be used for the enforcement of a requirement to wear a mask or face covering on any mode of public transportation.

SA 2411. Mr. MARSHALL (for himself, Ms. ERNST, and Mr. GRASSLEY) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of division G, add the following:

TITLE XII—AGRICULTURAL TRADE

SEC. 71201. SHORT TITLE.

This title may be cited as the ''Exposing Agricultural Trade Suppression Act''.

SEC. 71202. PROHIBITION AGAINST INTERFERENCE BY STATE AND LOCAL GOVERNMENTS WITH PRODUCTION OR MANUFACTURE OF ITEMS IN OTHER STATES.

(a) DEFINITION OF AGRICULTURAL PRODUCTS.—In this section, the term ''agricultural products'' has the meaning given the term in section 207 of the Agricultural Marketing Act of 1946 (7 U.S.C. 1626).

(b) PROHIBITION.—Consistent with the Commerce Clause of section 8 of article I of the Constitution of the United States, the government of a State or a unit of local government within a State shall not impose a standard or condition on the production or manufacture of any agricultural products sold or offered for sale in interstate commerce if—

(1) the production or manufacture occurs in another State; and

(2) the standard or condition is in addition to the standards and conditions applicable to the production or manufacture pursuant to—

(A) Federal law; and

(B) the laws of the State and unit of local government in which the production or manufacture occurs.

SEC. 71203. FEDERAL CAUSE OF ACTION TO CHALLENGE STATE REGULATION OF INTERSTATE COMMERCE.

(a) DEFINITION OF AGRICULTURAL PRODUCTS.—In this section, the term ''agricultural products'' has the meaning given the term in section 207 of the Agricultural Marketing Act of 1946 (7 U.S.C. 1626).

(b) PRIVATE RIGHT OF ACTION.—A person, including a producer, a transporter, a distributer, a consumer, a laborer, a trade association, the Federal Government, a State government, or a unit of local government, that is affected by a regulation of a State or unit of local government that regulates any aspect of 1 or more agricultural products that are sold in interstate commerce, including any aspect of the method of production, or any means or instrumentality through which 1 or more agricultural products are sold in interstate commerce may bring an action in the appropriate court to invalidate that regulation and seek damages for economic loss resulting from that regulation.

(c) PRELIMINARY INJUNCTION.—On a motion of the plaintiff in an action brought under subsection (b), the court shall issue a preliminary injunction to preclude the applicable State or unit of local government from enforcing the regulation at issue until such time as the court enters a final judgment in the case, unless the State or unit of local government proves by clear and convincing evidence that—

(1) the State or unit of local government is likely to prevail on the merits at trial; and

(2) the injunction would cause irreparable harm to the State or unit of local government.

(d) STATUTE OF LIMITATIONS.—No action shall be maintained under this section unless the action is commenced not later than 10 years after the cause of action arose.

(e) JURISDICTION.—A person described in subsection (b) may bring an action under that subsection in—

(1) the district court of the United States for the judicial district in which the person—

(A) is affected by a regulation described in that subsection; or

(B) resides, operates, or does business; or

(2) any other appropriate court otherwise having jurisdiction.

SA 2412. Mrs. BLACKBURN (for herself and Mr. HAGERTY) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division I, insert the following:

SEC. 90_____. ADDING SERVICE AND SUPPORT COMPANIES TO THE SHUTTERED VENUE OPERATORS GRANT PROGRAM.

(a) IN GENERAL.—Section 324 of the Economic Aid to Hard-Hit Small Businesses, Nonprofits, and Venues Act (title III of division N of Public Law 116–260) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) in subparagraph (A)—

(I) in the matter preceding clause (i), by inserting ''a service and support company,'' after ''theatre operator,'';

(II) in clause (i)—

(aa) in the matter preceding subclause (I), by inserting ''the service and support company,'' after ''theatre operator,''; and

(bb) in subclause (I), by inserting ''a service and support company,'' after ''theatre operator,'';

(III) in clause (ii)—

(aa) in subclause (III), by striking ''and'' at the end;

(bb) in subclause (IV), by adding ''and'' at the end; and

(cc) by adding at the end the following:

''(V) the service and support company is or intends to resume the services and activities described in paragraph (11);''; and

(IV) in clause (vi), by inserting ''the service and support company,'' after ''theatre operator,'' each place that term appears; and

(ii) in subparagraph (B), by inserting ''service and support company,'' after ''theatre operator,'' each place that term appears; and

(B) by adding at the end the following:

''(11) SERVICE AND SUPPORT COMPANY.—The term 'service and support company'—

''(A) means an individual or entity—

''(i) that is assigned a North American Industry Classification System code of 532490, 541410, 541420, 541430, 541490, 561920, 711190, or 711320, as appears on the most recent income tax filing or on the application for a loan under paragraph (36) or (37) of section 7(a) of the Small Business Act (15 U.S.C. 636(a)) of the individual or entity, if applicable; and

''(ii) that—

''(I)(aa) as a principal business activity, provide stages, lighting, sound, casts, or other support for live performing arts events; and

''(bb) for which not less than 70 percent of the earned revenue generated through providing the support described in item (aa) is for live performing arts events organized, promoted, produced, managed, or hosted by an eligible person or entity described in paragraph (1)(A)(iii); or

''(II)(aa) showcases performers or pre-packaged productions to potential buyers; and

''(bb) for which not less than 70 percent of the earned revenue generated through showcasing performers or pre-packaged productions described in item (aa) is for live performing arts events—

''(AA) organized, promoted, produced, managed, or hosted by an eligible person or entity described in paragraph (1)(A)(iii); or

''(BB) hosted in a hotel or convention center facility;

''(B) includes an individual or entity described in subparagraph (A) that—

''(i) operates for profit;

''(ii) is a nonprofit organization;

''(iii) is government-owned; or

''(iv) is a corporation, limited liability company, or partnership or operated as a sole proprietorship; and

''(C) does not include—

''(i) an individual or entity described in subparagraph (A) that—

''(I) employs more than 250 full-time employees; or

''(II) is registered or operates outside of the United States; or

''(ii) an entity that is majority owned or controlled by an entity that is an issuer, the securities of which are listed on a national securities exchange under section 6 of the Securities Exchange Act of 1934 (15 U.S.C. 78f).''; and

(2) in subsection (b)(2)(B), by adding at the end the following:

''(iii) PRIORITY FOR AWARDS TO SERVICE AND SUPPORT COMPANIES.—

''(I) FIRST PRIORITY IN AWARDING GRANTS.—During the initial 14-day period during which service and support companies are eligible to receive a grant under this paragraph, in making awards to those companies, the Administrator shall only award grants to those companies with revenue during the period beginning on April 1, 2020 and ending on December 31, 2020, that is not more than 10 percent of the revenue of the company during the period beginning on April 1, 2019 and ending on December 31, 2019, due to the COVID–19 pandemic.

''(II) SECOND PRIORITY IN AWARDING GRANTS.—During the 14-day period immediately following the14-day period described in clause (i), in making awards to service and support companies under this paragraph, the Administrator shall only award grants to those companies with revenue, during the period beginning on April 1, 2020 and ending on December 31, 2020, that is not more than 30 percent of the revenue of the company during the period beginning on April 1, 2019 and ending on December 31, 2019, due to the COVID–19 pandemic.''.

(b) TRANSFER OF AMOUNTS FROM CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS TO SHUTTERED VENUE OPERATORS PROGRAM.—

(1) RESCISSION.—Of the unobligated balances of amounts appropriated under sections 602(a)(1) and 603(a) of the Social Security Act (as added by section 9901 of the American Rescue Plan Act of 2021 (Public Law 117–2)) on the date of enactment of this Act, $4,000,000,000 is rescinded, provided that amounts shall be rescinded from the unobligated balance of amounts appropriated under such section 602(a)(1) first, and amounts shall then be rescinded from the unobligated balance of amounts appropriated under such

section 603(a) only if the unobligated balance of amounts appropriated under such section 602(a)(1) is less than $4,000,000,000.

(2) APPROPRIATION.—There is appropriated for an additional amount, out of amounts in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2021, an amount equal to the amount rescinded under paragraph (1), to remain available until December 31, 2021, under the heading ''Small Business Administration—Shuttered Venue Operators'', to make grants to service and support companies under section 324 of the Economic Aid to Hard Hit Small Businesses, Nonprofits, and Venues Act (title III of division N of Public Law 116-260), as amended by subsection (a).

(c) PROCESSING PREVIOUSLY DENIED APPLICATIONS.—If a service and support company, as defined in paragraph (11) of section 324(a) of the Economic Aid to Hard-Hit Small Businesses, Nonprofits, and Venues Act (title III of division N of Public Law 116–260), as added by subsection (a), was denied a grant under such section before the date of enactment of this Act due to lack of eligibility but, as a result of the amendments made by subsection (a), is eligible for a grant under such section, the Administrator of the Small Business Administration shall reconsider and process the application of the service and support company.

(d) REGULATIONS.—Not later than 30 days after the date of enactment of this Act, the Administrator of the Small Business Administration shall issue regulations to carry out this Act and the amendments made by this Act without regard to the notice requirements under section 553(b) of title 5, United States Code.

(e) SENSE OF CONGRESS.—It is the sense of Congress that the Administrator of the Small Business Administration should—

(1) issue guidance to ensure that entities whose principal business is to provide services and support to the live events industry remain eligible for the program established under section 324 of the Economic Aid to Hard Hit Small Businesses, Nonprofits, and Venues Act (title III of division N of Public Law 116–260); and

(2) distribute funds appropriated for that program not later than 120 days after the date of enactment of this Act.

SA 2413. Mr. DAINES submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 2553, line 5, strike ''$585,000,000'' and insert ''$510,000,000''.

On page 2553, line 8, strike '', of which'' and all that follows through ''established:'' on line 12 and insert '': *Provided further*, That no funds made available under this Act shall be used for the breach or removal of a Federal or non-Federal dam:''.

On page 2611, line 10, strike ''$360,000,000'' and insert ''$350,000,000''.

On page 2611, line 11, strike ''$72,000,000'' and insert ''$70,000,000''.

On page 2611, line 13, strike ''$72,000,000'' and insert ''$70,000,000''.

On page 2611, line 15, strike ''$72,000,000'' and insert ''$70,000,000''.

On page 2611, line 17, strike ''$72,000,000'' and insert ''$70,000,000''.

On page 2611, line 19, strike ''$72,000,000'' and insert ''$70,000,000''.

On page 2612, line 6, insert ''and'' after the semicolon.

On page 2612, line 10, strike ''; and'' and insert a period.

On page 2612, strike lines 11 through 13.

SA 2414. Mr. DAINES submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 1816, strike lines 1 through 12 and insert the following:

(2) $285,000,000 shall be made available to provide to States and Indian Tribes for implementing restoration projects on Federal land pursuant to good neighbor agreements entered into under section 8206 of the Agricultural Act of 2014 (16 U.S.C. 2113a) or agreements entered into under section 2(b) of the Tribal Forest Protection Act of 2004 (25 U.S.C. 3115a(b)), of which—

(A) $40,000,000 shall be made available to the Secretary of the Interior; and

(B) $245,000,000 shall be made available to the Secretary of Agriculture;

SA 2415. Mr. DAINES submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 1816, strike lines 1 through 12 and insert the following:

(2) $285,000,000 shall be made available to provide to States and Indian Tribes for implementing restoration projects on Federal land pursuant to good neighbor agreements entered into under section 8206 of the Agricultural Act of 2014 (16 U.S.C. 2113a) or agreements entered into under section 2(b) of the Tribal Forest Protection Act of 2004 (25 U.S.C. 3115a(b)), of which—

(A) $40,000,000 shall be made available to the Secretary of the Interior; and

(B) $245,000,000 shall be made available to the Secretary of Agriculture;

On page 2553, line 5, strike ''$585,000,000'' and insert ''$510,000,000''.

On page 2553, line 8, strike '', of which'' and all that follows through ''established:'' on line 12 and insert '': *Provided further*, That no funds made available under this Act shall be used for the breach or removal of a Federal or non-Federal dam:''.

On page 2611, line 10, strike ''$360,000,000'' and insert ''$350,000,000''.

On page 2611, line 11, strike ''$72,000,000'' and insert ''$70,000,000''.

On page 2611, line 13, strike ''$72,000,000'' and insert ''$70,000,000''.

On page 2611, line 15, strike ''$72,000,000'' and insert ''$70,000,000''.

On page 2611, line 17, strike ''$72,000,000'' and insert ''$70,000,000''.

On page 2611, line 19, strike ''$72,000,000'' and insert ''$70,000,000''.

On page 2612, line 6, insert ''and'' after the semicolon.

On page 2612, line 10, strike ''; and'' and insert a period.

On page 2612, strike lines 11 through 13.

SA 2416. Mrs. HYDE-SMITH submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title I of division E, insert the following:

SEC. 501____. EMERGENCY WATER INFRASTRUCTURE IMPROVEMENTS.

(a) ADDITIONAL ENVIRONMENTAL INFRASTRUCTURE AUTHORITY.—Section 219(f)(167) of the Water Resources Development Act of 1992 (Public Law 102–580; 106 Stat. 4835; 113 Stat. 335; 121 Stat. 1263) is amended by striking ''$25,000,000'' and inserting ''$47,000,000''.

(b) SAFE DRINKING WATER INFRASTRUCTURE.—

(1) DEFINITIONS.—In this subsection:

(A) ELIGIBLE STATE.—The term ''eligible State'' means a State—

(i) for which the President has declared not fewer than 5 major disasters under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.); and

(ii) in which public water systems suffered major damage, as determined by the Administrator, from Winter Storms Uri and Viola.

(B) ELIGIBLE SYSTEM.—The term ''eligible system'' means a public water system that has been subject to an emergency administrative order pursuant to section 1431 of the Safe Drinking Water Act (42 U.S.C. 300i) during calendar year 2020.

(C) PUBLIC WATER SYSTEM.—The term ''public water system'' has the meaning given the term in section 1401 of the Safe Drinking Water Act (42 U.S.C. 300f).

(2) STATE REVOLVING LOAN FUND ASSISTANCE.—

(A) IN GENERAL.—Notwithstanding any other provision of law, an eligible system shall be—

(i) considered a disadvantaged community for purposes of subsection (d) of section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j–12); and

(ii) eligible to receive the additional subsidization described in paragraph (1) of that subsection, including the forgiveness of principal described in that paragraph.

(B) AUTHORIZATION.—An eligible State may use funds made available under a capitalization grant provided under paragraph (3) to provide the additional subsidization described in subparagraph (A)(ii) to an eligible system within the eligible State to address contaminants in drinking water, which may include the repair and replacement of water distribution system components.

(3) DRINKING WATER STATE REVOLVING FUNDS.—

(A) APPROPRIATION.—There is appropriated to the Administrator, out of any funds of the Treasury not otherwise appropriated, $150,000,000 to provide additional capitalization grants to eligible States pursuant to section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j–12) for the purposes described in paragraph (2)(B), to remain available until expended.

(B) INTENDED USE PLANS.—Not later than 30 days after the date on which an eligible