

(A) Advance the collaborative development of a flexible community-based water resources modeling system.

(B) Apply artificial intelligence and machine learning capabilities to advance existing hydrologic modeling capabilities.

(C) Support the evolution and integration of hydrologic modeling within an Earth Systems Modeling Framework.

(D) Improve visualizations of hydrologic model outputs.

(E) Advance the state of coupled freshwater and salt water modeling and forecasting capabilities.

(F) Advance understanding and process representation of water quality parameters.

(G) Advance the assimilation of in-situ and remotely sensed observations and data.

(H) Support the integration of social science to advance decision support services.

(I) Develop methods to study groundwater sustainability and estimate the efficiency of recharge management.

(C) DIRECT HIRING.—

(1) AUTHORITY.—During fiscal year 2022 and any fiscal year thereafter, the head of any Federal agency may appoint, without regard to the provisions of subchapter I of chapter 33 of title 5, United States Code, other than sections 3303 and 3328 of that title, to a position with the Federal agency a recipient of a fellowship under the program who—

(A) earned a degree from a program described in subsection (b)(2)(B);

(B) successfully fulfilled the requirements of the fellowship within the executive branch of the Federal Government; and

(C) meets qualification standards established by the Office of Personnel Management.

(2) EXERCISE OF AUTHORITY.—The direct hire authority provided by this subsection shall be exercised with respect to an individual described in paragraph (1) not later than 2 years after the date on which the individual completed the fellowship under the program.

#### SEC. 15. IDENTIFICATION AND SUPPORT OF CONSISTENT, FEDERAL SET OF FORWARD-LOOKING, LONG-TERM METEOROLOGICAL INFORMATION.

(a) DEFINITIONS.—In this section:

(1) EXTREME WEATHER.—The term ‘extreme weather’ includes observed or anticipated severe and unseasonable atmospheric conditions, including drought, heavy precipitation, hurricanes, tornadoes and other windstorms (including derechos), large hail, extreme heat, extreme cold, flooding, sustained temperatures or precipitation that deviate substantially from historical averages, and any other weather event that the Administrator determines qualifies as extreme weather.

(2) LONG-TERM.—The term ‘long-term’ shall have such meaning as the Director of the National Institute of Standards and Technology, in consultation with the Administrator, considers appropriate for purposes of this section.

(3) OTHER ENVIRONMENTAL TRENDS.—The term ‘other environmental trends’ means wildfires, coastal flooding, inland flooding, land subsidence, rising sea levels, and any other challenges relating to changes in environmental systems over time that the Administrator determines qualify as environmental challenges other than extreme weather.

(b) IDENTIFICATION AND SUPPORT OF CONSISTENT, FEDERAL SET OF FORWARD-LOOKING, LONG-TERM METEOROLOGICAL INFORMATION.—The Administrator shall identify, and support research that enables, a consistent, Federal set of forward-looking, long-term meteorological information that models future extreme weather events, other environmental trends, projections, and up-to-date

observations, including mesoscale information as determined appropriate by the Administrator.

#### SEC. 16. GAP ANALYSIS ON AVAILABILITY OF SNOW-RELATED DATA TO ASSESS AND PREDICT FLOOD AND FLOOD IMPACTS.

(a) IN GENERAL.—The Administrator, in consultation with the Department of Agriculture, the Department of the Interior, and the Army Corps of Engineers, shall conduct an analysis of gaps in the availability of snow-related data to assess and predict floods and flood impacts, including data on the following:

- (1) Snow water equivalent.
- (2) Snow depth.
- (3) Snowpack temperature.
- (4) Snow and mixed-phase precipitation.
- (5) Snow melt.
- (6) Rain-snow line.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Administrator shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a report on—

(1) the findings of the gap analysis required by subsection (a); and

(2) opportunities for additional collaboration among Federal agencies to collect snow-related data to better assess and predict floods and flood impacts.

#### SEC. 17. AVAILABILITY TO THE PUBLIC OF FLOOD-RELATED DATA.

(a) IN GENERAL.—The Administrator shall make flood-related data available to the public on the website of the National Oceanic and Atmospheric Administration.

(b) COST.—The Administrator may make the data under subsection (a) freely accessible or available at a cost that does not exceed the cost of preparing the data.

#### FISHERY RESOURCE DISASTERS IMPROVEMENT ACT

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 2923, which was introduced earlier today.

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

The senior assistant legislative clerk read as follows:

A bill (S. 2923) to improve the Fishery Resource Disaster Relief program of the National Marine Fisheries Service, and for other purposes.

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

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 be engrossed for a third reading and was read the third time.

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

The PRESIDING OFFICER. If there is no further debate, and the bill having been read the third time, the question is, Shall the bill pass?

The bill (S. 2923) was passed, as follows:

S. 2923

*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 ‘Fishery Resource Disasters Improvement Act’.

#### SEC. 2. FISHERY RESOURCE DISASTER RELIEF.

Section 312(a) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1861a(a)) is amended to read as follows:

“(a) FISHERY RESOURCE DISASTER RELIEF.—

“(1) DEFINITIONS.—In this subsection:

“(A) ALLOWABLE CAUSE.—The term ‘allowable cause’ means a natural cause, discrete anthropogenic cause, or undetermined cause.

“(B) ANTHROPOGENIC CAUSE.—The term ‘anthropogenic cause’ means an anthropogenic event, such as an oil spill or spillway opening—

“(i) that could not have been addressed or prevented by fishery management measures; and

“(ii) that is otherwise beyond the control of fishery managers to mitigate through conservation and management measures, including regulatory restrictions imposed as a result of judicial action or to protect human health or marine animals, plants, or habitats.

“(C) FISHERY RESOURCE DISASTER.—The term ‘fishery resource disaster’ means a disaster that is determined by the Secretary in accordance with this subsection and—

“(i) is an unexpected large decrease in fish stock biomass or other change that results in significant loss of access to the fishery resource, which may include loss of fishing vessels and gear for a substantial period of time and results in significant revenue or subsistence loss due to an allowable cause; and

“(ii) does not include—

“(I) reasonably predictable, foreseeable, and recurrent fishery cyclical variations in species distribution or stock abundance; or

“(II) reductions in fishing opportunities resulting from conservation and management measures taken pursuant to this Act.

“(D) INDIAN TRIBE.—The term ‘Indian Tribe’ has the meaning given such term in section 102 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 5130), and the term ‘Tribal’ means of or pertaining to such an Indian tribe.

“(E) NATURAL CAUSE.—The term ‘natural cause’—

“(i) means a weather, climatic, hazard, or biology-related event, such as—

“(I) a hurricane;

“(II) a flood;

“(III) a harmful algal bloom;

“(IV) a tsunami;

“(V) a hypoxic zone;

“(VI) a drought;

“(VII) El Niño effects on water temperature;

“(VIII) a marine heat wave; or

“(IX) disease; and

“(ii) does not mean a normal or cyclical variation in a species distribution or stock abundance.

“(F) 12-MONTH REVENUE LOSS.—The term ‘12-month revenue loss’ means the percentage reduction, as applicable, in commercial, charter, headboat, or processor revenue for the 12 months during which the fishery resource disaster occurred, when compared to average annual revenue in the most recent 5 years when no fishery resource disaster occurred or equivalent for stocks with cyclical life histories.

“(G) UNDETERMINED CAUSE.—The term ‘undetermined cause’ means a cause in which the current state of knowledge does not allow the Secretary to identify the exact cause, and there is no current conclusive evidence supporting a possible cause of the fishery resource disaster.

“(2) GENERAL AUTHORITY.—

“(A) IN GENERAL.—The Secretary shall have the authority to determine the existence, extent, and beginning and end dates of a fishery resource disaster under this subsection in accordance with this subsection.

“(B) AVAILABILITY OF FUNDS.—After the Secretary determines that a fishery resource disaster has occurred, the Secretary is authorized to make sums available, from funds appropriated for such purposes, to be used by the affected State, Tribal government, or interstate marine fisheries commission, or by the Secretary in cooperation with the affected State, Tribal government, or interstate marine fisheries commission.

“(C) SAVINGS CLAUSE.—The requirements under this subsection shall take effect only with respect to requests for a fishery resource disaster determination submitted after the date of enactment of the Fishery Resource Disasters Improvement Act.

“(3) INITIATION OF A FISHERY RESOURCE DISASTER REVIEW.—

“(A) ELIGIBLE REQUESTERS.—Not later than 1 year after the date of the conclusion of the fishing season, a request for a fishery resource disaster determination may be submitted to the Secretary, if the Secretary has not independently determined that a fishery resource disaster has occurred, by—

“(i) the Governor of an affected State;

“(ii) an official Tribal resolution; or

“(iii) any other comparable elected or politically appointed representative as determined by the Secretary.

“(B) REQUIRED INFORMATION.—A complete request for a fishery resource disaster determination under subparagraph (A) shall include—

“(i) identification of all presumed affected fish stocks;

“(ii) identification of the fishery as Federal, non-Federal, or both;

“(iii) the geographical boundaries of the fishery;

“(iv) preliminary information on causes of the fishery resource disaster, if known; and

“(v) information needed to support a finding of a fishery resource disaster, including—

“(I) information demonstrating the occurrence of an unexpected large decrease in fish stock biomass or other change that results in significant loss of access to the fishery resource, which could include the loss of fishing vessels and gear, for a substantial period of time;

“(II) 12-month revenue loss or subsistence loss for the affected fishery, or if a fishery resource disaster has occurred at any time in the previous 5-year period, the most recent 5 years when no fishery resource disaster occurred;

“(III) if applicable, information on lost resource tax revenues assessed by local communities, such as a raw fish tax and local sourcing requirements; and

“(IV) if applicable and available, information on 12-month revenue loss for charter, headboat, or processors related to the information provided under subclause (I), subject to section 402(b).

“(C) ASSISTANCE.—The Secretary may provide data and analysis assistance to an eligible requester described in paragraph (1), if—

“(i) the assistance is so requested;

“(ii) the Secretary is in possession of the required information described in subparagraph (B); and

“(iii) the data is not available to the requester, in carrying out the complete request under subparagraph (B).

“(D) INITIATION OF REVIEW.—The Secretary shall have the discretion to initiate a fishery resource disaster review without a request.

“(4) REVIEW PROCESS.—

“(A) INTERIM RESPONSE.—Not later than 30 days after receipt of a request under para-

graph (3), the Secretary shall provide an interim response to the individual that—

“(i) acknowledges receipt of the request;

“(ii) provides a regional contact within the National Oceanographic and Atmospheric Administration;

“(iii) outlines the process and timeline by which a request shall be considered; and

“(iv) requests additional information concerning the fishery resource disaster, if the original request is considered incomplete.

“(B) EVALUATION OF REQUESTS.—

“(i) IN GENERAL.—The Secretary shall complete a review, within the time frame described in clause (ii), using the best scientific information available, in consultation with the affected fishing communities, States, or Tribes, of—

“(I) the information provided by the requester and any additional information relevant to the fishery, which may include—

“(aa) fishery characteristics;

“(bb) stock assessments;

“(cc) the most recent fishery independent surveys and other fishery resource assessments and surveys conducted by Federal, State, or Tribal officials;

“(dd) estimates of mortality; and

“(ee) overall effects; and

“(II) the available economic information, which may include an analysis of—

“(aa) landings data;

“(bb) revenue;

“(cc) the number of participants involved;

“(dd) the number and type of jobs and persons impacted, which may include—

“(AA) fishers;

“(BB) charter fishing operators;

“(CC) subsistence users;

“(DD) United States fish processors; and

“(EE) an owner of a related fishery infrastructure or business affected by the disaster, such as a marina operator, recreational fishing equipment retailer, or charter, headboat, or tender vessel owner, operator, or crew;

“(ee) an impacted Indian Tribe;

“(ff) other forms of disaster assistance made available to the fishery, including prior awards of disaster assistance for the same event;

“(gg) the length of time the resource, or access to the resource, has been restricted;

“(hh) status of recovery from previous fishery resource disasters;

“(ii) lost resource tax revenues assessed by local communities, such as a raw fish tax; and

“(jj) other appropriate indicators to an affected fishery, as determined by the National Marine Fisheries Service.

“(i) TIME FRAME.—The Secretary shall complete the review described in clause (i), if the fishing season, applicable to the fishery—

“(I) has concluded or there is no defined fishing season applicable to the fishery, not later than 120 days after the Secretary receives a complete request for a fishery resource disaster determination;

“(II) has not concluded, not later than 120 days after the conclusion of the fishing season; or

“(III) is expected to be closed for the entire fishing season, not later than 120 days after the Secretary receives a complete request for a fishery resource disaster determination.

“(C) FISHERY RESOURCE DISASTER DETERMINATION.—The Secretary shall make the determination of a fishery resource disaster based on the criteria for determinations listed in paragraph (5).

“(D) NOTIFICATION.—Not later than 14 days after the conclusion of the review under this paragraph, the Secretary shall notify the requester and the Governor of the affected

State or Tribal representative of the determination of the Secretary.

“(5) CRITERIA FOR DETERMINATIONS.—

“(A) IN GENERAL.—The Secretary shall make a determination about whether a fishery resource disaster has occurred, based on the revenue loss thresholds under subparagraph (B), and, if a fishery resource disaster has occurred, whether the fishery resource disaster was due to—

“(i) a natural cause;

“(ii) an anthropogenic cause;

“(iii) a combination of a natural cause and an anthropogenic cause; or

“(iv) an undetermined cause.

“(B) REVENUE LOSS THRESHOLDS.—

“(i) IN GENERAL.—Based on the information provided or analyzed under paragraph (4)(B), the Secretary shall apply the following 12-month revenue loss thresholds in determining whether a fishery resource disaster has occurred:

“(I) Losses greater than 80 percent may result in a positive determination that a fishery resource disaster has occurred, based on the information provided or analyzed under paragraph (4)(B).

“(II) Losses between 35 percent and 80 percent shall be evaluated to determine whether economic impacts are severe enough to declare that a fishery resource disaster has occurred.

“(III) Losses less than 35 percent shall not be eligible for a determination that a fishery resource disaster has occurred.

“(ii) CHARTER FISHING.—In making a determination of whether a fishery resource disaster has occurred, the Secretary shall consider the economic impacts to the charter fishing industry to ensure financial coverage for charter fishing businesses.

“(iii) SUBSISTENCE LOSS.—In considering subsistence loss, the Secretary shall evaluate the severity of loss to the fishing community instead of applying the revenue loss thresholds described in clause (i).

“(C) INELIGIBLE FISHERIES.—A fishery subject to overfishing in any of the 3 years preceding the date of a determination under this subsection is not eligible for a determination of whether a fishery resource disaster has occurred unless the Secretary determines that overfishing was not a contributing factor to the fishery resource disaster.

“(D) EXCEPTIONAL CIRCUMSTANCES.—In an exceptional circumstance where substantial economic impacts to the affected fishery and fishing community have been subject to a disaster declaration under another statutory authority, such as in the case of a natural disaster or from the direct consequences of a Federal action taken to prevent, or in response to, a natural disaster for purposes of protecting life and safety, the Secretary may determine a fishery resource disaster has occurred without a request.

“(6) DISBURSAL OF APPROPRIATED FUNDS.—

“(A) AUTHORIZATION.—The Secretary shall allocate funds available under paragraph (9) for fishery resource disasters.

“(B) ALLOCATION OF APPROPRIATED FISHERY RESOURCE DISASTER ASSISTANCE.—

“(i) NOTIFICATION OF FUNDING AVAILABILITY.—When there are appropriated funds for 1 or more fishery resource disasters, the Secretary shall notify—

“(I) the public; and

“(II) representatives of affected fishing communities with a positive disaster determination that is unfunded;

of the availability of funds, not more than 14 days after the date of the appropriation or the determination of a fishery resource disaster, whichever occurs later.

“(ii) EXTENSION OF DEADLINE.—The Secretary may extend the deadline under clause (i) by 90 days to evaluate and make determinations on eligible requests.

“(C) CONSIDERATIONS.—In determining the allocation of appropriations for a fishery resource disaster, the Secretary shall consider commercial, charter, headboat, or seafood processing revenue losses and may consider the following factors:

“(i) Direct economic impacts.  
 “(ii) Uninsured losses.  
 “(iii) Losses of subsistence and Tribal ceremonial fishing opportunity.  
 “(iv) Losses of recreational fishing opportunity.

“(v) Aquaculture operations revenue loss.  
 “(vi) Direct revenue losses to a fishing community.

“(vii) Treaty obligations.  
 “(viii) Other economic impacts.

“(D) SPEND PLANS.—To receive an allocation from funds available under paragraph (9), a requester with an affirmative fishery resource disaster determination shall submit a spend plan to the Secretary, not more than 120 days after receiving notification that funds are available, that shall include the following information, if applicable:

“(i) Objectives and outcomes, with an emphasis on addressing the factors contributing to the fishery resource disaster and minimizing future uninsured losses, if applicable.  
 “(ii) Statement of work.  
 “(iii) Budget details.

“(E) REGIONAL CONTACT.—If so requested, the Secretary shall provide a regional contact within the National Oceanic and Atmospheric Administration to facilitate review of spend plans and disbursement of funds.

“(F) DISBURSAL OF FUNDS.—

“(i) AVAILABILITY.—Funds shall be made available to grantees not later than 90 days after the date the Secretary receives a complete spend plan.

“(ii) METHOD.—The Secretary may provide an allocation of funds under this subsection in the form of a grant, direct payment, cooperative agreement, loan, or contract.

“(iii) ELIGIBLE USES.—

“(I) IN GENERAL.—Funds allocated for fishery resources disasters under this subsection shall restore the fishery affected by such a disaster, prevent a similar disaster in the future, or assist the affected fishing community, and shall prioritize the following uses, which are not in order of priority:

“(aa) Habitat conservation and restoration and other activities, including scientific research, that reduce adverse impacts to the fishery or improve understanding of the affected species or its ecosystem.

“(bb) The collection of fishery information and other activities that improve management of the affected fishery.

“(cc) In a commercial fishery, capacity reduction and other activities that improve management of fishing effort, including funds to offset budgetary costs to refinance a Federal fishing capacity reduction loan or to repay the principal of a Federal fishing capacity reduction loan.

“(dd) Developing, repairing, or improving fishery-related public infrastructure.

“(ee) Direct assistance to a person, fishing community (including assistance for lost fisheries resource levies), or a business to alleviate economic loss incurred as a direct result of a fishery resource disaster, particularly when affected by a circumstance described in paragraph (5)(D).

“(ff) Hatcheries and stock enhancement to help rebuild the affected stock or offset fishing pressure on the affected stock.

“(II) DISPLACED FISHERY EMPLOYEES.—Where appropriate, individuals carrying out the activities described in items (aa) through (dd) of subclause (I) shall be individuals who are, or were, employed in a commercial, charter, or Tribal fishery for which the Secretary has determined that a fishery resource disaster has occurred.

“(7) LIMITATIONS.—

“(A) FEDERAL SHARE.—

“(i) IN GENERAL.—Except as provided in clauses (ii) and (iii), the Federal share of the cost of any activity carried out under the authority of this subsection shall not exceed 75 percent of the cost of that activity.

“(ii) WAIVER.—The Secretary may waive the non-Federal share requirements of this subsection, if the Secretary determines that—

“(I) no reasonable means are available through which the recipient of the Federal share can meet the non-Federal share requirement; and

“(II) the probable benefit of 100 percent Federal financing outweighs the public interest in imposition of the non-Federal share requirement.

“(iii) EXCEPTION.—The Federal share shall be equal to 100 percent in the case of—

“(I) direct assistance as described in paragraph (6)(F)(iii)(I)(ee); or

“(II) assistance to subsistence or Tribal fisheries.

“(B) LIMITATIONS ON ADMINISTRATIVE EXPENSES.—

“(i) FEDERAL.—Not more than 3 percent of the funds available under this subsection may be used for administrative expenses by the National Oceanographic and Atmospheric Administration.

“(ii) STATE OR TRIBAL GOVERNMENTS.—Of the funds remaining after the use described in clause (i), not more than 5 percent may be used by States, Tribal governments, or interstate marine fisheries commissions for administrative expenses.

“(C) FISHING CAPACITY REDUCTION PROGRAM.—

“(i) IN GENERAL.—No funds available under this subsection may be used as part of a fishing capacity reduction program in a fishery unless the Secretary determines that adequate conservation and management measures are in place in such fishery.

“(ii) ASSISTANCE CONDITIONS.—As a condition of providing assistance under this subsection with respect to a vessel under a fishing capacity reduction program, the Secretary shall—

“(I) prohibit the vessel from being used for fishing in Federal, State, or international waters; and

“(II) require that the vessel be—

“(aa) scrapped or otherwise disposed of in a manner approved by the Secretary;

“(bb) donated to a nonprofit organization and thereafter used only for purposes of research, education, or training; or

“(cc) used for another non-fishing purpose provided the Secretary determines that adequate measures are in place to ensure that the vessel cannot reenter any fishery anywhere in the world.

“(D) NO FISHERY ENDORSEMENT.—

“(i) IN GENERAL.—A vessel that is prohibited from fishing under subparagraph (C)(ii)(I) shall not be eligible for a fishery endorsement under section 12113(a) of title 46, United States Code.

“(ii) NONEFFECTIVE.—A fishery endorsement for a vessel described in clause (i) shall not be effective.

“(iii) NO SALE.—A vessel described in clause (i) shall not be sold to a foreign owner or reflagged.

“(8) PUBLIC INFORMATION ON DATA COLLECTION.—The Secretary shall make available and update as appropriate, information on data collection and submittal best practices for the information described in paragraph (4)(B).

“(9) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this subsection \$377,000,000 for the period of fiscal years 2021 through 2026.”

### SEC. 3. MAGNUSON-STEVENS FISHERY CONSERVATION AND MANAGEMENT ACT.

(a) REPEAL.—Section 315 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1864) is repealed.

(b) REPORT.—Section 113(b)(2) of the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006 (16 U.S.C. 460ss note) is amended—

(1) in the paragraph heading, by striking “ANNUAL REPORT” and inserting “REPORT”;

(2) in the matter preceding subparagraph (A), by striking “Not later than 2 years after the date of enactment of this Act, and annually thereafter” and inserting “Not later than 2 years after the date of enactment of the Fishery Resource Disasters Improvement Act, and biennially thereafter”; and

(3) in subparagraph (D), by striking “the calendar year 2003” and inserting “the most recent”.

### SEC. 4. INTERJURISDICTIONAL FISHERIES ACT OF 1986.

(a) REPEAL.—Section 308 of the Interjurisdictional Fisheries Act of 1986 (16 U.S.C. 4107) is repealed.

(b) TECHNICAL EDIT.—Section 3(k)(1) of the Small Business Act (15 U.S.C. 632(k)(1)) is amended by striking “(as determined by the Secretary of Commerce under section 308(b) of the Interjurisdictional Fisheries Act of 1986)” and inserting “(as determined by the Secretary of Commerce under the Fishery Resource Disasters Improvement Act)”.

### SEC. 5. BUDGET REQUESTS; REPORTS.

(a) BUDGET REQUEST.—In the budget justification materials submitted to Congress in support of the budget of the Department of Commerce for each fiscal year (as submitted with the budget of the President under section 1105(a) of title 31, United States Code), the Secretary of Commerce shall include a separate statement of the amount requested to be appropriated for that fiscal year for outstanding unfunded fishery resource disasters.

(b) DRIFTNET ACT AMENDMENTS OF 1990 REPORT AND BYCATCH REDUCTION AGREEMENTS.—

(1) IN GENERAL.—The Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.) is amended—

(A) in section 202(h), by striking paragraph (3); and

(B) in section 206—

(i) by striking subsections (e) and (f); and  
 (ii) by redesignating subsections (g) and (h) as subsections (e) and (f), respectively.

(2) BIENNIAL REPORT ON INTERNATIONAL COMPLIANCE.—Section 607 of the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826h) is amended—

(A) by inserting “(a) IN GENERAL.—” before “The Secretary” and indenting appropriately; and

(B) by adding at the end the following:

“(b) ADDITIONAL INFORMATION.—In addition to the information described in paragraphs (1) through (5) of subsection (a), the report shall include—

“(1) a description of the actions taken to carry out the provisions of section 206 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1826), including—  
 “(A) an evaluation of the progress of those efforts, the impacts on living marine resources, including available observer data, and specific plans for further action;

“(B) a list and description of any new fisheries developed by nations that conduct, or authorize their nationals to conduct, large-scale driftnet fishing beyond the exclusive economic zone of any nation; and

“(C) a list of the nations that conduct, or authorize their nationals to conduct, large-scale driftnet fishing beyond the exclusive economic zone of any nation in a manner

that diminishes the effectiveness of or is inconsistent with any international agreement governing large-scale driftnet fishing to which the United States is a party or otherwise subscribes; and

“(2) a description of the actions taken to carry out the provisions of section 202(h) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1822(h)).

“(c) CERTIFICATION.—If, at any time, the Secretary, in consultation with the Secretary of State and the Secretary of the department in which the Coast Guard is operating, identifies any nation that warrants inclusion in the list described under subsection (b)(1)(C), due to large scale drift net fishing, the Secretary shall certify that fact to the President. Such certification shall be deemed to be a certification for the purposes of section 8(a) of the Fishermen's Protective Act of 1967 (22 U.S.C. 1978(a)).”

Mr. SCHUMER. I ask that the 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.

#### RESOLUTIONS SUBMITTED EN BLOC

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration and the Senate now proceed to the following resolutions, en bloc: S. Res. 338, S. Res. 366, S. Res. 368.

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

There being no objection, the committee was discharged and the Senate proceeded to consider the resolutions en bloc.

Mr. SCHUMER. I ask unanimous consent that the resolutions be agreed to, the preambles be agreed to, and the motions to reconsider be considered made and laid upon the table, all en bloc.

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

The resolutions were agreed to.

The preambles were agreed to.

(The resolution (S. Res. 338), with its preamble, is printed in the RECORD of August 5, 2021, under “Submitted Resolutions.”)

(The resolution (S. Res. 366), with its preamble, is printed in the RECORD of September 15, 2021, under “Submitted Resolutions.”)

(The resolution (S. Res. 368), with its preamble, is printed in the RECORD of September 20, 2021, under “Submitted Resolutions.”)

#### RESOLUTIONS SUBMITTED TODAY

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate now proceed to the en bloc consideration of the following Senate resolutions which were submitted earlier today: S. Res. 402, S. Res. 403, S. Res. 404.

There being no objection, the Senate proceeded to consider the resolutions en bloc.

Mr. SCHUMER. I ask unanimous consent that the resolutions be agreed to;

that the preambles, where applicable, be agreed to; and that the motions to reconsider be considered made and laid upon the table, all en bloc.

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

The resolution (S. Res. 402) was agreed to.

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

The resolution (S. Res. 403) was agreed to.

The preamble was agreed to.

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

The resolution (S. Res. 404) was agreed to.

The preamble was agreed to.

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

#### ORDERS FOR FRIDAY, OCTOBER 1, 2021

Mr. SCHUMER. Finally, I ask unanimous consent that when the Senate completes its business today, it adjourn until 12 noon, Friday, October 1; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; that upon the conclusion of morning business, the Senate proceed to executive session to resume consideration of the Adams-Allen nomination.

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

#### ADJOURNMENT UNTIL TOMORROW

Mr. SCHUMER. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 9:49 p.m., adjourned until Friday, October 1, 2021, at 12 noon.

#### NOMINATIONS

Executive nominations received by the Senate:

##### THE JUDICIARY

LOREN L. ALIKHAN, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSOCIATE JUDGE OF THE DISTRICT OF COLUMBIA COURT OF APPEALS FOR A TERM OF FIFTEEN YEARS, VICE JOHN R. FISHER, RETIRED.

ADRIENNE JENNINGS NOTI, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSOCIATE JUDGE OF THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA FOR THE TERM OF FIFTEEN YEARS, VICE FREDERICK HOWARD WEISBERG, RETIRED.

EBONY M. SCOTT, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSOCIATE JUDGE OF THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA FOR THE TERM OF FIFTEEN YEARS, VICE RHONDA REID WINSTON, RETIRED.

DONALD WALKER TUNNAGE, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSOCIATE JUDGE OF THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA FOR A TERM OF FIFTEEN YEARS, VICE RUSSELL F. CANAN, RETIRED.

BRIDGET MEEHAN BRENNAN, OF OHIO, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF OHIO, VICE DAN A. POLSTER, RETIRED.

VICTORIA MARIE CALVERT, OF GEORGIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF GEORGIA, VICE THOMAS W. THRASH, JR., RETIRED.

JOHN H. CHUN, OF WASHINGTON, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF WASHINGTON, VICE JAMES L. ROBERT, RETIRED.

SAMANTHA D. ELLIOTT, OF NEW HAMPSHIRE, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF NEW HAMPSHIRE, VICE PAUL J. BARBADORO, RETIRED.

CHARLES ESQUE FLEMING, OF OHIO, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF OHIO, VICE JAMES S. GWIN, RETIRED.

SARAH ELISABETH GERAGHTY, OF GEORGIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF GEORGIA, VICE AMY TOTENBERG, RETIRED.

DALE E. HO, OF NEW YORK, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF NEW YORK, VICE KATHERINE B. FORREST, RESIGNED.

LINDA LOPEZ, OF CALIFORNIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF CALIFORNIA, VICE ROGER T. BENITEZ, RETIRED.

JINSOOK OHTA, OF CALIFORNIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF CALIFORNIA, VICE BARRY TED MOSKOWITZ, RETIRED.

DAVID AUGUSTIN RUIZ, OF OHIO, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF OHIO, VICE SOLOMON OLIVER, JR., RETIRED.

##### IN THE ARMY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

##### To be major

ANTUAN X. AARON  
DEVLIN A. ABERT  
ALEXANDER N. ABT  
ABRAHAM ACOSTA  
TY L. ADELMAN  
LINDSEY T. ADKISSON  
JOHN M. ACOGLIA  
JOHN C. AKIN III  
TYLER J. ALAVEKIOS  
ERIC T. ALDRED  
DAVID J. ALEXANDER  
XANDER J. ALIX  
CHRISTOPHER B. ALLEN  
JACOB M. ALLEN  
RAFAEL J. ALVERIO  
ALISON E. AMAN  
MICAH F. AMBROSE  
KYLE M. AMONSON  
JOSEPH G. AMOROSO  
KEITH M. ANDERSEN  
BRADLEY R. ANDERSON  
PAUL M. ANDERSON  
ROBERT E. ANDERSON  
STEPHEN M. ANDERSON  
AYMAN C. ANDREWS  
MATTHEW A. AREVIAN  
JONATHAN R. ARGYLE  
JEREMY A. ARMILLO  
MIGUEL ARVELO  
MARY E. F. AVALOS  
ALEXANDER F. BACK  
CHRISTOPHER J. BAER  
JOSEPH B. BAILEY  
MICHAEL J. BAKER  
AARON D. BALLARD  
ADAM C. BALLARD  
FRANKLIN J. BANEGAS  
DILLON M. BANKS  
ADAM H. BARBER  
MATTHEW R. BARCLAY  
JOHN C. BARNES  
TYLER E. BARNUM  
BRETT T. BARTON  
KALEAD M. BASSMA  
NICHOLAS D. BASTIAN  
DANIEL W. BAUGHMAN  
JORDAN L. BAXTER  
FREDERICK E. BEEBE  
HEIDI D. BEEMER  
ROBERT J. BEERY  
THOMAS J. BEERY  
CRISTIAN E. BEGAZO  
IAN J. BELL  
RYAN W. BELLSTEIN  
AUSTIN A. BENNETT  
SEAN A. BENNETT  
GATES B. W. BENSON  
BEAU M. BENTON  
JOHN H. BENTON  
DANIEL A. BERKOWITZ  
ADRIAN A. BETANCOURT  
RUSSELL L. BETTENCOURT  
ZACHARY L. BETTS  
ETHAN J. BEZZEK  
ANDREW J. BIBB  
ANDREW G. BIDWELL  
RYAN L. BILLINGSREBER  
ANDREW J. BILLISITS  
CHRISTOPHER N. BINGMAN  
DANIEL J. BISHOP  
PATRICK P. BJERKE  
CALEB T. BLACK  
TAYLOR L. BLAIR  
RANCE T. BLAKE  
EBONEY BLANCAEUXWILLIAMS  
CHASE A. BLANKENSHIP  
MITCHELL A. BLILEY  
DARYL G. BODY  
THOMAS E. BOEHM  
BRIAN C. BOHACH  
JOSHUA S. BORLAND  
CHRISTOPHER M. BOSS  
JOHN T. BOSTON  
AUBREY L. BOSWELL  
JASON B. BOSWELL  
MATTHEW A. BOURDEAU  
ERIC R. BOWERMAN