

Mr. SCHUMER. I ask unanimous consent that the bill be considered read a third time.

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

The bill was ordered to a third reading and was read the third time.

Mr. SCHUMER. I know of no further debate on the bill.

The PRESIDING OFFICER. Is there further debate?

If not, the bill having been read the third time, the question is, Shall the bill pass?

The bill (H.R. 2523) was passed.

Mr. SCHUMER. I ask unanimous consent that the motion to reconsider be considered made and laid upon the table.

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

RECOGNIZING THE 50TH ANNIVERSARY OF THE MCCLELLAN-KERR ARKANSAS RIVER NAVIGATION SYSTEM

Mr. SCHUMER. Madam President, I ask unanimous consent that the Committee on Environment and Public Works be discharged from further consideration and the Senate now proceed to S. Res. 195.

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

The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 195) recognizing the 50th anniversary of the McClellan-Kerr Arkansas River Navigation System.

There being no objection, the committee was discharged, and the Senate proceeded to consider the resolution.

Mr. SCHUMER. Madam President, I know of no further debate on the measure.

The PRESIDING OFFICER. Is there further debate?

Hearing none, the question is on adoption of the resolution.

The resolution (S. Res. 195) was agreed to.

Mr. SCHUMER. Madam President, I ask unanimous consent that the Inhofe amendment to the preamble be agreed to, the preamble as amended 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 amendment (No. 2108) to the preamble was agreed to as follows:

(Purpose: To amend the preamble)

In the preamble, strike the 18th whereas clause and insert "Whereas modernization of the MKARNS will empower future economic development, promote freight mobility, and expand agricultural exports and the movement of iron and steel products, while relieving congestion on our roads and bridges;"

The preamble, as amended, was agreed to.

The resolution (S. Res. 195), with its preamble, as amended, was agreed to as follows

S. RES. 195

Whereas June 5, 2021, marks the 50th anniversary of the McClellan-Kerr Arkansas River Navigation System (referred to in this preamble as "MKARNS");

Whereas, in the Rivers and Harbors Act of 1946 (Public Law 79-525), Congress authorized the Army Corps of Engineers (commonly referred to as the "Corps") to undertake comprehensive improvements on the Arkansas and Verdigris Rivers, which served as the foundation of the MKARNS;

Whereas the MKARNS opened for full use in December 1970, which, after over 20 years and \$1,200,000,000, was the largest civil works project undertaken by the Corps at the time;

Whereas President Richard M. Nixon officially dedicated the MKARNS on June 5, 1971, at a ceremony at the Tulsa Port of Catoosa, Oklahoma;

Whereas the MKARNS is named for United States Senator John L. McClellan of Arkansas and former Oklahoma Governor and United States Senator Robert S. Kerr of Oklahoma, who advocated for the creation of an expansive, inland waterway system;

Whereas the MKARNS is 445 river miles long, with 18 locks and dams, spans from Catoosa, Oklahoma, to the Mississippi River, and serves commerce from a 12-State region consisting of Oklahoma, Arkansas, Kansas, Texas, Colorado, Montana, Nebraska, Minnesota, South Dakota, North Dakota, Missouri, and Idaho;

Whereas the MKARNS provides year-round, accessible inland waterway transportation to 5 public ports, 50 private port terminals, and over 90 industries;

Whereas, on an annual basis, the MKARNS provides for \$8,500,000,000 in sales impacts, \$1,600,000,000 in transportation cost savings, and \$289,000,000 in business taxes;

Whereas the MKARNS contributes to 56,000 full- and part-time jobs, and 20 percent of all jobs in the United States are linked to waterborne commerce supported by the inland waterway system;

Whereas, on average, 11,000,000 tons of commodities with a value upwards of \$4,000,000,000 travels on the MKARNS annually, with sand, gravel, rock, chemical fertilizer, iron, and steel accounting for nearly 60 percent of all waterborne commerce;

Whereas there are 4 designated Foreign-Trade Zones along the navigation system at the public ports at Catoosa, Muskogee, Little Rock, and Pine Bluff;

Whereas the MKARNS allows for the lowest-cost and most environmentally friendly method of moving goods, with 1 barge transporting the equivalent of 15 jumbo railcars and 60 large semi-trailers;

Whereas, in 2015, the Corps upgraded the classification of the MKARNS from "Connector" to "Corridor" on the National Marine Highway, designated the MKARNS as a high-use waterway system, and labeled the MKARNS as Marine Highway 40;

Whereas Congress authorized multiple uses for the MKARNS, including navigation, flood control, hydropower, recreation, water supply, and wildlife conservation;

Whereas, through the end of 2020, Arkansas River Basin projects, including the MKARNS, are estimated to have cumulatively prevented nearly \$16,000,000,000 in flood damages in the Arkansas River Basin region;

Whereas there are 15 hydropower plants on the MKARNS which provide low-cost power to 7,000,000 people and produce 2,500,000 kilowatt-hours per year;

Whereas inland waterways provide many recreational opportunities, such as fishing, boating, and hiking, and over 4,000 recreational vessels lock through the MKARNS and 5,400,000 people visit Corps-operated

recreation areas along the MKARNS annually;

Whereas modernization of the MKARNS will empower future economic development, promote freight mobility, and expand agricultural exports and the movement of iron and steel products, while relieving congestion on our roads and bridges;

Whereas the increased backlog in critical maintenance causes the economic uncertainty of complete navigation disruption on the MKARNS, which would cost beneficiaries up to \$2,000,000 per day;

Whereas Congress authorized the MKARNS to be deepened to 12 feet in 2003, and approximately 90 percent of the MKARNS is already 12-feet deep;

Whereas the capacity of each barge could be increased by 200 tons for each additional foot of draft, increasing the overall freight capacity of the MKARNS by 40 percent and resulting in over \$250,000,000 in increased business sales annually; and

Whereas Oklahoma, Arkansas, the surrounding region, and the entire Nation have benefitted, and will continue to benefit, greatly from the MKARNS: Now, therefore, be it

Resolved, That the Senate—

(1) honors 2021 as the 50th anniversary of the McClellan-Kerr Arkansas River Navigation System;

(2) recognizes that investments in inland waterway navigation infrastructure are an investment in the long-term strength and security of the United States economy; and

(3) commits to completing the deepening of the McClellan-Kerr Arkansas River Navigation System from 9 feet to 12 feet.

JAIME ZAPATA AND VICTOR AVILA FEDERAL OFFICERS AND EMPLOYEES PROTECTION ACT

Mr. SCHUMER. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 61, S. 921.

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

The senior assistant legislative clerk read as follows:

A bill (S. 921) to amend title 18, United States Code, to further protect officers and employees of the United States, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on the Judiciary, with an amendment to strike all after the enacting clause and insert the part printed in italic, as follows

SECTION 1. SHORT TITLE.

This Act may be cited as the "Jaime Zapata and Victor Avila Federal Officers and Employees Protection Act".

SEC. 2. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) since the founding of the Nation, officers and employees of the United States Government have dutifully and faithfully served the United States overseas, including in situations that place them at serious risk of death or bodily harm, in order to preserve, protect, and defend the interests of the United States;

(2) securing the safety of such officers and employees while serving overseas is of paramount importance and is also in furtherance of preserving, protecting, and defending the interests of the United States;

(3) Federal courts, including the United States Court of Appeals for the Second Circuit, the United States Court of Appeals for the Ninth

Circuit, and the United States Court of Appeals for the Eleventh Circuit, have correctly interpreted section 1114 of title 18, United States Code, to apply extraterritorially to protect officers and employees of the United States while the officers and employees are serving abroad;

(4) in a case involving a violent attack against Federal law enforcement officers Jaime Zapata and Victor Avila, a panel of a Federal court of appeals held that section 1114 of title 18, United States Code, does not apply extraterritorially, creating a split among the United States circuit courts of appeals;

(5) in light of the opinion described in paragraph (4), it has become necessary for Congress to clarify the original intent that section 1114 of title 18, United States Code, applies extraterritorially; and

(6) it is further appropriate to clarify the original intent that sections 111 and 115 of title 18, United States Code, apply extraterritorially as well.

SEC. 3. PROTECTION OF OFFICERS AND EMPLOYEES OF THE UNITED STATES.

Part I of title 18, United States Code, is amended—

(1) in section 111, by adding at the end the following:

“(c) *EXTRATERRITORIAL JURISDICTION.*—There is extraterritorial jurisdiction over the conduct prohibited by this section.”;

(2) in section 115, by adding at the end the following:

“(e) *There is extraterritorial jurisdiction over the conduct prohibited by this section.*”; and

(3) in section 1114—

(A) by inserting “(a) *IN GENERAL.*—” before “Whoever”; and

(B) by adding at the end the following:

“(b) *EXTRATERRITORIAL JURISDICTION.*—There is extraterritorial jurisdiction over the conduct prohibited by this section.”.

Mr. SCHUMER. Madam President, I further ask that the committee-reported substitute amendment be agreed to; the bill, as amended, be considered read a third time and passed; and that motion to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The committee-reported amendment in the nature of a substitute was agreed to.

The bill (S. 921), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

ALS AWARENESS MONTH

Mr. SCHUMER. Madam President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 255, submitted earlier today.

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

The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 255) designating May 2021 as “ALS Awareness Month”.

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

Mr. SCHUMER. Madam President, I know of no further debate on the measure.

The PRESIDING OFFICER. Is there further debate?

Hearing none, the question is on adoption of the resolution.

The resolution (S. Res. 255) was agreed to.

MR. SCHUMER. Madam President, 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. 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.”)

EXPRESSING THE SENSE OF THE SENATE REGARDING THE NEED TO CONDUCT A COMPREHENSIVE INVESTIGATION TO DETERMINE THE ORIGINS OF COVID-19

Mr. SCHUMER. Madam President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 256, 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. 256), expressing the sense of the Senate regarding the need to conduct a comprehensive investigation to determine the origins of COVID-19.

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 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. 256) was agreed to.

The preamble was agreed to.

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

COMMENDING AND CONGRATULATING THE MARSHALL UNIVERSITY THUNDERING HERD MEN'S SOCCER TEAM FOR WINNING THE 2020 NATIONAL COLLEGIATE ATHLETIC ASSOCIATION DIVISION I MEN'S SOCCER NATIONAL CHAMPIONSHIP

Mr. SCHUMER. Madam President, I ask unanimous consent that the Senate proceed to S. Res. 257, 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. 257) commending and congratulating the Marshall University Thundering Herd men's soccer team for winning the 2020 National Collegiate Athletic Association Division I men's soccer national championship.

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. 257) was agreed to.

The preamble was agreed to.

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

EXPRESSING THE SENSE OF THE SENATE REGARDING THE LIFE AND WORK OF SENATOR JOHN W. WARNER

Mr. SCHUMER. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 258, which was 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. 258) expressing the sense of the Senate regarding the life and work of Senator John W. Warner.

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

Mr. SCHUMER. I further ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and 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. 258) was agreed to.

The preamble was agreed to.

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

AMENDING THE COMMODITY EXCHANGE ACT TO MODIFY THE COMMODITY FUTURES TRADING COMMISSION CUSTOMER PROTECTION FUND

Mr. SCHUMER. Madam President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be discharged from further consideration of S. 409 and the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 409) to amend the Commodity Exchange Act to modify the Commodity Futures Trading Commission Customer Protection Fund, and for other purposes.

There being no objection, the committee was discharged, and the Senate proceeded to consider the bill.

Mr. SCHUMER. I ask unanimous consent that the Stabenow-Boozman amendment be considered and agreed to; that the bill, as amended, be considered read a third time and passed; that