SA 5451. Mr. KENNEDY submitted an amendment intended to be proposed to amendment SA 5194 proposed by Mr. SCHUMER to the bill H.R. 5376, to provide for reconciliation pursuant to title II of S. Con. Res. 14; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. FORFEITING NONPROFIT TAX EXEMPT STATUS FOR PROVIDING FINANCIAL ASSISTANCE TO ALIENS WHO UNLAWFULLY ENTER THE UNITED STATES.

Any nonprofit organization that knowingly provides financial assistance to aliens who unlawfully entered the United States may not receive any tax-related benefit available to organizations described in section 503(c)(3) of the Internal Revenue Code.

SA 5452. Mr. MORAN (for himself and Mr. TOOMEY) submitted an amendment intended to be proposed to amendment SA 5194 proposed by Mr. SCHUMER to the bill H.R. 5376, to provide for reconciliation pursuant to title II of S. Con. Res. 14; which was ordered to lie on the table; as follows:

Strike section 30002(a)(1) and insert the following:

(1) $837,500,000, to remain available until September 30, 2028, for the cost of providing direct loans, and for grants, as provided for in subsection (b), including to subsidize gross obligations for the principal amount of direct loans, not to exceed $4,000,000,000, to fund projects that improve security, prevent crime, and increase resident safety;

SA 5453. Ms. MURKOWSKI submitted an amendment intended to be proposed to amendment SA 5194 proposed by Mr. SCHUMER to the bill H.R. 5376, to provide for reconciliation pursuant to title II of S. Con. Res. 14; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE IX—COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

SEC. 90001. FUNDING FOR PROVIDERS RELATING TO COVID–19.

(a) EQUITY FOR PROVIDERS SERVING VULNERABLE POPULATIONS.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary of Health and Human Services shall distribute not less than 75 percent of any unobligated funds in the Provider Relief Fund, including any unobligated funds returned by or recouped from recipients of past distributions from such Fund, to assisted living facilities.

(2) ELIGIBLE RURAL PROVIDERS.—Of the amount distributed under paragraph (1), not less than 20 percent shall be distributed to assisted living facilities that are eligible rural providers.

(b) LIMITATIONS.—Payments made to an assisted living facility under this section may not be used to reimburse any expense or loss that—

(1) has been reimbursed from another source; or

(2) another source is obligated to reimburse.

(c) DEFINITIONS.—In this section:

(1) ASSISTED LIVING FACILITY.—The term ''assisted living facility'' has the meaning given such term in section 232(b) of the National Housing Act (12 U.S.C. 1715w(b)).

(2) ELIGIBLE RURAL PROVIDER.—The term ''eligible rural provider'' means—

(A) an eligible health care provider as defined in section 1150C(e)(1) of the Social Security Act (42 U.S.C. 1320b–26(e)(1)); or

(B) an assisted living facility that provides services to individuals whose place of residence immediately prior to the individual relocating and establishing residence with the assisted living facility was located in a rural area, as defined by the Federal Office of Rural Health Policy in accordance with the ''Response to Comments on Revised Geographic Eligibility for Federal Office of Rural Health Policy Grants'' promulgated by the Health Resources and Services Administration on January 12, 2021 (86 Fed. Reg. 2418).

(3) PAYMENT.—The term ''payment'' includes, as determined appropriate by the Secretary, a pre-payment, a prospective payment, a retrospective payment, or a payment through a grant or other mechanism.

SA 5454. Ms. MURKOWSKI submitted an amendment intended to be proposed to amendment SA 5194 proposed by Mr. SCHUMER to the bill H.R. 5376, to provide for reconciliation pursuant to title II of S. Con. Res. 14; which was ordered to lie on the table; as follows:

Strike section 50131 and insert the following:

SEC. 50131. ASSISTANCE FOR LATEST AND ZERO BUILDING ENERGY CODE ADOPTION; BLM PERMITTING ACTIVITIES.

(a) ASSISTANCE FOR LATEST AND ZERO BUILDING ENERGY CODE ADOPTION.—

(1) APPROPRIATION.—In addition to amounts otherwise available, there are appropriated to the Secretary for fiscal year 2022, out of any money in the Treasury not otherwise appropriated—

(A) $330,000,000, to remain available through September 30, 2029, to carry out activities under part D of title III of the Energy Policy and Conservation Act (42 U.S.C. 6321 through 6326) in accordance with paragraph (2); and

(B) $270,000,000, to remain available through September 30, 2029, to carry out activities under part D of title III of the Energy Policy and Conservation Act (42 U.S.C. 6321 through 6326) in accordance with paragraph (3).

(2) LATEST BUILDING ENERGY CODE.—The Secretary shall use funds made available under paragraph (1)(A) for grants to assist States, and units of local government that have authority to adopt building codes—

(A) to adopt—

(i) a building energy code (or codes) for residential buildings that meets or exceeds the 2021 International Energy Conservation Code, or achieves equivalent or greater energy savings;

(ii) a building energy code (or codes) for commercial buildings that meets or exceeds the ANSI/ASHRAE/IES Standard 90.1–2019, or achieves equivalent or greater energy savings; or

(iii) any combination of building energy codes described in clause (i) or (ii); and

(B) to implement a plan for the jurisdiction to achieve full compliance with any building energy code adopted under subparagraph (A) in new and renovated residential or commercial buildings, as applicable, which plan shall include active training and enforcement programs and measurement of the rate of compliance each year.

(3) ZERO ENERGY CODE.—The Secretary shall use funds made available under paragraph (1)(B) for grants to assist States, and units of local government that have authority to adopt building codes—

(A) to adopt a building energy code (or codes) for residential and commercial buildings that meets or exceeds the zero energy provisions in the 2021 International Energy Conservation Code or an equivalent stretch code; and

(B) to implement a plan for the jurisdiction to achieve full compliance with any building energy code adopted under subparagraph (A) in new and renovated residential and commercial buildings, which plan shall include active training and enforcement programs and measurement of the rate of compliance each year.

(4) STATE MATCH.—The State cost share requirement under the item relating to ''Department of Energy—Energy Conservation'' in title II of the Department of the Interior and Related Agencies Appropriations Act, 1985 (42 U.S.C. 6323a; 98 Stat. 1861), shall not apply to assistance provided under this subsection.

(5) ADMINISTRATIVE COSTS.—Of the amounts made available under this subsection, the Secretary shall reserve 5 percent for administrative costs necessary to carry out this subsection.

(b) BLM PERMITTING.—In addition to amounts otherwise available, there is appropriated to the Secretary of the Interior for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, $400,000,000, to remain available through September 30, 2026, for the Bureau of Land Management to finalize outstanding permitting activities for projects that would facilitate access to nickel and cobalt deposits.

SA 5455. Ms. MURKOWSKI submitted an amendment intended to be proposed to amendment SA 5194 proposed by Mr. SCHUMER to the bill H.R. 5376, to provide for reconciliation pursuant to title II of S. Con. Res. 14; which was ordered to lie on the table; as follows:

On page 468, strike lines 15 through 19 and insert the following:

''(I) in connection with a qualified facility which—

''(aa) in the case of a qualified facility which is a hydroelectric facility and exclusively serves communities which are not interconnected to the United States continental grid, has a maximum net output of not greater than 20 megawatts (as measured in alternating current), or

''(bb) in the case of a qualified facility which is not described in item (aa), has a maximum net output of not greater than 5 megawatts (as measured in alternating current), and

---

SA 5456. Ms. MURKOWSKI submitted an amendment intended to be proposed to amendment SA 5194 proposed by Mr. SCHUMER to the bill H.R. 5376, to provide for reconciliation pursuant to title II of S. Con. Res. 14; which was ordered to lie on the table; as follows:

In section 60105, strike subsection (d) and insert the following:

(d) TARGETED AIRSHED GRANTS.—In addition to amounts otherwise available, there is appropriated to the Administrator of the Environmental Protection Agency for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, $15,000,000, to remain available until September 30, 2031, for targeted airshed grants in accordance with paragraph (6) of the matter under the heading ''STATE AND TRIBAL ASSISTANCE GRANTS'' under the heading ''ENVIRONMENTAL PROTECTION AGENCY'' in title II of division G of the Consolidated Appropriations Act, 2021 (Public Law 116–260; 134 Stat. 1513), for the purpose of replacing woodstoves and wood fireplaces with cleaner home heating devices, and other related activities.

SA 5457. Ms. MURKOWSKI (for herself, Mr. DAINES, Mr. RISCH, and Mr.