he is entitled to populate a Cabinet and other important positions with people he has confidence in. But there are limits.

The President's nominees for the top two positions for the Department of Justice did not require this extraordinary step. I voted to support Ms. Monaco's nomination, who has been nominated for Deputy Attorney General, as well as the Attorney General himself, Judge Merrick Garland. As I said, those were not controversial nominees. This nominee is a polarizing, partisan activist and should not be confirmed to this important position.

The lack of support for Ms. Gupta is not a reflection on her political affiliation, nor of her gender, nor of her race, as the chairman of the Judiciary Committee intimated. The opposition to Ms. Gupta is a direct result of her history of inflammatory public statements, radical policy positions, and a laundry list of misleading statements and flat-out lies during her sworn testimony before the Judiciary Committee.

The position of Associate Attorney General is not some bureaucratic paper-pusher. This is the third ranking position at the Department of Justice, the highest law enforcement Agency in America. The American people deserve to know that the individuals leading the Department have no agenda other than to fairly and impartially administer justice, but based on everything we now know about Ms. Gupta, I do not have faith in her ability to deliver on this most basic principle.

Ms. Gupta is not a career public servant. She is a partisan culture warrior with a radical agenda. During her tenure in jobs outside of government, during which she was a registered lobbyist, Ms. Gupta was quite outspoken about her views on just about every topic you can imagine. She slandered Supreme Court nominees. She vilified organizations that she disagreed with. She even took a crack or two at a number of our Senate colleagues.

But the words I find most troubling are those that relate directly to the policies of the Department of Justice itself. As the Judiciary Committee evaluated Ms. Gupta's qualifications, she was asked about her previous writings and her public statements on a variety of topics. There is a lot to sort through.

First, following the tragic killing of George Floyd last summer, people across the country engaged in an important discussion and debate about the use of force by police officers and responsible policing strategies.

The Judiciary Committee held a hearing on this very topic, and Ms. Gupta was one of the star witnesses. At the time, she was the president and CEO of the Leadership Conference on Civil and Human Rights. She testified before the committee there, under oath, that it is ''critical for state and local leaders to heed calls . . . to decrease police budgets and the scope, [and] role, and responsibility of police in our lives.''

Well, for obvious reasons, the phrase ''decrease police budgets'' and ''defund the police'' lead to the same conclusion that she believes police departments need less—not more—resources in order to maintain public safety.

When Ms. Gupta was asked about this at her confirmation hearing, she did not mince words. She said she does not support defunding the police. So I followed up with a written question for the record. I asked Ms. Gupta, following the hearing, to explain the distinction between ''decrease police budgets'' and ''defund the police,'' so we could understand her views. After all, the Associate Attorney General will play an important role in making grants to fund States and local police departments. But Ms. Gupta offered no explanation. She simply said, once again, she does not support defunding the police.

Now, I can understand when people change their minds. I think reasonably intelligent people, as they acquire new information, maybe reflecting on their previous points of view, change their minds, but Ms. Gupta did not offer a single bit of information for this shift between her statement last summer saying that State and local leaders must heed calls to ''decrease police budgets'' and her current position, which is that she does not support defunding the police.

Then there were her statements on qualified immunity. This is an important issue for Congress to discuss and debate because it is qualified immunity that protects law enforcement officers, given the nature of the discretionary decisions they need to make in emergency circumstances. Again, there are people on both sides of that argument.

But in June 2020, less than a year ago, Ms. Gupta argued in a Washington Post opinion piece that it is time to revisit qualified immunity. Well, you can imagine I asked her about that at the hearing. And, again, she said, unequivocally, she does not support eliminating qualified immunity. But, once again, we received no explanation for her changed position.

And while her statements are intentionally, I believe, unclear at best, her words about previously held beliefs on drug policy represent an irreconcilable conflict. Back in 2012, Ms. Gupta authored an opinion piece on November 4, 2012, in the HuffPost. In that article, she argued that the States should decriminalize possession of all drugs—all drugs, not just marijuana, all drugs, presumably, to include prescription opioids, heroin, methamphetamine, fentanyl, you name it—all drugs.

Well, I don't have to remind Members of this Senate that more than 80,000 Americans have died from drug overdoses this last year alone, and much of it would include the sorts of drugs that, back in 2012, Ms. Gupta said should be legalized—or at least decriminalized, to be fair—decriminalized, although the distinction between that may be lost on some.

Well, I am sure that this will surprise no one that this is a controversial view. Congress has spent billions upon billions of dollars to fight the opioid epidemic in this country. We passed the Cures Act, the CARES Act, to try

to get at this epidemic of opioid addiction and abuse. But Ms. Gupta, circa 2012, said that these drugs—all drugs—should be decriminalized for personal use.

Well, I followed up with a question because, during the hearing, Ms. Gupta talked about how her views had evolved since 2012. Again, as we all have different experiences over time, we learn new information, perhaps reflect on our previously held views, I understand how people's views can change. But then she wasn't satisfied with that answer.

So I followed up with a written question. I asked Ms. Gupta if she ever made this statement that is printed in black and white in the HuffPost, dated circa 2012. She said: ''I have never''—never—''advocated for the decriminalization of all drugs.'' She said: ''States should decriminalize simple possession of all drugs.'' Compare that with ''I have never advocated for the decriminalization of all drugs.'' Those are irreconcilable positions.

And the fact is, if you believe Ms. Gupta circa 2012, it is simply a lie. It is a lie under oath, potentially perjury. I mean, why do we swear witnesses in if some of them will take the burden of their oath so lightly and they would lie with impunity? I mean, what is the purpose?

She didn't just lie to me. She lied to Chairman DURBIN. She lied to Senator WHITEHOUSE. She lied to every member of the Judiciary Committee. And, unfortunately, she is lying to the Senate. She has been given many opportunities to reconcile these radically conflicting statements. These are diametrically opposed positions. If she had a good answer, if she cared enough, if she respected Members of the Senate enough, she would have provided us an answer rather than just an outright lie.

Here is a fact check from the Washington Post, that great ultra or uberconservative publication. As you can see, they gave her a unique Pinocchio award. I have never seen a Pinocchio award like this. Ordinarily, they would say, well, you get one, two, or three, or four Pinocchios based on whether or not we find this to be a misrepresentation of the facts or a lie.

But here, they said: ''For this tango of previously unacknowledged flip-flops, Gupta [deserves] an Upside-Down Pinocchio''—''Upside-Down Pinocchio.'' They went on to say Vanita Gupta's shifting views on defunding the police, decriminalizing drugs deserve this Upside-Down Pinocchio, March 10, 2021.

If you published an op-ed saying the sky is purple and now you say the sky is blue, don't tell us you never thought the sky was purple. Have a little more respect for your obligation for one of the highest positions in the Department of Justice not to lie to the Judiciary Committee or the Senate. Have the courage to tell us the truth and stop trying to deceive the Senate in order to be confirmed.

As I said earlier, Ms. Gupta was a registered lobbyist and spent a good part of her career pushing a very specific agenda and a range of radical policies to go along with it. In the process, she disparaged individuals, organizations, and political parties who dared to oppose her beliefs.

She wrote about the growing number of conservatives on the Federal bench and said: ''Republicans have planted the seeds of this takeover for decades—and now, they are leaping into action.'' I wonder if she realized she might one day be in a position of advocating on the Department of Justice before the very same judges that she has disparaged.

She tweeted that Justice Kavanaugh ''lied'' to the Judiciary Committee and ''showed himself to be a partisan.'' And she is going to represent the American people in the highest Court in the land, populated by Justices she has called a liar? Well, she has called a number of other Federal judges—she has described a number of them with similar disdain.

Now, I find it hard to believe that these views, which are not from decades-old law school writings or that you can write off to immaturity or perhaps satire—like we heard yesterday from Ms. CLARKE, who has been nominated to the civil rights division—these are recent public statements which this nominee no longer claims to hold.

Like I said, if confirmed, she will supervise litigation in front of the many Federal judges she has disparaged, and she will be in an extraordinarily powerful position to bend the Department of Justice to her political whims.

Ms. Gupta is the daughter of a gentleman who heads up a chemical company that produces all sorts of chemicals for a variety of legitimate purposes. It looks like, from her financial disclosure statement, he has been very successful and so has Ms. Gupta, in family trusts worth tens of millions of dollars, much of it including the stock of Avantor, the company that her father heads.

I realize Ms. Gupta is not personally responsible, as a shareholder in this company, but it is clear, I believe, from an investigative journalism story by Bloomberg dated September 2020 that Avantor was selling acetic anhydride, an essential ingredient in converting poppies to heroin, for at least the last decade.

She owns tens of millions of dollars' worth of that stock.

I have asked the Attorney General and the Securities and Exchange Commission to look into Avantor's conduct because, if, in fact, an American chemical manufacturer has been selling acetic anhydride in the country where they know that it will be available to the criminal cartels and drug runners—and they should know that 92 percent of the heroin made in Mexico, using acetic anhydride, manufactured by Avantor and its subsidiary in Mexico—that is a serious, serious problem. So I have asked the Attorney General and the Department of Justice to look into it.

Asked about this, asked about Avantor's activities, Ms. Gupta said: ''I'm aware of the allegations.''

I do not have faith, nor should the Senate have faith, nor should the American people have faith that Ms. Gupta will act fairly and impartially if confirmed to this position. If she was willing to lie to the American people during her confirmation hearings before the Judiciary Committee, imagine how she might treat others with disdain, people who hold opposing views in our society, using the great weight and power of the Department of Justice perhaps to further some of her partisan, political, ideological agenda.

Can we really expect someone with this track record, this history, to live up to the highest ideals of the Justice Department? And, for example, we all know lawyers are taught that, if you have exculpatory information about a criminal defendant, you have a duty to disclose that to the other side. If you are the prosecutor, you have a duty to disclose it to the defendant so it can be cross-examined and used in the course of a jury trial.

Do we really expect someone who appears willing to lie with such disregard for the truth to disclose exculpatory material that a person sued by the Department of Justice would have a right to, or would she just try to sit on it?

Can we really expect her to hire people around her based on merit as opposed to some political litmus test? Can we really expect her to disclose material information to the Foreign Intelligence Surveillance Court or encourage folks under her supervision to be meticulous and forthright with the court when seeking warrants? I don't think so.

Given the incredible power of the Department of Justice and all the tools available to it, Ms. Gupta's radical beliefs and agenda—that she believes in sincerely, apparently—these would be more than words on a screen. Her views would be terribly dangerous to the American people. Based on her track record, I have no confidence in her ability to act with fairness, candor, or integrity.

As a member of the bar, as a lawyer, you have a higher duty, than even a regular citizen, of candor. The model disciplinary rules that apply to lawyers, members of the bar, like Ms. Gupta, who is a member of the New York bar as well as the Supreme Court bar—they are subject to discipline from grievance committees in those jurisdictions.

We know that they have real teeth because former President Clinton, as you may recall, lied under oath as a lawyer and was disbarred by the Arkansas Bar Association and also had to give up his membership in the bar of the Supreme Court of the United States.

If the Senate is going to make a habit of allowing witnesses to come in

and lie under oath in such a brazen way, why do we even go through this Kabuki theater? Why do we require them to take an oath in the first place if you can lie with impunity? What is the point of going to these hearings if the witnesses are not going to be truthful and answer our questions honestly?

As I say, I have grave concerns about this nominee's ability to separate her well-documented personal beliefs from her role as a high-ranking official at the Department of Justice.

So it will come as no surprise that I will oppose discharging Ms. Gupta's nomination from the committee. I think she should have to come back to the committee, as we have requested of Chairman DURBIN, to explain these inconsistencies, if she has a good answer. So far, Chairman DURBIN has declined to provide her and us that opportunity.

But if we want to maintain any sense of legitimacy and respect for the confirmation process, we need to hold people accountable who come here and lie under oath. And for that and many other reasons, I will oppose the motion to discharge this nomination.

The PRESIDING OFFICER. The Senator from Illinois is recognized.

Mr. DURBIN. Mr. President, before yielding to my colleague from Rhode Island, I would like to respond very briefly.

My, have we come a long way since we had a President who, for 4 years, refused to disclose his tax returns—first time ever. Oh, they are under audit. I will get back to you at some other time later.

Now we have witnesses and nominees coming before the committee, suggested by President Biden, who are producing the documentation and the things that are being requested by this committee so that everyone knows the answers.

So did Ms. Vanita Gupta produce 100 pages of documents? No. Did she produce 1,000? No, she produced 11,000 pages of documents, answering every question that was to be asked. And the suggestion the senior Senator from Texas raises—he raised it before in committee—that somehow, because her family made a business decision about selling a chemical, legally, into the nation of Mexico, she should be held responsible as a shareholder or as a member of the family?

You will notice, if you listen very carefully to what the Senator said, he is not saying there was any wrongdoing. He is saying there was an article once which made that allegation, and he has referred the question to others to decide. That is a long way from saying Vanita Gupta is responsible for whatever the company did, if it did anything, wrong. She has made that full disclosure, and I think raising this is unfair, just fundamentally unfair.

Secondly, on the question of decriminalizing drugs, narcotics, she says her position on it has evolved. Well, I think the Senator from Texas would be the first to acknowledge that the position of America has evolved on the question of drugs; has it not? Hasn't the position of Texas recently evolved on the decriminalization of some drugs and the possession thereof?

We are thinking differently about it. We are trying to find the most effective way to end addiction and save lives. We no longer want to lock everybody up, nor should we. We are deciding that there are some drug violations that shouldn't merit any time in jail, that some people just need help to break their addiction.

If Vanita Gupta has been part of that conversation in America over 9 or 10 years, she is in good company. We have all been part of it. Virtually all of us have been part of it.

And this notion of defunding the police—do you honestly believe the Fraternal Order of Police would be endorsing her if she wanted to defund the police?

She made it clear, as others have too, that reallocation of funds for law enforcement is just common sense. Putting a social worker in a delicate situation, putting a psychologist in a delicate situation, may spare a policeman a terrible choice that he has to make, and I think most of us agree that it is common sense.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island is recognized.

Mr. WHITEHOUSE. Mr. President, I am here to express my support for the nomination of Vanita Gupta to serve as Associate Attorney General.

It is a little strange here on the floor today because under normal circumstances I would talk about Ms. Gupta's exemplary record of service and how she will excel as the third in command of the Department of Justice and that she would be a consensus nominee. But the extraordinary effort to scuttle her nomination on a partisan basis in spite of her exemplary record asks some questions about what is going on here.

Vanita Gupta is an accomplished lawyer with a record of working well with just about everyone. When she was last at the Department, working on really difficult issues like use-of-force guidelines for police, she built solid relationships with law enforcement. So they have thrown their full-throated support behind her nomination.

Here are the law enforcement agencies and leaders that are supporting her: the Fraternal Order of Police; the Major County Sheriffs of America; the International Association of Chiefs of Police; the Major Cities Chiefs Association; the Police Executive Research Forum; the Federal Law Enforcement Officers Association; the Hispanic American Police Command Officers Association; NOBLE, the National Organization of Black Law Enforcement Executives; and a whole array of distinguished law enforcement leaders.

These are influential groups and respected individuals, and, for some of my Republican colleagues, this kind of support from law enforcement is literally unbelievable.

So here is what my colleague, the junior Senator from Arkansas, asked Ms. Gupta about all these law enforcement endorsements during her confirmation hearing: ''Did you, or anyone on your behalf or anyone in or affiliated with the Biden campaign transition or administration, pressure those organizations with threats of retaliation if they did not support your nomination?''

''No, Senator,'' she answered.

And she wasn't kidding. Law enforcement doesn't brook threats from criminals, let alone Presidential candidates and executive nominees seeking their endorsement.

And, indeed, they stood up to dispute that insinuation. Here is what Jim Pasco, the executive director of the Fraternal Order of Police, said in response:

> I was kind of shocked by it. If [the Senator] really suspects that, then he doesn't really know the law enforcement organizations as well as he thinks he does, and he certainly doesn't know Vanita Gupta as well as I know her.

Chuck Wexler is the head of the Police Executive Research Forum, and here is how he responded:

> Do you really think you can stand up to law enforcement and threaten them? Do you really think that's going to work? We never forgot that she stood with us when it mattered.

That is the reason for her support from law enforcement: She stood with them when it mattered. And to say that she is such a radical and so against law enforcement and disdains those who disagree with her—which would presumably be law enforcement, if she is such an anti-law-enforcement radical, as my colleagues suggest—is completely blown to smithereens by their continued support for her—not disdain: ''She stood with us when it mattered.''

So when that effort to blow her up exploded in their face, colleagues went after an op-ed that she authored 9 years ago in which she supported decriminalization and defelonization of simple possession of small amounts of drugs. It could be read to say decriminalization of marijuana—other drugs, small amounts.

Well, we know a lot today about substance abuse that we didn't know then that people who have addictions require treatment and care, not punishment and incarceration. That is no radical position. The idea that you should not prosecute people for possession of small amounts is the basis of drug courts.

I started the drug court in Rhode Island. It has been a roaring success. It is the basis for diversion programs. As attorney general of my State with full criminal jurisdiction in my State of Rhode Island, we constantly did diversion of cases of possession of small amounts of drugs—all kinds of drugs—

because they don't belong in the criminal justice system. They get swept up, and you divert them out before prosecution.

This is nothing peculiar or unusual. This is the position of the World Health Organization. This is the position of the Organization of American States. This is the position of the International Red Cross. Heck, even former Speaker Boehner supported decriminalization of simple possession of some or all drugs.

So they had to get into rhetorical tricks to try to make the point look different than it actually is. And Republicans repeatedly asked her questions about that statement regarding small amounts with respect to what they call here ''the legalization of 'all drugs.''' In response to that, she said:

I have never advocated for the legalization or decriminalization of all drugs, and I do not support the legalization or decriminalization of all drugs.

If I were to come up to you, Mr. President, and say ''Do you support the legalization or decriminalization of all drugs?'' what will you take that question to mean? It would seem to mean blanket decriminalization or legalization of all drugs, not small amounts—all.

Well, they went on in this same vein. Here is a question for the record from Senator HAWLEY describing Senator CORNYN's question ''whether you advocate decriminalization of all drugs.''

That is not what she advocated. What she advocated was decriminalization of small amounts—consistent with diversion, consistent with drug court activity, consistent with the way the substance abuse and recovery community treats this issue, and consistent with the position of all those organizations and many, many more. This is the way we operate in law enforcement these days.

So then they try to focus in on the word ''never.'' Senator CORNYN, who was speaking on the floor a moment ago, ominously said to me, the most important word in that quote is ''never.'' As you can see, it is simply a misrepresentation of what she said in 2012.

Well, you could also argue—''I have never advocated for the decriminalization of all drugs.'' You could also argue that the key word in that sentence isn't ''never''; it is ''all.'' That is the subject of the sentence: ''all drugs.'' Kilos of cocaine, pounds of methamphetamine—no. Small, simple possession amounts—that is the way everybody treats drugs in law enforcement these days.

As lawyers, we know that it is important to get the question right, and it is not unusual for lawyers to flub the question. When you are asking a question in court and you flub the question, you often get an answer you don't like, and the remedy for that is not to call the witness who answered your question a liar. The remedy for that is to get the question right in the first place. And if the question is whether Vanita Gupta advocated decriminalization of all drugs, the answer is, in fact, no because small amounts of simple possession is a very different thing than ''all drugs.''

And now they are hanging this extraordinary rampart of invective—liar, deliberate liar—all over getting an honest answer to a question that they asked badly or, perhaps, worse yet, a trick question intended to trip her up that she answered honestly.

So what is going on? Why are they going through this exercise? Well, step back a little bit and look what is going on in our country. The first thing that is going on is that there is a massive dark money campaign for voter suppression. There is a guy named Leonard Leo who ran the dark money campaign that pushed three Supreme Court Justices onto the Court. The Washington Post reported that as a $250 million effort—$250 million.

After the Washington Post article came out and Leonard Leo was blown like a covert agent who suddenly is identified with all of this, he has to get out. Where does he go? He goes to something called the Honest Elections Project, which is the sister organization of a group called the Judicial Crisis Network, which—guess what—is running ads against Vanita Gupta.

They used to run ads for the Supreme Court nominees. They spent tens of millions of dollars running ads against Garland, for Gorsuch, for Kavanaugh, for Barrett—tens of millions of dollars. But with Biden in the White House, nobody is listening to them any longer. They are not getting their appointees through, so they moved to voter suppression. And all that money and that same guy, Leonard Leo, are now lined up behind voter suppression.

So you get dark money ads paid for by Judicial Crisis Network against the third-ranking person in the Department of Justice? They are used to going for the Supreme Court. They are going after the third-ranking person at the Department of Justice. Why? Because it is voter suppression—because she has been the head of the Civil Rights Division, which prosecuted voter suppression. She knows that stuff. She will supervise Kristen Clarke, whom you will hear a lot more nonsense about from the other side, who will run the Civil Rights Division and sue for voter suppression.

So what this is really about is the voter suppression project that you see alive and well in the country from the Republican Party. There are reports that say that every single legislative body in the country controlled by Republicans is pushing voter suppression measures. I don't know that it is true, but it sure looks like it is true. And if not, it is darn close. It is a pattern. Wherever you go in the country, Republicans in charge—boom—restrict the ballot.

They know people don't like what they stand for. They know people can't stand the dark money forces behind ads like this. So the secret, as my distinguished colleague Senator WARNOCK said: Some people don't want some people to vote.

So the two women who will be overseeing the Department of Justice voter suppression resistance, the legal fight against voter suppression, the enforcement of the Civil Rights Act, are being subjected to this treatment.

On this, I will stand with Ms. Gupta.

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

[From the Daily Beast, Mar. 22, 2021]

HOW RIGHT-WING DARK MONEY IS TRYING TO KNEECAP THE BIDEN DOJ

(By Sheldon Whitehouse)

Someone is targeting Biden Justice Department nominees Vanita Gupta and Kristen Clarke with attacks. Why? Both nominees hold exceptional records as litigators and civils rights activists. The respect they've earned extends beyond the civil rights movement and progressives to law enforcement and leading conservatives. They ought to be consensus picks.

But pull back the curtain, and strategy and motive take shape. Gupta and Clarke are poised to use their skills to defend Americans' right to vote, just as the Republican Party is going all in on voter suppression as its path to political victory in 2022.

Unraveling the strategy starts with the dark-money group running the ads: the so-called Judicial Crisis Network (JCN). This group's ordinary work has been to translate big donors' money into political attack ads in the ''Court capture'' mission that set out to remake the Supreme Court to the donors' advantage. JCN has placed more than 10,000 ads since 2012 in pursuit of that mission, and they've kept secret the identity of those big donors.

In Donald Trump and Mitch McConnell's courtpacking machine, this Judicial Crisis Network spent $7 million to oppose President Obama's Supreme Court nominee Merrick Garland, and then spent another $10 million to boost Trump's nominee Neil Gorsuch. JCN pledged $10 million or more for Brett Kavanaugh's nomination. It spent $10 million in under two months to support Amy Coney Barrett's bid. These campaigns were funded with tens of millions of anonymous dollars, primarily through four separate donations of at least $15 million. Those donations may well have been the same donor.

Eye-popping as that is, those millions are a tiny slice of the funding behind the overall dark-money operation. A 2019 Washington Post investigation revealed JCN is one of a web of front groups coordinated by Leonard Leo, the long-time executive vice president of the Federalist Society.

The Post tracked more than $250 million in dark money flowing through Leo's groups.

The groups see to the grooming and selection of reliable nominees, the lobbyists needed to shepherd nominees through confirmation, and the attack ads to motivate the confirmation votes. Then, more groups lobby the selected judges through amicus curiae briefs, signaling how their donors want the judges to rule.

The dark-money network has won an avalanche of victories for its donors. There are 80 partisan, 5–4 Supreme Court decisions that limit workers' rights and access to reproductive health care, erode environmental protections, block commonsense gun safety laws, undermine civil rights, and protect corporations from courtrooms. It is an astounding 80–0 rout for big right-wing donors.

After The Washington Post exposed the $250 million operation, Leo stepped back from his Federalist Society role and turned up at a new organization improbably named the Honest Elections Project. This project began voter suppression work in political swing states like Florida, Nevada, Wisconsin, and Michigan that included: negative ads against Democrats; threatening letters to election officials challenging voter rolls; and a barrage of lawsuits seeking voting restrictions for November's election.

''Trump's cronies at the Justice Department showed dark-money donors the value of a captive Department that would look away from voter suppression schemes.''

The media soon uncovered that the Honest Elections Project was a rebrand of the Judicial Education Project—which shared connections, donors, and aims with its sister group—yes, the Judicial Crisis Network. As a reporter for The Guardian observed, the Honest Elections Project melds two goals of the right-wing dark-money operation: first, pack the federal judiciary; and second, bring voting rights cases before the packed courts. Rigging elections through the courts is now a Republican judicial priority.

This brings us back to Gupta and Clarke. Gupta once ran the Civil Rights Division. She prosecuted hate crimes and human trafficking, promoted disability and LGBTQ rights, and fought discrimination in education, housing, employment, lending, and religious exercise. But most important, she challenged voter suppression. Gupta, if confirmed as assistant attorney general, will supervise the Civil Rights Division she once ran.

Accomplished civil rights attorney Clarke will fill Gupta's former role running the Division and enforcing voting rights. The Honest Elections Project, kin to the Judicial Crisis Network, wants no part of these two women, because they will be strong, motivated leaders against unlawful voter suppression. They preferred Trump's Civil Rights Division, which didn't bring one single Voting Rights Act case until late May of 2020.

That's the motive. The donor-approved Republican appointees to the Supreme Court may handcuff the Civil Rights Division with further judicial assaults on voting rights. But Trump's cronies at the Justice Department showed dark-money donors the value of a captive Department that would look away from voter suppression schemes. As Republicans hinge their election strategy on keeping Americans from voting, an active Civil Rights Division is a deadly threat.

I get it. If I were a right-wing special interest group, the last thing I would want is these two experienced lawyers wielding the power of the Justice Department to defend voting rights. But for everybody else, these women are two appointments to applaud.

Mr. VAN HOLLEN. I yield the floor.

The PRESIDING OFFICER (Ms. CORTEZ MASTO). The Senator from Tennessee is recognized.

Mrs. BLACKBURN. Madam President, I find it so interesting that my friend and colleague across the aisle is trying to deflect questions and concerns that we have by insinuations and some pretty disgusting slander, and I am sorry that we have listened to that here on the floor of this Chamber.

Yes, indeed, I am coming to the floor today to oppose discharging Vanita Gupta from this floor to be confirmed as the Associate Attorney General. And, yes, I have concerns. I have had questions in committee.

I will tell you I didn't expect to find a lot in common with her because I have had a difficult time finding a lot in common with some of the nominees that President Biden has sent over to us at Judiciary Committee. But as a member of that committee, it is my responsibility to approach each nomination with an open mind. Some I have decided were worthy of an ''aye'' vote. There are others, like Ms. Gupta, that I feel are not worthy of a confirmation vote.

Over the course of the review of information—and to my friend, the chairman of the Judiciary Committee, 11,000 pages of documents—you can send in a million pages of documents, but if you are not answering the question, if you are trying to circumvent the question or nuance it or dance around it, it still doesn't answer the question. So the volume doesn't really matter.

What matters is someone who steps up and says: Here is my answer—clear, concise. That is what you want, and that is what the American people expect.

I arrived at the opinion that, no, I didn't think she was fit to take that No. 3 position, not because I disagreed politically but because the answers that she gave on some specific issues—police funding, drug legalization, qualified immunity—were so inconsistent with what she had previously said or what she had previously written that no one can say with any degree of certainty what she will do with the newfound power if we decided to give that to her. No one knows what she would do.

Due to the time constraints we have on the floor today, I want to go back to the 2012 article and use that as one example. There has been quite a bit said about that. Now, she was in the position of the ACLU's deputy legal director. She wrote an op-ed arguing—and I quote, and we have just heard a good bit about this—''States should decriminalize simple possession of all drugs, particularly marijuana, and for small amounts of other drugs.'' That is a quote.

Speaking as a Senator representing the interests of a State struggling to emerge from the opioid epidemic, this statement to me is a disqualifier. It is as simple as that.

Senator CORNYN added to that conversation with other specific items that have transpired in her past. In her hearing, which took place in March, Ms. Gupta almost got away with disavowing that op-ed. But when we pressed her on it, what did she have to say? That her position had evolved.

It seems there is an issue with some of these nominees that are coming before us. They are going through these just in time, road to Damascus, evolution processes. All of a sudden, they are evolving to a position of something that they think the committee wants to hear, that they think will help them skirt through, that they think will help them get confirmed so that they can hold the power.

Ms. Gupta has also evolved on criminal justice reform, on the fundamentals for that. And as we have discussed on this floor today, the fact checkers have had a pretty good time with that. Back in March, the Washington Post took her to task—Senator CORNYN talked about this—her evolving position, her shifting views on defunding the police, decriminalization of drugs. This is the Washington Post. This is the Washington Post that gave her the unusual upside-down Pinocchio because she was flip-flopping and evolving at such a rapid rate, they couldn't keep up with it.

Madam President, everyone has the right and the opportunity to change their mind. Absolutely, people have the right to change their mind, but trying to follow the many changes of her mind on the issue of drug crimes, on decriminalization, on defunding police—these are important issues to our communities. These are not a game. These are very important issues to the safety and security of our communities.

The number of inconsistencies in her testimony more than test the boundaries of understanding. Is she still evolving? Is she going to flip-flop, as the Washington Post says, back to her previous opinions of 2012? Is she going to flip-flop again? Would we see that in the next 11,000 pages of documents that were submitted that she has decided to change her mind one more time? From what standard is she going to work at the Department of Justice?

Each of these are concerns. Each of these are reasons that my hope is that this Chamber will refuse to discharge Vanita Gupta for a confirmation vote.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Madam President, before my distinguished friend's speech, I ask unanimous consent to have an article appended as an exhibit to the remarks I gave earlier.

The PRESIDING OFFICER. The Senator from North Dakota.

REMEMBERING DOUGLAS BURTELL

Mr. CRAMER. Madam President, 12 days ago, on April 3, we brought sad news of the passing of Douglas Burtell, of Bowman, ND, the last known World War II veteran residing in my State from the legendary 164th Infantry Regiment of the North Dakota National Guard. Tomorrow would have been his 97th birthday, April 16. I join in remembering and honoring him and the generation of heroes he represents to our State and to our Nation.

Douglas Burtell joined the National Guard in Fargo at the age of 16. In February of 1942, 2 months after the attack on Pearl Harbor, this Casselton native was among the 1,723 young men to mobilize in the 164th Infantry Regiment. Ten months later, the regiment sailed into history as the first U.S. Army unit to offensively engage the enemy in the Pacific when they landed at Guadalcanal on October 13, 1942. There they reinforced the 1st Marine Division and spent more than 600 days in the combat zone until August 1945.

His talent for illustration was noticed at the national regiment headquarters, where he was trained in intelligence and reconnaissance. There he interpreted aerial photography, analyzed captured materials, and drew maps based on patrol reconnaissance reports. His service included combat on the Philippine Islands, Bougainville, and Guadalcanal, and he received the Purple Heart after being wounded in action.

Returning to North Dakota after the war, Mr. Burtell earned his high school GED, attended art school in Minneapolis, and spent much of his life in lumber, millwork, and camper sales in Fargo. He spent his last years living near his daughter in Bowman, ND.

Often attending reunions of the 164th Regiment Infantry Association, he was present at its final gathering in October 2017. He helped relatives of other veterans with research about the war experiences of their loved ones.

And he painted throughout his life, generously sharing his work with friends. Mr. Burtell's artwork helped tell the everyday stories of the soldiers as they fought their way through the South Pacific. His illustrations are a lasting testament to the heroic contributions of the 164th Infantry Regiment to World War II. He was honored in March when North Dakota Adjutant General, Major General Al Dohrmann announced one of his sketches would be featured on a new recognition coin. Other artwork is etched in granite on the 164th Infantry Regiment Memorial located at the North Dakota Veterans Cemetery near Mandan, which is now Mr. Burtell's final resting place.

Madam President, on behalf of all Dakotans and a grateful nation, I offer my deepest condolences to Douglas Burtell's family and friends, including his daughter and son-in-law, Barb and Steve Conley, his two granddaughters, and five great-grandchildren.

Today, with most of our World War II veterans now gone, Mr. Burtell's artwork preserves the faces of so many brave North Dakotans and exemplifies their patriotism and dedication.

The 164th Infantry Regiment's motto in French, ''Je Suis Pret,'' ''I Am Ready,'' inspires today's North Dakota National Guard motto of ''Always Ready, Always There.'' God bless the memory of Douglas Burtell and the brave soldiers of World War II who were always ready.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

NOMINATIONS OF VANITA GUPTA AND KRISTEN CLARKE

Mr. CRUZ. Madam President, I rise today to express concerns over two of the Democrats' nominees. There have been a number of questionable nominees put forth by this new administration, but these two nominees may be the two most radical nominees put forth.

First, I would like to talk about Vanita Gupta. Today, we are set to vote on discharging Vanita Gupta's nomination out of the Judiciary Committee because Ms. Gupta could not garner a majority vote in the committee on moving her nomination forward to the full Senate.

The Judiciary Committee is deadlocked and for good reason. This nominee's record is that of an extreme partisan ideologue. I can assure the American people, Ms. Gupta is not a moderate, is not mainstream but is, rather, an extreme political activist whom the Democrats want to be the No. 3 lawyer at the Department of Justice.

When she testified before the Judiciary Committee last month, she consistently dodged questions. She wouldn't answer if she supported any restrictions, whatsoever, on abortion. She wouldn't answer—not partial-birth abortion, not anything.

When it comes to the Second Amendment, I asked Ms. Gupta if she thought the Heller decision, the landmark decision upholding the individual right to keep and bear arms, if that decision was rightly decided. She refused to answer that question.

For years, she has demonstrated a persistent hostility to religious liberty, such as when she defended the Obama administration's targeting and persecution of the Little Sisters of the Poor. Not too long ago, religious liberty was a bipartisan commitment in this body. The Religious Freedom Restoration Act was introduced by then-Representative CHUCK SCHUMER, now the Senate majority leader. It had passed the House unanimously. It passed the Senate 93 to 3 and was signed into law by Democratic President Bill Clinton.

Sadly, today's Democratic Party has abandoned religious liberty. That is no longer a commitment. Instead, today's Democratic Party embraces extreme ideas like the Equality Act, which has just come out of the House of Representatives. It is a radical piece of legislation that, among other things, explicitly repeals major parts of the Religious Freedom Restoration Act designed to take away your religious liberty.

Ms. Gupta has been a vocal defender of the misnamed Equality Act. She lobbied for its passage, a fact that she didn't disclose to the committee initially. When she was before the Judiciary Committee, I asked if she agreed with the provisions of the Equality Act that take away religious liberty protections from Americans. Again, Ms. Gupta refused to answer that question, too.

Ms. Gupta has demonstrated radical hostility to school choice, so much so that when she served in the Department of Justice during the Obama-Biden administration, she helped intervene in a case trying to kill a Louisiana school choice program, even though many of the African-American parents in Louisiana strongly supported and desperately needed that program. The Federal court involved in this case even reprimanded the Department of Justice under her leadership for ineffective lawyering in this case.

At the Judiciary hearing of Ms. Gupta last month, I asked if she regretted using the Department of Justice to fight against the school choice program that was providing hope and opportunity to low-income minority kids in Louisiana. Again, she refused to provide a straightforward answer.

When it comes to defunding the police, it is here that Ms. Gupta is most radical. Last year, Ms. Gupta, in a written filing with this Senate, encouraged Congress to ''reexamine Federal spending priorities and shrink the footprint of the police and criminal legal system in this country.'' She also encouraged reallocating resources, writing, ''Some people call it 'defunding the police,' other people call it 'divest-invest,' but whatever you call it, if you care about mass incarceration, you have to care about skewed funding priorities.''

These weren't Ms. Gupta's college writings. These weren't scribblings on a Post-it she made somewhere. These statements were from last year, submitted to the U.S. Senate. And on their face and unequivocally, they advocate for defunding the police.

There is no question on her record that Ms. Gupta is a hard-left partisan radical whose beliefs don't align with the majority of the American people. So why are Democrats so hell-bent on making sure she gets confirmed? Two reasons.

Reason No. 1: Headlines. Democrats care so deeply about looking good in the press, they continue to press through partisan bills and partisan activists for adulation by adoring media.

Reason No. 2: Today's Democrats are beholden to the far-left voices in their party, and they are fulfilling campaign promises that they made to the radical left.

That is why they nominated Ms. Gupta, and that is why they broke Judiciary Committee rules to move forward her nomination. Rule 4 of the committee, preserves the right of minority members to speak before a vote. It only allows for stopping debate and bringing a matter to a vote if a majority of the committee agrees, including at least one member of the minority party.

But the Democrats didn't have a majority. If they had tried to bring a matter to the vote under the rules, the vote would have failed. So, instead, Chairman DURBIN unilaterally silenced and stopped a member of the committee from speaking, midsentence, and forced a vote. He did so in flatout violation of the rules, without even a pretense of a justification under the rules.

The chairman knew that this was an abuse of power. Every Democrat on the committee knew it was an abuse of power. It was an abuse of power that had never been done against them when Republicans had the gavel for 6 years.

Yet today's Democrats are about power. So if the rules stand in the way, to heck with the rules. Ignore them. That is what the Senate Democrats did on the Judiciary Committee.

I also want to talk about Kristen Clarke, who has been likewise nominated to a senior position at the Department of Justice.

Like Ms. Gupta, Ms. CLARKE's record is that of an extreme radical. Last year, she wrote an op-ed in Newsweek, entitled: ''I Prosecuted Police Killings. Defund the Police—But Be Strategic.''

In that op-ed, Ms. CLARKE wrote about the protests that erupted last year and stated:

Into that space has surged a unifying call from the Black Lives Matter movement: ''Defund the police.''

Now, like Ms. Gupta, she tried to run away from her record. At the prompting of Senate Democrats and at the prompting of Chairman DURBIN, Ms. CLARKE said: No, no, no, no, no. I don't support defunding the police. She said: You know, it was just the headline of the article. I didn't write the headline. Ms. Gupta did the same thing. Both of them were instructed by their handlers to backpedal as quickly as possible from their repeated and explicit advocacy in writing. So Ms. CLARKE says she doesn't support defunding the police.

Yesterday, when Ms. CLARKE came before the Judiciary Committee, I asked her straightforwardly if she still thinks ''defund the police'' is a unifying call. That is what she wrote not 10 years ago, not 5 years ago but last year. She wouldn't answer the question. Instead, she just repeated her talking point: ''I do not support defunding the police.''

As I told Ms. CLARKE yesterday, that claim is objectively ridiculous. She asserted she doesn't advocate cutting the funding of police, which on its face was a lie.

In that same op-ed she wrote in Newsweek, there are no fewer than three separate paragraphs that begin with the following words: ''We must invest less in the police''—three paragraphs in a row. Now, when you write three paragraphs that begin with ''We must invest less in the police; we must invest less in the police; we must invest less in the police,'' you don't get to come and say: I don't support investing less in the police. That is objectively absurd, but, sadly, it is even worse.

Not only is Ms. CLARKE an extreme advocate for defunding the police, but she has a history of not just excusing but of celebrating murderers who have murdered police officers. It has been widely reported that, in college, Ms. CLARKE helped to organize a conference with speakers who referred to convicted cop killers as ''political prisoners.'' This included Mumia Abu-Jamal, who murdered a Philadelphia police officer, and Assata Shakur, who was convicted of murdering a New Jersey State trooper, who escaped from prison, and is on the FBI's Most Wanted list. Multiple speakers at the conference thanked Ms. CLARKE by name for inviting them to speak, and now the Democrats want Ms. CLARKE to head the Civil Rights Division of the Department of Justice.

I ask you the question that I asked Ms. CLARKE yesterday: What is a police officer in Philadelphia who is watching the proceedings before this body or a police officer in New Jersey who is watching C–SPAN today supposed to think about the Democrats nominating someone to a senior position at the Department of Justice, knowing that this individual participated in a conference celebrating and lionizing cop killers who murdered a Philadelphia cop and murdered a New Jersey State Trooper? How should a police officer today react to that news?

There are numerous Members of this body—Senate Democrats—who, when they go home to their States, like to tell their constituents they are not all that liberal; they are really quite reasonable; they are really quite moderate. Well, the nice thing about politics is that actions speak much more loudly than words. These two nominations—Ms. Gupta's, which we have before us right now, and Ms. CLARKE's, which I expect we will have before us relatively soon—are two of the most radical nominees ever to be put forward. Indeed, you could call the two of them the radical twins. They are zealots; they are ideologues; and they both are leading advocates for abolishing the police.

I say to my Democratic friends: This is a 50–50 Senate. That means just one of you—just 1 out of 50—could say: OK. Enough is enough.

How many Senate Democrats have gone home and said, ''I don't support abolishing the police''? Quite a few Senate Democrats, I suspect, are telling their constituents back home that they don't support abolishing the police.

Today, you have a vote because I will tell you, if you as a Senator vote to confirm the radical twins, both of whom are among the leading advocates for abolishing the police, your constituents back home will know exactly where you stand on abolishing the police. You don't get to put radicals who want to abolish the police in the top positions of the Department of Justice and claim you oppose abolishing the police.

President Obama nominated for a senior position in the Department of Justice another lawyer who had celebrated and defended a cop killer, who had lionized a cop killer, and this body, in one of the few instances, decided that was too much; that was too far; and they were not going to confirm that lawyer.

Unfortunately, the Democratic Party has changed. The Democratic Party today is radicalized. They hate Donald Trump. Now, I understand Donald Trump is a unique character. I understand that his existence and every word he uttered enraged the Democrats, but they have emerged from 4 years of the Trump administration more radical than any majority party in this body ever has been. There are quite a few Democrats who, when they are at home, like to pretend otherwise.

Today is a perfect opportunity to demonstrate that the pretense is not mere empty words. In fact, if you don't support abolishing the police, then don't support abolishing the police, and if you don't support celebrating cop killers, then don't confirm people who have celebrated cop killers to senior positions in the U.S. Department of Justice.

I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

## HONORING THE 50TH ANNIVERSARY OF HIRING ROBERT MONTGOMERY ''BOBBY'' KNIGHT AS THE HEAD COACH OF THE MEN'S BASKETBALL TEAM AT INDIANA UNIVERSITY

Mr. BRAUN. Madam President, I rise to honor the 50th anniversary of the signing of Coach Robert Montgomery Knight at Indiana University, who set the standard for excellence as a collegiate men's basketball coach.

Coach Knight had a legendary career as a college head coach for more than 40 years, 29 of which were at Indiana University. During those 29 years, Coach Knight had 11 Big Ten Conference championship teams, took 24 teams to the NCAA tournament, and earned 8 Big Ten Coach of the Year Awards. His 1975–1976 team at IU remains the last team to complete an undefeated season and win every game in the NCAA tournament. They got close this year.

Maureen, my wife, attended IU, and I can remember what a thrill it was to watch his teams play. Their drive and will to succeed were infectious. Coach Knight's success at IU continues to be a source of pride for the entire State of Indiana. Coach Knight never focused his coaching on winning a game but on the effort it takes to become a champion, saying that the will to succeed is important, but the will to prepare is even more important.

Due to his focus on his players' success on and off the court—this is amazing—Coach Knight had an astounding 98-percent graduation rate for all players whom he coached for at least 4 years—more than twice the average graduation rate for Division 1 schools. On the world stage, Coach Knight led the U.S. men's national basketball team to a Gold Medal in the 1979 Pan Am Games and to a Gold Medal in the 1984 Olympic Games.

Victory is fleeting, but Coach Knight both propelled young men toward greatness on the court and gave them experiences and lessons that have shaped their entire lives.

We honor the drive, determination, and character of Coach Knight and all

that he did in educating and mentoring hundreds of Indiana University players over three decades to bring pride to the State of Indiana.

For all the memories, Coach Knight, we give you a heartfelt thank you.

Madam President, as if in legislative session, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 157, submitted earlier today.

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

The legislative clerk read as follows:

A resolution (S. Res. 157) honoring the 50th anniversary of hiring Robert Montgomery ''Bobby'' Knight as the Head Coach of the men's basketball team at Indiana University.

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

Mr. BRAUN. I know of no further debate on the measure.

The PRESIDING OFFICER. If there is no further debate, the question is on agreeing to the resolution.

The resolution (S. Res. 157) was agreed to.

Mr. BRAUN. I ask unanimous consent that 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. Is there objection?

Without objection, it is so ordered.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

Mr. BRAUN. I yield the floor.

## MOTION TO DISCHARGE—Continued

The PRESIDING OFFICER. The assistant Democratic leader.

### NOMINATION OF VANITA GUPTA

Mr. DURBIN. Madam President, what is it about these nominees Vanita Gupta and Kristen Clarke that drives some of the Members on the other side of the aisle into a rage? Listen to how they describe them.

The senior Senator from Texas describes Vanita Gupta as a political ''culture warrior,'' slandering and vilifying people. Then, of course, the junior Senator from Texas calls her an ''extreme partisan ideologue.'' ''Radical twins,'' he calls them.

What is it about these two nominees that drives them into such a state of mind that they say these things about individuals seeking an opportunity to again serve our Federal Government?

It is amazing to me that the junior Senator from Texas suggests that they are in the thrall of handlers. Handlers. If you heard the story of the lives of these two women and what they have overcome to be where they are today, the last thing in the world you would use is a reference to handlers. They have defied handlers all throughout their lives—sons of immigrants, daughters of immigrants. Like so many of them, they know they have to work hard to prove themselves, and they have done it time and again.

Vanita Gupta. Can you picture that moment when the civil rights organizations said to Vanita Gupta: We want you to go to Tulia, TX, because something has happened there that looks like a terrible miscarriage of justice. Forty people have been arrested for drug crimes in Tulia, TX, and we want you to go down there, even though they are in jail and they have been convicted, and defend them and try to find a way that they will be released.

That is exactly what Vanita Gupta did. The net result was that they were not only released, but the lawman who had supposedly found them guilty was the one who was discredited and dishonored when it was over, and the Texas Governor—the Republican Texas Governor—acknowledged it with a pardon of these individuals and paying them millions of dollars for what they had lived through. Who led that charge? Vanita Gupta. Was she waiting for a message from a handler? No. She showed extraordinary courage there and throughout her life as an attorney fighting for the civil rights of others and as an attorney representing the Government of the United States of America and the Department of Justice.

When I listen to efforts to discredit her and her professionalism, I think, you haven't read the story. You would know in a second she doesn't wait to hear from a handler. She never has. She has shown exceptional courage and professionalism every step of the way.

Kristen Clarke, the same. Born in an area of New York City that I am sure Senator SCHUMER knows, in a public tenement type of building, she overcame all the odds. She graduated from law school and served in the Department of Justice.

When the junior Senator from Texas comes and refers to Vanita Gupta and Kristen Clarke as ''radical twins,'' zealots, ideologues, it is disgusting. It is terrible. It is a terrible reference to a fine life that each of them has lived.

And this notion that somehow they have fooled the Fraternal Order of Police into believing that they really do love police, when, in fact, as the Republicans argue, they just want to take all their money away—we know better. The fact that Vanita Gupta has the endorsement of every major law enforcement organization puts to rest some of the charges they have made against her.

I can't believe what they are saying about these two nominees, but I think that a majority of the Senate is ultimately going to judge that they are ready to serve this country again and should, and the Department of Justice.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

Mr. SCHUMER. The Senator from Utah has graciously yielded back his remaining time, so I ask unanimous consent that I speak for a brief few minutes and then we vote.

The PRESIDING OFFICER. Is there objection?

Mr. SCHUMER. And then yield back the rest of our time after that.

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

### NOMINATION OF VANITA GUPTA

Mr. SCHUMER. Madam President, the Senate will soon vote on a motion to discharge the nomination of Vanita Gupta to serve as the next Attorney General—Associate Attorney General. The daughter of immigrants, she would be the first woman of color and the first civil rights attorney to serve as Attorney General.

Ms. Gupta is an exceptional nominee and an outstanding lawyer. It is confounding that her nomination has been tied up in the Judiciary Committee, requiring the Senate to take the extra procedural steps to move her nomination forward. But despite Republican obstruction, she will be confirmed by this Chamber in a few minutes.

Ms. Gupta's credentials speak for themselves. She most recently served as president and CEO of the Leadership Conference on Civil and Human Rights and served 4 years at the Justice Department.

Her first case after law school involved securing the release of several African Americans wrongly convicted by all-White juries in Texas.

At a time when so many in our country call for action against civil injustices and racial violence, how can we not install one of the Nation's top civil rights lawyers at the Department of Justice?

Senate Republicans, rather than evaluate Ms. Gupta on the merits of her accomplishments, have spent the last few weeks appealing to outlandish accusations that she is an out-of-touch, far-left radical.

The questions she endured during her confirmation hearing were utterly inane—from accusations that she is anti-police to the insinuation that she wants to legalize all drugs. A conservative judicial organization even launched a shameful national ad campaign to smear her reputation—her nomination. These smear tactics are nonsense.

Gupta commands the respect of civil rights advocates and law enforcement and has the endorsement from the National Fraternal Order of Police, the National Sheriffs' Association, the Association of Chiefs of Police, and the Federal Law Enforcement Officers Association. There is no mystery to Ms. Gupta's broad support. She is outstanding at what she does. She knows how to listen and work with others, including Republican Senators, and is deeply knowledgeable in the field. That is exactly—exactly—she is exactly the kind of person we need at the Department of Justice.

So I look forward to now moving on Ms. Gupta's nomination.

I yield back the rest of our time.

VOTE ON MOTION TO DISCHARGE

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

Mr. SCHUMER. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Montana (Mr. TESTER) is necessarily absent.

Mr. BLUNT. The following Senators are necessarily absent: the Senator from Wyoming (Mr. BARRASSO), the Senator from Indiana (Mr. BRAUN), the Senator from North Carolina (Mr. BURR), the Senator from Montana (Mr. DAINES), the Senator from Oklahoma (Mr. INHOFE), the Senator from Wyoming (Ms. LUMMIS), the Senator from Kansas (Mr. MARSHALL), the Senator from Kansas (Mr. MORAN), the Senator from Kentucky (Mr. PAUL), and the Senator from Ohio (Mr. PORTMAN).

Further, if present and voting: the Senator from Kansas (Mr. MARSHALL) would have voted ''nay.''

The result was announced—yeas 49, nays 34, as follows:

[Rollcall Vote No. 153 Ex.]

YEAS—49

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

NAYS—34

| | | |
|---|---|---|
| Blackburn | Fischer | Murkowski |
| Blunt | Graham | Rubio |
| Boozman | Grassley | Sasse |
| Capito | Hagerty | Scott (FL) |
| Cassidy | Hawley | Scott (SC) |
| Collins | Hoeven | Shelby |
| Cornyn | Hyde-Smith | Sullivan |
| Cotton | Johnson | Tuberville |
| Cramer | Kennedy | Wicker |
| Crapo | Lankford | Young |
| Cruz | Lee | |
| Ernst | McConnell | |

NOT VOTING—17

| | | |
|---|---|---|
| Barrasso | Marshall | Rounds |
| Braun | Moran | Tester |
| Burr | Paul | Thune |
| Daines | Portman | Tillis |
| Inhofe | Risch | Toomey |
| Lummis | Romney | |

The PRESIDING OFFICER (Mr. WARNOCK). Pursuant to S. Res. 27 and the motion to discharge having been agreed to, the nomination will be placed on the Executive Calendar.

The motion was agreed to.

The PRESIDING OFFICER. The majority leader is recognized.

## LEGISLATIVE SESSION

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

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

The motion was agreed to.

## EXECUTIVE SESSION

### EXECUTIVE CALENDAR

Mr. SCHUMER. Mr. President, I move to proceed to executive session to consider Calendar No. 57.

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

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read nomination of Lisa O. Monaco, of the District of Columbia, to be Deputy Attorney General.

CLOTURE MOTION

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

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

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 57, Lisa O. Monaco, of the District of Columbia, to be Deputy Attorney General.

Charles E. Schumer, Richard J. Durbin, Jeff Merkley, Debbie Stabenow, Richard Blumenthal, Jacky Rosen, Michael F. Bennet, Tammy Duckworth, Amy Klobuchar, Jon Ossoff, Chris Van Hollen, Martin Heinrich, Mark R. Warner, Patrick J. Leahy, Christopher A. Coons, Dianne Feinstein, Gary C. Peters, Kyrsten Sinema.

## LEGISLATIVE SESSION

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

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

The motion was agreed to.

## EXECUTIVE SESSION

### EXECUTIVE CALENDAR

Mr. SCHUMER. Mr. President, I move to proceed to executive session to consider Calendar No. 34.

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

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Gary Gensler, of Maryland, to be a Member of the Securities and Exchange Commission for a term expiring June 5, 2026. (Reappointment)

CLOTURE MOTION

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

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

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 34, Gary Gensler, of Maryland, to be a Member of the Securities and Exchange Commission for a term expiring June 5, 2026. (Reappointment)

Charles E. Schumer, Patrick J. Leahy, Richard J. Durbin, Christopher A. Coons, Jeff Merkley, Debbie Stabenow, Richard Blumenthal, Jacky Rosen, Michael F. Bennet, Tammy Duckworth, Amy Klobuchar, Jon Ossoff, Chris Van Hollen, Martin Heinrich, Mark R. Warner, Dianne Feinstein, Gary C. Peters, Kyrsten Sinema.

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

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

## LEGISLATIVE SESSION

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

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

The motion was agreed to.

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

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

## MORNING BUSINESS

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

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

## 60TH ANNIVERSARY OF THE BAY OF PIGS OPERATION

Mr. SCOTT of Florida. Mr. President, I rise today to honor the 60th anniversary of the Bay of Pigs operation.

Today, we commemorate the 60th anniversary of the Bay of Pigs operation and pay tribute to the brave and courageous members of Brigada de Asalto 2506, Assault Brigade 2506. On April 17, 1961, a group of Cuban patriots landed at the Bay of Pigs to overthrow Fidel Castro's communist dictatorship. We remember the sacrifice made by these brave individuals, and their memory lives on in the fight that continues today.

There is no doubt that where we see instability, chaos, and violence in

Latin America, we also see the fingerprints of the Castro regime. The Cuban people have suffered decades of oppression under Castro's regime. So many courageous individuals have dedicated their lives to the freedom of Cuba, and their commitment and sacrifice have kept the hope of liberty alive.

It is time to show Castro that his era of influence in Latin America is over. The United States must always support those fighting for freedom and democracy, and I will never stop fighting to bring a new day of freedom to Cuba and all of Latin America.

## ADDITIONAL STATEMENTS

### TRIBUTE TO ANNE STORDAHL

● Mr. DAINES. Mr. President, this week I have the honor of recognizing Anne Stordahl of Pondera County for her commitment to supporting Montana small businesses.

Anne has been a small business owner in Conrad, Montana for 15 years. When the local candy shop closed in her community, Anne decided to help boost community morale by taking on a new project and business. She opened the 2B Sweet Candy shop right next to her hair salon, giving her customers a chance to grab some candy while waiting for their next haircut.

Anne enlisted the help of her three children to open a new candy store that could bring some joy back to their community, especially in a time of uncertainty when many small businesses were closing their doors. Her son handled the behind the scenes work of taking inventory and balancing the books while her daughters handled a variety of tasks like designing candy bouquets and serving customers.

Anne grew up on a farm and was able to use this experience to teach her children what a strong Montana work ethic looks like and the importance of family operations to our communities. At the beginning, she hoped the store would bring her family closer, and looking back, she would say this was a sweet success.

It is my honor to recognize Anne and her children for taking the initiative to successfully launch the 2B Sweet Candy Shop. It is now a proud part of the Conrad community.●

### REMEMBERING JIM PUTEK

● Mr. INHOFE. Mr. President, on January 25, 2021, America lost a great patriot CPT James ''Jim'' Ronald Putek, 75, of Alpharetta, GA. Born in Chicago, IL, Jim was a decorated Army veteran having served in the Vietnam war, where he received the following awards: the National Defense Service Medal, the Bronze Star with one oakleaf Cluster, the Air Medal, the Vietnam Service Medal with one Silver and one Bronze Service Star, the Army Aviator Badge, and the Republic of Vietnam Campaign Medal.

Captain Putek's heroism will live forever. Following his retirement from the Army, Jim continued his passion for aviation as a commercial airline pilot for Piedmont Airlines and US Airways.

Captain Putek is survived by his wife Tricia Putek, his sister Delores, his sister-in-law Mary, and his nieces and nephews Hank, Gwen, Joanne, Janet, and Jon. He was preceded in death by his parents Walter and Frances, and his brother Henry.

Jim Putek was a fine gentleman and a true hero, respected and revered by everyone who met him. When Captain Putek passed, we not only lost a good man, we lost a great American.●

### TRIBUTE TO DOMINIC LAJOIE

● Mr. KING. Mr. President, I rise today to honor Dominic LaJoie of Van Buren, ME, who was recently named as National Potato Council, NPC, president for 2021. The National Potato Council is a grower-led organization managed by an Executive Committee and Board of Directors, which oversees its operations and provides guidance on its policy activities. It does not surprise me that Dominic LaJoie was chosen as the 2021 president to lead the council's Executive Committee because Dominic epitomizes the qualities that are needed to bring State potato grower organizations together at the national level. He has a proven history of promoting collaboration and respectful, healthy debate to further best practices and innovation in agriculture for years. Dominic has also served on the Maine Potato Board and has been a long standing and active participant of the National Potato Council in previous years including serving on the Trade Committee and as first vice president and vice president of the Environmental Affairs Committee.

But those are the only the highlights of one well-deserved appointment. What truly makes Dominic stand out is his heart for farming, for his family and for his community all while stepping up to serve in a national seat. Dominic and his family are fourth generation potato farmers. He is so humble and proud to work with his brother and nephew, along with the support of their wives and children, on the land that was farmed by their parents and their grandparents before them. Dominic's work ethic and character have shone through throughout his career as a farmer, but never one to just sit idle, their farm diversified and added grain and root vegetables, and they have worked to carve out new niche products in the natural snacks and health food markets. He is active in many civic activities and in his church, and when given a chance to speak of his wife and four children, his already genuine and wide smile broadens even further with an acknowledgment of his blessings.

I was pleased to tour their farm in Van Buren a couple of years ago and learned directly about their farm: the innovations and value added products; their focus on precision farming and efficiencies to enhance the productivity of their legacy farm and stewardship of the land they grew up on. Upon one of Dominic's awards received in recent years, he was asked if he had advice to those who are considering taking up farming, and he replied ''Never give up, be open-minded and embrace change, take chances.'' It was immediately clear to me that Dominic's successes through attention to detail, sound business practices, and a true commitment to the future of agriculture was what brought him to be nominated and appointed as president of the National Potato Council for 2021.

I would like to recognize and thank Dominic for his ongoing commitment to upholding the legacy of potato growers in our State and this country. I cannot speak highly enough of Dominic and look forward to his service as the president of the National Potato Council Executive Committee.●

### RECOGNIZING HUNTER'S BAR-B-Q

● Mr. PAUL. Mr. President, as ranking member of the Senate Committee on Small Business and Entrepreneurship, each week I will recognize an outstanding Kentucky small business that exemplifies the American entrepreneurial spirit. This week, it is my privilege to recognize a family-owned small business and southern Kentucky staple, Hunter's Bar-B-Q of Albany, KY, as the Senate Small Business of the Week.

On Hunter Shearer's 13th birthday, when other boys wanted skateboards or baseball gloves, Shearer asked for a new Weber gas grill. From that point on, he was cooking for family and friends every chance he could. As a welder, Shearer built his own mobile grill and smoker, which he used to cook at family and church events. He first sold barbeque to the public in 2009, at the 127 Yard Sale. Seeing a business opportunity, Shearer decided to pursue his boyhood dream of owning a restaurant. In 2012, Hunter began working with his father-in-law Mike Duvall to convert an old service station into a restaurant. Sixteen months later, Hunter's Bar-B-Q welcomed its first customers in 2014.

In 2021, Hunter's Bar-B-Q continues to serve up some of the best BBQ in southern Kentucky, and folks drive from all over the State to enjoy their signature hickory smoked meat and family-friendly hospitality. Hunter's care and attention to detail are evident in every aspect of his restaurant and catering business. At the restaurant, everything is made from scratch, from handmade picnic tables and cooking equipment to the smoke shack, pits, and charcoal makers. Even the charcoal is made on site, using hickory wood from local sawmills.

Locally, Hunter's Bar-B-Q is known as ''the place with the big flag.'' It

boasts a 25 by 40-foot American flag atop a 100-foot flagpole almost as big as the store. Thanks to the smokers and pits, Hunter's Bar-B-Q can feed around 3,000 people a day. The pulled pork and sliced shoulder are favorites, attracting customers from all over the country. Catering is also a large part of the business, with Hunter's Bar-B-Q catering events as far away as Louisville.

Together with his wife, Shannon, Hunter seeks to give back to their community in any way possible. Locally, Hunter's Bar-B-Q sponsors Little League and high school sports teams. They regularly support community organizations, including sponsoring Project Graduation, the All for Benny Fundraiser, and the American Cancer Society's Relay for Life. Additionally, Hunter's Bar-B-Q has supported numerous fundraisers that have covered emergency and medical expenses for local members of the community. Hunter's Bar-B-Q is a proud member of the Albany/Clinton County Chamber of Commerce. Notably, Hunter's Bar-B-Q is one of two caterers designated by the Lake Cumberland District Health Department to provide food for events in Clinton County, Kentucky.

Hunter's Bar-B-Q is a remarkable example of how hard work, ingenuity, and discipline can turn a childhood dream into reality. Small businesses like Hunter's Bar-B-Q form the heart of communities across Kentucky, regularly stepping up to support their communities. Congratulations to Hunter, Shannon, and the entire team at Hunter's Bar-B-Q. I wish them the best of luck and look forward to watching their continued growth and success in Kentucky.●

## MESSAGES FROM THE PRESIDENT

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

## EXECUTIVE MESSAGES REFERRED

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.)

## PRESIDENTIAL MESSAGE

### REPORT RELATIVE TO THE ISSUANCE OF AN EXECUTIVE ORDER THAT DECLARES A NATIONAL EMERGENCY WITH RESPECT TO THE UNUSUAL AND EXTRAORDINARY THREAT TO THE NATIONAL SECURITY, FOREIGN POLICY, AND ECONOMY OF THE UNITED STATES POSED BY SPECIFIED HARMFUL FOREIGN ACTIVITIES OF THE GOVERNMENT OF THE RUSSIAN FEDERATION—PM 7

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

*To the Congress of the United States:*

Pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*) (IEEPA), I hereby report that I have issued an Executive Order declaring a national emergency with respect to the unusual and extraordinary threat to the national security, foreign policy, and economy of the United States posed by specified harmful foreign activities of the Government of the Russian Federation.

I have determined that specified harmful foreign activities of the Government of the Russian Federation—in particular, efforts to undermine the conduct of free and fair democratic elections and democratic institutions in the United States and its allies and partners; to engage in and facilitate malicious cyber-enabled activities against the United States and its allies and partners; to foster and use transnational corruption to influence foreign governments; to pursue extraterritorial activities targeting dissidents or journalists; to undermine security in countries and regions important to United States national security; and to violate well-established principles of international law, including respect for the territorial integrity of states—constitute an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States.

I am enclosing a copy of the Executive Order I have issued.

JOSEPH R. BIDEN, Jr.

THE WHITE HOUSE, *April 15, 2021.*

## MESSAGE FROM THE HOUSE

At 11:34 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 bills, without amendment:

S. 164. An act to educate health care providers and the public on biosimilar biological products, and for other purposes.

S. 415. An act to amend the Federal Food, Drug, and Cosmetic Act with respect to the scope of new chemical exclusivity.

S. 578. An act to improve the health and safety of Americans living with food allergies and related disorders, including potentially life-threatening anaphylaxis, food protein-induced enterocolitis syndrome, and eosinophilic gastrointestinal diseases, and for other purposes.

The message also announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 172. An act to reauthorize the United States Anti-Doping Agency, and for other purposes.

H.R. 189. An act to amend the Public Health Service Act to provide that the authority of the Director of the National Institute on Minority Health and Health Disparities to make certain research endowments applies with respect to both current and former centers of excellence, and for other purposes.

H.R. 1766. An act to enhance cooperation between the Federal Trade Commission and State Attorneys General to combat unfair and deceptive practices, and for other purposes.

The message further announced that the House has agreed to the following resolution:

H. Res. 312. Resolution relative to the death of the Honorable Alcee L. Hastings, a Representative from the State of Florida.

## MEASURES REFERRED

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

H.R. 172. An act to reauthorize the United States Anti-Doping Agency, and for other purposes; to the Committee on Commerce, Science, and Transportation.

H.R. 1766. An act to enhance cooperation between the Federal Trade Commission and State Attorneys General to combat unfair and deceptive practices, and for other purposes; to the Committee on Commerce, Science, and Transportation.

## MEASURES PLACED ON THE CALENDAR

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 189. An act to amend the Public Health Service Act to provide that the authority of the Director of the National Institute on Minority Health and Health Disparities to make certain research endowments applies with respect to both current and former centers of excellence, and for other purposes.

## EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. REED for the Committee on Armed Services.

*Navy nomination of Adm. John C. Aquilino, to be Admiral.

By Mr. MENENDEZ for the Committee on Foreign Relations.

Samantha Power, of Massachusetts, to be Administrator of the United States Agency for International Development.

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. MENENDEZ (for himself, Mrs. FEINSTEIN, Mr. BLUMENTHAL, Mr. BOOKER, Mr. MARKEY, and Mr. PADILLA):

S. 1131. A bill to regulate firearm silencers and firearm mufflers; to the Committee on the Judiciary.

By Mr. KENNEDY:

S. 1132. A bill to establish a cap on out-of-pocket costs for insulin; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MCCONNELL (for himself and Ms. SINEMA):

S. 1133. A bill to direct the Director of the National Institutes of Health, in consultation with the Director of the National Heart, Lung, and Blood Institute, to establish a program to support or conduct research on valvular heart disease, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. BLACKBURN (for herself, Mr. HAGERTY, Mr. RUBIO, Mr. CRAMER, Mr. COTTON, Ms. WARREN, and Mr. ROUNDS):

S. 1134. A bill to award a Congressional Gold Medal to Master Sergeant Rodrick ''Roddie'' Edmonds in recognition of his heroic actions during World War II; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. MARKEY (for himself, Mr. BLUMENTHAL, Mr. LEAHY, Ms. WARREN, Mr. WHITEHOUSE, Ms. SMITH, Ms. KLOBUCHAR, Mr. REED, Mr. WYDEN, Mrs. SHAHEEN, Mr. CASEY, Mr. BOOKER, Mr. SANDERS, Mr. BROWN, Mrs. MURRAY, Ms. HIRONO, Mr. WARNER, Mr. KAINE, Mr. COONS, Mrs. FEINSTEIN, and Mr. MERKLEY):

S. 1135. A bill to amend the Immigration and Nationality Act to require the President to set a minimum annual goal for the number of refugees to be admitted, and for other purposes; to the Committee on the Judiciary.

By Ms. CANTWELL (for herself, Mr. YOUNG, Mr. WYDEN, and Mr. PORTMAN):

S. 1136. A bill to amend the Internal Revenue Code of 1986 to reform the low-income housing credit, and for other purposes; to the Committee on Finance.

By Mr. MARKEY (for himself, Ms. SMITH, Mr. BLUMENTHAL, Ms. KLOBUCHAR, Mr. MERKLEY, Ms. BALDWIN, Mr. SANDERS, Ms. ROSEN, Mr. KAINE, Mr. BOOKER, Mr. MENENDEZ, Mr. KING, Ms. HIRONO, and Mr. PADILLA):

S. 1137. A bill to amend title 18, United States Code, to prohibit gay and trans panic defenses; to the Committee on the Judiciary.

By Mr. MARKEY (for himself, Ms. WARREN, Mr. RUBIO, and Mr. VAN HOLLEN):

S. 1138. A bill to revoke or deny visas to Chinese officials involved in the formulation or execution of a policy that prevents innocent United States citizens from leaving China; to the Committee on the Judiciary.

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

S. 1139. A bill to repeal the Military Selective Service Act; to the Committee on Armed Services.

By Mr. KING (for himself and Ms. COLLINS):

S. 1140. A bill to amend the Small Business Act to alter the maximum amount of a second draw loan under Paycheck Protection Program, and for other purposes; to the Committee on Small Business and Entrepreneurship.

By Mr. MARKEY:

S. 1141. A bill to amend title 28, United States Code, to allow for twelve associate justices of the Supreme Court of the United States; to the Committee on the Judiciary.

By Mr. MARKEY (for himself, Mr. MERKLEY, Mr. CARDIN, Mr. DURBIN, Ms. BALDWIN, Mr. BROWN, Mr. REED, Mr. BOOKER, Mr. COONS, and Mr. CASEY):

S. 1142. A bill to require a determination as to whether crimes committed against the Rohingya in Burma amount to genocide; to the Committee on Foreign Relations.

By Mr. HAWLEY (for himself, Mr. COTTON, Mr. SCOTT of Florida, and Mr. RUBIO):

S. 1143. A bill to prohibit certain individuals from downloading or using TikTok on any device issued by the United States or a government corporation; to the Committee on Homeland Security and Governmental Affairs.

By Ms. ERNST (for herself, Mr. SASSE, Mr. RUBIO, Mr. MORAN, Mr. CRAMER, Mr. CRUZ, Mr. LANKFORD, Mr. SCOTT of South Carolina, Mr. SCOTT of Florida, Mr. THUNE, Mr. DAINES, Mr. ROMNEY, Mr. RISCH, Mr. ROUNDS, Mrs. BLACKBURN, Mr. HAGERTY, Mr. CASSIDY, Mr. TILLIS, Mrs. FISCHER, Mr. CRAPO, Mr. COTTON, Mr. KENNEDY, Mr. INHOFE, Mr. BRAUN, Mr. PAUL, Mr. BLUNT, Mr. HOEVEN, Mr. BARRASSO, Mr. HAWLEY, Mrs. HYDE-SMITH, Mr. CORNYN, Mr. BOOZMAN, Ms. LUMMIS, Mr. LEE, Mr. GRASSLEY, Mr. GRAHAM, and Mr. WICKER):

S. 1144. A bill to prohibit Federal funding of Planned Parenthood Federation of America; to the Committee on Health, Education, Labor, and Pensions.

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

S. 1145. A bill to prohibit the placement in service or continued operation of certain natural gas compressor stations as part of a project that would lead to or facilitate natural gas exports; to the Committee on Energy and Natural Resources.

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

S. 1146. A bill to counter Saudi Arabia's possible pursuit of weapons of mass destruction, and for other purposes; to the Committee on Foreign Relations.

By Mr. TESTER (for himself, Ms. MURKOWSKI, Mr. BLUMENTHAL, Mr. BROWN, Ms. HIRONO, Mrs. MURRAY, Mr. SANDERS, Ms. SINEMA, Mr. BOOZMAN, Mr. CRAMER, Mr. BLUNT, Mr. CASEY, Mr. COONS, Ms. CORTEZ MASTO, Ms. KLOBUCHAR, Mr. LEAHY, Mr. MARKEY, Mr. MENENDEZ, Ms. ROSEN, Mrs. SHAHEEN, Ms. SMITH, Ms. STABENOW, Mr. VAN HOLLEN, Ms. WARREN, Mr. WHITEHOUSE, and Mr. WYDEN):

S. 1147. A bill to amend title 10, United States Code, to permit certain retired members of the uniformed services who have a service-connected disability to receive both disability compensation from the Department of Veterans Affairs for their disability and either retired pay by reason of their years of military service or Combat-Related Special Compensation, and for other purposes; to the Committee on Armed Services.

By Mr. MARKEY (for himself, Mr. MERKLEY, Ms. WARREN, Mr. MURPHY, Mr. VAN HOLLEN, Mr. SCHATZ, Ms. SMITH, Mrs. FEINSTEIN, and Mr. LEAHY):

S. 1148. A bill to restrict the first-use strike of nuclear weapons; to the Committee on Foreign Relations.

By Mr. INHOFE (for himself, Mr. ROUNDS, Mr. BLUNT, and Ms. LUMMIS):

S. 1149. A bill to amend the Internal Revenue Code of 1986 to permanently extend the depreciation rules for property used predominantly within an Indian reservation; to the Committee on Finance.

By Mr. MARKEY:

S. 1150. A bill to authorize appropriations for the maritime environmental and technical assistance program, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. BLUMENTHAL (for himself, Ms. WARREN, and Mrs. FEINSTEIN):

S. 1151. A bill to amend title 38, United States Code, to provide for a presumption of service connected disability for certain veterans who served in Palomares, Spain, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. RUBIO (for himself, Mr. MURPHY, Mr. SCOTT of Florida, and Mr. BLUMENTHAL):

S. 1152. A bill to amend the Elementary and Secondary Education Act of 1965 to provide that children who have relocated from Puerto Rico to the States are fully considered for purposes of State allotments under the English Language Acquisition grants; to the Committee on Health, Education, Labor, and Pensions.

By Mr. LEE (for himself, Mr. SCOTT of Florida, Mrs. BLACKBURN, Mr. INHOFE, and Mr. TUBERVILLE):

S. 1153. A bill to amend the Head Start Act to authorize block grants to States for prekindergarten education, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. RUBIO (for himself and Mr. SCOTT of Florida):

S. 1154. A bill to amend the Internal Revenue Code of 1986 to provide a reduced excise tax rate for portable, electronically-aerated bait containers; to the Committee on Finance.

By Mr. KAINE (for himself and Mr. WARNER):

S. 1155. A bill to reform Federal firearms laws, and for other purposes; to the Committee on the Judiciary.

By Mr. CASEY (for himself, Mr. BLUNT, Mr. VAN HOLLEN, Mr. WICKER, Mrs. GILLIBRAND, Mr. BOOZMAN, Ms. KLOBUCHAR, Mr. HAWLEY, Ms. DUCKWORTH, Mr. INHOFE, Ms. ROSEN, Mr. RISCH, Ms. WARREN, Mr. ROUNDS, Mr. MERKLEY, and Mr. LANKFORD):

S. 1156. A bill to amend the Internal Revenue Code of 1986 to provide for a refundable adoption tax credit; to the Committee on Finance.

By Mr. CASEY (for himself, Mr. SCHUMER, Mrs. MURRAY, Mr. BROWN, Mr. MENENDEZ, Ms. STABENOW, Mr. BENNET, Ms. CORTEZ MASTO, Mr. WHITEHOUSE, Ms. WARREN, Ms. SMITH, Ms. BALDWIN, Mr. VAN HOLLEN, Mr. MERKLEY, Mrs. GILLIBRAND, and Ms. KLOBUCHAR):

S. 1157. A bill to amend the Internal Revenue Code of 1986 to allow workers an above-the-line deduction for union dues and expenses and to allow a miscellaneous itemized deduction for workers for all unreimbursed expenses incurred in the trade or business of being an employee; to the Committee on Finance.

By Mr. SCHATZ (for himself, Mr. VAN HOLLEN, Mr. MENENDEZ, and Ms. DUCKWORTH):

S. 1158. A bill to provide paid family and medical leave to Federal employees, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. GRASSLEY:

S. 1159. A bill to amend the Tariff Act of 1930 to enhance the authority of U.S. Customs and Border Protection to share information with respect to merchandise suspected of violating intellectual property rights with rights holders and other interested parties; to the Committee on Finance.

By Mrs. SHAHEEN (for herself and Mr. PORTMAN):

S. 1160. A bill to prioritize efforts of the Department of State to combat international trafficking in covered synthetic drugs and new psychoactive substances, and for other purposes; to the Committee on Foreign Relations.

By Mr. THUNE (for himself and Ms. HASSAN):

S. 1161. A bill to promote focused research and innovation in quantum communications and quantum network infrastructure to bolster internet security, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. CASEY:

S. 1162. A bill to improve access to the Program of All-Inclusive Care for the Elderly, and for other purposes; to the Committee on Finance.

By Mr. PAUL:

S. 1163. A bill to withdraw all United States Armed Forces from Afghanistan, and for other purposes; to the Committee on Foreign Relations.

By Mr. COTTON (for himself, Mr. CRUZ, Mr. YOUNG, and Mr. SCOTT of Florida):

S. 1164. A bill to impose sanctions with respect to foreign persons who engage in the hostage-taking or wrongful detention of United States citizens or aliens lawfully admitted for permanent residence, and for other purposes; to the Committee on Foreign Relations.

By Mr. COONS (for himself, Mr. WICKER, Mr. REED, Mr. BLUNT, Ms. DUCKWORTH, Mrs. HYDE-SMITH, Mr. BOOKER, Ms. COLLINS, Ms. KLOBUCHAR, Mr. RUBIO, Ms. BALDWIN, Mr. GRAHAM, Mr. KING, Mr. CORNYN, Mr. KELLY, Mr. CASSIDY, and Mr. DURBIN):

S. 1165. A bill to amend the national service laws to prioritize national service programs and projects that are directly related to the response to and recovery from the COVID–19 public health emergency, and for other purposes; to the Committee on Finance.

By Mr. TOOMEY (for himself, Mr. BARRASSO, Mr. BLUNT, Mr. BRAUN, Mr. CRAMER, Mr. CRUZ, Mr. LANKFORD, Mr. PORTMAN, Mr. RISCH, Mr. RUBIO, Mr. SCOTT of South Carolina, Mr. TILLIS, Mr. YOUNG, and Mr. THUNE):

S. 1166. A bill to amend the Internal Revenue Code of 1986 to permanently allow a tax deduction at the time an investment in qualified property is made; to the Committee on Finance.

By Mr. SANDERS (for himself, Mr. MERKLEY, Mr. MARKEY, Mr. BOOKER, Mr. VAN HOLLEN, and Ms. WARREN):

S. 1167. A bill to eliminate subsidies for fossil-fuel production; to the Committee on Finance.

By Mr. HOEVEN (for himself, Mr. BENNET, Mr. BRAUN, Ms. SMITH, Mr. THUNE, and Mr. CRAMER):

S. 1168. A bill to provide clarification regarding the common or usual name for bison and compliance with section 403 of the Federal Food, Drug, and Cosmetic Act, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

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

S. 1169. A bill to address issues involving the People's Republic of China; to the Committee on Foreign Relations.

By Mrs. GILLIBRAND (for herself, Ms. MURKOWSKI, Mr. REED, Mr. BLUMENTHAL, Mr. MURPHY, Ms. SMITH, Mr. BOOKER, Mr. KING, Ms. BALDWIN, Mr. TESTER, Mr. CASEY, Mr. VAN HOLLEN, Ms. WARREN, Mrs. FEINSTEIN, Ms. ROSEN, Ms. SINEMA, Ms. DUCKWORTH, Mr. PADILLA, Mrs. SHAHEEN, Mr. WYDEN, Mrs. MURRAY, Mr. MENENDEZ, Ms. KLOBUCHAR, Mr. LUJÁN, and Mr. SANDERS):

S. 1170. A bill to amend the Richard B. Russell National School Lunch Act to improve the efficiency of summer meals; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. MERKLEY (for himself, Mr. DURBIN, Ms. WARREN, Mr. WHITEHOUSE, Mr. MENENDEZ, and Mr. BLUMENTHAL):

S. 1171. A bill to amend the Securities Exchange Act of 1934 to prohibit mandatory pre-dispute arbitration agreements, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. MARKEY:

S. 1172. A bill to direct the Secretary of Transportation to carry out a grant program to support efforts to provide fare-free transit service, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Ms. SINEMA (for herself and Mr. ROMNEY):

S. 1173. A bill to establish a matched savings program for low-income students; to the Committee on Health, Education, Labor, and Pensions.

By Ms. LUMMIS (for herself, Ms. ERNST, Mr. CRAMER, Mr. ROUNDS, and Mr. JOHNSON):

S. 1174. A bill to establish a national commission on fiscal responsibility and reform, and for other purposes; to the Committee on the Budget.

By Mr. BURR (for himself and Ms. KLOBUCHAR):

S. 1175. A bill to categorize public safety telecommunicators as a protective service occupation under the Standard Occupational Classification System; to the Committee on Homeland Security and Governmental Affairs.

By Ms. SMITH (for herself and Mr. CASSIDY):

S. 1176. A bill to establish a grant program to support the manufacture and stockpiling of essential generic antibiotic drugs; to the Committee on Health, Education, Labor, and Pensions.

By Mr. LEE (for himself and Mr. GRASSLEY):

S. 1177. A bill to amend the Immigration and Nationality Act to modify the eligibility criteria for E visas; to the Committee on the Judiciary.

By Ms. DUCKWORTH (for herself, Mr. MORAN, Mr. DURBIN, Ms. BALDWIN, Mr. BLUMENTHAL, Mrs. FEINSTEIN, and Ms. ROSEN):

S. 1178. A bill to amend the Internal Revenue Code of 1986 to allow for a credit against tax for employers of reservists; to the Committee on Finance.

By Mrs. FEINSTEIN:

S. 1179. A bill to provide financial assistance for projects to address certain subsidence impacts in the State of California, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. MERKLEY (for himself, Mr. MURPHY, Mrs. FEINSTEIN, Mr. BLUMENTHAL, Mr. SCHATZ, Ms. BALDWIN, Ms. SMITH, Mrs. SHAHEEN, Ms. DUCKWORTH, Mr. VAN HOLLEN, Mr. DURBIN, and Mr. REED):

S. 1180. A bill to provide for the establishment of Medicare part E public health plans, and for other purposes; to the Committee on Finance.

By Mrs. GILLIBRAND:

S. 1181. A bill to authorize the establishment of HOPE Account Pilot Projects, HOPE Action Plans Pilot Projects, and competitive grants for pilot projects; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MENENDEZ (for himself and Mrs. FEINSTEIN):

S. 1182. A bill to ensure that sales, exports, or transfers of F–35 aircraft do not compromise the qualitative military edge of the United States or Israel, and for other purposes; to the Committee on Foreign Relations.

By Mr. SCHATZ (for himself, Mr. KAINE, Mr. SANDERS, Mr. MERKLEY, Mr. WYDEN, and Ms. ROSEN):

S. 1183. A bill to allow veterans to use, possess, or transport medical marijuana and to discuss the use of medical marijuana with a physician of the Department of Veterans Affairs as authorized by a State or Indian Tribe, and for other purposes; to the Committee on the Judiciary.

By Mr. LEE:

S. 1184. A bill to improve the program providing for private screening companies to conduct security screening at airports, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. DURBIN (for himself, Mr. BLUMENTHAL, Ms. DUCKWORTH, Mr. LEAHY, and Mr. BROWN):

S. 1185. A bill to amend the Family and Medical Leave Act of 1993 and title 5, United States Code, to permit leave to care for a domestic partner, parent-in-law, or adult child, or another related individual, who has a serious health condition, and to allow employees to take, as additional leave, parental involvement and family wellness leave to participate in or attend their children's and grandchildren's educational and extracurricular activities or meet family care needs; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BOOKER (for himself, Mr. LEAHY, Ms. WARREN, and Mr. SANDERS):

S. 1186. A bill to provide standards for facilities at which aliens in the custody of the Department of Homeland Security are detained, and for other purposes; to the Committee on the Judiciary.

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

S. 1187. A bill to amend the Tariff Act of 1930 to improve the administration of antidumping and countervailing duty laws, and for other purposes; to the Committee on Finance.

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

S. 1188. A bill to direct the Secretary of Veterans Affairs to notify Congress regularly of reported cases of burn pit exposure by veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. YOUNG (for himself, Ms. SMITH, Mr. BRAUN, and Mr. SCHATZ):

S. 1189. A bill to amend the Food, Agriculture, Conservation, and Trade Act of 1990 to establish a competitive grant program under which the Secretary of Agriculture provides grants to land-grant colleges and universities to support agricultural producers in adopting conservation and innovative climate practices, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. KING:

S. 1190. A bill to amend title XIX of the Social Security Act to provide enhanced Federal matching payments for direct support worker training programs, and for other purposes; to the Committee on Finance.

By Mr. KING (for himself, Ms. COLLINS, Ms. HASSAN, and Mrs. SHAHEEN):

S. 1191. A bill to amend the Internal Revenue Code of 1986 to include biomass heating appliances in the energy credit and to extend the credit for residential energy efficient property; to the Committee on Finance.

By Mr. KING:

S. 1192. A bill to amend subtitle A of title XX of the Social Security Act to authorize direct support worker career advancement demonstration projects, and for other purposes; to the Committee on Finance.

By Ms. ROSEN (for herself, Ms. COLLINS, Mr. WHITEHOUSE, and Mr. YOUNG):

S. 1193. A bill to establish a grant program at the Department of Homeland Security to promote cooperative research and development between the United States and Israel on cybersecurity; to the Committee on Foreign Relations.

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

S. 1194. A bill to include Portugal in the list of foreign states whose nationals are eligible for admission into the United States as E–1 and E–2 nonimmigrants if United States nationals are treated similarly by the Government of Portugal and to otherwise modify the eligibility criteria for E visas; to the Committee on the Judiciary.

By Mrs. MURRAY (for herself, Mr. SCHUMER, Mr. SCHATZ, Ms. DUCKWORTH, Ms. HASSAN, Mr. MURPHY, Mr. BROWN, Mr. BOOKER, Mr. CARDIN, Ms. SMITH, Mr. REED, Ms. WARREN, Ms. CANTWELL, Mr. VAN HOLLEN, Ms. CORTEZ MASTO, Mr. WYDEN, Mr. KAINE, Mr. BLUMENTHAL, Mr. WHITEHOUSE, Mr. MENENDEZ, Ms. BALDWIN, Mrs. GILLIBRAND, Mr. PETERS, Mr. HICKENLOOPER, Mr. KING, Mr. SANDERS, Mr. MARKEY, Mr. BENNET, Mr. CASEY, Mr. PADILLA, Mr. LUJÁN, Mr. DURBIN, Mr. LEAHY, Ms. HIRONO, Ms. KLOBUCHAR, Mr. COONS, Mr. MERKLEY, and Ms. ROSEN):

S. 1195. A bill to allow Americans to earn paid sick time so that they can address their own health needs and the health needs of their families; to the Committee on Health, Education, Labor, and Pensions.

By Mr. KING:

S. 1196. A bill to amend subtitle A of title XX of the Social Security Act to fund additional projects that focus on competency-based training for personal or home care aides, and for other purposes; to the Committee on Finance.

By Ms. HASSAN (for herself and Mr. THUNE):

S. 1197. A bill to amend title 10, United States Code, to apply public-private talent exchange programs in the Department of Defense to quantum information sciences and technology research, to increase coordination across agencies and emphasize opportunities in the Department for quantum information sciences and technology research, and for other purposes; to the Committee on Armed Services.

By Ms. HASSAN (for herself, Mr. CRAMER, and Mr. CASSIDY):

S. 1198. A bill to amend title 38, United States Code, to improve and expand the Solid Start program of the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mrs. BLACKBURN (for herself and Mr. HAGERTY):

S. 1199. A bill to release a Federal reversionary interest in Chester County, Tennessee, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. KAINE (for himself, Mr. RUBIO, Mr. BLUMENTHAL, Ms. COLLINS, Mr. COONS, Ms. DUCKWORTH, Mr. DURBIN, Mrs. FEINSTEIN, Mr. GRAHAM, Mr. KING, Ms. KLOBUCHAR, Mr. MERKLEY, Mr. MORAN, Mrs. SHAHEEN, and Mr. WARNER):

S.J. Res. 17. A joint resolution requiring the advice and consent of the Senate or an Act of Congress to suspend, terminate, or withdraw the United States from the North Atlantic Treaty and authorizing related litigation, and for other purposes; to the Committee on Foreign Relations.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. BRAUN (for himself and Mr. YOUNG):

S. Res. 157. A resolution honoring the 50th anniversary of hiring Robert Montgomery ''Bobby'' Knight as the Head Coach of the men's basketball team at Indiana University; considered and agreed to.

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

S. Res. 158. A resolution supporting the goals and ideals of National Public Safety Telecommunicators Week; to the Committee on Homeland Security and Governmental Affairs.

By Mr. KING (for himself, Mr. DAINES, Mr. MARKEY, Mr. RUBIO, Ms. CANTWELL, Mr. CRAMER, Mr. REED, Mr. PORTMAN, Mr. MANCHIN, Ms. COLLINS, Ms. SMITH, Mr. WICKER, Mr. WARNER, Mr. COTTON, Mrs. MURRAY, Mr. BURR, Ms. HIRONO, Mr. HOEVEN, Ms. ROSEN, Mr. BLUNT, Mr. CARDIN, Mr. TILLIS, Ms. STABENOW, Mr. CASSIDY, Mrs. FEINSTEIN, Mr. BOOZMAN, Ms. CORTEZ MASTO, Mr. JOHNSON, Mr. COONS, Ms. BALDWIN, Mr. HEINRICH, Mr. BENNET, Ms. HASSAN, Ms. KLOBUCHAR, Ms. LUMMIS, Mr. BRAUN, Mr. YOUNG, Mr. SCOTT of Florida, Mrs. CAPITO, Mr. PADILLA, Mr. WHITEHOUSE, Mr. BARRASSO, Mr. GRAHAM, Mr. ROUNDS, Mr. KAINE, Mr. SCOTT of South Carolina, Mr. MERKLEY, Mr. CARPER, Mr. MARSHALL, and Mr. TESTER):

S. Res. 159. A resolution designating the week of April 17, 2021, through April 25, 2021, as ''National Park Week''; considered and agreed to.

By Mrs. FEINSTEIN (for herself and Mr. PADILLA):

S. Res. 160. A resolution commending and congratulating the Stanford University Cardinal women's basketball team on winning the 2021 National Collegiate Athletic Association Division I women's basketball championship; considered and agreed to.

By Mr. CORNYN (for himself, Mr. CRUZ, and Mr. PAUL):

S. Res. 161. A resolution commending and congratulating the Baylor University Men's Basketball Team on winning the 2021 National Collegiate Athletic Association Division I men's basketball championship; considered and agreed to.

By Mr. CASEY (for himself and Mr. CRAMER):

S. Res. 162. A resolution designating April 14, 2021, as ''National Assistive Technology Awareness Day''; considered and agreed to.

By Mr. HAGERTY (for himself and Mrs. BLACKBURN):

S. Res. 163. A resolution relating to the death of the Honorable William ''Bill'' Emerson Brock III, former United States Senator for the State of Tennessee; considered and agreed to.

## ADDITIONAL COSPONSORS

S. 56

At the request of Ms. KLOBUCHAR, the name of the Senator from North Carolina (Mr. TILLIS) was added as a cosponsor of S. 56, a bill to amend the Public Health Service Act to authorize grants for training and support services for families and caregivers of people living with Alzheimer's disease or a related dementia.

S. 65

At the request of Mr. RUBIO, the name of the Senator from Georgia (Mr. WARNOCK) was added as a cosponsor of S. 65, a bill to ensure that goods made with forced labor in the Xinjiang Uyghur Autonomous Region of the People's Republic of China do not enter the United States market, and for other purposes.

S. 70

At the request of Ms. HASSAN, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 70, a bill to amend title 32, United States Code, to authorize cybersecurity operations and missions to protect critical infrastructure by members of the National Guard in connection with training or other duty.

S. 101

At the request of Mr. MARKEY, the names of the Senator from California (Mr. PADILLA) and the Senator from Massachusetts (Ms. WARREN) were added as cosponsors of S. 101, a bill to establish the Environmental Justice Mapping Committee, and for other purposes.

S. 145

At the request of Mr. DAINES, the names of the Senator from Minnesota (Ms. SMITH) and the Senator from Kansas (Mr. MARSHALL) were added as cosponsors of S. 145, a bill to amend title 5, United States Code, to repeal the requirement that the United States Postal Service prepay future retirement benefits, and for other purposes.

S. 172

At the request of Mr. CORNYN, the name of the Senator from Arizona (Mr. KELLY) was added as a cosponsor of S. 172, a bill to authorize the National Medal of Honor Museum Foundation to establish a commemorative work in the District of Columbia and its environs, and for other purposes.

S. 248

At the request of Mrs. GILLIBRAND, the name of the Senator from Georgia (Mr. WARNOCK) was added as a cosponsor of S. 248, a bill to provide paid family and medical leave benefits to certain individuals, and for other purposes.

S. 282

At the request of Mr. MARKEY, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor

of S. 282, a bill to designate a portion of the Arctic National Wildlife Refuge as wilderness.

S. 289

At the request of Mr. MARKEY, the names of the Senator from Massachusetts (Ms. WARREN), the Senator from Ohio (Mr. BROWN), the Senator from Michigan (Ms. STABENOW), the Senator from Delaware (Mr. COONS), the Senator from Nevada (Ms. ROSEN), the Senator from Maryland (Mr. VAN HOLLEN) and the Senator from Wisconsin (Ms. BALDWIN) were added as cosponsors of S. 289, a bill to authorize appropriations for offsetting the costs related to reductions in research productivity resulting from the coronavirus pandemic.

S. 331

At the request of Mr. CASEY, the names of the Senator from Kansas (Mr. MARSHALL), the Senator from Vermont (Mr. LEAHY) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of S. 331, a bill to amend the Internal Revenue Code of 1986 to increase the age requirement with respect to eligibility for qualified ABLE programs.

S. 360

At the request of Mrs. CAPITO, the names of the Senator from Indiana (Mr. BRAUN) and the Senator from Arizona (Mr. KELLY) were added as cosponsors of S. 360, a bill to amend title 51, United States Code, to modify the national space grant college and fellowship program, and for other purposes.

S. 385

At the request of Mr. BROWN, the name of the Senator from New Mexico (Mr. LUJÁN) was added as a cosponsor of S. 385, a bill to improve the full-service community school program, and for other purposes.

S. 420

At the request of Mrs. MURRAY, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 420, a bill to amend the National Labor Relations Act, the Labor Management Relations Act, 1947, and the Labor-Management Reporting and Disclosure Act of 1959, and for other purposes.

S. 452

At the request of Ms. STABENOW, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 452, a bill to award a Congressional Gold Medal to Willie O'Ree, in recognition of his extraordinary contributions and commitment to hockey, inclusion, and recreational opportunity.

S. 454

At the request of Mr. BLUMENTHAL, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 454, a bill to provide health care and benefits to veterans who were exposed to toxic substances while serving as members of the Armed Forces at Karshi Khanabad Air Base, Uzbekistan, and for other purposes.

S. 464

At the request of Ms. MURKOWSKI, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 464, 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 an exceptions process for any medication step therapy protocol, and for other purposes.

S. 501

At the request of Mr. DAINES, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S. 501, a bill to prohibit earmarks.

S. 586

At the request of Mrs. CAPITO, the names of the Senator from Montana (Mr. TESTER) and the Senator from North Carolina (Mr. TILLIS) were added as cosponsors of S. 586, a bill to amend title XVIII of the Social Security Act to combat the opioid crisis by promoting access to non-opioid treatments in the hospital outpatient setting.

S. 621

At the request of Mr. COTTON, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 621, a bill to amend the Immigration and Nationality Act to add membership in a significant transnational criminal organization to the list of grounds of inadmissibility and to prohibit the provision of material support or resources to such organizations.

S. 692

At the request of Mr. TESTER, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 692, a bill to award a Congressional Gold Medal to the female telephone operators of the Army Signal Corps, known as the ''Hello Girls''.

S. 773

At the request of Mr. THUNE, the names of the Senator from Oklahoma (Mr. INHOFE) and the Senator from Minnesota (Ms. SMITH) were added as cosponsors of S. 773, a bill to enable certain hospitals that were participating in or applied for the drug discount program under section 340B of the Public Health Service Act prior to the COVID–19 public health emergency to temporarily maintain eligibility for such program, and for other purposes.

S. 784

At the request of Mr. WYDEN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 784, a bill to amend the Social Security Act to establish a new employment, training, and supportive services program for unemployed and underemployed individuals, including individuals with barriers to employment and those who are unemployed or underemployed as a result of COVID–19, and for other purposes.

S. 800

At the request of Mr. BROWN, the names of the Senator from Nebraska (Mrs. FISCHER) and the Senator from Kentucky (Mr. PAUL) were added as cosponsors of S. 800, a bill to amend title XVIII of the Social Security Act to permit nurse practitioners and physician assistants to satisfy the documentation requirement under the Medicare program for coverage of certain shoes for individuals with diabetes.

S. 810

At the request of Mr. TESTER, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 810, a bill to amend title 38, United States Code, to expand the list of diseases associated with exposure to certain herbicide agents for which there is a presumption of service connection for veterans who served in the Republic of Vietnam to include hypertension, and for other purposes.

S. 828

At the request of Mr. BARRASSO, the names of the Senator from Maine (Ms. COLLINS), the Senator from Ohio (Mr. BROWN), the Senator from Maine (Mr. KING) and the Senator from New Hampshire (Mrs. SHAHEEN) were added as cosponsors 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. 910

At the request of Mr. MERKLEY, the name of the Senator from New Mexico (Mr. LUJÁN) was added as a cosponsor of S. 910, a bill to create protections for financial institutions that provide financial services to cannabis-related legitimate businesses and service providers for such businesses, and for other purposes.

S. 937

At the request of Ms. HIRONO, the names of the Senator from Georgia (Mr. OSSOFF) and the Senator from Maine (Mr. KING) were added as cosponsors of S. 937, a bill to facilitate the expedited review of COVID–19 hate crimes, and for other purposes.

S. 966

At the request of Mr. MARKEY, the name of the Senator from New Mexico (Mr. LUJÁN) was added as a cosponsor of S. 966, a bill to require the Administrator of the National Oceanic and Atmospheric Administration to establish a Climate Change Education Program, and for other purposes.

S. 976

At the request of Mr. TESTER, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 976, a bill to amend title 38, United States Code, to improve and to expand eligibility for dependency and indemnity compensation paid to certain survivors of certain veterans, and for other purposes.

S. 978

At the request of Ms. SMITH, the names of the Senator from New Mexico (Mr. LUJÁN) and the Senator from Wyoming (Mr. BARRASSO) were added as cosponsors of S. 978, a bill to provide for

the adjustment or modification by the Secretary of Agriculture of loans for critical rural utility service providers, and for other purposes.

S. 986

At the request of Ms. SMITH, the names of the Senator from Colorado (Mr. HICKENLOOPER) and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors of S. 986, a bill to amend the Internal Revenue Code of 1986 to provide for a 5-year extension of the carbon oxide sequestration credit, and for other purposes.

S. 1020

At the request of Ms. DUCKWORTH, the names of the Senator from Maryland (Mr. CARDIN) and the Senator from Pennsylvania (Mr. CASEY) were added as cosponsors of S. 1020, a bill to ensure due process protections of individuals in the United States against unlawful detention based solely on a protected characteristic.

S. 1042

At the request of Mr. WARNOCK, the name of the Senator from Minnesota (Ms. SMITH) was added as a cosponsor of S. 1042, a bill to prevent maternal mortality and serve maternal morbidity among Black pregnant and postpartum individuals and other underserved populations, to provide training in respectful maternity care, to reduce and prevent bias, racism, and discrimination in maternity care settings, and for other purposes.

S. 1050

At the request of Mr. COTTON, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 1050, a bill to enact as law certain regulations relating to the taking of double-crested cormorants.

S. 1072

At the request of Mr. BOOKER, the name of the Senator from Illinois (Ms. DUCKWORTH) was added as a cosponsor of S. 1072, a bill to provide incentives for agricultural producers to carry out climate stewardship practices, to provide for increased reforestation across the United States, to establish the Coastal and Estuary Resilience Grant Program, and for other purposes.

S. 1106

At the request of Mr. BOOKER, the name of the Senator from Illinois (Ms. DUCKWORTH) was added as a cosponsor of S. 1106, a bill to prohibit the sale of shark fins, and for other purposes.

S.J. RES. 1

At the request of Mr. CARDIN, the names of the Senator from Maine (Ms. COLLINS) and the Senator from Pennsylvania (Mr. CASEY) were added as cosponsors of S.J. Res. 1, a joint resolution removing the deadline for the ratification of the equal rights amendment.

S.J. RES. 14

At the request of Mr. HEINRICH, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S.J. Res. 14, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Environmental Protection Agency relating to ''Oil and Natural Gas Sector: Emission Standards for New, Reconstructed, and Modified Sources Review''.

S. RES. 37

At the request of Mr. MENENDEZ, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. Res. 37, a resolution expressing solidarity with the San Isidro Movement in Cuba, condemning escalated attacks against artistic freedoms in Cuba, and calling for the repeal of laws that violate freedom of expression and the immediate release of arbitrarily detained artists, journalists, and activists.

S. RES. 46

At the request of Ms. WARREN, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S. Res. 46, a resolution calling on the President of the United States to take executive action to broadly cancel Federal student loan debt.

S. RES. 72

At the request of Mr. COTTON, the name of the Senator from Nebraska (Mrs. FISCHER) was added as a cosponsor of S. Res. 72, a resolution opposing the lifting of sanctions imposed with respect to Iran without addressing the full scope of Iran's malign activities, including its nuclear program, ballistic and cruise missile capabilities, weapons proliferation, support for terrorism, hostage-taking, gross human rights violations, and other destabilizing activities.

S. RES. 116

At the request of Mr. RUBIO, the name of the Senator from Florida (Mr. SCOTT) was added as a cosponsor of S. Res. 116, a resolution commemorating the 60th anniversary of the Bay of Pigs operation and remembering the members of Brigada de Asalto 2506 (Assault Brigade 2506).

S. RES. 133

At the request of Ms. HIRONO, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. Res. 133, a resolution condemning all forms of anti-Asian sentiment as related to COVID–19.

S. RES. 140

At the request of Mr. WARNOCK, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. Res. 140, a resolution condemning the horrific shootings in Atlanta, Georgia, on March 16, 2021, and reaffirming the commitment of the Senate to combating hate, bigotry, and violence against the Asian-American and Pacific Islander community.

AMENDMENT NO. 1412

At the request of Mrs. BLACKBURN, the name of the Senator from Florida (Mr. SCOTT) was added as a cosponsor of amendment No. 1412 intended to be proposed to S. 937, a bill to facilitate the expedited review of COVID–19 hate crimes, and for other purposes.

AMENDMENT NO. 1437

At the request of Mr. KENNEDY, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of amendment No. 1437 intended to be proposed to S. 937, a bill to facilitate the expedited review of COVID–19 hate crimes, and for other purposes.

## STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. MCCONNELL (for himself and Ms. SINEMA):

S. 1133. A bill to direct the Director of the National Institutes of Health, in consultation with the Director of the National Heart, Lung, and Blood Institute, to establish a program to support or conduct research on valvular heart disease, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. MCCONNELL. Mr. President, now, on an entirely different matter, colleagues in Congress and my fellow Kentuckians were heartbroken last June when our dear friend, Carol Leavell Barr, suddenly and unexpectedly passed away.

She left behind two beautiful young daughters and an adoring husband in Congressman ANDY BARR. She was only 39 years old. Since then, we have learned her fatal heart attack was likely the result of an underlying condition called mitral valve prolapse.

Carol was diagnosed at a young age. Like millions of Americans with heart valve defects, she lived for many years with no apparent symptoms. Tragically, it only took an instant for her condition to turn deadly. Approximately 25,000 Americans each year lose their lives from this heart valve disease. Her passing deprived the Barr family of an extraordinary wife and mother. We all lost a warm and uplifting friend.

One of the most troubling aspects of this syndrome is just how much we still don't know. So Congressman BARR is taking action. He introduced the Cardiovascular Advances in Research and Opportunities Legacy Act, the CAROL Act. It would encourage new research into valvular heart disease, help us better understand the risks, and bring together top experts to identify potential treatments.

With this legislation, we can help prevent more families from enduring this tragedy. More than 120 House colleagues have already cosponsored the CAROL Act. It has also earned the support of major health advocacy groups.

So today, I am proud to introduce the CAROL Act here in the Senate. I am grateful to partner with Senator SINEMA, one of Congressman BARR's friends from their days serving together in the House. This important legislation is a fitting tribute to a wonderful Kentuckian. It embodies Carol's lifetime of service to others, and I look forward to its passage.

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

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

S. 1133

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

**SECTION 1. SHORT TITLE.**

This Act may be cited as the ''Cardiovascular Advances in Research and Opportunities Legacy Act''.

**SEC. 2. GRANTS FOR VALVULAR HEART DISEASE RESEARCH.**

Subpart 2 of part C of title IV of the Public Health Service Act (42 U.S.C. 285b et seq.) is amended by inserting after section 424C the following:

**''SEC. 424D. GRANTS FOR VALVULAR HEART DISEASE RESEARCH.**

''(a) IN GENERAL.—The Director of the National Institutes of Health, in consultation with the Director of the Institute, shall support or conduct research regarding valvular heart disease.

''(b) SUPPORT GUIDELINES.—The distribution of funding authorized in subsection (a) may be used to pursue any of the following outcomes:

''(1) Using precision medicine and advanced technological imaging to generate data on individuals with valvular heart disease.

''(2) Identifying and developing a cohort of individuals with valvular heart disease and available data.

''(3) Corroborating data generated through clinical trials to develop a prediction model to distinguish individuals at high risk for sudden cardiac arrest or sudden cardiac death from valvular heart disease.

''(4) Other outcomes needed to acquire necessary data on valvular heart disease.

''(c) MITRAL VALVE PROLAPSE WORKSHOP.—Not later than one year after the date of enactment of this section, the Director of the Institute shall convene a workshop composed of subject matter experts and stakeholders to identify research needs and opportunities to develop prescriptive guidelines for treatment of individuals with mitral valve prolapse.

''(d) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there is authorized to be appropriated $20,000,000 for each of fiscal years 2022 through 2026.''.

**SEC. 3. PROGRAMS OF CENTERS FOR DISEASE CONTROL AND PREVENTION.**

Part J of title III of the Public Health Service Act (42 U.S.C. 280b et seq.) is amended by inserting after section 393D the following section:

**''SEC. 393E. PREVENTION OF SUDDEN CARDIAC DEATH AS A RESULT OF VALVULAR HEART DISEASE.**

''(a) IN GENERAL.—The Secretary, acting through the Director of the Centers for Disease Control and Prevention, may carry out projects to increase education, awareness, or diagnosis of valvular heart disease and to reduce the incidence of sudden cardiac death caused by valvular heart disease. Such projects may be carried out by the Secretary directly or through awards of grants or contracts to public or nonprofit private entities. The Secretary may directly (or through such awards) provide technical assistance with respect to the planning, development, and operation of such projects.

''(b) CERTAIN ACTIVITIES.—Projects carried out under subsection (a) may include—

''(1) the implementation of public information and education programs for—

''(A) the prevention of sudden cardiac death from valvular heart disease;

''(B) broadening the awareness of the public concerning the risk factors for, the symptoms of, and the public health consequences of, valvular heart disease; and

''(C) increasing screening, detection, and diagnosis of valvular heart disease; and

''(2) surveillance of out-of-hospital cardiac arrests to improve patient outcomes.

''(c) GRANT PRIORITIZATION.—The Secretary may, in awarding grants or entering into contracts pursuant to subsection (a), give priority to entities seeking to carry out projects that target populations most impacted by valvular heart disease.

''(d) COORDINATION OF ACTIVITIES.—The Secretary shall ensure that activities under this section are coordinated, as appropriate, with other agencies of the Public Health Service that carry out activities regarding valvular heart disease.

''(e) BEST PRACTICES.—The Secretary, acting through the Director of the Centers for Disease Control and Prevention, shall—

''(1) collect and analyze the findings of research conducted with respect to valvular heart disease; and

''(2) taking into account such findings, publish on the website of the Centers for Disease Control and Prevention best practices for physicians and other health care providers who provide care to individuals with valvular heart disease.

''(f) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there is authorized to be appropriated such sums as may be necessary for each of fiscal years 2022 through 2026.''.

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By Mr. KAINE (for himself and Mr. WARNER):

S. 1155. A bill to reform Federal firearmslaws, and for other purposes; to the Committee on the Judiciary.

Mr. KAINE. Mr. President, it is painfully clear that existing Federal policies do not provide a comprehensive approach to address the national epidemic of gun violence. In fact, in 2019, for the third consecutive year, the Centers for Disease Control and Prevention reported gun violence as a leading cause of premature death in the United States resulting in the loss of 39,707 American lives—that is 109 American lives lost each day. And unfortunately, 2020 was no different. Even as the Country was enduring an unprecedented global pandemic, communities across the country were left dealing with the ever-present threat of gun violence.

There is single legislative action that can eradicate the complex and deeply rooted issues of gun violence. However, we must undertake the correct approach by focusing on many issues, including improvements to our mental health system, better security protocols, and commonsense rules about gun use and safety, such that keep firearms out of the hands of dangerous individuals.

Virginians know all too well the heartbreaking consequences of gun violence. We have seen it in the tragedies of Virginia Tech and Virginia Beach and the countless drive-by shootings, domestic violence, and suicides by firearms. Yet the Commonwealth has chosen to acknowledge and address its unfortunate history of gun violence, and this past year adopted a series of gun violence prevention measures. These measures include legislation to enact an Extreme Risk Protective Order; an expansion of background checks on all gun sales; a mandate to report lost and stolen firearms; safeguards that prevent children from accessing firearms; and a reinstatement of Virginia's successful one-handgun-a-month policy. The Virginia Plan to Reduce Gun Violence Act of 2021 builds on the newly adopted Virginia framework by creating a comprehensive package of policies at the federal level to reduce gun violence across the nation.

With public support for commonsense rules at the highest it has ever been, we cannot wait until the next senseless tragedy before enacting commonsense gun policies. It is important to remember that gun violence is preventable and requires we take an evidence-based approach to create a more peaceful society, free of gun violence. I believe that the ''Virginia Plan'' will pave the way to advance meaningful gun reform and ultimately save lives.

Now is the time to act.

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By Mr. THUNE (for himself and Ms. HASSAN):

S. 1161. A bill to promote focused research and innovation in quantum communications and quantum network infrastructure to bolster internet security, and for other purposes; to the Committee on Commerce, Science, and Transportation.

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

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

S. 1161

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

**SECTION 1. SHORT TITLE.**

This Act may be cited as the ''Quantum Network Infrastructure and Workforce Development Act of 2021''.

**SEC. 2. DEFINITIONS.**

In this Act:

(1) ESEA DEFINITIONS.—The terms ''elementary school'', ''high school'', ''local educational agency'', and ''secondary school'' have the meanings given those terms in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(2) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' has the meaning given such term in section 2 of the National Quantum Initiative Act (15 U.S.C. 8801).

(3) INTERAGENCY WORKING GROUP.—The term ''Interagency Working Group'' means the Interagency Working Group on Workforce, Industry, and Infrastructure under the Subcommittee on Quantum Information Science of the National Science and Technology Council.

(4) Q2WORK PROGRAM.—The term ''Q2Work Program'' means the Q2Work Program supported by the National Science Foundation.

(5) QUANTUM INFORMATION SCIENCE.—The term ''quantum information science'' has the meaning given such term in section 2 of the National Quantum Initiative Act (15 U.S.C. 8801).

(6) STEM.—The term ''STEM'' means science, technology, engineering, and mathematics.

**SEC. 3. QUANTUM NETWORKING WORKING GROUP REPORT ON QUANTUM NETWORKING AND COMMUNICATIONS.**

(a) REPORT.—Not later than 3 years after the date of the enactment of this Act, the Quantum Networking Working Group within the Subcommittee on Quantum Information Science of the National Science and Technology Council shall submit to the appropriate committees of Congress a report detailing a plan for the advancement of quantum networking and communications technology in the United States.

(b) REQUIREMENTS.—The report under subsection (a) shall include—

(1) a framework for interagency collaboration on the advancement of quantum networking and communications research;

(2) a plan for interagency collaboration on the development and drafting of international standards for quantum communications technology, including standards relating to—

(A) quantum cryptography and post-quantum classical cryptography;

(B) network security;

(C) quantum network infrastructure;

(D) transmission of quantum information through optical fiber networks; and

(E) any other technologies considered appropriate by the Working Group;

(3) a proposal for the protection of national security interests relating to the advancement of quantum networking and communications technology;

(4) recommendations to Congress for legislative action relating to the framework, plan, and proposal set forth pursuant to paragraphs (1), (2), and (3), respectively; and

(5) such other matters as the Working Group considers necessary to advance the security of communications and network infrastructure, remain at the forefront of scientific discovery in the quantum information science domain, and transition quantum information science research into the emerging quantum technology economy.

**SEC. 4. QUANTUM NETWORKING AND COMMUNICATIONS RESEARCH.**

(a) RESEARCH.—The Under Secretary of Commerce for Standards and Technology shall carry out research to facilitate the development and standardization of quantum networking and communications technologies and applications, including research on the following:

(1) Quantum cryptography and post-quantum classical cryptography.

(2) Quantum repeater technology.

(3) Quantum network traffic management.

(4) Quantum transduction.

(5) Long baseline entanglement and teleportation.

(6) Such other technologies, processes, or applications as the Under Secretary considers appropriate.

(b) IMPLEMENTATION.—The Under Secretary shall carry out the research required by subsection (a) through such divisions, laboratories, offices and programs of the National Institute of Standards and Technology as the Under Secretary considers appropriate and actively engaged in activities relating to quantum information science.

(c) DEVELOPMENT OF STANDARDS.—For quantum technologies deemed by the Under Secretary to be at a readiness level sufficient for standardization, the Under Secretary shall provide technical review and assistance to such other Federal agencies as the Under Secretary considers appropriate for the development of quantum network infrastructure standards.

(d) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated to the Scientific and Technical Research and Services account of the National Institute of Standards and Technology to carry out this section $10,000,000 for each of fiscal years 2022 through 2026.

(2) SUPPLEMENT, NOT SUPPLANT.—The amounts authorized to be appropriated under paragraph (1) shall supplement and not supplant amounts already appropriated to the account described in such paragraph.

**SEC. 5. ENERGY SCIENCES NETWORK.**

(a) IN GENERAL.—The Secretary of Energy (referred to in this section as the ''Secretary'') shall supplement the Energy Sciences Network User Facility (referred to in this section as the ''Network'') with dedicated quantum network infrastructure to advance development of quantum networking and communications technology.

(b) PURPOSE.—The purpose of subsection (a) is to utilize the Network to advance a broad range of testing and research, including relating to—

(1) the establishment of stable, long-baseline quantum entanglement and teleportation;

(2) quantum repeater technologies for long-baseline communication purposes;

(3) quantum transduction;

(4) the coexistence of quantum and classical information;

(5) multiplexing, forward error correction, wavelength routing algorithms, and other quantum networking infrastructure; and

(6) any other technologies or applications determined necessary by the Secretary.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary to carry out this section such sums as are necessary for each of fiscal years 2022 through 2026.

**SEC. 6. QUANTUM WORKFORCE EVALUATION AND ACCELERATION.**

(a) IDENTIFICATION OF GAPS.—The National Science Foundation shall enter into an agreement with the National Academies of Sciences, Engineering, and Medicine to conduct a study of ways to support the next generation of quantum leaders.

(b) SCOPE OF STUDY.—In carrying out the study described in subsection (a), the National Academies of Sciences, Engineering, and Medicine shall identify—

(1) education gaps, including foundational courses in STEM and areas in need of standardization, in elementary school, middle school, high school, and higher education curricula, that need to be rectified in order to prepare students to participate in the quantum workforce;

(2) the skills and workforce needs of industry, specifically identifying the cross-disciplinary academic degrees or academic courses necessary—

(A) to qualify students for multiple career pathways in quantum information sciences and related fields;

(B) to ensure the United States is competitive in the field of quantum information science while preserving national security; and

(C) to support the development of quantum applications; and

(3) the resources and materials needed to train elementary, middle, and high school educators to effectively teach curricula relevant to the development of a quantum workforce.

(c) REPORTS.—

(1) EXECUTIVE SUMMARY.—Not later than 1 year after the date of enactment of this Act, the National Academies of Science, Engineering, and Medicine shall prepare and submit to the National Science Foundation, and programs or projects funded by the National Science Foundation, an executive summary of progress regarding the study conducted under subsection (a) that outlines the findings of the Academies as of such date.

(2) REPORT.—Not later than 2 years after the date of enactment of this Act, the National Academies of Science, Engineering, and Medicine shall prepare and submit a report containing the results of the study conducted under subsection (a) to Congress, the National Science Foundation, and programs or projects funded by the National Science Foundation that are relevant to the acceleration of a quantum workforce.

**SEC. 7. INCORPORATING QISE INTO STEM CURRICULUM.**

(a) IN GENERAL.—The National Science Foundation shall, through programs carried out or supported by the National Science Foundation, prioritize the better integration of quantum information science and engineering (referred to in this section as ''QISE'') into the STEM curriculum for each grade level from kindergarten through grade 12.

(b) REQUIREMENTS.—The curriculum integration under subsection (a) shall include—

(1) methods to conceptualize QISE for each grade level from kindergarten through grade 12;

(2) methods for strengthening foundational mathematics and science curricula;

(3) age-appropriate materials that apply the principles of quantum information science in STEM fields;

(4) recommendations for the standardization of key concepts, definitions, and curriculum criteria across government, academia, and industry; and

(5) materials that specifically address the findings and outcomes of the study conducted under section 6 and strategies to account for the skills and workforce needs identified through the study.

(c) COORDINATION.—In carrying out this section, the National Science Foundation, including the STEM Education Advisory Panel and the Advancing Informal STEM Learning program and through the National Science Foundation's role in the National Q–12 Education Partnership and the Q2Work Program, shall coordinate with the Office of Science and Technology Policy, EPSCoR eligible universities, and any Federal agencies or working groups determined necessary by the National Science Foundation.

(d) REVIEW.—In implementing this section, the National Science Foundation shall review and provide necessary updates to the related report entitled ''Key Concepts for Future QIS Learners'' (May 2020).

**SEC. 8. QUANTUM EDUCATION PILOT PROGRAM.**

(a) IN GENERAL.—The National Science Foundation, through the National Science Foundation's role in the National Q–12 Education Partnership and the Q2Work Program, and in coordination with the Directorate for Education and Human Resources, shall carry out a pilot program, to be known as the ''Next Generation Quantum Leaders Pilot Program'', to provide funding for the education and training of the next generation of students in the fundamental principles of quantum mechanics.

(b) REQUIREMENTS.—

(1) IN GENERAL.—In carrying out the pilot program required by subsection (a), the National Science Foundation shall—

(A) publish a call for applications through the National Q–12 Education Partnership website (or similar website) for participation in the pilot program from elementary schools, secondary schools, and State educational agencies;

(B) coordinate with educational service agencies, associations that support STEM educators or local educational agencies, and partnerships through the Q–12 Education

Partnership, to encourage elementary schools, secondary schools, and State educational agencies to participate in the program;

(C) accept applications for a period of 5 months in advance of the academic year in which the program shall begin;

(D) select elementary schools, secondary schools, and State educational agencies to participate in the program, in accordance with qualifications determined by the Interagency Working Group, in coordination with the National Q–12 Education Partnership; and

(E) in coordination with the National Q–12 Education Partnership, identify qualifying advanced degree students, or recent advanced degree graduates, with experience in the field of quantum information science to provide feedback and assistance to educators selected to participate in the pilot program.

(2) PRIORITIZATION.—In selecting program participants under paragraph (1)(D), the Director of the National Science Foundation shall give priority to elementary schools, secondary schools, and local educational agencies located in jurisdictions eligible to participate in the Established Program to Stimulate Competitive Research (commonly known as ''EPSCoR''), including Tribal and rural elementary, middle, and high schools in such jurisdictions.

(c) CONSULTATION.—The National Science Foundation shall carry out this section in consultation with the Interagency Working Group.

(d) REPORTING.—

(1) REPORT AND SELECTED PARTICIPANTS.—Not later than 180 days after the date of enactment of this Act, the Director of the National Science Foundation shall submit to Congress a report on the educational institutions selected to participate in the pilot program required under subsection (a), specifying the percentage from nontraditional geographies, including Tribal or rural school districts.

(2) REPORT ON IMPLEMENTATION OF CURRICULUM.—Not later than 2 years after the date of enactment of this Act, the Director of the National Science Foundation shall submit to Congress a report on implementation of the curricula and materials under the pilot program, including the feasibility and advisability of expanding such pilot program to include additional educational institutions beyond those originally selected to participate in the pilot program.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated such funds as may be necessary to carry out this section.

(f) TERMINATION.—This section shall cease to have effect on the date that is 3 years after the date of the enactment of this Act.

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By Mrs. FEINSTEIN:

S. 1179. A bill to provide financial assistance for projects to address certain subsidence impacts in the State of California, and for other purposes; to the Committee on Energy and Natural Resources.

Ms. FEINSTEIN. Mr. President, I rise to speak in support of the ''Canal Conveyance Capacity Restoration Act,'' which I introduced today. Representatives JIM COSTA (D–CA) has introduced companion legislation in the House.

The bill has two major provisions, benefiting both drought resilience and the environment:

First, it would authorize more than $653 million to restore the capacity of three canals of national importance. Restoring these canals would improve California's drought resilience and help the nation's leading agricultural economy comply with limits on groundwater pumping under the state's Sustainable Groundwater Management Act.

Second, the bill authorizes an additional $180 million to restore salmon runs on the San Joaquin River. The funding is for fish passage structures, levees and other improvements that will allow the threatened Central Valley Spring-run Chinook salmon to swim freely upstream from the ocean to the Friant Dam.

The bill authorizes a ⅓ Federal cost-share for restoring the capacity of the Friant-Kern Canal, the Delta-Mendota Canal, and the California Aqueduct.

Coordinated legislation in the State legislature introduced by State Senator Melissa Hurtado would authorize a ⅓ state cost-share for restoring the canals' capacity. Under the coordinated Federal and State legislation, the locals would also be responsible for a ⅓ cost-share for the canal restoration projects.

This legislation would help California water users and California's nation-leading agricultural industry comply with a recent State requirement to end the overpumping of groundwater. The stakes are huge: bringing groundwater into balance will reduce the water supply of the San Joaquin Valley by about 2 million acre-feet per year.

Unless local water agencies and the State and Federal governments take action, a recent U.C. Berkeley study has projected severe impacts from these water supply losses:

798,000 acres of land would have to be retired from agricultural production, nearly ⅙ of the working farmland in an area that produces half the fruit and vegetables grown in the nation; and

$5.9 billion would be lost in annual farm income in a region that is almost entirely reliant on agriculture and has been called ''the Appalachia of the West'' due to its severe economic disadvantage.

One of the most cost-effective and efficient ways to restore groundwater balance is to convey floodwaters to farmlands where they can recharge the aquifer. California has the most variable precipitation of any State. When we get massive storms from atmospheric rivers, there is plenty of runoff to recharge aquifers—but only if we can effectively convey the floodwaters throughout the San Joaquin Valley to recharge areas.

Here is where the challenge arises. For a variety of reasons, the ground beneath the major canals has dropped by as much as 10 to 20 feet, which has caused canals designed to convey floodwaters to buckle and drop in many places. Other parts of the canals have not subsided, so the amount of water that the canal conveys must be reduced so that the canals don't overrun.

As a result, these essential canals for conveying floodwaters have lost as much as 60% of their conveyance capacity. The bill I am introducing today would provide Federal assistance to help fix these Federal canals.

Specifically, the bill would authorize $653.4 million in a Federal funding-cost share for three major projects to repair Federal canals damaged by subsidence to achieve their lost capacity:

$180 million for the Friant-Kern Canal, which would move an additional 100,000 acre-feet per year on average;

$183.9 million for the Delta Mendota Canal, which would move an additional 62,000 acre-feet per year on average; and

$289.5 million for California Aqueduct repairs, which would move an additional 205,000 acre-feet per year on average. While parts of the California Aqueduct are state-owned, the majority of the repairs are on its federally-owned portion.

If the Federal government covers a portion of the cost of restoring these three essential Federal canals for conveying floodwaters, it will give local farmers a fighting chance to bring their groundwater basins into balance without being forced to retire massive amounts of land.

Critically, the ability to deliver floodwaters through restored Federal canals will allow the water districts to invest in their own turnouts, pumps, detention basins and other groundwater recharge projects. The South Valley Water Association, which covers just a small part of the Valley, provided my office with a list of 36 such projects for its area alone.

The Public Policy Institute of California (PPIC) has determined that groundwater recharge projects are the best option to help the San Joaquin Valley comply with the new state groundwater pumping law. PPIC projects that the Valley can make up 300,000 to 500,000 acre feet of its groundwater deficit through recharge projects.

A study commissioned by the coalition group called the ''Water Blueprint for the San Joaquin Valley'' estimates that required reductions in groundwater could cause a loss of up to 42,000 farm and agricultural jobs in the San Joaquin Valley. Another 40,000 jobs or more could be lost statewide each year due to reductions in Valley agricultural production, putting the total at approximately 85,000 jobs statewide. Most of these impacts will fall disproportionately on economically disadvantaged communities. These impacts will be significant unless we address them through collaborative planning, policies, infrastructure, recharge and necessary financial support.

Let me now turn to the three critical canals that the bill would authorize assistance to restore. The Friant-Kern Canal is a key feature of the Friant Division of the Federal Central Valley Project on the Eastside of the San Joaquin Valley. For nearly 70 years, the Friant Division successfully kept groundwater tables stable on the

Eastside. This provided a sustainable source of water for farms and for thousands of Californians and more than 50 small, rural, or disadvantaged communities who rely entirely on groundwater for their household water supplies.

But unsustainable groundwater pumping in the Valley has reduced the Friant-Kern Canal's ability to deliver water to all who need it. Land elevation subsidence caused by overpumping means that not all of the supplies stored at Friant Dam can be conveyed through the canal. In some areas, the canal can carry only 40 percent of what it's designed to deliver.

In 2017, a very wet year in which we should have been banking as much flood water as possible, the Friant-Kern Canal couldn't deliver an additional 300,000 acre-feet of water that it would have been able to convey had its capacity not been limited by subsidence. This significant amount of water would have been destined for groundwater recharge efforts in the south San Joaquin Valley, where the impacts of reduced water deliveries, water quality issues and groundwater regulation are expected to be most severe.

The California Aqueduct serves more than 27 million people in Southern California and the Silicon Valley and more than 750,000 acres of the Nation's most productive farmland. But despite its name, much of the California Aqueduct is owned by the Federal government and serves portions of Silicon Valley, small towns and communities in the northern San Joaquin Valley, and farms from Firebaugh to Kettleman City. The aqueduct represents a successful 70–year partnership between the Federal Government and the State of California.

In recent years, particularly recent drought years, the California Aqueduct has subsided. It has lost as much as 20% of its capacity to move water to California's families, farms and businesses. California is leading efforts to repair the aqueduct and is working to provide its share of funding, but the Federal government will also need to pay its fair share. The bill I am introducing today would authorize $289.5 million toward restoring the California Aqueduct.

The Delta-Mendota Canal stretches southward 117 miles from the C.W. Bill Jones Pumping Plant along the western edge of the San Joaquin Valley, parallel to the California Aqueduct. The Delta-Mendota Canal has lost 15% of its conveyance capacity due to subsidence. The bill I am introducing today would authorize $183.9 million toward restoring its full ability to convey floodwaters to farms needing to recharge their groundwater, and to wildlife refuges of critical importance for migratory waterfowl along the Pacific Flyway.

This bill responds to a potential crisis that very possibly could cause the forced retirement of nearly 1/6 of the working farmland in an area that produces half of America's fruits and vegetables.

These are Federal canals, and the federal government must help give these farmers and communities reliant on the agricultural economy a fighting chance to keep their lands in production.

In addition, this legislation helps to restore an historic salmon run on California's second-longest river, the San Joaquin.

I hope my colleagues will join me in support of this bill. Thank you, Mr. President, and I yield the floor.

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By Mr. DURBIN (for himself, Mr. BLUMENTHAL, Ms. DUCKWORTH, Mr. LEAHY, and Mr. BROWN):

S. 1185. A bill to amend the Family and Medical Leave Act of 1993 and title 5, United States Code, to permit leave to care for a domestic partner, parent-in-law, or adult child, or another related individual, who has a serious health condition, and to allow employees to take, as additional leave, parental involvement and family wellness leave to participate in or attend their children's and grandchildren's educational and extracurricular activities or meet family care needs; to the Committee on Health, Education, Labor, and Pensions.

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

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

S. 1185

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

**SECTION 1. SHORT TITLE.**

This Act may be cited as the ''Family Medical Leave Modernization Act''.

**SEC. 2. LEAVE TO CARE FOR A DOMESTIC PARTNER, SON-IN-LAW, DAUGHTER-IN-LAW, PARENT-IN-LAW, ADULT CHILD, GRANDPARENT, GRANDCHILD, OR SIBLING OF THE EMPLOYEE, OR ANOTHER RELATED INDIVIDUAL.**

(a) DEFINITIONS.—

(1) INCLUSION OF RELATED INDIVIDUALS.—Section 101 of the Family and Medical Leave Act of 1993 (29 U.S.C. 2611) is amended by adding at the end the following:

''(20) ANY OTHER INDIVIDUAL RELATED BY BLOOD WHOSE CLOSE ASSOCIATION IS THE EQUIVALENT OF A FAMILY RELATIONSHIP.—The term 'any other individual related by blood whose close association is the equivalent of a family relationship', used with respect to an employee, means any person with whom the employee has a significant personal bond that is or is like a family relationship, regardless of biological or legal relationship.

''(21) DOMESTIC PARTNER.—The term 'domestic partner', used with respect to an employee, means—

''(A) the person recognized as the domestic partner of the employee under any domestic partnership or civil union law of a State or political subdivision of a State; or

''(B) in the case of an unmarried employee, an unmarried adult person who is in a committed, personal relationship with the employee, is not a domestic partner as described in subparagraph (A) to or in such a relationship with any other person, and who is designated to the employer by such employee as that employee's domestic partner.

''(22) GRANDCHILD.—The term 'grandchild' means the son or daughter of an employee's son or daughter.

''(23) GRANDPARENT.—The term 'grandparent' means a parent of a parent of an employee.

''(24) NEPHEW; NIECE.—The terms 'nephew' and 'niece', used with respect to an employee, mean a son or daughter of the employee's sibling.

''(25) PARENT-IN-LAW.— The term 'parent-in-law' means a parent of the spouse or domestic partner of an employee.

''(26) SIBLING.—The term 'sibling' means any person who is a son or daughter of an employee's parent (other than the employee).

''(27) SON-IN-LAW; DAUGHTER-IN-LAW.—The terms 'son-in-law' and 'daughter-in-law', used with respect to an employee, mean any person who is a spouse or domestic partner of a son or daughter, as the case may be, of the employee.

''(28) UNCLE; AUNT.—The terms 'uncle' and 'aunt', used with respect to an employee, mean the son or daughter, as the case may be, of the employee's grandparent (other than the employee's parent).''.

(2) INCLUSION OF ADULT CHILDREN AND CHILDREN OF A DOMESTIC PARTNER.—Section 101(12) of such Act (29 U.S.C. 2611(12)) is amended—

(A) by inserting ''a child of an individual's domestic partner,'' after ''a legal ward,''; and

(B) by striking ''who is—'' and all that follows and inserting ''and includes an adult child.''.

(b) LEAVE REQUIREMENT.—Section 102 of the Family and Medical Leave Act of 1993 (29 U.S.C. 2612) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) in subparagraph (C), by striking ''spouse, or a son, daughter, or parent, of the employee, if such spouse, son, daughter, or parent'' and inserting ''spouse or domestic partner, or a son or daughter, son-in-law, daughter-in-law, parent, parent-in-law, grandparent, grandchild, sibling, uncle or aunt, or nephew or niece of the employee, or any other individual related by blood whose close association is the equivalent of a family relationship with the employee, if such spouse, domestic partner, son or daughter, son-in-law, daughter-in-law, parent, parent-in-law, grandparent, grandchild, sibling, uncle or aunt, or nephew or niece, or such other individual''; and

(ii) in subparagraph (E), by striking ''spouse, or a son, daughter, or parent of the employee'' and inserting ''spouse or domestic partner, or a son or daughter, son-in-law, daughter-in-law, parent, parent-in-law, grandchild, sibling, uncle or aunt, or nephew or niece of the employee, or any other individual related by blood whose close association is the equivalent of a family relationship with the employee''; and

(B) in paragraph (3), by striking ''spouse, son, daughter, parent, or next of kin of a covered servicemember'' and inserting ''spouse or domestic partner, son or daughter, son-in-law, daughter-in-law, parent, parent-in-law, grandparent, sibling, uncle or aunt, nephew or niece, or next of kin of a covered servicemember, or any other individual related by blood whose close association is the equivalent of a family relationship with the covered servicemember'';

(2) in subsection (e)—

(A) in paragraph (2)(A), by striking ''son, daughter, spouse, parent, or covered servicemember of the employee, as appropriate'' and inserting ''son or daughter, son-in-law, daughter-in-law, spouse or domestic partner, parent, parent-in-law, grandparent, grandchild, sibling, uncle or aunt, nephew or

niece, or covered servicemember of the employee, or any other individual related by blood whose close association is the equivalent of a family relationship with the employee, as appropriate''; and

(B) in paragraph (3), by striking ''spouse, or a son, daughter, or parent, of the employee'' and inserting ''spouse or domestic partner, or a son or daughter, son-in-law, daughter-in-law, parent, parent-in-law, grandchild, sibling, uncle or aunt, or nephew or niece of the employee, or any other individual related by blood whose close association is the equivalent of a family relationship with the employee, as appropriate,''; and

(3) in subsection (f)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by inserting '', or domestic partners,'' after ''husband and wife''; and

(ii) in subparagraph (B), by inserting ''or parent-in-law'' after ''parent''; and

(B) in paragraph (2), by inserting '', or those domestic partners,'' after ''husband and wife'' each place it appears.

(c) CERTIFICATION.—Section 103 of the Family and Medical Leave Act of 1993 (29 U.S.C. 2613) is amended—

(1) in subsection (a), by striking ''son, daughter, spouse, or parent of the employee, or of the next of kin of an individual in the case of leave taken under such paragraph (3), as appropriate'' and inserting ''son or daughter, son-in-law, daughter-in-law, spouse or domestic partner, parent, parent-in-law, grandparent, grandchild, sibling, uncle or aunt, or nephew or niece of the employee, or the next of kin of an individual, or any other individual related by blood whose close association is the equivalent of a family relationship with the employee, as appropriate''; and

(2) in subsection (b)—

(A) in paragraph (4)(A), by striking ''son, daughter, spouse, or parent and an estimate of the amount of time that such employee is needed to care for the son, daughter, spouse, or parent'' and inserting ''son or daughter, son-in-law, daughter-in-law, spouse or domestic partner, parent, parent-in-law, grandparent, grandchild, sibling, uncle or aunt, or nephew or niece of the employee, or any other individual related by blood whose close association is the equivalent of a family relationship with the employee, as appropriate, and an estimate of the amount of time that such employee is needed to care for such son or daughter, son-in-law, daughter-in-law, spouse or domestic partner, parent, parent-in-law, grandparent, grandchild, sibling, uncle or aunt, or nephew or niece, or such other individual''; and

(B) in paragraph (7), by striking ''son, daughter, parent, or spouse who has a serious health condition, or will assist in their recovery,'' and inserting ''son or daughter, son-in-law, daughter-in-law, spouse or domestic partner, parent, parent-in-law, grandparent, grandchild, sibling, uncle or aunt, or nephew or niece, with a serious health condition, of the employee, or an individual, with a serious health condition, who is any other individual related by blood whose close association is the equivalent of a family relationship with the employee, as appropriate, or will assist in the recovery,''.

(d) EMPLOYMENT AND BENEFITS PROTECTION.—Section 104(c)(3) of the Family and Medical Leave Act of 1993 (29 U.S.C. 2614(c)(3)) is amended—

(1) in subparagraph (A)(i), by striking ''son, daughter, spouse, or parent of the employee, as appropriate,'' and inserting ''son or daughter, son-in-law, daughter-in-law, spouse or domestic partner, parent, parent-in-law, grandparent, grandchild, sibling, uncle or aunt, or nephew or niece of the employee, or any other individual related by blood whose close association is the equivalent of a family relationship with the employee, as appropriate,''; and

(2) in subparagraph (C)(ii), by striking ''son, daughter, spouse, or parent'' and inserting ''employee's son or daughter, son-in-law, daughter-in-law, spouse or domestic partner, parent, parent-in-law, grandparent, grandchild, sibling, uncle or aunt, or nephew or niece, or (with relation to the employee) any other individual related by blood whose close association is the equivalent of a family relationship, as appropriate,''.

**SEC. 3. LEAVE TO CARE FOR A DOMESTIC PARTNER, SON-IN-LAW, DAUGHTER-IN-LAW, PARENT-IN-LAW, ADULT CHILD, GRANDPARENT, GRANDCHILD, OR SIBLING OF THE EMPLOYEE, OR ANOTHER RELATED INDIVIDUAL FOR FEDERAL EMPLOYEES.**

(a) DEFINITIONS.—

(1) INCLUSION OF A DOMESTIC PARTNER, SON-IN-LAW, DAUGHTER-IN-LAW, PARENT-IN-LAW, ADULT CHILD, GRANDPARENT, GRANDCHILD, OR SIBLING OF THE EMPLOYEE, OR ANOTHER INDIVIDUAL RELATED BY BLOOD.—Section 6381 of title 5, United States Code, is amended—

(A) in paragraph (11) by striking ''; and'' and inserting a semicolon;

(B) in paragraph (12), by striking the period and inserting a semicolon; and

(C) by adding at the end the following:

''(13) the term 'any other individual related by blood whose close association is the equivalent of a family relationship', used with respect to an employee, means any person with whom the employee has a significant personal bond that is or is like a family relationship, regardless of biological or legal relationship;

''(14) the term 'domestic partner', used with respect to an employee, means—

''(A) the person recognized as the domestic partner of the employee under any domestic partnership or civil union law of a State or political subdivision of a State; or

''(B) in the case of an unmarried employee, an unmarried adult person who is in a committed, personal relationship with the employee, is not a domestic partner as described in subparagraph (A) or in such a relationship with any other person, and who is designated to the employing agency by such employee as that employee's domestic partner;

''(15) the term 'grandchild' means the son or daughter of an employee's son or daughter;

''(16) the term 'grandparent' means a parent of a parent of an employee;

''(17) the terms 'nephew' and 'niece', used with respect to an employee, mean a son or daughter of the employee's sibling;

''(18) the term 'parent-in-law' means a parent of the spouse or domestic partner of an employee;

''(19) the term 'sibling' means any person who is a son or daughter of an employee's parent (other than the employee);

''(20) the terms 'son-in-law' and 'daughter-in-law', used with respect to an employee, mean any person who is a spouse or domestic partner of a son or daughter, as the case may be, of the employee;

''(21) the term 'State' has the same meaning given the term in section 3 of the Fair Labor Standards Act of 1938 (29 U.S.C. 203); and

''(22) the terms 'uncle' and 'aunt', used with respect to an employee, mean the son or daughter, as the case may be, of the employee's grandparent (other than the employee's parent).''.

(2) INCLUSION OF ADULT CHILDREN AND CHILDREN OF A DOMESTIC PARTNER.—Section 6381(6) of such title is amended—

(A) by inserting ''a child of an individual's domestic partner,'' after ''a legal ward,''; and

(B) by striking ''who is—'' and all that follows and inserting ''and includes an adult child''.

(b) LEAVE REQUIREMENT.—Section 6382 of title 5, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) in subparagraph (C), by striking ''spouse, or a son, daughter, or parent, of the employee, if such spouse, son, daughter, or parent'' and inserting ''spouse or domestic partner, or a son or daughter, son-in-law, daughter-in-law, parent, parent-in-law, grandparent, grandchild, sibling, uncle or aunt, or nephew or niece of the employee, or any other individual related by blood whose close association with the employee is the equivalent of a family relationship, if such spouse, domestic partner, son or daughter, son-in-law, daughter-in-law, parent, parent-in-law, grandparent, grandchild, sibling, uncle or aunt, or nephew or niece, or such other individual''; and

(ii) in subparagraph (E), by striking ''spouse, or a son, daughter, or parent of the employee'' and inserting ''spouse or domestic partner, or a son or daughter, son-in-law, daughter-in-law, parent, parent-in-law, grandchild, sibling, uncle or aunt, or nephew or niece of the employee, or any other individual related by blood whose close association is the equivalent of a family relationship with the employee''; and

(B) in paragraph (3), by striking ''spouse, son, daughter, parent, or next of kin of a covered servicemember'' and inserting ''spouse or domestic partner, son or daughter, son-in-law, daughter-in-law, parent, parent-in-law, grandparent, sibling, uncle or aunt, nephew or niece, or next of kin of a covered servicemember, or any other individual related by blood whose close association is the equivalent of a family relationship with the covered servicemember''; and

(2) in subsection (e)—

(A) in paragraph (2)(A), by striking ''son, daughter, spouse, parent, or covered servicemember of the employee, as appropriate'' and inserting ''son or daughter, son-in-law, daughter-in-law, spouse or domestic partner, parent, parent-in-law, grandparent, grandchild, sibling, uncle or aunt, nephew or niece, or covered servicemember of the employee, or any other individual related by blood whose close association is the equivalent of a family relationship with the employee, as appropriate''; and

(B) in paragraph (3), by striking ''spouse, or a son, daughter, or parent, of the employee'' and inserting ''spouse or domestic partner, or a son or daughter, son-in-law, daughter-in-law, parent, parent-in-law, grandchild, sibling, uncle or aunt, or nephew or niece of the employee, or any other individual related by blood whose close association is the equivalent of a family relationship with the employee, as appropriate,''.

(c) CERTIFICATION.—Section 6383 of title 5, United States Code, is amended—

(1) in subsection (a), by striking ''son, daughter, spouse, or parent of the employee, as appropriate'' and inserting ''son or daughter, son-in-law, daughter-in-law, spouse or domestic partner, parent, parent-in-law, grandparent, grandchild, sibling, uncle or aunt, or nephew or niece of the employee, or any other individual related by blood whose close association is the equivalent of a family relationship with the employee, as appropriate''; and

(2) in subsection (b)(4)(A), by striking ''son, daughter, spouse, or parent, and an estimate of the amount of time that such employee is needed to care for such son, daughter, spouse, or parent'' and inserting ''son or daughter, son-in-law, daughter-in-law, spouse or domestic partner, parent, parent-in-law, grandparent, grandchild, sibling,

uncle or aunt, or nephew or niece of the employee, or any other individual related by blood whose close association is the equivalent of a family relationship with the employee, as appropriate, and an estimate of the amount of time that such employee is needed to care for such son or daughter, son-in-law, daughter-in-law, spouse or domestic partner, parent, parent-in-law, grandparent, grandchild, sibling, uncle or aunt, or nephew or niece, or such other individual''.

**SEC. 4. ENTITLEMENT TO ADDITIONAL LEAVE UNDER THE FMLA FOR PARENTAL INVOLVEMENT AND FAMILY WELLNESS.**

(a) LEAVE REQUIREMENT.—Section 102(a) of the Family and Medical Leave Act of 1993 (29 U.S.C. 2612(a)), as amended by section 2(b), is further amended—

(1) by redesignating paragraph (5) as paragraph (6); and

(2) by inserting after paragraph (4) the following new paragraph:

''(5) ENTITLEMENT TO ADDITIONAL LEAVE FOR PARENTAL INVOLVEMENT AND FAMILY WELLNESS.—

''(A) IN GENERAL.—Subject to subparagraph (B) and section 103(g), an eligible employee shall be entitled to leave under this paragraph to—

''(i) participate in or attend an activity that is sponsored by a school or community organization and relates to a program of the school or organization that is attended by a son or daughter or a grandchild of the employee; or

''(ii) meet routine family medical care needs (including by attending medical and dental appointments of the employee or a son or daughter, spouse, or grandchild of the employee) or attend to the care needs of an elderly individual who is related to the employee through a relationship described in section 102(a) (including by making visits to nursing homes or group homes).

''(B) LIMITATIONS.—

''(i) IN GENERAL.—An eligible employee shall be entitled to—

''(I) not to exceed 4 hours of leave under this paragraph during any 30-day period; and

''(II) not to exceed 24 hours of leave under this paragraph during any 12-month period described in paragraph (4).

''(ii) COORDINATION RULE.—Leave under this paragraph shall be in addition to any leave provided under any other paragraph of this subsection.

''(C) DEFINITIONS.—As used in this paragraph:

''(i) COMMUNITY ORGANIZATION.—The term 'community organization' means a private nonprofit organization that is representative of a community or a significant segment of a community and provides activities for individuals described in section 101(12), such as a scouting or sports organization.

''(ii) SCHOOL.—The term 'school' means an elementary school or secondary school (as such terms are defined in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)), a Head Start program assisted under the Head Start Act (42 U.S.C. 9831 et seq.), and a child care facility licensed under State law.''.

(b) SCHEDULE.—Section 102(b)(1) of such Act (29 U.S.C. 2612(b)(1)) is amended by inserting after the third sentence the following new sentence: ''Subject to subsection (e)(4) and section 103(g), leave under subsection (a)(5) may be taken intermittently or on a reduced leave schedule.''.

(c) SUBSTITUTION OF PAID LEAVE.—Section 102(d)(2) of such Act (29 U.S.C. 2612(d)(2)) is amended by adding at the end the following new subparagraph:

''(C) PARENTAL INVOLVEMENT LEAVE AND FAMILY WELLNESS LEAVE.—

''(i) VACATION LEAVE; PERSONAL LEAVE; FAMILY LEAVE.—An eligible employee may elect, or an employer may require the employee, to substitute any of the accrued paid vacation leave, personal leave, or family leave of the employee for any part of the period of leave under subsection (a)(5).

''(ii) MEDICAL OR SICK LEAVE.—An eligible employee may elect, or an employer may require the employee, to substitute any of the accrued paid medical or sick leave of the employee for any part of the period of leave provided under clause (ii) of subsection (a)(5)(A), except that nothing in this title shall require an employer to provide paid sick leave or paid medical leave in any situation in which such employer would not normally provide any such paid leave.

''(iii) PROHIBITION ON RESTRICTIONS AND LIMITATIONS.—If the employee elects or the employer requires the substitution of accrued paid leave for leave under subsection (a)(5), the employer shall not restrict or limit the leave that may be substituted or impose any additional terms and conditions on the substitution of such leave that are more stringent for the employee than the terms and conditions set forth in this Act.''.

(d) NOTICE.—Section 102(e) of such Act (29 U.S.C. 2612(e)), as amended by section 2(b), is further amended by adding at the end the following new paragraph:

''(4) NOTICE RELATING TO PARENTAL INVOLVEMENT AND FAMILY WELLNESS LEAVE.—In any case in which an employee requests leave under paragraph (5) of subsection (a), the employee shall—

''(A) provide the employer with not less than 7 days' notice, or (if such notice is impracticable) such notice as is practicable, before the date the leave is to begin, of the employee's intention to take leave under such paragraph; and

''(B) in the case of leave to be taken under subsection (a)(5)(A)(ii), make a reasonable effort to schedule the activity or care involved so as not to disrupt unduly the operations of the employer, subject to the approval of the health care provider involved (if any).''.

(e) CERTIFICATION.—Section 103 of such Act (29 U.S.C. 2613) is amended by adding at the end the following new subsection:

''(g) CERTIFICATION RELATED TO PARENTAL INVOLVEMENT AND FAMILY WELLNESS LEAVE.—An employer may require that a request for leave under section 102(a)(5) be supported by a certification issued at such time and in such manner as the Secretary may by regulation prescribe.''.

**SEC. 5. ENTITLEMENT OF FEDERAL EMPLOYEES TO LEAVE FOR PARENTAL INVOLVEMENT AND FAMILY WELLNESS.**

(a) LEAVE REQUIREMENT.—Section 6382(a) of title 5, United States Code, as amended by section 3(b), is further amended by adding at the end the following new paragraph:

''(5)(A) Subject to subparagraph (B) and section 6383(f), an employee shall be entitled to leave under this paragraph to—

''(i) participate in or attend an activity that is sponsored by a school or community organization and relates to a program of the school or organization that is attended by a son or daughter or a grandchild of the employee; or

''(ii) meet routine family medical care needs (including by attending medical and dental appointments of the employee or a son or daughter, spouse, or grandchild of the employee) or to attend to the care needs of an elderly individual who is related to the employee through a relationship described in section 6382(a) (including by making visits to nursing homes and group homes).

''(B)(i) An employee is entitled to—

''(I) not to exceed 4 hours of leave under this paragraph during any 30-day period; and

''(II) not to exceed 24 hours of leave under this paragraph during any 12-month period described in paragraph (4).

''(ii) Leave under this paragraph shall be in addition to any leave provided under any other paragraph of this subsection.

''(C) For the purpose of this paragraph—

''(i) the term 'community organization' means a private nonprofit organization that is representative of a community or a significant segment of a community and provides activities for individuals described in section 6381(6), such as a scouting or sports organization; and

''(ii) the term 'school' means an elementary school or secondary school (as such terms are defined in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)), a Head Start program assisted under the Head Start Act (42 U.S.C. 9831 et seq.), and a child care facility licensed under State law.''.

(b) SCHEDULE.—Section 6382(b)(1) of such title is amended—

(1) by inserting after the third sentence the following new sentence: ''Subject to subsection (e)(4) and section 6383(f), leave under subsection (a)(5) may be taken intermittently or on a reduced leave schedule.''; and

(2) in the last sentence, by striking ''involved,'' and inserting ''involved (or, in the case of leave under subsection (a)(5), for purposes of the 30-day or 12-month period involved),''.

(c) SUBSTITUTION OF PAID LEAVE.—Section 6382(d) of such title is amended by adding at the end the following:

''(3) An employee may elect to substitute for any part of the period of leave under subsection (a)(5), any of the employee's accrued or accumulated annual or sick leave. If the employee elects the substitution of that accrued or accumulated annual or sick leave for leave under subsection (a)(5), the employing agency shall not restrict or limit the leave that may be substituted or impose any additional terms and conditions on the substitution of such leave that are more stringent for the employee than the terms and conditions set forth in this subchapter.''.

(d) NOTICE.—Section 6382(e) of such title, as amended by section 3(b)(2), is further amended by adding at the end the following new paragraph:

''(4) In any case in which an employee requests leave under paragraph (5) of subsection (a), the employee shall—

''(A) provide the employing agency with not less than 7 days' notice, or (if such notice is impracticable) such notice as is practicable, before the date the leave is to begin, of the employee's intention to take leave under such paragraph; and

''(B) in the case of leave to be taken under subsection (a)(5)(A)(ii), make a reasonable effort to schedule the activity or care involved so as not to disrupt unduly the operations of the employing agency, subject to the approval of the health care provider involved (if any).''.

(e) CERTIFICATION.—Section 6383(f) of such title is amended by striking ''paragraph (1)(E) or (3) of'' and inserting ''paragraph (1)(E), (3) or (5) of''.

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By Mr. KAINE (for himself, Mr. RUBIO, Mr. BLUMENTHAL, Ms. COLLINS, Mr. COONS, Ms. DUCKWORTH, Mr. DURBIN, Mrs. FEINSTEIN, Mr. GRAHAM, Mr. KING, Ms. KLOBUCHAR, Mr. MERKLEY, Mr. MORAN, Mrs. SHAHEEN, and Mr. WARNER):

S.J. Res. 17. A joint resolution requiring the advice and consent of the Senate or an Act of Congress to suspend, terminate, or withdraw the

United States from the North Atlantic Treaty and authorizing related litigation, and for other purposes; to the Committee on Foreign Relations.

Mr. KAINE. Mr. President, throughout his time in office, President Donald Trump repeatedly disparaged our NATO allies and reportedly threatened withdrawal from the NATO alliance, the bedrock of European and American security for over seventy years. Although our current President has recommitted the United States to NATO and our transatlantic partnerships, it is still necessary for the Senate to consider legislation that prevents any President from withdrawing the United States from this critical defense treaty. This legislation would not only help address present national security challenges by reaffirming the U.S. commitment to Europe, it would also provide clarity to important constitutional questions regarding the role of Congress in terminating U.S. participation in treaties and alliances. Particularly with a treaty obligation that is as central to U.S. security as NATO, no President should be allowed to unilaterally withdraw without the advice and consent of the Senate.

Over the past several years, NATO allies, many of whom we have fought alongside since World War II and earlier in some cases, have questioned our allegiance for the first time in the history of NATO. In response to the only invocation of Article 5 of the NATO Treaty following the 9/11 attacks, more than 1,000 servicemembers from these allied nations gave their lives fighting alongside the United States. While the United States must continue to press every country to increase defense spending to meet the agreed-upon goal of 2 percent of GDP by 2024, and ensure that our European allies contribute to their own defense, U.S. withdrawal from NATO should not be considered without Congressional input. For this reason, we must use our constitutional powers of advice and consent and of the purse to block any unilateral executive withdrawal, and preemptively authorize legal proceedings to challenge any decision to terminate U.S. membership.

The legislation I am introducing today with Senators RUBIO, COLLINS, BLUMENTHAL, COONS, DUCKWORTH, DURBIN, FEINSTEIN, GRAHAM, KING, KLOBUCHAR, MERKLEY, MORAN, SHAHEEN, and WARNER would provide the necessary tools to prevent a President from unilaterally withdrawing the United States from the NATO treaty without the consent of Congress. The Senate has repeatedly indicated its support for NATO through previous legislation, including the original vote of 82–13 in 1949 to grant the Senate's consent to join NATO, and the Fiscal Year 2020 National Defense Authorization Act, which called for the United States to ''remain ironclad in its commitment to uphold its obligations under the North Atlantic Treaty.''

I am proud to have bipartisan support for this bill to ensure that the safety of the American people is prioritized through our continued membership in NATO, and I look forward to working with my colleagues to ensure that this legislation is swiftly considered by the Senate.

Thank you, Mr. President.

## SUBMITTED RESOLUTIONS

### SENATE RESOLUTION 157—HONORING THE 50TH ANNIVERSARY OF HIRING ROBERT MONTGOMERY ''BOBBY'' KNIGHT AS THE HEAD COACH OF THE MEN'S BASKETBALL TEAM AT INDIANA UNIVERSITY

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

S. RES. 157

Whereas Coach Bobby Knight had a legendary career as a college basketball head coach for more than 40 years, 29 of which were with Indiana University, starting on March 27, 1971;

Whereas the success of Coach Knight has led to his induction into the National Collegiate Athletic Association (referred to in this preamble as the ''NCAA'') Hall of Fame and the Indiana University Hoosier Basketball Hall of Fame;

Whereas Coach Knight—

(1) earned an NCAA National Championship as a player at The Ohio State University in 1960;

(2) won 3 NCAA National Championships as the Head Coach of the men's basketball team at Indiana University in 1976, 1981, and 1987; and

(3) won a National Invitational Tournament championship as the Head Coach of the men's basketball team at Indiana University in 1979;

Whereas, during his 29 years at Indiana University, Coach Knight—

(1) coached 11 Big Ten Conference Championship teams;

(2) took 24 teams to the NCAA tournament; and

(3) earned 8 Big Ten Coach of the Year awards and 4 national coach of the year awards;

Whereas the 1975–76 men's basketball team at Indiana University, which was coached by Coach Knight, is the last team to complete the entire regular season and NCAA tournament without a single loss;

Whereas Coach Knight coached the United States men's national basketball team to a gold medal in the 1979 Pan American Games and to a gold medal in the 1984 Olympic Games;

Whereas Coach Knight had an 80 percent graduation rate for his players, with an astounding 98 percent graduation rate for all players who he coached for at least 4 years, more than twice the average graduation rates for other Division I schools;

Whereas, even after 40 years as a head coach, none of the teams coached by Coach Knight were ever cited for a recruiting or academic violation while competing at the highest levels of the sport;

Whereas Coach Knight attained 902 wins during his overall head coaching career at the United States Military Academy, Indiana University, and Texas Tech University, by perfecting—

(1) the motion offense, which emphasized discipline, teamwork, selflessness, and perimeter passing to control the game and increase the percentage of successful shots; and

(2) smothering man-to-man defense;

Whereas Coach Knight had a reputation as a passionate player and coach, a man who never accepted defeat, who pushed himself and his teams to achieve, and created a persona in line with the great Vince Lombardi and Woody Hayes;

Whereas Coach Knight never focused his coaching on winning a game, but on the effort it took to become a champion, saying ''The will to succeed is important, but what's more important is the will to prepare''; and

Whereas Coach Knight earned the NCAA Naismith Award for Men's Outstanding Contribution to Basketball in 2007: Now, therefore, be it

*Resolved,* That it is the sense of the Senate that—

(1) Coach Robert Montgomery ''Bobby'' Knight set the standard for excellence as a collegiate men's basketball coach at Indiana University;

(2) the success of Coach Knight was in turn the success of the entire Indiana University system and a source of continuing pride for the entire State of Indiana;

(3) we honor the drive, determination, and character of Coach Knight and all that Coach Knight did in educating and mentoring hundreds of Indiana University players over 3 decades;

(4) few can ever achieve greatness, but Coach Knight has propelled young men to touch greatness for at least a moment, giving them experiences and lessons that have shaped their entire lives; and

(5) for all the memories, Coach Knight, we give you a heartfelt thank you.

### SENATE RESOLUTION 158—SUPPORTING THE GOALS AND IDEALS OF NATIONAL PUBLIC SAFETY TELECOMMUNICATORS WEEK

Ms. KLOBUCHAR (for herself and Mr. BURR) submitted the following resolution; which was referred to the Committee on Homeland Security and Governmental Affairs:

S. RES. 158

Whereas public safety telecommunications professionals play a critical role in emergency response;

Whereas the work that public safety telecommunications professionals perform goes far beyond simply relaying information between the public and first responders;

Whereas, when responding to reports of missing, abducted, and sexually exploited children, the information obtained and actions taken by public safety telecommunications professionals form the foundation for an effective response;

Whereas, when a hostage taker or suicidal individual calls 911, the first contact that individual has is with a public safety telecommunications professional, whose negotiation skills can prevent the situation from worsening;

Whereas, during crises, public safety telecommunications professionals, while collecting vital information to provide situational awareness for responding officers—

(1) coach callers through first aid techniques; and

(2) give advice to those callers to prevent further harm;

Whereas the work done by individuals who serve as public safety telecommunications professionals has an extreme emotional and

physical toll on those individuals, which is compounded by long hours and the around-the-clock nature of the job;

Whereas public safety telecommunications professionals should be recognized by all levels of government for the lifesaving and protective nature of their work;

Whereas major emergencies, including natural disasters and the coronavirus disease 2019 (COVID–19) pandemic, highlight the dedication of public safety telecommunications professionals and their important work in protecting the public and police, fire, and emergency medical officials; and

Whereas public safety telecommunications professionals are often called as witnesses to provide important testimony in criminal trials: Now, therefore, be it

*Resolved*, That the Senate—

(1) supports the goals and ideals of National Public Safety Telecommunicators Week;

(2) honors and recognizes the important and lifesaving contributions of public safety telecommunications professionals in the United States; and

(3) encourages the people of the United States to remember the value of the work performed by public safety telecommunications professionals.

## SENATE RESOLUTION 159—DESIGNATING THE WEEK OF APRIL 17, 2021, THROUGH APRIL 25, 2021, AS ''NATIONAL PARK WEEK''

Mr. KING (for himself, Mr. DAINES, Mr. MARKEY, Mr. RUBIO, Ms. CANTWELL, Mr. CRAMER, Mr. REED, Mr. PORTMAN, Mr. MANCHIN, Ms. COLLINS, Ms. SMITH, Mr. WICKER, Mr. WARNER, Mr. COTTON, Mrs. MURRAY, Mr. BURR, Ms. HIRONO, Mr. HOEVEN, Ms. ROSEN, Mr. BLUNT, Mr. CARDIN, Mr. TILLIS, Ms. STABENOW, Mr. CASSIDY, Mrs. FEINSTEIN, Mr. BOOZMAN, Ms. CORTEZ MASTO, Mr. JOHNSON, Mr. COONS, Ms. BALDWIN, Mr. HEINRICH, Mr. BENNET, Ms. HASSAN, Ms. KLOBUCHAR, Ms. LUMMIS, Mr. BRAUN, Mr. YOUNG, Mr. SCOTT of Florida, Mrs. CAPITO, Mr. PADILLA, Mr. WHITEHOUSE, Mr. BARRASSO, Mr. GRAHAM, Mr. ROUNDS, Mr. KAINE, Mr. SCOTT of South Carolina, Mr. MERKLEY, Mr. CARPER, Mr. MARSHALL, and Mr. TESTER) submitted the following resolution; which was considered and agreed to:

S. RES. 159

Whereas, on March 1, 1872, Congress established Yellowstone National Park as the first national park for the enjoyment of the people of the United States;

Whereas, on August 25, 1916, Congress established the National Park Service with the mission to preserve unimpaired the natural and cultural resources and values of the National Park System for the enjoyment, education, and inspiration of current and future generations;

Whereas the National Park Service continues to protect and manage the majestic landscapes, hallowed battlefields, and iconic cultural and historical sites of the United States;

Whereas the units of the National Park System can be found in every State and many territories of the United States and many of the units embody the rich natural and cultural heritage of the United States, reflect a unique national story through people and places, and offer countless opportunities for recreation, volunteerism, cultural exchange, education, civic engagement, and exploration;

Whereas visits and visitors to the national parks of the United States are important economic drivers for the economy, responsible for $21,000,000,000 in spending in 2019;

Whereas the dedicated employees of the National Park Service carry out their mission to protect the units of the national parks system of the United States so that the vibrant culture, diverse wildlife, and priceless resources of these unique places will endure for perpetuity; and

Whereas the people of the United States have inherited the remarkable legacy of the National Park System and are entrusted with the preservation of the National Park System throughout its second century: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates the week of April 17, 2021, through April 25, 2021, as ''National Park Week''; and

(2) encourages the people of the United States and the world to responsibly visit, experience, and support the treasured national parks of the United States while protecting public health during the coronavirus pandemic.

## SENATE RESOLUTION 160—COMMENDING AND CONGRATULATING THE STANFORD UNIVERSITY CARDINAL WOMEN'S BASKETBALL TEAM ON WINNING THE 2021 NATIONAL COLLEGIATE ATHLETIC ASSOCIATION DIVISION I WOMEN'S BASKETBALL CHAMPIONSHIP

Mrs. FEINSTEIN (for herself and Mr. PADILLA) submitted the following resolution; which was considered and agreed to.:

S. RES. 160

Whereas, on April 4, 2021, the Stanford University Cardinal women's basketball team won the third National Collegiate Athletic Association (referred to in this preamble as the ''NCAA'') Division I women's basketball championship (referred to in this preamble as the ''national championship'') in school history by defeating the University of Arizona Wildcats by a score of 54 to 53, completing the season with an overall record of 31-2;

Whereas head coach Tara VanDerveer has led the Cardinal to 3 national championship titles during her tenure at Stanford University, as well as 13 NCAA Final Four appearances, 23 Pac-12 regular-season titles, 14 Pac-12 Tournament crowns, and 32 trips to the NCAA Tournament;

Whereas senior guard Kiana Williams—

(1) led the Cardinal in scoring throughout the regular season with 14 points per game; and

(2) was named Most Outstanding Player of the Pac-12 Conference Women's Basketball Tournament, scoring 26 points in the tournament title game;

Whereas sophomore guard Haley Jones, named the Most Outstanding Player of the Final Four, showed tenacity and leadership on the journey to the national championship, including by—

(1) making a last-minute shot to defeat the University of South Carolina Gamecocks in the semi-final game; and

(2) scoring 17 points in the national championship game to defeat the University of Arizona Wildcats;

Whereas all of the following players should be congratulated for their dedication, teamwork, and display of impressive athletic talent: Francesca Belibi, Cameron Brink, Jenna Brown, Agnes Emma-Nnopu, Lacie Hull, Lexie Hull, Alyssa Jerome, Haley Jones, Hannah Jump, Ashten Prechtel, Jana Van Gytenbeek, Kiana Williams, and Anna Wilson;

Whereas behind the players is a team of staff, without whom the players could not have been successful;

Whereas the Cardinal displayed confidence and poise, surviving 2 last-second shots to defeat the University of South Carolina Gamecocks and the University of Arizona Wildcats to win the 2021 national championship;

Whereas the members of the 2020-2021 Stanford University Cardinal women's basketball team have continuously pursued excellence in both athletics and academics;

Whereas the Cardinal resiliently withstood immense challenges presented by the COVID–19 pandemic, including extended changes to housing and playing accommodations, to post an impressive season of 31 wins and only 2 losses and championship titles in both the Pac-12 women's basketball tournament and the Pac-12 regular season;

Whereas the accomplishments of the Cardinal in their 2020-2021 season highlight the persistence, skill, and sportsmanship of the Cardinal; and

Whereas the Cardinal represent their loyal fans, current students, and alumni with heart and a commitment to excellence: Now, therefore, be it

*Resolved*, That the Senate—

(1) commends and congratulates the Stanford University Cardinal on winning the 2021 National Collegiate Athletic Association Division I women's basketball championship and completing a successful 2020-2021 season;

(2) recognizes the achievements of all players, coaches, and staff who contributed to the success of the Cardinal during the 2020-2021 season; and

(3) respectfully requests that the Secretary of the Senate transmit an enrolled copy of this resolution to—

(A) Stanford University President Marc Tessier-Lavigne;

(B) Stanford University Director of Athletics Bernard Muir; and

(C) Stanford University women's basketball team head coach Tara VanDerveer.

## SENATE RESOLUTION 161—COMMENDING AND CONGRATULATING THE BAYLOR UNIVERSITY MEN'S BASKETBALL TEAM ON WINNING THE 2021 NATIONAL COLLEGIATE ATHLETIC ASSOCIATION DIVISION 1 MEN'S BASKETBALL CHAMPIONSHIP

Mr. CORNYN (for himself, Mr. CRUZ, and Mr. PAUL submitted the following resolution; which was considered and agreed to:

S. RES. 161

Whereas, on April 5, 2021, the men's basketball team of Baylor University won its first National Collegiate Athletic Association Division I men's basketball championship (referred to in this preamble as the ''national championship'') by defeating Gonzaga University by a score of 86–70 and completing the season with an impressive overall record of 28–2;

Whereas Head Coach Scott Drew fulfilled a promise he pledged to Baylor fans when he first came to Baylor University in 2003 that he would help lead the Bears to a national championship;

Whereas junior guard Jared Butler, named the Most Outstanding Player of the Final Four, exhibited impressive skill and exemplary leadership by leading the Bears

through the NCAA Tournament, to the Final Four, and ultimately the national championship;

Whereas all of the following players should be congratulated for their teamwork, dedication, and display of impressive athletic talent: Flo Thamba, LJ Cryer, Jordan Turner, Adam Flagler, Mark Vital, Jared Butler, Jackson Moffatt, Jonathan Tchamwa Tchatchoua, Matthew Mayer, MaCio Teague, Zach Loveday, Mark Peterson, Dain Dainja, and Davion Mitchell;

Whereas the Baylor Bears displayed impressive skill and poise facing off against the Bulldogs of Gonzaga University, who had beaten the Bears in the second round of the NCAA Tournament in the 2018–2019 season;

Whereas the men of Baylor University's 2020–2021 men's basketball team have continuously pursued excellence not only in athletics, but in academics as well, with multiple student-athletes earning spots on the first and second Academic All-Big 12 Men's Basketball Teams;

Whereas the men's basketball team of Baylor University has embodied fortitude and perseverance throughout this season, overcoming interruptions in play, cancelled games, and other hurdles testing their resolve;

Whereas the accomplishments of the Baylor University men's basketball team's 2020–2021 season inspire strength, unity, and cooperation in the hearts of Texans from all walks of life across the Lone Star State; and

Whereas the Baylor Bears are the pride of their loyal fans, current students, alumni, and the State of Texas: Now, therefore, be it

*Resolved*, That the Senate congratulates the Bears of Baylor University on winning the 2021 National Collegiate Athletic Association Division I men's basketball championship and completing a successful 2020–2021 season.

## SENATE RESOLUTION 162—DESIGNATING APRIL 14, 2021, AS ''NATIONAL ASSISTIVE TECHNOLOGY AWARENESS DAY''

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

S. RES. 162

Whereas assistive technology is any item, piece of equipment, or product system that is used to increase, maintain, or improve the functional capabilities of individuals with disabilities and older adults;

Whereas the term ''assistive technology service'' means any service that directly assists an individual with a disability or an older adult in the selection, acquisition, or use of an assistive technology device;

Whereas, in 2018, the Centers for Disease Control and Prevention reported that 1 in 4 individuals in the United States, or almost 61,000,000 individuals, has a disability;

Whereas, in 2019, the Department of Education reported that there were more than 7,100,000 children with disabilities;

Whereas the Centers for Disease Control and Prevention reported that, among adults 65 years of age and older, 2 in 5 have a disability;

Whereas assistive technology allows individuals with disabilities and older adults to be included in their communities and in inclusive classrooms and workplaces;

Whereas assistive technology devices and services are necessities, not luxury items, for millions of individuals with disabilities and older adults, without which they would be unable to live in their communities, access education, or obtain, retain, and advance gainful, competitive, integrated employment;

Whereas the availability of assistive technology in the workplace promotes economic self-sufficiency, enhances work participation, and is critical to the employment of individuals with disabilities and older adults; and

Whereas State assistive technology programs support a continuum of services that include—

(1) the exchange, repair, recycling, and other reutilization of assistive technology devices;

(2) device loan programs that provide short-term loans of assistive technology devices to individuals, employers, public agencies, and others;

(3) the demonstration of devices to inform decision making; and

(4) State financing to help individuals purchase or obtain assistive technology through a variety of initiatives, such as financial loan programs, leasing programs, and other financing alternatives, that give individuals affordable, flexible options to purchase or obtain assistive technology: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates April 14, 2021, as ''National Assistive Technology Awareness Day''; and

(2) commends—

(A) assistive technology specialists and program coordinators for their hard work and dedication to serving individuals with disabilities who are in need of finding the proper assistive technology to meet their individual needs; and

(B) professional organizations and researchers dedicated to facilitating the access and acquisition of assistive technology for individuals with disabilities and older adults in need of assistive technology devices.

## SENATE RESOLUTION 163—RELATING TO THE DEATH OF THE HONORABLE WILLIAM ''BILL'' EMERSON BROCK III, FORMER UNITED STATES SENATOR FOR THE STATE OF TENNESSEE

Mr. HAGERTY (for himself and Mrs. BLACKBURN) submitted the following resolution; which was considered and agreed to:

S. RES. 163

Whereas William ''Bill'' Emerson Brock III (referred to in this preamble as ''Bill Brock'') was born in Chattanooga, Tennessee;

Whereas Bill Brock began his lifetime of service as a member of the Armed Forces, serving in the Navy from 1953 to 1956;

Whereas Bill Brock was a Tennessean who honorably served the State of Tennessee and the United States for more than 50 years;

Whereas Bill Brock served 4 terms in the United States House of Representatives, to which he was first elected in 1962;

Whereas Bill Brock served with honor and distinction during his 1 term in the United States Senate, to which he was elected in 1971;

Whereas Bill Brock served as United States Trade Representative from 1981 to 1985 and as United States Secretary of Labor from 1985 to 1987;

Whereas Bill Brock contributed greatly to the ''Era of Cooperation'' in Congress between 1971 and 1977, during which major reform was accomplished, including passage of the Federal Water Pollution Control Act (commonly known as the ''Clean Water Act'') (33 U.S.C. 1251 et seq.), the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), the Safe Drinking Water Act (42 U.S.C. 300f et seq.), and the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 621 et seq.), all of which passed without opposition votes in the Senate;

Whereas Bill Brock was a force in the Republican Party, both nationally, serving as chairman of the Republican National Committee from 1977 to 1981, and in the State of Tennessee;

Whereas Bill Brock laid the foundation for a long lineage of Republican Members of Congress from Tennessee; and

Whereas Bill Brock served the State of Tennessee proudly and left a legacy of exceptional service to those who elected him: Now, therefore, be it

*Resolved*, That the Senate—

(1) has heard with profound sorrow and deep regret the announcement of the death of the Honorable William ''Bill'' Emerson Brock III, former Member of the United States Senate from the State of Tennessee; and

(2) respectfully requests that the Secretary of the Senate—

(A) communicate this resolution to the House of Representatives; and

(B) transmit an enrolled copy of this resolution to the family of the Honorable William ''Bill'' Emerson Brock III.

## AMENDMENTS SUBMITTED AND PROPOSED

SA 1441. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 937, to facilitate the expedited review of COVID–19 hate crimes, and for other purposes; which was ordered to lie on the table.

SA 1442. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 937, supra; which was ordered to lie on the table.

SA 1443. Mr. SCOTT of South Carolina submitted an amendment intended to be proposed by him to the bill S. 937, supra; which was ordered to lie on the table.

SA 1444. Ms. HIRONO (for herself and Ms. COLLINS) submitted an amendment intended to be proposed by her to the bill S. 937, supra; which was ordered to lie on the table.

## TEXT OF AMENDMENTS

**SA 1441.** Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 937, to facilitate the expedited review of COVID–19 hate crimes, and for other purposes; which was ordered to lie on the table; as follows:

On page 2, line 8, strike ''sole''.

On page 2, line 9, strike ''expedited''.

On page 2, beginning on line 20, strike '', except that the Attorney General may extend such period as appropriate''.

Beginning on page 2, strike line 25 and all that follows through page 3, line 8 and insert the following: ''States Code) that is motivated by the actual or perceived race, ethnicity, age, color, religion, national origin, sexual orientation, gender, gender identity, or disability of any person.''.

Beginning on page 3, strike line 9 and all that follows through page 4, line 2.

**SA 1442.** Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 937, to facilitate the expedited review of COVID–19 hate crimes, and for other purposes; which was ordered to lie on the table; as follows:

On page 2, line 8, strike ''sole''.

**SA 1443.** Mr. SCOTT of South Carolina submitted an amendment intended to be proposed by him to the bill S. 937, to facilitate the expedited review of COVID–19 hate crimes, and for other purposes; which was ordered to lie on the table; as follows:

On page 2, line 2, strike ''COVID–19''.

On page 2, line 4, strike ''**COVID–19**''.

On page 2, beginning on line 9, strike ''COVID–19''.

Beginning on page 2, strike line 22 and all that follows through page 3, line 8.

On page 3, beginning on line 21, strike ''**RELATING TO COVID–19 PANDEMIC**''.

On page 3, beginning on line 22, strike ''and the Secretary of Health and Human Services''.

On page 3, beginning on line 23, strike ''the COVID–19 Health Equity Task Force and''.

On page 4, beginning on line 1, strike ''in describing the COVID–19 pandemic''.

**SA 1444.** Ms. HIRONO (for herself and Ms. COLLINS) submitted an amendment intended to be proposed by her to the bill S. 937, to facilitate the expedited review of COVID–19 hate crimes, and for other purposes; which was ordered to lie on the table; as follows:

On page 2, between lines 3 and 4, insert the following:

**SEC. 2. FINDINGS.**

Congress finds the following:

(1) Following the spread of COVID–19 in 2020, there has been a dramatic increase in hate crimes and violence against Asian-Americans and Pacific Islanders.

(2) According to a recent report, there were nearly 3,800 reported cases of anti-Asian discrimination and incidents related to COVID–19 between March 19, 2020, and February 28, 2021, in all 50 States and the District of Columbia.

(3) During this timeframe, race has been cited as the primary reason for discrimination, making up over 90 percent of incidents, and the United States condemns and denounces any and all anti-Asian and Pacific Islander sentiment in any form.

(4) Roughly 36 percent of Asian-American and Pacific Islander businesses have been the targets of discrimination incidents during this time period.

(5) More than 1,900,000 Asian-American and Pacific Islander older adults, particularly those older adults who are recent immigrants or have limited English proficiency, may face even greater challenges in dealing with the COVID–19 pandemic, including discrimination, economic insecurity, and language isolation.

On page 2, strike line 4 and insert the following:

**SEC. 3. REVIEW OF HATE CRIMES.**

On page 2, line 5, strike ''1 day'' and insert ''7 days''.

On page 2, line 8, strike ''sole''.

On page 2, beginning on line 9, strike ''COVID–19 hate crimes'' and insert ''hate crimes (as described in section 249 of title 18, United States Code)''.

On page 2, line 11, strike ''or local'' and insert ''local, or Tribal''.

Beginning on page 2, strike line 12 and all that follows through page 3, line 8 and insert the following:

(b) APPLICABLE PERIOD DEFINED.—In this section, the term ''applicable period'' means the period beginning on the date on which the officer or employee is designated under subsection (a), and ending on the date that is 1 year after the date on which the emergency period described in subparagraph (B) of section 1135(g)(1) of the Social Security Act (42 U.S.C. 1320b–5(g)(1)) ends, except that the Attorney General may extend such period as appropriate.

On page 3, strike lines 9 through 20 and insert the following:

**SEC. 4. GUIDANCE.**

(a) GUIDANCE FOR LAW ENFORCEMENT AGENCIES.—The Attorney General shall issue guidance for State, local, and Tribal law enforcement agencies, pursuant to this Act and other applicable law, on how to—

(1) establish online reporting of hate crimes or incidents, and to have online reporting that is equally effective for people with disabilities as for people without disabilities available in multiple languages as determined by the Attorney General;

(2) collect data disaggregated by the protected characteristics described in section 249 of title 18, United States Code; and

(3) expand public education campaigns aimed at raising awareness of hate crimes and reaching victims, that are equally effective for people with disabilities as for people without disabilities.

Beginning on page 3, strike line 25 and all that follows through page 4, line 2 and insert the following: ''based organizations, shall issue guidance aimed at raising awareness of hate crimes during the COVID–19 pandemic.''.

## AUTHORITY FOR COMMITTEES TO MEET

Mr. SCHUMER. Mr. President, I have 9 requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority leaders.

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

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services is authorized to meet during the session of the Senate on Thursday, April 15, 2021, at to be determined, to conduct a hearing.

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 Thursday, April 15, 2021, at 10 a.m., to conduct a hearing.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

The Committee on Energy and Natural Resources is authorized to meet during the session of the Senate on Thursday, April 15, 2021, at 10 a.m., to conduct a hearing.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

The Committee on Health, Education, Labor, and Pensions is authorized to meet during the session of the Senate on Thursday, April 15, 2021, at 10 a.m., to conduct a hearing a nomination.

COMMITTEE ON FINANCE

The Committee on Finance is authorized to meet during the session of the Senate on Thursday, April 15, 2021, at 9:30 p.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 Thursday, April 15, 2021, at 11 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 Thursday, April 15, 2021, at 11 a.m., to conduct a business hearing.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Thursday, April 15, 2021, at 3 p.m., to conduct a hearing.

SUBCOMMITTEE ON COMMUNICATION, TECHNOLOGY, INNOVATION, AND THE INTERNET

The Subcommittee on Communication, Technology, Innovation, and The Internet of the Committee on Commerce, Science, and Transportation is authorized to meet during the session of the Senate on Thursday, April 15, 2021, at 10 a.m., to conduct a hearing.

## PRIVILEGES OF THE FLOOR

Mr. LEE. Mr. President, I ask unanimous consent that Ben Marsden, my law clerk, be given access to the floor for the duration of this Congress.

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

## REAFFIRMING THE PARTNERSHIP BETWEEN THE UNITED STATES AND THE REPUBLIC OF ECUADOR

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 16, S. Res. 22.

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

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 22) reaffirming the partnership between the United States and the Republic of Ecuador and recognizing the restoration and advancement of economic relations, security, and development opportunities in both nations.

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

Mr. SCHUMER. I further ask that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon table with no intervening action or debate.

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

The resolution (S. Res. 22) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of January 28, 2021, under ''Submitted Resolutions.'')

## REAFFIRMING THE STRATEGIC PARTNERSHIP BETWEEN THE UNITED STATES AND MONGOLIA AND RECOGNIZING THE 30TH ANNIVERSARY OF DEMOCRACY IN MONGOLIA

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 23, S. Res. 36.

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

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 36) reaffirming the strategic partnership between the United States and Mongolia and recognizing the 30th anniversary of democracy in Mongolia.

There being no objection, the Senate proceeded to consider the resolution, which had been reported from the Committee on Foreign Relations, with an amendment to strike all after the resolving clause and insert the part printed in italic and an amendment to strike the preamble and insert the part printed in italic, as follows:

*Whereas the United States and Mongolia established diplomatic relations in January 1987, and since that time the relationship has grown stronger based on shared strategic interests, security cooperation, democratic values, good governance, and respect for human rights;*

*Whereas, since its peaceful democratic revolution in 1989, through a series of initiatives, Mongolia has charted a successful path to multiparty democracy and a free market economy;*

*Whereas, in 1990, the Government of Mongolia declared an end to a one-party and authoritarian political system and adopted democratic and free market reforms;*

*Whereas, in 1992, Mongolia adopted a constitution establishing a democracy, becoming the first country in Asia to transition from communism to democracy;*

*Whereas Mongolia has shown its commitment to a ''third neighbor'' relationship with the United States by sending troops to support United States operations in Iraq from 2003 through 2008 and Afghanistan since 2009, and in addition has a strong record of troop contributions to international peacekeeping missions;*

*Whereas successive Mongolian governments have taken notable steps to strengthen civil society, battle corruption, and spur economic development;*

*Whereas the Parliament of Mongolia, the State Great Khural, has engaged with Congress, including through the House Democracy Partnership, thereby promoting responsive and effective governance through peer-to-peer cooperation;*

*Whereas Mongolia began as a partner to the Organization for Security and Co-operation in Europe (OSCE) in 2004, graduated to become a participating state in 2012, and participates actively in the OSCE's work promoting stability, peace, and democracy;*

*Whereas Mongolia has regularly invited the OSCE and other organizations to send monitoring teams for its presidential and parliamentary elections;*

*Whereas Mongolia has also been an active member of the Community of Democracies (CoD), a global coalition of states that support adherence to common democratic values and standards, and Mongolia has not only remained active since the founding of the CoD in 2000, but successfully chaired the CoD from 2011 through 2013;*

*Whereas, in addition to supporting the OSCE and the CoD, Mongolia supports democratic initiatives while participating in a wide range of other global institutions;*

*Whereas, most recently, on June 24, 2020, Mongolia successfully organized parliamentary elections, strengthening its commitment to democracy and the rule of law;*

*Whereas the success of Mongolia as a democracy and its strategic location, sovereignty, territorial integrity, and ability to pursue an independent foreign policy are important to the national security of the United States;*

*Whereas the United States has provided support to Mongolia through the Millennium Challenge Corporation via an initial 2007 compact designed to increase economic growth and reduce poverty, as well as a second compact signed in 2018 involving investments in water infrastructure, including supply and wastewater recycling, as well as water sector sustainability;*

*Whereas, on September 20, 2018, the United States and Mongolia released a joint statement and the ''Roadmap for Expanded Economic Partnership between the United States and Mongolia,'' outlining the intent to deepen the bilateral commercial relationship, including through full implementation of the obligations under the Agreement on Transparency in Matters Related to International Trade and Investment between the United States of America and Mongolia, signed at New York September 24, 2013 (in this preamble referred to as the ''United States-Mongolia Transparency Agreement''), and collaboration in supporting Mongolian small- and medium-sized enterprises through various programs and projects;*

*Whereas, according to the Bureau of the Census, trade between the United States and Mongolia is modest but growing, with total trade in 2019 between the two countries of approximately $217,400,000 in goods, including $192,800,000 in United States exports to Mongolia and $24,600,000 in United States imports from Mongolia;*

*Whereas Mongolia is a beneficiary country under the Generalized System of Preferences program, but its use of the program remains low, as, in 2018, only $3,200,000 of exports from Mongolia to the United States were under the program; and*

*Whereas, on July 31, 2019, the United States and Mongolia declared the bilateral relationship a Strategic Partnership and noted the shared desire—*

*(1) to intensify cooperation as strong democracies based on the rule of law through safeguarding and promoting democratic values and human rights, including the freedoms of religion or belief, expression, including internet and media freedom, assembly, and association, as well as anticorruption and fiscal transparency, and youth and emerging leader development;*

*(2) to cooperate in promoting national security and stability across the Indo-Pacific region so that all countries, secure in their sovereignty, are able to pursue economic growth consistent with international law and principles of fair competition;*

*(3) to deepen national security and law-enforcement ties through collaboration on bilateral and multilateral security, judicial, and law-enforcement efforts in the region;*

*(4) to strengthen cooperation in multilateral engagements such as peacekeeping, humanitarian assistance, and disaster preparedness and relief operations;*

*(5) to expand trade and investment relations on a fair and reciprocal basis, support private sector-led growth, fully implement the United States-Mongolia Transparency Agreement, promote women's entrepreneurship, and continue to explore support for infrastructure under the new United States International Development Finance Corporation with the new tools provided under the BUILD Act of 2018 (22 U.S.C. 9601 et seq.);*

*(6) to strengthen border security, prevent illegal transshipment and trafficking, expand cooperation on civil aviation safety and oversight, and efficiently facilitate legitimate travel between Mongolia and the United States;*

*(7) to increase cooperation in addressing transnational threats such as terrorism, human trafficking, drug trafficking, the proliferation of weapons of mass destruction, cyberattacks, transnational organized crime, pandemics, and other emerging nontraditional security threats;*

*(8) to continue to develop an environment in which civil society, social media, and a free and independent media can flourish; and*

*(9) to maintain high-level official dialogues, encourage bilateral exchanges at all levels of government, and further develop people-to-people exchanges to deepen engagement on issues of mutual interest and concern: Now, therefore, be it*

*Resolved, That the Senate—*

*(1) recognizes the importance of the relationship between the United States and Mongolia and remains committed to advancing this Strategic Partnership in the future;*

*(2) emphasizes the importance of free and fair elections in Mongolia;*

*(3) applauds the continued engagement of Mongolia in the Organization for Security and Co-operation in Europe, the Community of Democracies, congressional-parliamentary partnerships, including continued high-level parliamentary exchange, and other institutions that promote democratic values, which reinforces the commitment of the people and the Government of Mongolia to those values and standards;*

*(4) encourages the United States Government to help Mongolia use its benefits under the Generalized System of Preferences program and other relevant programs to increase trade between the United States and Mongolia;*

*(5) urges the United States International Development Finance Corporation to expand activities in Mongolia to support economic development, diversification of the economy, and women-owned small- and medium-sized enterprises;*

*(6) urges private and public support to help diversify the economy of Mongolia through increased cooperation and investments, as well as infrastructure and other vital projects;*

*(7) urges the Department of State, the United States Agency for International Development, and other relevant agencies to continue to support Mongolia's democratic and economic development and efforts on anticorruption;*

*(8) reaffirms the importance of civil society to the continued democratic development of Mongolia;*

*(9) encourages the Government of Mongolia to build a regulatory system that supports and encourages the growth and operation of independent nongovernmental organizations and continues to pursue policies of transparency that uphold democratic values; and*

*(10) encourages the Government of Mongolia to continue legal reform, institutional capacity building, and to improve the independence of other democratic institutions.*

Mr. SCHUMER. I ask further that the committee-reported amendment to the resolution be considered and agreed to; that the resolution, as amended, be agreed to; that the committee-reported amendment to the preamble be agreed to; that the preamble, as amended, be agreed to; and that the motions to reconsider be considered made and laid upon the table with no intervening or debate.

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

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

The resolution (S. Res. 36), as amended, was agreed to.

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

The preamble, as amended, was agreed to.

The resolution, as amended, with its preamble, as amended, reads as follows:

S. RES. 36

Whereas the United States and Mongolia established diplomatic relations in January 1987, and since that time the relationship has grown stronger based on shared strategic interests, security cooperation, democratic values, good governance, and respect for human rights;

Whereas, since its peaceful democratic revolution in 1989, through a series of initiatives, Mongolia has charted a successful path to multiparty democracy and a free market economy;

Whereas, in 1990, the Government of Mongolia declared an end to a one-party and authoritarian political system and adopted democratic and free market reforms;

Whereas, in 1992, Mongolia adopted a constitution establishing a democracy, becoming the first country in Asia to transition from communism to democracy;

Whereas Mongolia has shown its commitment to a ''third neighbor'' relationship with the United States by sending troops to support United States operations in Iraq from 2003 through 2008 and Afghanistan since 2009, and in addition has a strong record of troop contributions to international peacekeeping missions;

Whereas successive Mongolian governments have taken notable steps to strengthen civil society, battle corruption, and spur economic development;

Whereas the Parliament of Mongolia, the State Great Khural, has engaged with Congress, including through the House Democracy Partnership, thereby promoting responsive and effective governance through peer-to-peer cooperation;

Whereas Mongolia began as a partner to the Organization for Security and Co-operation in Europe (OSCE) in 2004, graduated to become a participating state in 2012, and participates actively in the OSCE's work promoting stability, peace, and democracy;

Whereas Mongolia has regularly invited the OSCE and other organizations to send monitoring teams for its presidential and parliamentary elections;

Whereas Mongolia has also been an active member of the Community of Democracies (CoD), a global coalition of states that support adherence to common democratic values and standards, and Mongolia has not only remained active since the founding of the CoD in 2000, but successfully chaired the CoD from 2011 through 2013;

Whereas, in addition to supporting the OSCE and the CoD, Mongolia supports democratic initiatives while participating in a wide range of other global institutions;

Whereas, most recently, on June 24, 2020, Mongolia successfully organized parliamentary elections, strengthening its commitment to democracy and the rule of law;

Whereas the success of Mongolia as a democracy and its strategic location, sovereignty, territorial integrity, and ability to pursue an independent foreign policy are important to the national security of the United States;

Whereas the United States has provided support to Mongolia through the Millennium Challenge Corporation via an initial 2007 compact designed to increase economic growth and reduce poverty, as well as a second compact signed in 2018 involving investments in water infrastructure, including supply and wastewater recycling, as well as water sector sustainability;

Whereas, on September 20, 2018, the United States and Mongolia released a joint statement and the ''Roadmap for Expanded Economic Partnership between the United States and Mongolia,'' outlining the intent to deepen the bilateral commercial relationship, including through full implementation of the obligations under the Agreement on Transparency in Matters Related to International Trade and Investment between the United States of America and Mongolia, signed at New York September 24, 2013 (in this preamble referred to as the ''United States-Mongolia Transparency Agreement''), and collaboration in supporting Mongolian small- and medium-sized enterprises through various programs and projects;

Whereas, according to the Bureau of the Census, trade between the United States and Mongolia is modest but growing, with total trade in 2019 between the two countries of approximately $217,400,000 in goods, including $192,800,000 in United States exports to Mongolia and $24,600,000 in United States imports from Mongolia;

Whereas Mongolia is a beneficiary country under the Generalized System of Preferences program, but its use of the program remains low, as, in 2018, only $3,200,000 of exports from Mongolia to the United States were under the program; and

Whereas, on July 31, 2019, the United States and Mongolia declared the bilateral relationship a Strategic Partnership and noted the shared desire—

(1) to intensify cooperation as strong democracies based on the rule of law through safeguarding and promoting democratic values and human rights, including the freedoms of religion or belief, expression, including internet and media freedom, assembly, and association, as well as anticorruption and fiscal transparency, and youth and emerging leader development;

(2) to cooperate in promoting national security and stability across the Indo-Pacific region so that all countries, secure in their sovereignty, are able to pursue economic growth consistent with international law and principles of fair competition;

(3) to deepen national security and law-enforcement ties through collaboration on bilateral and multilateral security, judicial, and law-enforcement efforts in the region;

(4) to strengthen cooperation in multilateral engagements such as peacekeeping, humanitarian assistance, and disaster preparedness and relief operations;

(5) to expand trade and investment relations on a fair and reciprocal basis, support private sector-led growth, fully implement the United States-Mongolia Transparency Agreement, promote women's entrepreneurship, and continue to explore support for infrastructure under the new United States International Development Finance Corporation with the new tools provided under the BUILD Act of 2018 (22 U.S.C. 9601 et seq.);

(6) to strengthen border security, prevent illegal transshipment and trafficking, expand cooperation on civil aviation safety and oversight, and efficiently facilitate legitimate travel between Mongolia and the United States;

(7) to increase cooperation in addressing transnational threats such as terrorism, human trafficking, drug trafficking, the proliferation of weapons of mass destruction, cyberattacks, transnational organized crime, pandemics, and other emerging nontraditional security threats;

(8) to continue to develop an environment in which civil society, social media, and a free and independent media can flourish; and

(9) to maintain high-level official dialogues, encourage bilateral exchanges at all levels of government, and further develop people-to-people exchanges to deepen engagement on issues of mutual interest and concern: Now, therefore, be it

*Resolved,* That the Senate—

(1) recognizes the importance of the relationship between the United States and Mongolia and remains committed to advancing this Strategic Partnership in the future;

(2) emphasizes the importance of free and fair elections in Mongolia;

(3) applauds the continued engagement of Mongolia in the Organization for Security and Co-operation in Europe, the Community of Democracies, congressional-parliamentary partnerships, including continued high-level parliamentary exchange, and other institutions that promote democratic values, which reinforces the commitment of the people and the Government of Mongolia to those values and standards;

(4) encourages the United States Government to help Mongolia use its benefits under the Generalized System of Preferences program and other relevant programs to increase trade between the United States and Mongolia;

(5) urges the United States International Development Finance Corporation to expand activities in Mongolia to support economic development, diversification of the economy, and women-owned small- and medium-sized enterprises;

(6) urges private and public support to help diversify the economy of Mongolia through increased cooperation and investments, as well as infrastructure and other vital projects;

(7) urges the Department of State, the United States Agency for International Development, and other relevant agencies to continue to support Mongolia's democratic and economic development and efforts on anticorruption;

(8) reaffirms the importance of civil society to the continued democratic development of Mongolia;

(9) encourages the Government of Mongolia to build a regulatory system that supports and encourages the growth and operation of independent nongovernmental organizations and continues to pursue policies of transparency that uphold democratic values; and

(10) encourages the Government of Mongolia to continue legal reform, institutional capacity building, and to improve the independence of other democratic institutions.

## EXPRESSING SOLIDARITY WITH THE SAN ISIDRO MOVEMENT IN CUBA, CONDEMNING ESCALATED ATTACKS AGAINST ARTISTIC FREEDOMS IN CUBA, AND CALLING FOR THE REPEAL OF LAWS THAT VIOLATE FREEDOM OF EXPRESSION AND THE IMMEDIATE RELEASE OF ARBITRARILY DETAINED ARTISTS, JOURNALISTS, AND ACTIVISTS

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 24, S. Res. 37.

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

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 37) expressing solidarity with the San Isidro Movement in Cuba, condemning escalated attacks against artistic freedoms in Cuba, and calling for the repeal of laws that violate freedom of expression and the immediate release of arbitrarily detained artists, journalists, and activists.

There being no objection, the Senate proceeded to consider the resolution, which had been reported from the Committee on Foreign Relations, with an

amendment to strike all after the resolving clause and insert the part printed in italic, and with an amendment to strike the preamble and insert the part printed in italic as follows:

*Whereas artists, journalists, and activists in Cuba have faced increased censorship, persecution, and arbitrary detention by the Government of Cuba as a result of Decrees 349 and 370, which seek to restrict artistic freedoms and silence independent media in Cuba;*

*Whereas, in December 2018, Decree 349 entered into force, requiring that artists and those who hire them receive prior approval from the Government of Cuba to operate in public or private spaces or otherwise be subject to confiscation of materials, fines, or sanctions without the right to an appeal;*

*Whereas, in July 2019, Decree 370 entered into force, regulating and imposing sanctions with respect to the free distribution of information through the internet and leading to increased repression, arbitrary detentions, and censorship by the Government of Cuba;*

*Whereas international human rights organizations, including Human Rights Watch, Amnesty International, the United Nations Office of the High Commissioner for Human Rights, and the Inter-American Commission on Human Rights, have condemned Decrees 349 and 370 as violating fundamental freedoms and contradicting Article 54 of the 2019 Constitution of Cuba, which guarantees freedom of expression;*

*Whereas, in 2018, the San Isidro Movement (MSI), an organization of artists, activists, academics, and journalists, began to peacefully protest increased censorship and persecution in Cuba;*

*Whereas Denis Solís González, a musician and member of the San Isidro Movement, was detained on November 9, 2020, and sentenced to 8 months in prison on ''contempt of authority'' charges after sharing a live video online of a police officer entering his home without a warrant;*

*Whereas, on November 19, 2020, artists and activists from the San Isidro Movement launched a day of poetry and gathered at a private residence to discuss actions to protest the arbitrary detention of Denis Solís González, and during that peaceful activity, state police blocked access to the house, confiscating all food and humanitarian supplies;*

*Whereas, in response to the events of November 19, 2020, 14 independent artists and activists went on a 7-day hunger strike at the private residence, during which state authorities allegedly contaminated water sources in order to sicken the artists, activists, and those supporting them through the strike;*

*Whereas, on November 26, 2020, state security agents forcibly entered the protest site to remove the 14 artists and activists and 6 others supporting them through the strike, blocking internet connectivity and communications throughout Cuba during the raid;*

*Whereas, on November 27, 2020, approximately 300 people gathered outside the Ministry of Culture of Cuba to peacefully protest the lack of artistic freedom in Cuba and the arbitrary arrest of Denis Solís González and other artists and activists in an unprecedented demonstration against the Government of Cuba, and, despite the use of tear gas by state security forces, the protesters were undeterred;*

*Whereas, as a result of the protest on November 27, 2020, Cuban officials met with 30 artists and activists, including 5 leaders of the San Isidro Movement, and agreed to stop harassment of Cuban artists and initiate a dialogue between the San Isidro Movement, other activists, and the government;*

*Whereas, despite that commitment by Cuban officials, the Government of Cuba subsequently escalated its attacks against the artists and activists who participated in the meeting, including by surrounding and blocking access to their homes;*

*Whereas the Cuban regime used state-controlled media to label the hunger strikers as committing acts of terrorism;*

*Whereas, on December 4, 2020, the Government of Cuba unilaterally ended the dialogue process with Cuban artists and independent civil society and political activists;*

*Whereas, on January 27, 2021, officials of the Ministry of Culture, led by Minister Alpidio Alonso and Vice Ministers Fernando Rojas and Fernando León Jacomino, physically assaulted a group of 20 to 30 artists who had gathered outside the Ministry of Culture to restart a dialogue process with authorities and demand an end to the repression of the artistic community;*

*Whereas, following the assault on the group by Minister Alonso and Vice Ministers Rojas and Jacomino, Cuban state security forces violently detained protesters; and*

*Whereas, despite the suspension of the dialogue process by the Government of Cuba, artists, activists, and independent journalists continue to bravely advocate for fundamental freedoms and denounce human rights violations in Cuba: Now, therefore, be it*

*Resolved, That the Senate—*

*(1) expresses solidarity with the members of the San Isidro Movement and their efforts to advance freedom of expression in Cuba;*

*(2) calls on Cuban authorities to engage in a meaningful dialogue process with the members of the San Isidro Movement and other artists and activists seeking to advance freedom of expression in Cuba;*

*(3) calls on the Government of Cuba to immediately release Denis Solís González and other arbitrarily imprisoned artists and journalists;*

*(4) urges the officials of the Ministry of Culture of Cuba to refrain from physical violence and any other acts of repression against Cuban artists and journalists;*

*(5) calls for the immediate repeal of Decrees 349 and 370 and other laws in Cuba that violate freedom of expression;*

*(6) urges governments and legislatures in Europe and Latin America to renew their support for democratic activists in Cuba and speak out against the repression of artists and journalists in Cuba; and*

*(7) encourages the Secretary of State to condemn the persecution, threats, and intimidation of Cuban artists and journalists.*

Mr. SCHUMER. I further ask that the committee-reported amendment to the resolution be considered agreed to; that the resolution, as amended, be agreed to; that the committee-report amendment to the preamble be agreed to; that the preamble, as amended, be agreed to; and that the motions to reconsider be considered made and laid upon the table with no intervening or debate.

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

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

The resolution (S. Res. 37), as amended, was agreed to.

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

The preamble, as amended, was agreed to.

The resolution, as amended, with its preamble, as amended, reads as follows:

S. RES. 37

Whereas artists, journalists, and activists in Cuba have faced increased censorship, persecution, and arbitrary detention by the Government of Cuba as a result of Decrees 349 and 370, which seek to restrict artistic freedoms and silence independent media in Cuba;

Whereas, in December 2018, Decree 349 entered into force, requiring that artists and those who hire them receive prior approval from the Government of Cuba to operate in public or private spaces or otherwise be subject to confiscation of materials, fines, or sanctions without the right to an appeal;

Whereas, in July 2019, Decree 370 entered into force, regulating and imposing sanctions with respect to the free distribution of information through the internet and leading to increased repression, arbitrary detentions, and censorship by the Government of Cuba;

Whereas international human rights organizations, including Human Rights Watch, Amnesty International, the United Nations Office of the High Commissioner for Human Rights, and the Inter-American Commission on Human Rights, have condemned Decrees 349 and 370 as violating fundamental freedoms and contradicting Article 54 of the 2019 Constitution of Cuba, which guarantees freedom of expression;

Whereas, in 2018, the San Isidro Movement (MSI), an organization of artists, activists, academics, and journalists, began to peacefully protest increased censorship and persecution in Cuba;

Whereas Denis Solís González, a musician and member of the San Isidro Movement, was detained on November 9, 2020, and sentenced to 8 months in prison on ''contempt of authority'' charges after sharing a live video online of a police officer entering his home without a warrant;

Whereas, on November 19, 2020, artists and activists from the San Isidro Movement launched a day of poetry and gathered at a private residence to discuss actions to protest the arbitrary detention of Denis Solís González, and during that peaceful activity, state police blocked access to the house, confiscating all food and humanitarian supplies;

Whereas, in response to the events of November 19, 2020, 14 independent artists and activists went on a 7-day hunger strike at the private residence, during which state authorities allegedly contaminated water sources in order to sicken the artists, activists, and those supporting them through the strike;

Whereas, on November 26, 2020, state security agents forcibly entered the protest site to remove the 14 artists and activists and 6 others supporting them through the strike, blocking internet connectivity and communications throughout Cuba during the raid;

Whereas, on November 27, 2020, approximately 300 people gathered outside the Ministry of Culture of Cuba to peacefully protest the lack of artistic freedom in Cuba and the arbitrary arrest of Denis Solís González and other artists and activists in an unprecedented demonstration against the Government of Cuba, and, despite the use of tear gas by state security forces, the protesters were undeterred;

Whereas, as a result of the protest on November 27, 2020, Cuban officials met with 30 artists and activists, including 5 leaders of the San Isidro Movement, and agreed to stop harassment of Cuban artists and initiate a dialogue between the San Isidro Movement, other activists, and the government;

Whereas, despite that commitment by Cuban officials, the Government of Cuba subsequently escalated its attacks against the artists and activists who participated in the meeting, including by surrounding and blocking access to their homes;

Whereas the Cuban regime used state-controlled media to label the hunger strikers as committing acts of terrorism;

Whereas, on December 4, 2020, the Government of Cuba unilaterally ended the dialogue process with Cuban artists and independent civil society and political activists;

Whereas, on January 27, 2021, officials of the Ministry of Culture, led by Minister Alpidio Alonso and Vice Ministers Fernando Rojas and Fernando León Jacomino, physically assaulted a group of 20 to 30 artists who had gathered outside the Ministry of Culture to restart a dialogue process with authorities and demand an end to the repression of the artistic community;

Whereas, following the assault on the group by Minister Alonso and Vice Ministers Rojas and Jacomino, Cuban state security forces violently detained protesters; and

Whereas, despite the suspension of the dialogue process by the Government of Cuba, artists, activists, and independent journalists continue to bravely advocate for fundamental freedoms and denounce human rights violations in Cuba: Now, therefore, be it

*Resolved*, That the Senate—

(1) expresses solidarity with the members of the San Isidro Movement and their efforts to advance freedom of expression in Cuba;

(2) calls on Cuban authorities to engage in a meaningful dialogue process with the members of the San Isidro Movement and other artists and activists seeking to advance freedom of expression in Cuba;

(3) calls on the Government of Cuba to immediately release Denis Solís González and other arbitrarily imprisoned artists and journalists;

(4) urges the officials of the Ministry of Culture of Cuba to refrain from physical violence and any other acts of repression against Cuban artists and journalists;

(5) calls for the immediate repeal of Decrees 349 and 370 and other laws in Cuba that violate freedom of expression;

(6) urges governments and legislatures in Europe and Latin America to renew their support for democratic activists in Cuba and speak out against the repression of artists and journalists in Cuba; and

(7) encourages the Secretary of State to condemn the persecution, threats, and intimidation of Cuban artists and journalists.

## RESOLUTIONS SUBMITTED TODAY

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate now proceed to the en bloc consideration of the following Senate resolutions, which were submitted earlier today: S. Res. 159, S. Res. 160, S. Res. 161, and S. Res. 162.

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

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

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

The resolutions were agreed to.

The preambles were agreed to.

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

## RELATING TO THE DEATH OF THE HONORABLE WILLIAM ''BILL'' EMERSON BROCK III, FORMER UNITED STATES SENATOR FOR THE STATE OF TENNESSEE

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 163, 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. 163) relating to the death of the Honorable William ''Bill'' Emerson Brock III, former United States Senator for the State of Tennessee.

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. 163) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

## APPOINTMENTS

THE PRESIDING OFFICER. The Chair, on behalf of the Vice President, pursuant to 14 U.S.C. 194(a), as amended by Public Law 101–595, and further amended by Public Law 113–281, and upon the recommendation of the Ranking Member of the Committee on Commerce, Science, and Transportation, reappoints the following Senators to the Board of Visitors of the U.S. Coast Guard Academy: The Honorable ROGER WICKER of Mississippi and The Honorable DAN SULLIVAN of Alaska.

The Chair announces, on behalf of the Majority Leader, pursuant to the provisions of Public Law 93–112, as amended by Public Law 112–166, and further amended by Public Law 113–128, the reappointment of the following to serve as a member of the National Council on Disability: Andres J. Gallegos of Illinois.

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

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

## ORDERS FOR MONDAY, APRIL 19, 2021

Mr. SCHUMER. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 3 p.m., Monday, April 19; 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 S. 937, the COVID hate crimes legislation; that at 5:30 p.m., the Senate proceed to executive session to resume consideration of the Monaco nomination and the Senate vote on the motion to invoke cloture on the nomination; that if cloture is invoked, all postcloture time be considered expired and the vote on confirmation occur at a time to be determined by the majority leader, in consultation with the Republican leader, on Tuesday, April 20; finally, that following the cloture vote, the Senate resume legislative session.

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

## ADJOURNMENT UNTIL MONDAY, APRIL 19, 2021, AT 3 P.M.

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 6:42 p.m., adjourned until Monday, April 19, 2021, at 3 p.m.

## NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF DEFENSE

SUSANNA V. BLUME, OF THE DISTRICT OF COLUMBIA, TO BE DIRECTOR OF COST ASSESSMENT AND PROGRAM EVALUATION, DEPARTMENT OF DEFENSE, VICE ROBERT DAIGLE, RESIGNED.

CHRISTINE ELIZABETH WORMUTH, OF VIRGINIA, TO BE SECRETARY OF THE ARMY, VICE RYAN MCCARTHY.

FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

MEERA JOSHI, OF PENNSYLVANIA, TO BE ADMINISTRATOR OF THE FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION, VICE RAYMOND MARTINEZ.

DEPARTMENT OF THE INTERIOR

TOMMY P. BEAUDREAU, OF ALASKA, TO BE DEPUTY SECRETARY OF THE INTERIOR, VICE KATHARINE MACGREGOR.

DEPARTMENT OF THE TREASURY

JONATHAN DAVIDSON, OF MARYLAND, TO BE DEPUTY UNDER SECRETARY OF THE TREASURY, VICE BRIAN MCGUIRE.

LILY LAWRENCE BATCHELDER, OF MASSACHUSETTS, TO BE AN ASSISTANT SECRETARY OF THE TREASURY, VICE DAVID J. KAUTTER.

DEPARTMENT OF COMMERCE

ROBERT LUIS SANTOS, OF TEXAS, TO BE DIRECTOR OF THE CENSUS FOR THE REMAINDER OF THE TERM EXPIRING DECEMBER 31, 2021, VICE STEVEN DILLINGHAM.

ROBERT LUIS SANTOS, OF TEXAS, TO BE DIRECTOR OF THE CENSUS FOR A TERM EXPIRING DECEMBER 31, 2026. (REAPPOINTMENT)

OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE

CHRISTINE ABIZAID, OF MARYLAND, TO BE DIRECTOR OF THE NATIONAL COUNTERTERRORISM CENTER, OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE, VICE CHRISTOPHER C. MILLER.

DEPARTMENT OF HOMELAND SECURITY

UR MENDOZA JADDOU, OF CALIFORNIA, TO BE DIRECTOR OF THE UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES, DEPARTMENT OF HOMELAND SECURITY, VICE LEE FRANCIS CISSNA.

DEPARTMENT OF JUSTICE

CHRISTOPHER H. SCHROEDER, OF NORTH CAROLINA, TO BE ASSISTANT ATTORNEY GENERAL, VICE STEVEN ANDREW ENGEL.

IN THE COAST GUARD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO A POSITION OF IMPORTANCE AND RESPONSIBILITY IN THE UNITED STATES COAST GUARD, AND TO THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 305:

*To be vice admiral*

VICE ADM. MICHAEL F. MCALLISTER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO A POSITION OF IMPORTANCE AND RESPONSIBILITY IN

THE UNITED STATES COAST GUARD, AND TO THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 305:

*To be vice admiral*

REAR ADM. PAUL F. THOMAS

## DISCHARGED NOMINATION

The Senate Committee on the Judiciary was discharged from further consideration of the following nomination pursuant to S. Res. 27 and the nomination was placed on the Executive Calendar:

VANITA GUPTA, OF VIRGINIA, TO BE ASSOCIATE ATTORNEY GENERAL.