

the constitutionality of a provision, the party filing the action shall concurrently deliver a copy of the complaint to the Clerk of the House of Representatives and the Secretary of the Senate.

“(3) It shall be the duty of the United States District Court for the District of Columbia and the Court of Appeals for the District of Columbia Circuit to advance on the docket and to expedite to the greatest possible extent the disposition of the action and appeal.

“(b) CLARIFYING SCOPE OF JURISDICTION.—If an action at the time of its commencement is not subject to subsection (a), but an amendment, counterclaim, cross-claim, affirmative defense, or any other pleading or motion is filed challenging, whether facially or as-applied, the constitutionality or lawfulness of this Act or of chapter 95 or 96 of the Internal Revenue Code of 1986, or is brought to with respect to any action of the Commission under chapter 95 or 96 of the Internal Revenue Code of 1986, the district court shall transfer the action to the District Court for the District of Columbia, and the action shall thereafter be conducted pursuant to subsection (a).

“(c) INTERVENTION BY MEMBERS OF CONGRESS.—In any action described in subsection (a) relating to declaratory or injunctive relief to challenge the constitutionality of a provision, any Member of the House of Representatives (including a Delegate or Resident Commissioner to the Congress) or Senate shall have the right to intervene either in support of or opposition to the position of a party to the case regarding the constitutionality of the provision. To avoid duplication of efforts and reduce the burdens placed on the parties to the action, the court in any such action may make such orders as it considers necessary, including orders to require interveners taking similar positions to file joint papers or to be represented by a single attorney at oral argument.

“(d) CHALLENGE BY MEMBERS OF CONGRESS.—Any Member of Congress may bring an action, subject to the special rules described in subsection (a), for declaratory or injunctive relief to challenge, whether facially or as-applied, the constitutionality of any provision of this Act or chapter 95 or 96 of the Internal Revenue Code of 1986.”

(b) CONFORMING AMENDMENTS.—

(1) Section 9011 of the Internal Revenue Code of 1986 is amended to read as follows:

“SEC. 9011. JUDICIAL REVIEW.

“For provisions relating to judicial review of certifications, determinations, and actions by the Commission under this chapter, see section 407 of the Federal Election Campaign Act of 1971.”

(2) Section 9041 of the Internal Revenue Code of 1986 is amended to read as follows:

“SEC. 9041. JUDICIAL REVIEW.

“For provisions relating to judicial review of actions by the Commission under this chapter, see section 407 of the Federal Election Campaign Act of 1971.”

(3) Section 310 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30110) is repealed.

(4) Section 403 of the Bipartisan Campaign Reform Act of 2002 (52 U.S.C. 30110 note) is repealed.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to actions brought on or after January 1, 2021.

TITLE IV—SEVERABILITY

SEC. 401. SEVERABILITY.

If any provision of this Act or amendment made by this Act, or the application of a provision or amendment to any person or circumstance, is held to be unconstitutional, the remainder of this Act and amendments made by this Act, and the application of the

provisions and amendment to any person or circumstance, shall not be affected by the holding.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 338—DESIGNATING SEPTEMBER 2021 AS NATIONAL DEMOCRACY MONTH AS A TIME TO REFLECT ON THE CONTRIBUTIONS OF THE SYSTEM OF GOVERNMENT OF THE UNITED STATES TO A MORE FREE AND STABLE WORLD

Mr. DURBIN (for himself and Mr. GRASSLEY) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 338

Whereas, 2,000 years after the ancient Greeks laid the groundwork for democracy, the founders of the United States built an even greater system of government, a democratic republic, propelling the United States to become the most advanced nation in human history;

Whereas the model of government of the United States has been reproduced around the world;

Whereas, according to Freedom House, more than 1 in 3 people in the world do not live in states considered free;

Whereas the Constitution of the United States and the Bill of Rights, including the addition of the Reconstruction Era amendments, enshrine the rights and civil liberties of citizens of the United States, including the right to vote in free and fair elections;

Whereas the perpetuation of the ideals of democracy does not happen on its own and can be stalled or reversed;

Whereas surveys show that citizens of the United States are losing faith in the democratic system;

Whereas former Supreme Court Justice Sandra Day O'Connor said, “The practice of democracy is not passed down through the gene pool. It must be taught and learned anew by each generation of citizens.”;

Whereas President John F. Kennedy said, “Democracy is never a final achievement. It is a call to untiring effort, to continual sacrifice and to the willingness, if necessary, to die in its defense.”;

Whereas President Ronald Reagan said, “Democracy is worth dying for, because it's the most deeply honorable form of government ever devised by man.”;

Whereas Congressman John R. Lewis said, in his final words to the United States, “Democracy is not a state. It is an act, and each generation must do its part to help build what we called the Beloved Community, a nation and world society at peace with itself.”;

Whereas World War II demonstrated the fragility of democracy and the civilized life that accompanies democracy;

Whereas British Prime Minister Winston Churchill observed that, “Indeed it has been said that democracy is the worst form of Government except for all those other forms that have been tried from time to time . . .”;

Whereas President George Washington said the United States must recognize the immense value of the national Union and work towards preservation of that Union with “jealous anxiety” and wrote that the security of a free Constitution may be accomplished by “teaching the people themselves to know and to value their own rights”;

Whereas President Thomas Jefferson wrote, “Educate and inform the whole mass

of the people . . . They are the only sure reliance for the preservation of our liberty.”; and

Whereas the Government of the United States must teach and educate the people by taking appropriate actions to highlight and emphasize the importance of democratic principles and the essential role of democratic principles in the freedoms and way of life enjoyed by the people of the United States: Now, therefore, be it

Resolved, That the Senate—

(1) designates September 2021 as “National Democracy Month”;

(2) encourages States and local governments to designate September 2021 as “National Democracy Month”;

(3) recognizes the celebration of “National Democracy Month” as a time to reflect on the contributions of the system of government of the United States to a more free and stable world; and

(4) encourages the people of the United States to observe “National Democracy Month” with appropriate ceremonies and activities that—

(A) provide appreciation for the system of government of the United States; and

(B) demonstrate that the people of the United States shall never forget the sacrifices made by past generations of people of the United States to preserve the freedoms and principles of the United States.

SENATE RESOLUTION 339—EXPRESSING SUPPORT FOR THE DESIGNATION OF SEPTEMBER 25, 2021, AS “NATIONAL ATAXIA AWARENESS DAY”, AND RAISING AWARENESS OF ATAXIA, ATAXIA RESEARCH, AND THE SEARCH FOR A CURE

Mr. MURPHY (for himself and Mrs. HYDE-SMITH) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 339

Whereas ataxia is a clinical manifestation indicating degeneration or dysfunction of the brain that negatively affects the coordination, precision, and accurate timing of physical movements;

Whereas ataxia can strike individuals of all ages, including children;

Whereas the term “ataxia” is used to classify a group of rare, inherited neurodegenerative diseases including—

- (1) ataxia telangiectasia;
- (2) episodic ataxia;
- (3) Friedreich's ataxia; and
- (4) spinocerebellar ataxia;

Whereas there are many known types of genetic ataxia, but the genetic basis for ataxia in some patients is still unknown;

Whereas all inherited ataxias affect fewer than 200,000 individuals and, therefore, are recognized as rare diseases under the Orphan Drug Act (Public Law 97-414; 96 Stat. 2049);

Whereas some genetic ataxias are inherited in an autosomal dominant manner, while others are inherited in an autosomal recessive manner;

Whereas ataxia symptoms can also be caused by noninherited health conditions and other factors, including stroke, tumor, cerebral palsy, head trauma, multiple sclerosis, alcohol abuse, and certain medications;

Whereas ataxia can present physical, psychological, and financial challenges for patients and their families;

Whereas symptoms and outcomes of ataxia progress at different rates and include—

(1) lack of coordination;
 (2) slurred speech;
 (3) cardiomyopathy;
 (4) scoliosis;
 (5) eye movement abnormalities;
 (6) difficulty walking;
 (7) tremors;
 (8) trouble eating and swallowing;
 (9) difficulties with other activities that require fine motor skills; and
 (10) death;

Whereas most patients with ataxia require the use of assistive devices, such as wheelchairs and walkers, to aid in their mobility, and many individuals may need physical and occupational therapy;

Whereas there is no treatment or cure approved by the Food and Drug Administration for ataxia; and

Whereas clinical research to develop safe and effective treatments for ataxia is ongoing; Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the need for greater public awareness of ataxia;

(2) expresses support for the designation of September 25, 2021, as “National Ataxia Awareness Day”;

(3) supports the goals of National Ataxia Awareness Day, which are—

(A) to raise awareness of the causes and symptoms of ataxia among the general public and health care professionals;

(B) to improve diagnosis of ataxia and access to care for patients affected by ataxia; and

(C) to accelerate ataxia research, including on safe and effective treatment options and, ultimately, a cure;

(4) acknowledges the challenges facing individuals in the United States who have ataxia and the families of those individuals; and

(5) encourages States, territories, and localities to support the goals of National Ataxia Awareness Day.

SENATE RESOLUTION 340—OPPOSING LEGISLATION MANDATING THE REGISTRATION OF WOMEN FOR THE SELECTIVE SERVICE SYSTEM

Mr. LEE (for himself, Mr. RUBIO, Mr. LANKFORD, Mr. HAWLEY, Mr. DAINES, and Mr. WICKER) submitted the following resolution; which was referred to the Committee on Armed Services:

S. RES. 340

Whereas clause 12 of section 8 of article I of the Constitution of the United States empowers Congress with the responsibility to “raise and support Armies”;

Whereas the Military Selective Service Act (50 U.S.C. 3801 et seq.) provides authority to the President to require the registration of male citizens of the United States, between the ages of 18 and 26, for the Selective Service System;

Whereas, when a draft for training and service in the Armed Forces has commenced under the Military Selective Service Act, the primary function for drafted men is to replace front line combatants after casualty losses;

Whereas, in *Rostker v. Goldberg*, 453 U.S. 57 (1981), the Supreme Court of the United States upheld the all-male draft as constitutional and held that Congress had “determined that any future draft, which would be facilitated by the registration scheme, would be characterized by a need for combat troops”;

Whereas, in 2015, nearly all combat positions in the all-volunteer force within the

Armed Forces became open to any woman as long as the woman could meet certain physical fitness requirements;

Whereas only a small subset of women are able to meet the physical fitness requirements for combat roles, and physical disadvantages between men and women often result in excessive fatigue and more frequent injuries to women;

Whereas the Ground Combat Element Integrated Task Force within the United States Marine Corps found that the musculoskeletal rate of injury for a woman was nearly twice the rate of injury for a man, and research at the Infantry Training Battalion found that the rate of injury for an enlisted woman was 6 times the rate of injury for a man;

Whereas the results of United States Marine Corps research led General Joseph F. Dunford, Jr., a former commandant of the United States Marine Corps, to seek an exemption to ensure certain Marine combat roles were only available to men;

Whereas all members of Congress should have the opportunity to review the rationale provided by General Dunford for requesting the exemption;

Whereas, in 2018, the United States Army replaced the gender-separate Army Physical Fitness Test with the gender-neutral Army Combat Fitness Test;

Whereas United States Army data has demonstrated a fail rate ranging between 65 percent and 84 percent for women and between 10 percent and 30 percent for men on the Army Combat Fitness Test since its inception; and

Whereas mandating the registration of women for Selective Service System has the potential to unduly increase the fatality and injury risks of women in the United States and hinder combat unit readiness in battle: Now, therefore, be it

Resolved, That it is the sense of the Senate that the Senate should not pass legislation mandating the registration of women for Selective Service System.

SENATE CONCURRENT RESOLUTION 13—SETTING FORTH THE CONGRESSIONAL BUDGET FOR THE UNITED STATES GOVERNMENT FOR FISCAL YEAR 2022 AND SETTING FORTH THE APPROPRIATE BUDGETARY LEVELS FOR THE FISCAL YEARS 2023 THROUGH 2031

Mr. PAUL submitted the following concurrent resolution; which was placed on the calendar:

S. CON. RES. 13

Resolved by the Senate (the House of Representatives concurring),

SECTION 1. CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2022.

(a) DECLARATION.—Congress declares that this resolution is the concurrent resolution on the budget for fiscal year 2022 and that this resolution sets forth the appropriate budgetary levels for fiscal years 2022 through 2030.

(b) TABLE OF CONTENTS.—The table of contents for this concurrent resolution is as follows:

Sec. 1. Concurrent resolution on the budget for fiscal year 2022.

TITLE I—RECOMMENDED LEVELS AND AMOUNTS

Subtitle A—Budgetary Levels in Both Houses

Sec. 1101. Recommended levels and amounts.
 Sec. 1102. Major functional categories.

Subtitle B—Levels and Amounts in the Senate

Sec. 1201. Social Security in the Senate.
 Sec. 1202. Postal Service discretionary administrative expenses in the Senate.

TITLE II—RECONCILIATION

Sec. 2001. Reconciliation in the Senate.

TITLE III—RESERVE FUNDS

Sec. 3001. Deficit reduction fund for efficiencies, consolidations, and other savings.

Sec. 3002. Reserve fund relating to health savings accounts.

TITLE IV—BUDGET PROCESS

Sec. 4001. Voting threshold for points of order.

Sec. 4002. Emergency legislation.

Sec. 4003. Enforcement of allocations, aggregates, and other levels.

Sec. 4004. Point of order against legislation providing funding within more than 3 suballocations under section 302(b).

Sec. 4005. Duplication determinations by the Congressional Budget Office.

Sec. 4006. Breakdown of cost estimates by budget function.

Sec. 4007. Sense of the Senate on treatment of reduction of appropriations levels to achieve savings.

Sec. 4008. Prohibition on preemptive waivers.

Sec. 4009. Adjustments for legislation reducing appropriations.

Sec. 4010. Adjustments to reflect legislation not included in the baseline.

Sec. 4011. Authority.

Sec. 4012. Exercise of rulemaking powers.

TITLE I—RECOMMENDED LEVELS AND AMOUNTS

Subtitle A—Budgetary Levels in Both Houses

SEC. 1101. RECOMMENDED LEVELS AND AMOUNTS.

The following budgetary levels are appropriate for each of fiscal years 2022 through 2031:

(1) FEDERAL REVENUES.—For purposes of the enforcement of this resolution:

(A) The recommended levels of Federal revenues are as follows:

Fiscal year 2022: \$3,401,000,000,000.
 Fiscal year 2023: \$3,513,000,000,000.
 Fiscal year 2024: \$3,542,000,000,000.
 Fiscal year 2025: \$3,566,000,000,000.
 Fiscal year 2026: \$3,773,000,000,000.
 Fiscal year 2027: \$3,995,000,000,000.
 Fiscal year 2028: \$4,091,000,000,000.
 Fiscal year 2029: \$4,218,000,000,000.
 Fiscal year 2030: \$4,352,000,000,000.
 Fiscal year 2031: \$4,506,000,000,000.

(B) The amounts by which the aggregate levels of Federal revenues should be changed are as follows:

Fiscal year 2022: \$0.
 Fiscal year 2023: \$0.
 Fiscal year 2024: \$0.
 Fiscal year 2025: \$0.
 Fiscal year 2026: \$0.
 Fiscal year 2027: \$0.
 Fiscal year 2028: \$0.
 Fiscal year 2029: \$0.
 Fiscal year 2030: \$0.
 Fiscal year 2031: \$0.

(2) NEW BUDGET AUTHORITY.—For purposes of the enforcement of this resolution, the appropriate levels of total new budget authority are as follows:

Fiscal year 2022: \$5,200,000,000,000.
 Fiscal year 2023: \$4,545,670,000,000.
 Fiscal year 2024: \$4,010,610,000,000.
 Fiscal year 2025: \$3,740,420,000,000.
 Fiscal year 2026: \$3,511,470,000,000.
 Fiscal year 2027: \$3,651,280,000,000.
 Fiscal year 2028: \$3,751,530,000,000.