

S.J. RES. 9

At the request of Mr. CRUZ, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S.J. Res. 9, a joint resolution proposing an amendment to the Constitution of the United States to require that the Supreme Court of the United States be composed of nine justices.

S. RES. 67

At the request of Mr. CORNYN, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. Res. 67, a resolution calling for the immediate release of Trevor Reed, a United States citizen who was unjustly found guilty and sentenced to 9 years in a Russian prison.

S. RES. 149

At the request of Mr. KELLY, the names of the Senator from Michigan (Mr. PETERS), the Senator from Nevada (Ms. ROSEN), the Senator from Maryland (Mr. VAN HOLLEN), the Senator from Michigan (Ms. STABENOW), the Senator from Georgia (Mr. OSSOFF) and the Senator from Georgia (Mr. WARNOCK) were added as cosponsors of S. Res. 149, a resolution expressing the sense of the Senate that Congress should continue to support the A-10 Thunderbolt II attack aircraft program, also known as the Warthog and A-10C or OA-10C.

S. RES. 213

At the request of Mr. MENENDEZ, the names of the Senator from Maryland (Mr. VAN HOLLEN), the Senator from Arkansas (Mr. BOOZMAN) and the Senator from Illinois (Ms. DUCKWORTH) were added as cosponsors of S. Res. 213, a resolution recognizing the importance of the United States-Republic of Korea relationship to safeguarding peace, security and prosperity on the Korean Peninsula, in the Indo-Pacific region and beyond, and welcoming the visit of President Moon Jae-in to the United States.

S. RES. 229

At the request of Mr. MENENDEZ, his name and the names of the Senator from Idaho (Mr. RISCH), the Senator from Maryland (Mr. CARDIN), the Senator from Wisconsin (Mr. JOHNSON), the Senator from Delaware (Mr. COONS), the Senator from Utah (Mr. ROMNEY), the Senator from Connecticut (Mr. MURPHY), the Senator from Ohio (Mr. PORTMAN), the Senator from Virginia (Mr. Kaine), the Senator from Texas (Mr. CRUZ), the Senator from Massachusetts (Mr. MARKEY), the Senator from South Dakota (Mr. ROUNDS), the Senator from Oregon (Mr. MERKLEY), the Senator from New Jersey (Mr. BOOKER), the Senator from Hawaii (Mr. SCHATZ) and the Senator from Maryland (Mr. VAN HOLLEN) were added as cosponsors of S. Res. 229, a resolution recognizing the devastating attack on a girls' school in Kabul, Afghanistan, on May 8, 2021, and expressing solidarity with the Afghan people.

S. RES. 238

At the request of Mr. TUBERVILLE, the name of the Senator from Mis-

issippi (Mr. WICKER) was added as a cosponsor of S. Res. 238, a resolution recognizing and honoring the sacrifices and accomplishments of the Greatest Generation.

AMENDMENT NO. 1562

At the request of Mr. WYDEN, his name was added as a cosponsor of amendment No. 1562 proposed to S. 1260, a bill to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes.

AMENDMENT NO. 1630

At the request of Mr. TOOMEY, the name of the Senator from North Carolina (Mr. TILLIS) was added as a cosponsor of amendment No. 1630 intended to be proposed to S. 1260, a bill to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes.

AMENDMENT NO. 1782

At the request of Mr. CARDIN, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of amendment No. 1782 intended to be proposed to S. 1260, a bill to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes.

AMENDMENT NO. 1897

At the request of Mr. MANCHIN, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of amendment No. 1897 intended to be proposed to S. 1260, a bill to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes.

AMENDMENT NO. 1948

At the request of Mr. HAWLEY, the name of the Senator from Georgia (Mr. OSSOFF) was added as a cosponsor of amendment No. 1948 intended to be proposed to S. 1260, a bill to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufac-

turing, and job creation, to establish a critical supply chain resiliency program, and for other purposes.

AMENDMENT NO. 2036

At the request of Mr. BARRASSO, the name of the Senator from Oklahoma (Mr. LANKFORD) was added as a cosponsor of amendment No. 2036 intended to be proposed to S. 1260, a bill to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes.

AMENDMENT NO. 2058

At the request of Mr. CASSIDY, the name of the Senator from North Carolina (Mr. TILLIS) was added as a cosponsor of amendment No. 2058 intended to be proposed to S. 1260, a bill to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes.

AMENDMENT NO. 2082

At the request of Mr. LUJÁN, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of amendment No. 2082 intended to be proposed to S. 1260, a bill to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes.

AMENDMENT NO. 2083

At the request of Ms. CORTEZ MASTO, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of amendment No. 2083 intended to be proposed to S. 1260, a bill to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTION

By Mr. THUNE (for himself, Ms. HASSAN, Mr. MORAN, and Ms. CORTEZ MASTO):

S. 1885. A bill to provide funds to assess the availability, accelerate the deployment, and improve the sustainability of advanced communications services and communications infrastructure in rural America, 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. 1885

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 “Rural Connectivity Advancement Program Act of 2021”.

SEC. 2. DEPOSIT OF SPECTRUM AUCTION PROCEEDS IN RURAL BROADBAND ASSESSMENT AND DEPLOYMENT FUND.

Section 309(j)(8) of the Communications Act of 1934 (47 U.S.C. 309(j)(8)) is amended—

(1) in subparagraph (A), by striking “and (G)” and inserting “(G), and (H)”; and

(2) by adding at the end the following:

“(H) CERTAIN PROCEEDS DESIGNATED FOR RURAL BROADBAND ASSESSMENT AND DEPLOYMENT FUND.—

“(i) ASSESSMENT AND DEPLOYMENT SET-ASIDE.—Notwithstanding subparagraph (A), and except as provided in subparagraphs (B), (D), (E), (F), and (G), 10 percent of the net proceeds from each use of a system of competitive bidding under this subsection that is mandated by an Act of Congress and that begins on or after the date of enactment of the Rural Connectivity Advancement Program Act of 2021 shall be deposited in the Rural Broadband Assessment and Deployment Fund established under section 3 of that Act.

“(ii) DEFINITION.—For purposes of this subparagraph, the term ‘net proceeds’, with respect to the use of a system of competitive bidding, means the proceeds remaining after subtracting all auction-related expenditures, including—

“(I) relocation payments, including accelerated relocation payments;

“(II) payments to incumbent licensees for the relinquishment of all or a portion of the spectrum usage rights of those licensees;

“(III) costs associated with the reallocation of spectrum, whether on an exclusive or shared use basis;

“(IV) relocation or sharing costs, including for planning for relocation or sharing; and

“(V) bidding credits.”.

SEC. 3. DIRECTION AND USE OF RURAL BROADBAND ASSESSMENT AND DEPLOYMENT FUND PROCEEDS.

(a) DEFINITIONS.—In this section—

(1) the term “Commission” means the Federal Communications Commission;

(2) the term “high-cost programs” means—

(A) the program for Universal Service Support for High-Cost Areas set forth under subpart D of part 54 of title 47, Code of Federal Regulations, or any successor regulations;

(B) the Rural Digital Opportunity Fund set forth under subpart J of part 54 of title 47, Code of Federal Regulations, or any successor regulations;

(C) the Interstate Common Line Support Mechanism for Rate-of-Return Carriers set forth under subpart K of part 54 of title 47, Code of Federal Regulations, or any successor regulations;

(D) the Mobility Fund set forth under subpart L of part 54 of title 47, Code of Federal Regulations, or any successor regulations;

(E) the High Cost Loop Support for Rate-of-Return Carriers program set forth under subpart M of part 54 of title 47, Code of Federal Regulations, or any successor regulations;

(F) the Uniendo a Puerto Rico Fund and the Connect USVI Fund set forth under sub-

part O of part 54 of title 47, Code of Federal Regulations, or any successor regulations; and

(G) the Rural Broadband Experiments, as established by the Commission under part 54 of title 47, Code of Federal Regulations;

(3) the term “net proceeds” has the meaning given the term in subparagraph (H) of section 309(j)(8) of the Communications Act of 1934 (47 U.S.C. 309(j)(8)), as added by section 2 of this Act; and

(4) the term “Rural Broadband Assessment and Deployment Fund” means the fund established under subsection (b).

(b) ESTABLISHMENT OF FUND.—There is established in the Treasury of the United States a fund to be known as the “Rural Broadband Assessment and Deployment Fund”.

(c) BORROWING AUTHORITY.—

(1) IN GENERAL.—With respect to any auction described in subparagraph (H)(i) of section 309(j)(8) of the Communications Act of 1934 (47 U.S.C. 309(j)(8)), as added by section 2 of this Act, on or after the date on which the Commission makes a final determination of the amount of net proceeds that will be deposited in the Rural Broadband Assessment and Deployment Fund under such subparagraph (H)(i) as a result of that auction, the Commission may borrow not more than that amount from the Treasury of the United States.

(2) REIMBURSEMENT.—The Commission shall reimburse the general fund of the Treasury, without interest, for any amounts borrowed under paragraph (1) as funds are deposited into the Rural Broadband Assessment and Deployment Fund.

(d) AVAILABILITY OF AMOUNTS.—Any amounts borrowed under subsection (c)(1) and any amounts in the Rural Broadband Assessment and Deployment Fund that are not necessary for reimbursement of the general fund of the Treasury for such borrowed amounts shall be available to the Commission for use in accordance with subsection (e).

(e) USE OF AMOUNTS.—

(1) ESTABLISHMENT OF PROGRAM OR PROGRAMS.—The Commission shall use the amounts made available under subsection (d) to establish 1 or more programs that are separate from, but are coordinated with and complement, the high-cost programs to address—

(A) gaps that remain in broadband internet access service coverage in high-cost rural areas despite the operations of the high-cost programs; and

(B) shortfalls in sufficient funding of the high-cost programs that could adversely affect the sustainability of services or reasonable comparability of rates that are supported by those programs.

(2) PURPOSES.—In carrying out paragraph (1), the Commission shall use amounts made available under subsection (d) in an efficient and cost-effective manner only—

(A) for the assessment of, and to provide subsidies in a technology-neutral manner through a competitive process (subject to weighting preferences for performance quality and other service metrics as the Commission may find appropriate) to providers for support of, deployment of broadband-capable infrastructure in high-cost rural areas that the Commission determines are unserved by fixed terrestrial broadband internet access service at a download speed of not less than 25 megabits per second and an upload speed of not less than 3 megabits per second (or such higher speed as the Commission may determine appropriate based upon an evolving definition of universal service); and

(B) to assess, and provide subsidies to providers to enable providers to sustain,

broadband internet access service in any rural area in which—

(i) not more than 1 provider of fixed terrestrial broadband internet access service operates; and

(ii) the high-cost nature of the area precludes the offering of voice service and broadband internet access service at rates and performance levels available in urban areas as determined by the Urban Rate Survey conducted by the Commission.

(3) TRIBAL CONSIDERATIONS.—In distributing amounts under this subsection, the Commission shall consider the broadband internet access service needs of residents of Tribal lands (as defined in section 54.400 of title 47, Code of Federal Regulations, or any successor regulation).

(4) LIMITATIONS.—

(A) PROHIBITION ON FUNDING OTHER PROGRAMS.—

(i) IN GENERAL.—The Commission may not use amounts made available under subsection (d) to fund any program that was not established by the Commission under paragraph (1) of this subsection, including any program established under section 254 of the Communications Act of 1934 (47 U.S.C. 254) in effect on the date of enactment of this Act, except for using the Universal Service Administrative Company to administer funding.

(ii) RULE OF CONSTRUCTION.—Nothing in clause (i) shall be construed to prohibit the Commission from using amounts made available under subsection (d) to supplement the provision of support under the high-cost programs, as authorized under paragraph (1)(B) of this subsection.

(B) TRANSPARENCY AND ACCOUNTABILITY FOR ADDRESSING GAPS IN COVERAGE.—The Commission shall establish transparency and accountability requirements for amounts made available for the purpose set forth in paragraph (1)(A) that, at a minimum—

(i) provide—

(I) a process for challenging any initial determination by the Commission regarding whether an area is served or unserved; and

(II) written public notice on the website of the Commission of—

(aa) how each challenge under subparagraph (I) was decided; and

(bb) the reasons of the Commission for each decision;

(ii) establish broadband service buildout milestones and require periodic certification by funding recipients to ensure compliance with the broadband service buildout milestones;

(iii) establish a maximum buildout timeframe of 4 years beginning on the date on which funding is provided to a funding recipient;

(iv) establish periodic reporting requirements for funding recipients that identify, at a minimum, the speed of, and technology used for, the service provided in each area where funding is provided;

(v) establish standard penalties for non-compliance with the requirements established under this subparagraph and as may be further prescribed by the Commission;

(vi) establish procedures for recovery of funds, in whole or in part, from funding recipients in the event of default or non-compliance with the requirements established under this subparagraph and as may be further prescribed by the Commission; and

(vii) require a funding recipient to—

(I) offer voice service and broadband internet access service; and

(II) permit a consumer to subscribe to one type of service described in subclause (I) or both types.

(C) TRANSPARENCY AND ACCOUNTABILITY FOR ADDRESSING SHORTFALLS IN FUNDING.—The

Commission shall establish transparency and accountability requirements for amounts made available for the purpose set forth in subparagraph (1)(B) that, at a minimum—

(i) establish periodic reporting and certification requirements for funding recipients to ensure that the funding results in the offering of voice service and broadband internet access service at reasonably comparable rates and performance levels;

(ii) establish standard penalties for non-compliance with the requirements established under this subparagraph and as may be further prescribed by the Commission;

(iii) establish procedures for recovery of funds, in whole or in part, from funding recipients in the event of default or non-compliance with the requirements established under this subparagraph and as may be further prescribed by the Commission; and

(iv) require a funding recipient to—

(I) offer voice service and broadband internet access service; and

(II) permit a consumer to subscribe to one type of service described in subclause (I) or both types.

(f) REPORTS.—

(1) ANNUAL AUCTION PROCEEDS DEPLOYMENT REPORT.—Not later than 270 days after the date of enactment of this Act, and not less frequently than annually thereafter until all amounts have been distributed, the Commission shall publish and submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives a report on the distribution of amounts made available under subsection (d).

(2) AUCTION-SPECIFIC DEPOSIT REPORTS.—Not later than 30 days after the date on which the Commission announces the results of an auction described in subparagraph (H)(i) of section 309(j)(8) of the Communications Act of 1934 (47 U.S.C. 309(j)(8)), as added by section 2 of this Act, the Commission shall publish and submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives a report that estimates the amount of net proceeds that will be deposited in the Rural Broadband Assessment and Deployment Fund under that subparagraph as a result of that auction.

By Mr. DURBIN (for himself and Ms. DUCKWORTH):

S. 1903. A bill to require the Administrator of the Environmental Protection Agency to revise certain ethylene oxide emissions standards under the Clean Air Act, and for other purposes; to the Committee on Environment and Public Works.

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. 1903

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

SECTION 1. ETHYLENE OXIDE EMISSIONS STANDARDS.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Administrator of the Environmental Protection Agency (referred to in this section as the “Administrator”) shall amend subpart O of part 63 of title 40, Code of Federal Regulations—

(1) to revise the standards for the emission of ethylene oxide under that subpart based on the results described in the report of the National Center for Environmental Assessment of the Environmental Protection Agency entitled “Evaluation of the Inhalation Carcinogenicity of Ethylene Oxide” and dated December 2016;

(2) to apply maximum achievable control technology (within the meaning of the Clean Air Act (42 U.S.C. 7401 et seq.)) requirements to chamber exhaust vents; and

(3) to apply to area sources and major sources (as those terms are defined in section 112(a) of the Clean Air Act (42 U.S.C. 7412(a))) of ethylene oxide.

(b) RESIDUAL RISK REVIEW.—Not later than 180 days after the date on which the Administrator finalizes the revised standards required under subsection (a), the Administrator shall carry out a residual risk assessment pursuant to section 112(f)(2) of the Clean Air Act (42 U.S.C. 7412(f)(2)) with respect to the revised standards.

(c) NOTIFICATION.—

(1) IN GENERAL.—Not later than 30 days after the Administrator learns of a violation of the standards revised under subsection (a), the Administrator shall notify the public of the violation in a manner determined to be appropriate by the Administrator.

(2) FAILURE TO NOTIFY.—If the Administrator fails to notify the public under paragraph (1) by the end of the period described in that paragraph, the Inspector General of the Environmental Protection Agency shall carry out an investigation to determine—

(A) the reason or reasons for which the Administrator failed to notify the public;

(B) the public health risks associated with the failure of the Administrator to notify the public; and

(C) any steps the Administrator should take to ensure the Administrator meets the requirements described in paragraph (1) in the future.

By Mrs. FEINSTEIN (for herself and Mr. PADILLA):

S. 1906. A bill to amend the Federal Water Pollution Control Act to establish a grant program to support the restoration of San Francisco Bay, and for other purposes; to the Committee on Environment and Public Works.

Mrs. FEINSTEIN. Mr. President, I am pleased to introduce the “San Francisco Bay Restoration Act.” Thank you to Senator PADILLA for co-sponsoring and I am happy to be once again be working with Congresswoman JACKIE SPEIER, who is leading the bill in the House.

This legislation would create a San Francisco Bay Program within the Environmental Protection Agency dedicated to conserving and protecting the San Francisco Bay estuary ecosystem—the largest estuary in the western United States.

The San Francisco Bay estuary is truly a national treasure, and it is vital to the nation’s environmental and economic health. It is home to more than 1,000 plant and wildlife species, roughly 77% of California’s remaining perennial estuarine wetlands, and an important stopover for birds along the Pacific Flyway. The Bay region produces more than \$370 billion in goods and supports more than 4 million jobs.

Unfortunately, during the last 150 years, the water quality and health of

the San Francisco Bay has been diminished. According to the United States Geological Survey, the Bay has lost 95% of its wetlands, which serve as both habitat for vulnerable species and as an important barrier to protect against climate change impacts such as rising sea levels and extreme weather events made only more common by global warming.

The program created within EPA to focus on the San Francisco Bay Estuary would increase federal investment into the San Francisco Bay Estuary to ensure that it can continue to support the environment, agriculture, and economy for generations to come.

A 2018 General Accounting Office report on the San Francisco Bay Delta Watershed found that the lack of sufficient Federal funding is one of the biggest risks to long-term restoration efforts, and a major factor limiting habitat restoration and water quality improvement.

The GAO noted that while Bay Area voters established a local funding source through a bond measure for some Bay restoration, local funding “needs to be leveraged by significant state and Federal dollars to meet the estimated \$1.5 billion needed for restoration in the Bay Area.”

This bill recognizes the important restoration work that must be done to protect and restore the iconic San Francisco Bay Estuary. It authorizes \$50 million per year for five years for the creation of the San Francisco Program office.

This program office would work with local stakeholders to compile an annual list of project and study priorities that advance the goals of the National Estuary Program for the San Francisco Bay estuary.

Funds would be distributed by the agency in a competitive grant program, prioritizing projects that improve water quality, provide wetland restoration, promote endangered species recovery, and support adaptation to climate change.

This legislation would bring the Federal funding investment in line with other major estuaries in the country, like the Chesapeake Bay, Great Lakes, and Puget Sound.

This is another example of the type of front-end investment in green infrastructure and natural resources that will only pay dividends in the future and, most importantly, for future generations.

I urge my colleagues to join me in supporting this bill.

Thank you, Mr. President, I yield the floor.

By Mr. PADILLA (for himself, Mr. COONS, Mr. DURBIN, Ms. WARREN, Mr. BOOKER, Mr. MARKEY, Ms. CORTEZ MASTO, and Ms. HIRONO):

S. 1912. A bill to clarify the rights of certain persons who are held or detained at a port of entry or at any facility overseen by U.S. Customs and

Border Protection; to the Committee on the Judiciary.

Mr. PADILLA. Mr. President, I rise to introduce the "Access to Counsel Act."

This legislation would ensure that all individuals with a legal right to be in the United States and are detained by Customs and Border Protection at ports of entry or airports have access to legal counsel.

This legislation would ensure that individuals who have legal status in the U.S. and are detained by Customs and Border Protection in secondary inspection at airports or other points of entry for more than an hour are granted an opportunity to access legal counsel and an interested party. An interested party is defined as a family member, sponsor, or organization with a connection to the individual.

The bill provides no obligation for the Federal government to pay for counsel and allows counsel the ability to advocate on behalf of the individual by providing information or documentation in support of the individual.

It also invalidates any effort by CBP to persuade someone to relinquish their legal status if that person has been denied access to counsel or voluntarily waives in writing their right to counsel.

The Trump Administration's immigration policies often caused unnecessary chaos and confusion.

One vivid example of this is when the first Muslim Ban was implemented, in early 2017, and thousands of U.S. citizens, green card holders, and others with valid visas were detained at airports for hours.

They were held by Customs and Border Protection officers without any ability to call a lawyer, a relative or an advocate. Many members of Congress rushed to the airports in an attempt to help these individuals and were barred from speaking to them or connecting them with attorneys.

In addition, in early 2020, 200 Iranian Americans were held at the northern border in Blaine, WA for 12 hours without access to counsel.

While President Biden has rescinded the travel bans, it is imperative that Americans and those with a legal right to be here have access to representation if they are held at a port of entry.

Thank you, Mr. President. I yield the floor.

By Ms. COLLINS (for herself, Mr. CARDIN, Mr. MARSHALL, Ms. STABENOW, Mrs. CAPITO, Mr. KING, Mr. CASSIDY, Ms. SINEMA, Mr. MENENDEZ, and Ms. ROSEN):

S. 1943. A bill to amend title XVIII of the Social Security Act to improve access to, and utilization of, bone mass measurement benefits under part B of the Medicare program by establishing a minimum payment amount under such part for bone mass measurement; to the Committee on Finance.

Ms. COLLINS. Mr. President, I rise today to reintroduce legislation with

my colleague from Maryland, Senator BEN CARDIN, to increase access to preventive bone density screenings and to improve osteoporosis diagnosis and treatment in the process.

May is National Osteoporosis month. Approximately 54 million Americans have osteoporosis or low bone mass. Women are disproportionately affected, accounting for 71 percent of osteoporotic fractures and 75 percent of health costs related to osteoporosis.

Osteoporosis is often called "the silent disease" because bone loss usually occurs gradually over the years without symptoms. As the NIH Osteoporosis and Related Bone Diseases National Resource Center observes, falls are especially dangerous for people who are unaware that they have low bone density. If the patient and the doctor fail to identify the link between the broken bone and osteoporosis, the chance to make a diagnosis with a bone density test and begin a treatment program may be lost.

Our legislation, the Increasing Access to Osteoporosis Testing for Medicare Beneficiaries Act of 2021, tackles a proven barrier to proper screening by creating a floor reimbursement rate under Medicare for the dual energy X-ray absorptiometry (DXA) test, the "gold standard" for osteoporosis diagnosis.

Congress has twice recognized the importance of reversing Medicare cuts to DXA reimbursement in order to maintain patient access to this test, yet the Medicare reimbursement rate for DXA tests administered in a doctor's office has declined from \$140 in 2006 to only \$42 in 2018—a dramatic 70 percent decline. It is not surprising that this inadequate reimbursement has led to a decline in screenings.

The National Osteoporosis Foundation has found that declining reimbursement rates have created a 26 percent decline in physicians performing DXA tests since 2008, resulting in a corresponding 22 percent decline in diagnoses since 2009.

Regrettably, the result of reduced screenings due to declining reimbursements produces real harm. It is estimated that more than 40,000 additional hip fractures occur each year, resulting in nearly 10,000 additional hip fracture-related deaths. Keep in mind that these painful and costly fractures, and even deaths, are all occurring at a time when early diagnosis and treatment of osteoporosis are proven to reduce fracture rates dramatically.

With osteoporosis already an underdiagnosed condition in the Medicare population, it is clear that we must change this trajectory. I thank Senator CARDIN for joining me in this effort to increase patient access to osteoporosis screening and diagnosis, while lowering cost and consequences resulting from a lack of diagnosis. I encourage my colleagues to support its adoption. Thank you, Mr. President.

By Mr. REED (for himself and Mr. TESTER):

S. 1944. A bill to improve Vet Centers of the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

Mr. REED. Mr. President, as many of my colleagues know, the transition from military to civilian life can be very difficult. To address these kinds of challenges, Vet Centers were created in the wake of the Vietnam War to provide critical services for veterans, service members, and their families in community-based settings separate from other Veterans Health Administration facilities. Today, there is a need to enhance these Centers to continue to realize that original vision—which is why I am reintroducing the Vet Center Improvement Act.

This legislation is the product of a Government Accountability Office (GAO) investigation that Senator TESTER and I requested into allegations that changes to performance metrics at Vet Centers may have negatively impacted quality of care as well as additional concerns that we had about their staffing practices. The GAO report concluded that recent changes "have the potential to negatively affect care and create undue burden and stress on counselors providing that care at some Vet Centers." This report included recommendations to improve care, transparency, and hiring and staffing methods that are the foundation for our legislation.

Specifically, the Vet Center Improvement Act requires periodic review and reform of performance standards at Vet Centers; the creation and periodic reevaluation of a staffing model, along with standardization of position descriptions and responsibilities across Vet Centers; the creation of a working group to implement changes to improve quality of care for veterans and recruitment and retention of staff; and the GAO to review Vet Center infrastructure and examine what future investments are needed. Additionally, our legislation creates a \$50 million pilot program to provide grants to combat food insecurity and provide necessary heating and cooling assistance to veterans and their families. Unfortunately, the COVID-19 pandemic has further underscored the need for this legislation—to ensure that we are providing high quality counseling services and offering programs that help our veterans meet their daily needs, like feeding their families and heating their homes.

I would like to thank Senator TESTER for joining me in introducing this important legislation and the attention he has paid to this issue as Ranking Member and now Chairman of the Senate Veterans Affairs Committee. Our legislation has received support from such organizations as the Veterans of Foreign Wars (VFW), American Veterans (AMVETS), National Community Action Foundation (NCAF), National Association for State Community Services Programs (NASCS), the National Energy & Utility Affordability Coalition (NEUAC),

and the URI Feinstein Center for a Hunger Free America. I look forward to continuing our partnership on this and other measures to improve care for our veterans, and I hope our colleagues will join us in this endeavor.

By Mr. REED:

S. 1954. A bill to reauthorize the John H. Chafee Blackstone River Valley National Heritage Corridor, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. REED. Mr. President, today I am introducing legislation to reauthorize the John H. Chafee Blackstone River Valley National Heritage Corridor for the next fifteen years. This legislation will continue to preserve the industrial, natural, and cultural heritage of the Blackstone River Valley for generations to come.

In 1986, Congress designated the Blackstone River Valley as a National Heritage Corridor, recognizing the region's critical contributions to the American Industrial Revolution. Indeed, in 1793, Samuel Slater initiated the American Industrial Revolution in Rhode Island when he built his historic mill along the Blackstone River. Today, the mills and villages throughout the Corridor reflect the legacy of this key chapter in American history.

Encompassing both Rhode Island and Massachusetts, the John H. Chafee Blackstone River Valley National Heritage Corridor links twenty-four communities along the Blackstone River from Providence to Worcester. The Corridor has also served as a critical partner to the Blackstone River Valley National Historical Park, resulting in the recovery of dozens of historic villages, waterways, and rural landscapes throughout the Blackstone River Valley, which includes thousands of acres of beautiful lands and waters that are home to diverse wildlife.

I urge my colleagues to join me in supporting this legislation to ensure the continued preservation of the Blackstone River Valley for the benefit of our natural resources and our country's history.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 246—EXPRESSING THE SENSE OF THE SENATE THAT CRITICAL RACE THEORY SERVES AS A PREJUDICIAL IDEOLOGICAL TOOL, RATHER THAN AN EDUCATIONAL TOOL, AND SHOULD NOT BE TAUGHT IN K-12 CLASSROOMS AS A WAY TO TEACH STUDENTS TO JUDGE INDIVIDUALS BASED ON SEX, RACE, ETHNICITY, OR NATIONAL ORIGIN

Mr. SCOTT of Florida (for himself, Mr. BRAUN, and Mrs. BLACKBURN) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 246

Whereas Critical Race Theory seeks to portray the United States not as a united Nation of people, families, and communities striving for a common purpose, but rather a Nation of many victimized groups based on sex, race, ethnicity, or national origin;

Whereas Critical Race Theory's teachings stand in contrast to the overarching goal of the Civil Rights Act of 1964 to prevent discrimination on the basis of race, color, or national origin in the United States;

Whereas William Jacobson, a Cornell University professor, created criticalrace.org to highlight the over 200 universities across the Nation with Critical Race Theory programming;

Whereas, while present on college and university campuses for decades, Critical Race Theory has increasingly infiltrated our Nation's elementary and secondary school classrooms in recent years;

Whereas Critical Race Theory serves to re-segregate institutions of education and balkanize students into groups by race and ethnicity;

Whereas efforts to indoctrinate Critical Race Theory into United States school children are designed to eventually transform the United States by stigmatizing its economic system and creating a hatred of all its institutions;

Whereas Critical Race Theory founder Derrick Bell has stated that "most critical race theorists are committed to a program of scholarly resistance, and most hope scholarly resistance will lay the groundwork for wide-scale resistance";

Whereas Critical Race Theory serves to reinforce the soft bigotry of low expectations by substituting systemic racism as the determining factor in academic achievement gaps rather than the ongoing failure of policymakers and the education system to provide students of color necessary educational opportunities;

Whereas Critical Race Theory has manifested itself in various damaging ways in United States elementary and secondary schools;

Whereas the 1619 Project, which puts slavery, not the ideal of equality, at the center of our Nation's storyline and has been widely debunked by historians across the ideological spectrum, is nevertheless being taught in 4,500 classrooms across the country;

Whereas the California Department of Education (CDE) Foundation, in partnership with over 30 education organizations and the Bill and Melinda Gates Foundation, developed "A Pathway to Equitable Math Instruction" toolkit that promotes the concept that White supremacy manifests itself through the focus on finding the right answers, thereby discouraging teachers from requiring students to show their work or consider ways there could be 2 answers to a problem;

Whereas, in 2017, the Seattle Public School Board directed the Ethnic Studies Task Force to develop an ethnic studies curriculum, which defined ethnic studies as a way to counteract systems of oppression, such as patriarchy and capitalism;

Whereas the Madison Metropolitan School District is requiring staff to participate in a mandatory 21 hours of professional development that claim practices such as teachers leading a classroom, keeping a class on schedule, and the term "student" are a part of White, Western thought and are racist;

Whereas students at a Las Vegas charter school were required to take a year-long virtual "Sociology of Change" course where assignments required students to reveal their race, gender, sexual orientation, and disabilities and then determine if oppression or privilege were a part of those identities, al-

legedly without any accommodations if a student had a conscientious objection to the course;

Whereas, in October 2020, the San Diego Unified School District Board of Education voted to change "discriminatory grading practices" and no longer requires students to turn in their homework on time in order to "be an anti-racist school district";

Whereas, while students should learn how to actively engage in civil society, Critical Race Theory often advocates for "action civics", which in some school districts has resulted in students being taught how to engage in disruptive protests without as much concern for teaching the fundamentals of how government works and why;

Whereas, according to the Annenberg Public Policy Center at the University of Pennsylvania, just over half of all individuals in the United States cannot name all 3 branches of Government, and 76 percent of eighth grade students scored at or below proficient in civics on the most recent National Assessment of Educational Progress (NAEP) assessment;

Whereas State legislators across the country have introduced bills to prevent schools from teaching that—

(1) the United States is fundamentally racist or sexist; and

(2) on account of an individual's race or gender, they may be responsible for actions committed in the past;

Whereas, on January 19, 2021, the Department of Education's Office for Civil Rights posted a webinar to provide an overview on how racially exclusive practices are prohibited under title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.), but the Department of Education has since archived the webinar and labeled it as "not for reliance"; and

Whereas, on January 22, 2021, the Department of Education's Office for Civil Rights reportedly suspended a finding that an Illinois school district violated title VI of the Civil Rights Act when it segregated students and staff, directed teachers to treat students differently based on their race, and endorsed racially charged messages: Now, therefore, be it

Resolved, That the Senate—

(1) condemns racism in all forms and calls on the people of the United States to eliminate racism and defend the civil rights of all individuals, including within our Nation's education system;

(2) calls on the Department of Education's Office for Civil Rights and State attorneys general to assist schools in being compliant with existing civil rights laws and to investigate and enforce the law when appropriate;

(3) supports the actions taken by States and communities to implement policies and practices to protect the rights of parents and guardians to know what their children are being taught;

(4) calls on States and communities to support curriculum transparency policies that make elementary and secondary education curriculum materials accessible, including online, to parents, guardians, and the public for review before the use of such materials;

(5) recognizes that open enrollment and school choice policies allow students to access the school, and thereby the curriculum, which the parent or guardian believes is best positioned to educate the student;

(6) condemns State and local educational agencies that facilitate or expend resources on education and professional development exercises that focus on ostracizing 1 individual or group from another;

(7) condemns the practice of requiring teachers to receive Critical Race Theory education in order to be certified as a teacher; and