

Health Coverage Tax Credit; to the Committee on Finance.

By Ms. HASSAN (for herself, Mr. BRAUN, and Ms. MURKOWSKI):

S. 3394. A bill to amend the Federal Food, Drug, and Cosmetic Act with respect to emergency use authorization transparency; to the Committee on Health, Education, Labor, and Pensions.

By Ms. BALDWIN (for herself and Mr. CASSIDY):

S. 3395. A bill to amend the Federal Food, Drug, and Cosmetic Act with respect to records and other information inspections; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SCHUMER:

S.J. Res. 33. A joint resolution relating to increasing the debt limit; considered and passed.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mrs. BLACKBURN (for herself, Ms. ERNST, Mr. MARSHALL, and Mr. SCOTT of Florida):

S. Res. 478. A resolution amending rule XXII of the Standing Rules of the Senate to increase the voting threshold to invoke cloture on general appropriation bills during periods of high inflation; to the Committee on Rules and Administration.

By Mrs. SHAHEEN (for herself, Ms. COLLINS, Mr. BROWN, Ms. CANTWELL, Ms. KLOBUCHAR, Mr. LANKFORD, Ms. SMITH, Mr. WARNER, Mrs. FEINSTEIN, Ms. STABENOW, Mr. COONS, and Mr. MANCHIN):

S. Res. 479. A resolution supporting the goals and ideals of American Diabetes Month; considered and agreed to.

## ADDITIONAL COSPONSORS

S. 79

At the request of Mr. BOOKER, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 79, a bill to eliminate the disparity in sentencing for cocaine offenses, and for other purposes.

S. 450

At the request of Mr. BURR, the names of the Senator from Oklahoma (Mr. INHOFE), the Senator from New York (Mrs. GILLIBRAND), the Senator from Utah (Mr. ROMNEY) and the Senator from Indiana (Mr. YOUNG) were added as cosponsors of S. 450, a bill to award posthumously the Congressional Gold Medal to Emmett Till and Mamie Till-Mobley.

S. 839

At the request of Mr. CASSIDY, the name of the Senator from Maryland (Mr. VAN HOLLEN) was added as a cosponsor of S. 839, a bill to establish a postsecondary student data system.

S. 1136

At the request of Ms. CANTWELL, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 1136, a bill to amend the Internal Revenue Code of 1986 to reform the low-income housing credit, and for other purposes.

S. 1452

At the request of Mr. GRASSLEY, the name of the Senator from Maryland

(Mr. VAN HOLLEN) was added as a cosponsor of S. 1452, a bill to require a standard financial aid offer form, and for other purposes.

S. 1457

At the request of Mr. MARKEY, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 1457, a bill to establish programs to address addiction and overdoses caused by illicit fentanyl and other opioids, and for other purposes.

S. 1813

At the request of Mr. COONS, the names of the Senator from Tennessee (Mrs. BLACKBURN) and the Senator from Rhode Island (Mr. REED) were added as cosponsors of S. 1813, a bill to direct the Secretary of Health and Human Services to support research on, and expanded access to, investigational drugs for amyotrophic lateral sclerosis, and for other purposes.

S. 1877

At the request of Mr. TILLIS, the name of the Senator from Georgia (Mr. WARNOCK) was added as a cosponsor of S. 1877, a bill to modify eligibility requirements for certain hazard mitigation assistance programs, and for other purposes.

S. 1893

At the request of Mr. TESTER, the name of the Senator from Montana (Mr. DAINES) 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. 2283

At the request of Mr. TESTER, the name of the Senator from Georgia (Mr. OSSOFF) was added as a cosponsor of S. 2283, a bill to improve the Veterans Crisis Line of the Department of Veterans Affairs, and for other purposes.

S. 2597

At the request of Mr. GRASSLEY, the names of the Senator from Kansas (Mr. MORAN) and the Senator from Georgia (Mr. WARNOCK) were added as cosponsors of S. 2597, a bill to amend the Animal Health Protection Act with respect to the importation of live dogs, and for other purposes.

S. 2889

At the request of Mr. CORNYN, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 2889, a bill to amend the Consolidated Appropriations Act, 2021 to address the timing for the use of funds with respect to grants made to shuttered venue operators.

S. 3037

At the request of Mr. COTTON, the name of the Senator from Indiana (Mr. BRAUN) was added as a cosponsor of S. 3037, a bill to require elementary schools and secondary schools that receive Federal funds to obtain parental consent before facilitating a child's gender transition in any form, and for other purposes.

S. 3196

At the request of Mr. WICKER, the name of the Senator from Kansas (Mr.

MORAN) was added as a cosponsor of S. 3196, a bill to enhance the policies, procedures, and training for midshipmen at the United States Merchant Marine Academy, and for other purposes.

S. 3245

At the request of Ms. MURKOWSKI, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 3245, a bill to establish the Interagency Working Group on Coastal Blue Carbon, and for other purposes.

S. 3349

At the request of Mr. RISCH, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 3349, a bill to require the Administrator of the Small Business Administration to provide applicants for certain loans and grants with updates with respect to those applications, and for other purposes.

S. 3375

At the request of Ms. ROSEN, the name of the Senator from Arizona (Ms. SINEMA) was added as a cosponsor of S. 3375, a bill to promote travel and tourism in the United States, to improve the health safety and security of international flights entering the United States, and for other purposes.

S. RES. 336

At the request of Mr. KAINE, the names of the Senator from Wyoming (Ms. LUMMIS) and the Senator from Maine (Ms. COLLINS) were added as cosponsors of S. Res. 336, a resolution designating September 15, 2021, as "International Myotonic Dystrophy Awareness Day" and supporting the goals and ideals of International Myotonic Dystrophy Awareness Day.

S. RES. 455

At the request of Ms. ROSEN, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. Res. 455, a resolution designating November 2021 as "National Hospice and Palliative Care Month".

## STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. THUNE (for himself, Ms. SMITH, Mr. ROUNDS, and Mr. TESTER):

S. 3381. A bill to require the Bureau of Indian Affairs to process and complete all mortgage packages associated with residential and business mortgages on Indian land by certain deadlines, and for other purposes; to the Committee on Indian Affairs.

Mr. THUNE. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 3381

*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 "Tribal Trust Land Homeownership Act of 2021".

### SEC. 2. DEFINITIONS.

In this Act:

(1) **APPLICABLE BUREAU OFFICE.**—The term “applicable Bureau office” means—

- (A) a Regional office of the Bureau;
- (B) an Agency office of the Bureau; or
- (C) a Land Titles and Records Office of the Bureau.

(2) **BUREAU.**—The term “Bureau” means the Bureau of Indian Affairs.

(3) **DIRECTOR.**—The term “Director” means the Director of the Bureau.

(4) **FIRST CERTIFIED TITLE STATUS REPORT.**—The term “first certified title status report” means the title status report needed to verify title status on Indian land.

(5) **INDIAN LAND.**—The term “Indian land” has the meaning given the term in section 162.003 of title 25, Code of Federal Regulations (as in effect on the date of enactment of this Act).

(6) **LAND MORTGAGE.**—The term “land mortgage” means a mortgage obtained by an individual Indian who owns a tract of trust land for the purpose of—

- (A) home acquisition;
- (B) home construction;
- (C) home improvements; or
- (D) economic development.

(7) **LEASEHOLD MORTGAGE.**—The term “leasehold mortgage” means a mortgage, deed of trust, or other instrument that pledges the leasehold interest of a lessee as security for a debt or other obligation owed by the lessee to a lender or other mortgagee.

(8) **MORTGAGE PACKAGE.**—The term “mortgage package” means a proposed residential leasehold mortgage, business leasehold mortgage, land mortgage, or right-of-way document submitted to an applicable Bureau office under section 3(a)(1).

(9) **RELEVANT FEDERAL AGENCY.**—The term “relevant Federal agency” means any of the following Federal agencies that guarantee or make direct mortgage loans on Indian land:

- (A) The Department of Agriculture.
- (B) The Department of Housing and Urban Development.

(C) The Department of Veterans Affairs.

(10) **RIGHT-OF-WAY DOCUMENT.**—The term “right-of-way document” has the meaning given the term in section 169.2 of title 25, Code of Federal Regulations (as in effect on the date of enactment of this Act).

(11) **SUBSEQUENT CERTIFIED TITLE STATUS REPORT.**—The term “subsequent certified title status report” means the title status report needed to identify any liens against a residential, business, or land lease on Indian land.

### SEC. 3. MORTGAGE REVIEW AND PROCESSING.

(a) **REVIEW AND PROCESSING DEADLINES.**—

(1) **IN GENERAL.**—As soon as practicable after receiving a proposed residential leasehold mortgage, business leasehold mortgage, land mortgage, or right-of-way document, the applicable Bureau office shall notify the lender that the proposed residential leasehold mortgage, business leasehold mortgage, or right-of-way document has been received.

(2) **PRELIMINARY REVIEW.**—

(A) **IN GENERAL.**—Not later than 10 calendar days after receipt of a proposed residential leasehold mortgage, business leasehold mortgage, land mortgage, or right-of-way document, the applicable Bureau office shall conduct and complete a preliminary review of the residential leasehold mortgage, business leasehold mortgage, land mortgage, or right-of-way document to verify that all required documents are included.

(B) **INCOMPLETE DOCUMENTS.**—As soon as practicable, but not more than 2 calendar days, after finding that any required documents are missing under subparagraph (A), the applicable Bureau office shall notify the lender of the missing documents.

(3) **APPROVAL OR DISAPPROVAL.**—

(A) **LEASEHOLD MORTGAGES.**—Not later than 20 calendar days after receipt of a com-

plete executed residential leasehold mortgage or business leasehold mortgage, proof of required consents, and other required documentation, the applicable Bureau office shall approve or disapprove the residential leasehold mortgage or business leasehold mortgage.

(B) **RIGHT-OF-WAY DOCUMENTS.**—Not later than 30 calendar days after receipt of a complete executed right-of-way document, proof of required consents, and other required documentation, the applicable Bureau office shall approve or disapprove the right-of-way document.

(C) **LAND MORTGAGES.**—Not later than 30 calendar days after receipt of a complete executed land mortgage, proof of required consents, and other required documentation, the applicable Bureau office shall approve or disapprove the land mortgage.

(D) **REQUIREMENTS.**—The determination of whether to approve or disapprove a residential leasehold mortgage or business leasehold mortgage under subparagraph (A), a right-of-way document under subparagraph (B), or a land mortgage under subparagraph (C)—

- (i) shall be in writing; and
- (ii) in the case of a determination to disapprove a residential leasehold mortgage, business leasehold mortgage, right-of-way document, or land mortgage shall, state the basis for the determination.

(E) **APPLICATION.**—This paragraph shall not apply to a residential leasehold mortgage or business leasehold mortgage with respect to Indian land in cases in which the applicant for the residential leasehold mortgage or business leasehold mortgage is an Indian tribe (as defined in subsection (d) of the first section of the Act of 1955 (69 Stat. 539, chapter 615; 126 Stat. 1150; 25 U.S.C. 415(d))) that has been approved for leasing under subsection (h) of that section (69 Stat. 539, chapter 615; 126 Stat. 1151; 25 U.S.C. 415(h)).

(4) **CERTIFIED TITLE STATUS REPORTS.**—

(A) **COMPLETION OF REPORTS.**—

(i) **IN GENERAL.**—Not later than 10 calendar days after the applicable Bureau office approves a residential leasehold mortgage, business leasehold mortgage, land mortgage, or right-of-way document under paragraph (3), the applicable Bureau office shall complete the processing of, as applicable—

(I) a first certified title status report, if a first certified title status report was not completed prior to the approval of the residential leasehold mortgage, business leasehold mortgage, land mortgage, or right-of-way document; and

(II) a subsequent certified title status report.

(ii) **REQUESTS FOR FIRST CERTIFIED TITLE STATUS REPORTS.**—Notwithstanding clause (i), not later than 14 calendar days after the applicable Bureau office receives a request for a first certified title status report from an applicant for a residential leasehold mortgage, business leasehold mortgage, land mortgage, or right-of-way document under paragraph (1), the applicable Bureau office shall complete the processing of the first certified title status report.

(B) **NOTICE.**—

(i) **IN GENERAL.**—As soon as practicable after completion of the processing of, as applicable, a first certified title status report or a subsequent certified title status report under subparagraph (A), but by not later than the applicable deadline described in that subparagraph, the applicable Bureau office shall give notice of the completion to the lender.

(ii) **FORM OF NOTICE.**—The applicable Bureau office shall give notice under clause (i)—

- (I) electronically through secure, encryption software; and
- (II) through the United States mail.

(iii) **OPTION TO OPT OUT.**—The lender may opt out of receiving notice electronically under clause (ii)(I).

(b) **NOTICES.**—

(1) **IN GENERAL.**—If the applicable Bureau office does not complete the review and processing of mortgage packages under subsection (a) (including any corresponding first certified title status report or subsequent certified title status report under paragraph (4) of that subsection) by the applicable deadline described in that subsection, immediately after missing the deadline, the applicable Bureau office shall provide notice of the delay in review and processing to—

(A) the party that submitted the mortgage package or requested the first certified title status report; and

(B) the lender for which the mortgage package (including any corresponding first certified title status report or subsequent certified title status report) is being requested.

(2) **REQUESTS FOR UPDATES.**—In addition to providing the notices required under paragraph (1), not later than 2 calendar days after receiving a relevant inquiry with respect to a submitted mortgage package from the party that submitted the mortgage package or the lender for which the mortgage package (including any corresponding first certified title status report or subsequent certified title status report) is being requested or an inquiry with respect to a requested first certified title status report from the party that requested the first certified title status report, the applicable Bureau office shall respond to the inquiry.

(c) **DELIVERY OF FIRST AND SUBSEQUENT CERTIFIED TITLE STATUS REPORTS.**—Notwithstanding any other provision of law, any first certified title status report and any subsequent certified title status report, as applicable, shall be delivered directly to—

- (1) the lender;
- (2) any local or regional agency office of the Bureau that requests the first certified title status report or subsequent certified title status report;

(3) in the case of a proposed residential leasehold mortgage or land mortgage, the relevant Federal agency that insures or guarantees the loan; and

(4) if requested, any individual or entity described in section 150.303 of title 25, Code of Federal Regulations (as in effect on the date of enactment of this Act).

(d) **ACCESS TO TRUST ASSET AND ACCOUNTING MANAGEMENT SYSTEM.**—Beginning on the date of enactment of this Act, the relevant Federal agencies and Indian Tribes shall have read-only access to the Trust Asset and Accounting Management System maintained by the Bureau.

(e) **ANNUAL REPORT.**—

(1) **IN GENERAL.**—Not later than March 1 of each calendar year, the Director shall submit to the Committee on Indian Affairs of the Senate and the Committee on Natural Resources of the House of Representatives a report describing—

(A) for the most recent calendar year, the number of requests received to complete residential leasehold mortgage packages, business leasehold mortgage packages, land mortgage packages, and right-of-way document packages (including any requests for corresponding first certified title status reports and subsequent certified title status reports), including a detailed description of—

(i) requests that were and were not successfully completed by the applicable deadline described in subsection (a) by each applicable Bureau office; and

(ii) the reasons for each applicable Bureau office not meeting any applicable deadlines; and

(B) the length of time needed by each applicable Bureau office during the most recent calendar year to provide the notices required under subsection (b)(1).

(2) **REQUIREMENT.**—In submitting the report required under paragraph (1), the Director shall maintain the confidentiality of personally identifiable information of the parties involved in requesting the completion of residential leasehold mortgage packages, business leasehold mortgage packages, land mortgage packages, and right-of-way document packages (including any corresponding first certified title status reports and subsequent certified title status reports).

(f) **GAO STUDY.**—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Indian Affairs of the Senate and the Committee on Natural Resources of the House of Representatives a report that includes—

(1) an evaluation of the need for residential leasehold mortgage packages, business leasehold mortgage packages, land mortgage packages, and right-of-way document packages of each Indian Tribe to be digitized for the purpose of streamlining and expediting the completion of mortgage packages for residential mortgages on Indian land (including the corresponding first certified title status reports and subsequent certified title status reports); and

(2) an estimate of the time and total cost necessary for Indian Tribes to digitize the records described in paragraph (1), in conjunction with assistance in that digitization from the Bureau.

#### SEC. 4. ESTABLISHMENT OF REALTY OMBUDSMAN POSITION.

(a) **IN GENERAL.**—The Director shall establish within the Division of Real Estate Services of the Bureau the position of Realty Ombudsman, who shall report directly to the Secretary of the Interior.

(b) **FUNCTIONS.**—The Realty Ombudsman shall—

(1) ensure that the applicable Bureau offices are meeting the mortgage review and processing deadlines established by section 3(a);

(2) ensure that the applicable Bureau offices comply with the notices required under subsections (a) and (b) of section 3;

(3) serve as a liaison to other Federal agencies, including by—

(A) ensuring the Bureau is responsive to all of the inquiries from the relevant Federal agencies; and

(B) helping to facilitate communications between the relevant Federal agencies and the Bureau on matters relating to mortgages on Indian land;

(4) receive inquiries, questions, and complaints directly from Indian Tribes, members of Indian Tribes, and lenders in regard to executed residential leasehold mortgages, business leasehold mortgages, land mortgages, or right-of-way documents; and

(5) serve as the intermediary between the Indian Tribes, members of Indian Tribes, and lenders and the Bureau in responding to inquiries and questions and resolving complaints.

By Mrs. FEINSTEIN (for herself, Mr. BLUMENTHAL, Mr. BOOKER, Mr. BROWN, Mr. MENENDEZ, Mr. MURPHY, Mr. PADILLA, and Mr. WHITEHOUSE):

S. 3387. A bill to require the search and retention of certain records with respect to conducting criminal background checks, and for other purposes; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, today, I am reintroducing legislation

that would help bolster the Nation's background check system for firearms.

Under current law, the FBI is forced to remove records from incomplete background checks from their systems if those checks are not finalized within 90 days. As a result, many firearms are sold without completed background checks—a dangerous practice that allows individuals to access a firearm even if they are prohibited by law from possessing such weapons.

In 2020, Americans purchased a record number of guns—over 23 million firearms—and this year is expected to set records once again. That record number of purchases is overwhelming our background check system.

The large majority of background checks are straightforward and are completed within 3 days, but especially due to the volume of checks required by the increase in gun purchases, some can take significantly longer.

According to Everytown for Gun Safety, between March 2020 and July 2020, the FBI was unable to resolve 207,694 background checks within 90 days and was therefore required to wipe the incomplete checks from their systems. Since these background checks were never completed, it is impossible to know how many firearms were transferred to prohibited purchasers.

As firearms sales continue to soar, Congress must act to protect public safety by ensuring background checks are completed.

This bill would do exactly that. It would allow the FBI to maintain gun purchase records until the background checks is completed. It would also require the FBI to query additional relevant databases as part of a firearm-related background check. This would guarantee that the information necessary for conducting effective firearm background checks is maintained.

I thank Senators BLUMENTHAL, BOOKER, BROWN, MENENDEZ, MURPHY, PADILLA, and WHITEHOUSE for their support and urge the rest of my colleagues to support the bill as well.

#### SUBMITTED RESOLUTIONS

#### SENATE RESOLUTION 478—AMENDING RULE XXII OF THE STANDING RULES OF THE SENATE TO INCREASE THE VOTING THRESHOLD TO INVOKE CLOTURE ON GENERAL APPROPRIATION BILLS DURING PERIODS OF HIGH INFLATION

Mrs. BLACKBURN (for herself, Ms. ERNST, Mr. MARSHALL, and Mr. SCOTT of Florida) submitted the following resolution; which was referred to the Committee on Rules and Administration:

S. RES. 478

#### Resolved, SECTION 1. SHORT TITLE.

This resolution may be cited as the “Stop Inflationary Spending Resolution”.

#### SEC. 2. CLOTURE THRESHOLD FOR GENERAL APPROPRIATION BILLS DURING PERIODS OF HIGH INFLATION.

Paragraph 2 of rule XXII of the Standing Rules of the Senate is amended in the second undesignated subparagraph by inserting “, or on a general appropriation bill, or an amendment thereto, amendment between the Houses in relation thereto, conference report thereon, or motion thereon, that is considered during a period during which the increase in the Consumer Price Index for All Urban Consumers with respect to the preceding 12-month period, as determined by the Bureau of Labor Statistics, is more than 4.0 percent, in which case the necessary affirmative vote shall be two-thirds of the Senators present and voting” after “present and voting”.

#### SENATE RESOLUTION 479—SUPPORTING THE GOALS AND IDEALS OF AMERICAN DIABETES MONTH

Mrs. SHAHEEN (for herself, Ms. COLLINS, Mr. BROWN, Ms. CANTWELL, Ms. KLOBUCHAR, Mr. LANKFORD, Ms. SMITH, Mr. WARNER, Mrs. FEINSTEIN, Ms. STABENOW, Mr. COONS, and Mr. MANCHIN) submitted the following resolution; which was considered and agreed to:

S. RES. 479

Whereas, according to the Centers for Disease Control and Prevention (referred to in this preamble as the “CDC”)—

(1) 34,200,000 individuals in the United States have diabetes; and

(2) an estimated 88,000,000 individuals in the United States who are 18 years of age or older have prediabetes;

Whereas diabetes is a serious chronic condition that affects individuals of every age, race, ethnicity, and income level;

Whereas the CDC reports that—

(1) Hispanic Americans, African Americans, Asian Americans, and Native Americans are disproportionately affected by diabetes and develop the disease at much higher rates than the general population of the United States; and

(2) an estimated 21.4 percent of individuals with diabetes in the United States have not yet been diagnosed with the disease;

Whereas, in the United States, more than 10.5 percent of the population, including 26.8 percent of individuals who are 65 years of age or older, have diabetes;

Whereas, of the 18,820,000 veterans in the United States, 1 in 4 are receiving care for diabetes from the Department of Veterans Affairs;

Whereas the risk of developing type 2 diabetes at some point in life is 40 percent for adults in the United States;

Whereas, according to the American Diabetes Association, the United States spent an estimated \$237,000,000,000 on direct medical costs for cases of diagnosed diabetes in 2017, and out-of-pocket costs for insulin have grown significantly in recent years for many patients;

Whereas the American Diabetes Association reports that care for people with diagnosed diabetes accounts for 1 in 4 health care dollars spent in the United States;

Whereas the cost of health care is estimated to be 2.3 times higher for individuals in the United States with diabetes than those without diabetes;

Whereas, as of November 2021, a cure for diabetes does not exist;

Whereas there are successful means to reduce the incidence, and delay the onset, of type 2 diabetes;