

By Ms. CORTEZ MASTO:

S. 2568. A bill to establish the Open Access Evapotranspiration (OpenET) Data Program; to the Committee on Energy and Natural Resources.

By Mrs. GILLIBRAND (for herself, Mr. LUJÁN, Mr. BLUMENTHAL, Mr. PADILLA, Mr. SANDERS, Mr. MARKEY, Ms. KLOBUCHAR, Ms. WARREN, Mr. MERKLEY, Mr. BOOKER, Ms. BALDWIN, and Mr. DURBIN):

S. 2569. A bill to enhance the rights of domestic workers, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. LUJÁN (for himself and Mr. HEINRICH):

S. 2570. A bill to establish grant programs to improve the health of residents along the United States-Mexico and United States-Canada borders and for all hazards preparedness in the border areas, including with respect to bioterrorism, infectious disease, and other emerging biothreats, 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. WICKER (for himself and Mr. MANCHIN):

S. Res. 328. A resolution designating August 1, 2021, as "Gold Star Children's Day"; considered and agreed to.

By Ms. KLOBUCHAR (for herself and Mrs. BLACKBURN):

S. Res. 329. A resolution amending the eligibility criteria for the Senate Employee Child Care Center; considered and agreed to.

By Mr. BARRASSO (for himself, Ms. LUMMIS, Mr. SCHUMER, Mr. MCCONNELL, Ms. BALDWIN, Mr. BENNETT, Mrs. BLACKBURN, Mr. BLUMENTHAL, Mr. BLUNT, Mr. BOOKER, Mr. BOOZMAN, Mr. BRAUN, Mr. BROWN, Mr. BURR, Ms. CANTWELL, Mrs. CAPITO, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. CASSIDY, Ms. COLLINS, Mr. COONS, Mr. CORNYN, Ms. CORTEZ MASTO, Mr. COTTON, Mr. CRAMER, Mr. CRAPO, Mr. CRUZ, Mr. DAINES, Ms. DUCKWORTH, Mr. DURBIN, Ms. ERNST, Mrs. FEINSTEIN, Mrs. FISCHER, Mrs. GILLIBRAND, Mr. GRAHAM, Mr. GRASSLEY, Mr. HAGERTY, Ms. HASSAN, Mr. HAWLEY, Mr. HEINRICH, Mr. HICKENLOOPER, Ms. HIRONO, Mr. HOEVEN, Mrs. HYDE-SMITH, Mr. INHOFE, Mr. JOHNSON, Mr. KAINE, Mr. KELLY, Mr. KENNEDY, Mr. KING, Ms. KLOBUCHAR, Mr. LANKFORD, Mr. LEAHY, Mr. LEE, Mr. LUJÁN, Mr. MANCHIN, Mr. MARKEY, Mr. MARSHALL, Mr. MENENDEZ, Mr. MERKLEY, Mr. MORAN, Ms. MURKOWSKI, Mr. MURPHY, Mrs. MURRAY, Mr. OSSOFF, Mr. PADILLA, Mr. PAUL, Mr. PETERS, Mr. PORTMAN, Mr. REED, Mr. RISCH, Mr. ROMNEY, Ms. ROSEN, Mr. ROUNDS, Mr. RUBIO, Mr. SANDERS, Mr. SASSE, Mr. SCHATZ, Mr. SCOTT of Florida, Mr. SCOTT of South Carolina, Mrs. SHAHEEN, Mr. SHELBY, Ms. SINEMA, Ms. SMITH, Ms. STABENOW, Mr. SULLIVAN, Mr. TESTER, Mr. THUNE, Mr. TILLIS, Mr. TOOMEY, Mr. TUBERVILLE, Mr. VAN HOLLEN, Mr. WARNER, Mr. WARNOCK, Ms. WARREN, Mr. WHITEHOUSE, Mr. WICKER, Mr. WYDEN, and Mr. YOUNG):

S. Res. 330. A resolution relating to the death of the Honorable Mike Enzi, former

Senator for the State of Wyoming; considered and agreed to.

By Mr. SCHUMER (for himself, Mr. CASSIDY, and Mr. PADILLA):

S. Res. 331. A resolution designating August 11, 2021, as "Hip Hop Celebration Day", designating August 2021 as "Hip Hop Recognition Month", and designating November 2021 as "Hip Hop History Month"; considered and agreed to.

By Ms. SINEMA (for herself, Ms. ERNST, Mr. KELLY, Mr. KING, Mr. DAINES, Mr. BRAUN, and Ms. ROSEN):

S. Con. Res. 11. A concurrent resolution providing for an annual joint hearing of the Committee on the Budget of the Senate and the Committee on the Budget of the House of Representatives to receive a presentation from the Comptroller General of the United States regarding the audited financial statement of the executive branch; to the Committee on the Budget.

## ADDITIONAL COSPONSORS

S. 201

At the request of Ms. ROSEN, the name of the Senator from Arizona (Ms. SINEMA) was added as a cosponsor of S. 201, a bill to establish a program ensuring access to accredited continuing medical education for primary care physicians and other health care providers at Federally-qualified health centers and rural health clinics, to provide training and clinical support for primary care providers to practice at their full scope and improve access to care for patients in underserved areas.

S. 375

At the request of Mr. MENENDEZ, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 375, a bill to impose requirements on the payment of compensation to professional persons employed in voluntary cases commenced under title III of the Puerto Rico Oversight Management and Economic Stability Act (commonly known as "PROMESA").

S. 610

At the request of Mr. KAINE, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 610, a bill to address behavioral health and well-being among health care professionals.

S. 745

At the request of Ms. KLOBUCHAR, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S. 745, a bill to make high-speed broadband internet service accessible and affordable to all Americans, and for other purposes.

S. 773

At the request of Mr. THUNE, the names of the Senator from Kansas (Mr. MORAN) and the Senator from Missouri (Mr. HAWLEY) 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. 805

At the request of Mr. LEE, the names of the Senator from Oklahoma (Mr.

LANKFORD), the Senator from Florida (Mr. SCOTT) and the Senator from Iowa (Ms. ERNST) were added as cosponsors of S. 805, a bill to repeal the wage requirements of the Davis-Bacon Act.

S. 834

At the request of Mr. MENENDEZ, the name of the Senator from New Mexico (Mr. LUJÁN) was added as a cosponsor of S. 834, a bill to amend title XVIII of the Social Security Act to provide for the distribution of additional residency positions, and for other purposes.

S. 870

At the request of Ms. STABENOW, the name of the Senator from West Virginia (Mrs. CAPITO) was added as a cosponsor of S. 870, a bill to amend title XVIII of the Social Security Act to improve access to mental health services under the Medicare program.

S. 912

At the request of Ms. HIRONO, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 912, a bill to amend title XVIII of the Social Security Act to provide information regarding vaccines for seniors as part of the Medicare & You handbook and to ensure that the treatment of cost sharing for vaccines under Medicare part D is consistent with the treatment of vaccines under Medicare part B, and for other purposes.

S. 968

At the request of Mr. COTTON, the names of the Senator from Arkansas (Mr. BOOZMAN) and the Senator from North Carolina (Mr. TILLIS) were added as cosponsors of S. 968, a bill to prohibit the United States Armed Forces from promoting anti-American and racist theories.

S. 1397

At the request of Ms. SMITH, the name of the Senator from Nevada (Ms. CORTEZ MASTO) was added as a cosponsor of S. 1397, a bill to amend the Public Health Service Act with respect to the collection and availability of health data with respect to Indian Tribes and Tribal organizations, and for other purposes.

S. 1543

At the request of Ms. HASSAN, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 1543, a bill to amend the Public Health Service Act to provide best practices on student suicide awareness and prevention training and condition State educational agencies, local educational agencies, and tribal educational agencies receiving funds under section 520A of such Act to establish and implement a school-based student suicide awareness and prevention training policy.

S. 1613

At the request of Ms. DUCKWORTH, the names of the Senator from Illinois (Mr. DURBIN), the Senator from Nevada (Ms. CORTEZ MASTO) and the Senator from Michigan (Ms. STABENOW) were added as cosponsors of S. 1613, a bill to require the Administrator of the Small

Business Administration to establish a grant program for certain fitness facilities, and for other purposes.

S. 1651

At the request of Mrs. BLACKBURN, the names of the Senator from Maine (Ms. COLLINS) and the Senator from Iowa (Mr. GRASSLEY) were added as cosponsors of S. 1651, a bill to impose certain measures with respect to Hizballah-affected areas in Latin America and the Caribbean and to impose sanctions with respect to senior foreign political figures in Latin America who support Hizballah, and for other purposes.

S. 1658

At the request of Mr. MERKLEY, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 1658, a bill to amend the Fair Labor Standards Act of 1938 to expand access to breastfeeding accommodations in the workplace, and for other purposes.

S. 1664

At the request of Ms. KLOBUCHAR, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 1664, a bill to require the Secretary of Veterans Affairs to take certain actions to improve the processing by the Department of Veterans Affairs of claims for disability compensation for post-traumatic stress disorder, and for other purposes.

S. 1684

At the request of Ms. CORTEZ MASTO, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 1684, a bill to strengthen the ability of the Federal Home Loan Bank system to provide critical financing to address the economic crisis caused by the COVID-19 pandemic and to meet the short- and long-term housing and community economic development needs of low-income communities, including Tribal communities, and for other purposes.

S. 1718

At the request of Mr. PADILLA, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 1718, a bill to amend the Rosie the Riveter/World War II Home Front National Historical Park Establishment Act of 2000 to provide for additional areas to be added to the park, and for other purposes.

S. 1831

At the request of Mrs. MURRAY, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 1831, a bill to amend the Richard B. Russell National School Lunch Act to establish a permanent, nationwide electronic benefits transfer program for children during school closures, and for other purposes.

S. 1893

At the request of Mr. TESTER, the name of the Senator from Nevada (Ms. ROSEN) was added as a cosponsor of S. 1893, a bill to amend title XVIII of the Social Security Act to support rural

residency training funding that is equitable for all States, and for other purposes.

S. 1943

At the request of Ms. COLLINS, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of 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.

S. 2013

At the request of Mr. CASEY, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 2013, a bill to provide for the coverage of medically necessary food and vitamins and individual amino acids for digestive and inherited metabolic disorder under Federal health programs and private health insurance, to ensure State and Federal protection for existing coverage, and for other purposes.

S. 2032

At the request of Mrs. SHAHEEN, the names of the Senator from New Jersey (Mr. BOOKER), the Senator from Nevada (Ms. CORTEZ MASTO), the Senator from Illinois (Ms. DUCKWORTH), the Senator from New Hampshire (Ms. HASSAN) and the Senator from Massachusetts (Ms. WARREN) were added as cosponsors of S. 2032, a bill to extend and modify the Afghan Special Immigrant Visa Program, to postpone the medical exam for aliens who are otherwise eligible for such program, to provide special immigrant status for certain surviving spouses and children, and for other purposes.

S. 2087

At the request of Ms. KLOBUCHAR, the name of the Senator from California (Mr. PADILLA) was added as a cosponsor of S. 2087, a bill to amend title 38, United States Code, to expand the membership of the Advisory Committee on Minority Veterans to include veterans who are lesbian, gay, bisexual, transgender, gender diverse, gender non-conforming, intersex, or queer.

S. 2092

At the request of Ms. SMITH, the names of the Senator from Nevada (Ms. CORTEZ MASTO) and the Senator from Massachusetts (Ms. WARREN) were added as cosponsors of S. 2092, a bill to permanently authorize the Native Community Development Financial Institutions lending program of the Department of Agriculture, and for other purposes.

S. 2233

At the request of Mr. BLUMENTHAL, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 2233, a bill to establish a grant program for shuttered minor league baseball clubs, and for other purposes.

S. 2261

At the request of Ms. DUCKWORTH, the name of the Senator from Oregon

(Mr. MERKLEY) was added as a cosponsor of S. 2261, a bill to amend the Immigration and Nationality Act to allow certain alien veterans to be paroled into the United States to receive health care furnished by the Secretary of Veterans Affairs.

S. 2265

At the request of Ms. DUCKWORTH, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 2265, a bill to require the Secretary of Homeland Security to establish a veterans visa program to permit veterans who have been removed from the United States to return as immigrants, and for other purposes.

S. 2268

At the request of Ms. DUCKWORTH, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 2268, a bill to require the Secretary of Homeland Security to identify each alien who is serving, or has served, in the Armed Forces of the United States on the application of any such alien for an immigration benefit or the placement of any such alien in an immigration enforcement proceeding, and for other purposes.

S. 2294

At the request of Mr. SULLIVAN, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 2294, a bill to require an independent assessment with respect to the Arctic region and establishment of Arctic Security Initiative, and for other purposes.

S. 2324

At the request of Mr. PORTMAN, the names of the Senator from Utah (Mr. ROMNEY) and the Senator from Arizona (Mr. KELLY) were added as cosponsors of S. 2324, a bill to amend the FAST Act to improve the Federal permitting process, and for other purposes.

S. 2406

At the request of Mrs. GILLIBRAND, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 2406, a bill to amend the Safe Drinking Water Act to require the Administrator of the Environmental Protection Agency to set maximum contaminant levels for certain chemicals, and for other purposes.

S. 2427

At the request of Mr. WICKER, the name of the Senator from Wyoming (Mr. BARRASSO) was added as a cosponsor of S. 2427, a bill to require the Federal Communications Commission to conduct a study and submit to Congress a report examining the feasibility of funding the Universal Service Fund through contributions supplied by edge providers, and for other purposes.

S. 2476

At the request of Mr. MARKEY, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 2476, a bill to require the Administrator of the Environmental Protection Agency to establish a pilot program for hyperlocal air quality

monitoring projects in environmental justice communities, and for other purposes.

S. 2489

At the request of Mr. COTTON, the name of the Senator from Iowa (Ms. ERNST) was added as a cosponsor of S. 2489, a bill to require the maintenance of the country of origin markings for imported goods produced in the West Bank or Gaza, and for other purposes.

S.J. RES. 10

At the request of Mr. KAINE, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S.J. Res. 10, a joint resolution to repeal the authorizations for use of military force against Iraq, and for other purposes.

S. RES. 275

At the request of Mr. KAINE, the names of the Senator from New York (Mrs. GILLIBRAND), the Senator from Colorado (Mr. BENNET) and the Senator from Hawaii (Mr. SCHATZ) were added as cosponsors of S. Res. 275, a resolution acknowledging and apologizing for the mistreatment of, and discrimination against, lesbian, gay, bisexual, and transgender individuals who served the United States in the Armed Forces, the Foreign Service, and the Federal civil service.

S. RES. 303

At the request of Mr. RUBIO, the name of the Senator from Tennessee (Mr. HAGERTY) was added as a cosponsor of S. Res. 303, a resolution supporting the people of Cuba in their demands for freedom and the fulfillment of basic needs and condemning the Communist regime in Cuba.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. FEINSTEIN (for herself, Mr. BLUMENTHAL, Ms. KLOBUCHAR, Mr. WYDEN, Mr. VAN HOLLEN, Mr. CARPER, Ms. HIRONO, Mr. DURBIN, Mr. WHITEHOUSE, Ms. BALDWIN, Mr. MARKEY, Mr. WARNER, Mr. OSSOFF, and Mr. BENNET):

S. 2532. A bill to provide protections for employees of, former employees of, and applicants for employment with Federal agencies, contractors, and grantees whose right to petition or furnish information to Congress is interfered with or denied; to the Committee on Homeland Security and Governmental Affairs.

Mrs. FEINSTEIN: Mr. President, today I am reintroducing legislation to strengthen protections for federal whistleblowers who share valuable information with Congress.

In the last four years, we have seen a major erosion of accountability in Government. From the firing of multiple inspectors general to the willful misinterpretation of whistleblower protection laws, it has become more difficult than ever to keep the Executive branch honest.

Despite these chilling developments, many whistleblowers still come for-

ward to ensure Congress could hold the powerful accountable. For example, in the 116th Congress, Lt. Colonel Alexander Vindman, a senior official at the National Security Council, shared credible information with Congress that the President of the United States tried to entice the Ukrainian President to launch a sham investigation into then-candidate Biden. Vindman's actions directly led to Donald Trump's first impeachment trial, a watershed moment for our democracy.

Whistleblowers like Vindman should be protected from retaliation. Unfortunately, while current law specifies that the right to report to Congress must not to be interfered with or denied, it fails to provide a remedy in the event this happens. As a result, whistleblowers have no meaningful protection from retaliation.

My bill would solve this problem by expanding administrative remedies to all taxpayer-funded employees, including intelligence employees, whose right to report to Congress has been interfered with or denied. It also gives Federal employees the right to file a lawsuit after exhausting administrative remedies, for which they can seek a wide range of relief, including lost wages and reinstatement to their former positions.

Whistleblowers are critical to the proper functioning of government. They enable Congress to conduct oversight, root out waste, fraud, and abuse, and hold accountable those who violate the public trust. It is incumbent on us, as members of Congress, to ensure whistleblowers can report to us without fearing retribution.

I urge my colleagues to support this bill. I also ask unanimous consent that a copy of the bill be included in the RECORD.

S. 2532

*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 "Congressional Whistleblower Protection Act of 2021".

#### SEC. 2. PROTECTIONS FOR COVERED INDIVIDUALS.

Section 7211 of title 5, United States Code, is amended—

(1) by striking "The right of employees" and inserting the following:

"(a) IN GENERAL.—The right of covered individuals"; and

(2) by adding at the end the following:

"(b) REMEDIES.—

"(1) ADMINISTRATIVE REMEDIES.—

"(A) IN GENERAL.—A covered individual with respect to a Federal agency (other than a covered individual described in subparagraph (B), (C), or (D)) who is aggrieved by a violation of subsection (a) may seek corrective action under sections 1214 and 1221 in the same manner as an individual who is aggrieved by a prohibited personnel practice described in section 2302(b)(8).

"(B) FBI EMPLOYEES.—A covered individual with respect to the Federal Bureau of Investigation who is aggrieved by a violation of subsection (a) may seek corrective action under section 2303.

"(C) INTELLIGENCE COMMUNITY EMPLOYEES.—A covered individual with respect to a

covered intelligence community element (as defined in section 1104(a) of the National Security Act of 1947 (50 U.S.C. 3234(a))) who is aggrieved by a violation of subsection (a) may seek corrective action under section 1104 of the National Security Act of 1947 (50 U.S.C. 3234) or subsection (b)(7) or (j) of section 3001 of that Act (50 U.S.C. 3341).

"(D) CONTRACTOR EMPLOYEES.—A covered individual with respect to a Federal agency who is an employee of, former employee of, or applicant for employment with, a contractor, subcontractor, grantee, subgrantee, or personal services contractor (as those terms are used in section 2409 of title 10 and section 4712 of title 41) of the agency and who is aggrieved by a violation of subsection (a) of this section may seek corrective action under section 2409 of title 10 or section 4712 of title 41.

"(E) BURDEN OF PROOF.—The burdens of proof under subsection (e) of section 1221 shall apply to an allegation of a violation of subsection (a) of this section made under subparagraph (A), (B), (C), or (D) of this paragraph in the same manner as those burdens of proof apply to an allegation of a prohibited personnel practice under such section 1221.

"(F) CLASS OF INDIVIDUALS ENTITLED TO SEEK CORRECTIVE ACTION.—The right to seek corrective action under subparagraph (A), (B), (C), or (D) shall apply to a covered individual who is an employee of, former employee of, or applicant for employment with, a Federal agency described in the applicable subparagraph or a contractor, subcontractor, grantee, subgrantee, or personal services contractor (as those terms are used in section 2409 of title 10 and section 4712 of title 41) of such a Federal agency, notwithstanding the fact that a provision of law referenced in the applicable subparagraph does not authorize one or more of those types of covered individuals to seek corrective action.

"(2) PRIVATE RIGHT OF ACTION.—

"(A) IN GENERAL.—If a final decision providing relief for a violation of subsection (a) alleged under subparagraph (A), (B), (C), or (D) of paragraph (1) of this subsection is not issued within 210 days of the date on which the covered individual seeks corrective action under the applicable subparagraph and there is no showing that the delay is due to the bad faith of the covered individual, the covered individual may bring an action at law or equity for de novo review in the appropriate district court of the United States, which shall have jurisdiction over the action without regard to the amount in controversy, for lost wages and benefits, reinstatement, costs and attorney fees, compensatory damages, equitable or injunctive relief, or any other relief that the court considers appropriate.

"(B) JURY TRIAL.—An action brought under subparagraph (A) shall, upon the request of the covered individual, be tried by the court with a jury.

"(C) BURDEN OF PROOF.—The burdens of proof under subsection (e) of section 1221 shall apply to an allegation of a violation of subsection (a) of this section in an action brought under this paragraph in the same manner as those burdens of proof apply to an allegation of a prohibited personnel practice under such section 1221.

"(c) DEFINITIONS.—For purposes of this section—

"(1) the term 'covered individual', with respect to a Federal agency, means an employee of, former employee of, or applicant for employment with—

"(A) the agency; or

"(B) a contractor, subcontractor, grantee, subgrantee, or personal services contractor (as those terms are used in section