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No. 50

## House of Representatives

The House met at 11 a.m. and was called to order by the Speaker pro tempore (Mr. RASKIN).

### DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,  
March 16, 2020.

I hereby appoint the Honorable JAMIE RASKIN to act as Speaker pro tempore on this day.

NANCY PELOSI,  
*Speaker of the House of Representatives.*

### PRAYER

Reverend Dr. Dan C. Cummins, Capitol Worship, Washington, D.C., offered the following prayer:

Heavenly Father, creator of all things, throughout our history have plagues and diseases pillaged our human frailties. Still another leviathan plunders Your children—stealing, destroying, and killing without prejudice. We beseech You this morning without timidity, but in all reverence and humiliation, reminding You of Your promise to us, Your children, that if destruction should come in the guise of drought or by the hordes of locusts or the peril of pestilence, and whether it comes with the morning's sun, the noonday heat, or the darkness of night, or whether it comes by nature's chance, man's nefarious deed, or by Your outstretched hand, You promised that if Your people, who are called by Your name, shall humble themselves, pray, seek Your face, and turn from our wicked ways, You will hear us from heaven, forgive our sin, and heal our land.

For this we shall do and plead today, O Lord.

In Jesus' name, amen.

### THE JOURNAL

The SPEAKER pro tempore. Pursuant to section 7(a) of House Resolution 891, the Journal of the last day's proceedings is approved.

### PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. The Chair will lead the House in the Pledge of Allegiance.

The SPEAKER pro tempore led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 11 o'clock and 2 minutes a.m.), the House stood in recess.

□ 1200

### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. RASKIN) at noon.

### APPOINTMENT OF MEMBERS TO BRITISH-AMERICAN INTER-PARLIAMENTARY GROUP

The SPEAKER pro tempore. The Chair announces the Speaker's appointment, pursuant to 22 U.S.C. 2761, and the order of the House of January 3, 2019, of the following Members on the part of the House to the British-American Interparliamentary Group:

Mr. MEEKS, New York  
Ms. DELBENE, Washington  
Mr. KILMER, Washington  
Mr. GOMEZ, California  
Mr. CROW, Colorado

### APPOINTMENT OF MEMBERS TO CANADA-UNITED STATES INTER-PARLIAMENTARY GROUP

The SPEAKER pro tempore. The Chair announces the Speaker's appointment, pursuant to 22 U.S.C. 276d and the order of the House of January 3, 2019, of the following Members on the part of the House to the Canada-United States Interparliamentary Group:

Mr. MEEKS, New York  
Mr. PETERSON, Minnesota  
Mr. DEFAZIO, Oregon  
Mr. LARSEN, Washington  
Ms. DELBENE, Washington  
Mr. MORELLE, New York

### APPOINTMENT OF MEMBERS TO THE PRESIDENT'S EXPORT COUNCIL

The SPEAKER pro tempore. The Chair announces the Speaker's appointment, pursuant to Executive Order 12131, and the order of the House of January 3, 2019, of the following Members on the part of the House to the President's Export Council:

Mr. LARSON, Connecticut  
Ms. DELBENE, Washington  
Mr. GOMEZ, California

### RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 12 o'clock and 1 minute p.m.), the House stood in recess.

□ 2006

### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Ms. WEXTON) at 8 o'clock and 6 minutes p.m.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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H1697

DIRECTING THE CLERK OF THE HOUSE OF REPRESENTATIVES TO MAKE CORRECTIONS IN THE ENGROSSMENT OF H.R. 6201

The SPEAKER pro tempore. Without objection, the Chair lays before the House the following resolution (H. Res. 904) directing the Clerk of the House of Representatives to make corrections in the engrossment of H.R. 6201.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. Is there objection to the consideration of the resolution?

Mr. GOHMERT. Madam Speaker, I reserve the right to object.

The SPEAKER pro tempore. The gentleman from Texas is recognized on his reservation.

Mr. GOHMERT. Madam Speaker, we had rushed this bill to the floor—I would say rush. It had been an all-day thing Thursday and all-day event Friday, and most of us were not part of the negotiations. We kept getting different versions of the bill that was going to be coming to the floor, and about 9 o'clock I got the latest rendition and had read that. I made a lot of notes and tags and things I was concerned about, and then I thought that was what we were going to be voting on that night; but then there was a new version filed immediately before midnight, and we voted about 12:30.

So I had real concerns about some of the wordings, some of the problems. Of course, as President Obama said, elections have consequences; the majority is going to get a whole lot more of what they want in a bill than the minority. I totally understand that, but there were some concerns about matters.

I am very concerned about small businesses. It had been changed from other laws, exempting those with over 50 or more—like in ObamaCare—employees. Yet in this one, it changed exempting under 500 to under 50—I'm sorry—applying to everybody under 500. That included all those under 50.

A big concern is that it was going to overwhelm some of our smallest businesses. We know a majority of Americans work for small businesses. They create more job opportunities. So this was a big deal. But though I didn't support the bill, and I still have big concerns, I am very grateful for the efforts of the majority, the President, the Secretary of the Treasury, and staff members of our minority leader who have continued to negotiate and work to try to get some of these problems figured out.

So there is no question in my mind at this point that what are being called technical corrections make the bill better than it was when it got passed in the wee hours Saturday morning. So because of that, Madam Speaker, I withdraw my objection to the technical corrections so there may be unanimous consent now that I withdraw my objection.

The SPEAKER pro tempore. The reservation of the gentleman from Texas is withdrawn.

Is there objection to consideration of the resolution?

There was no objection.

The text of the resolution is as follows:

H. RES. 904

*Resolved*, That the Clerk of the House of Representatives shall, in the engrossment of bill H.R. 6201, make the following corrections:

(1) Amend division A to read as follows:

**“DIVISION A—SECOND CORONAVIRUS PREPAREDNESS AND RESPONSE SUPPLEMENTAL APPROPRIATIONS ACT, 2020**

“The following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2020, and for other purposes, namely:

“TITLE I

“DEPARTMENT OF AGRICULTURE

“FOOD AND NUTRITION SERVICE

“SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR WOMEN, INFANTS, AND CHILDREN (WIC)

“For an additional amount for the ‘Special Supplemental Nutrition Program for Women, Infants, and Children’, \$500,000,000, to remain available through September 30, 2021: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

“COMMODITY ASSISTANCE PROGRAM

“For an additional amount for the ‘Commodity Assistance Program’ for the emergency food assistance program as authorized by section 27(a) of the Food and Nutrition Act of 2008 (7 U.S.C. 2036(a)) and section 204(a)(1) of the Emergency Food Assistance Act of 1983 (7 U.S.C. 7508(a)(1)), \$400,000,000, to remain available through September 30, 2021: *Provided*, That of the funds made available, the Secretary may use up to \$100,000,000 for costs associated with the distribution of commodities: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

“GENERAL PROVISIONS—THIS TITLE

“SEC. 1101. (a) PUBLIC HEALTH EMERGENCY.—During fiscal year 2020, in any case in which a school is closed for at least 5 consecutive days during a public health emergency designation during which the school would otherwise be in session, each household containing at least 1 member who is an eligible child attending the school shall be eligible to receive assistance pursuant to a state agency plan approved under subsection (b).

“(b) ASSISTANCE.—To carry out this section, the Secretary of Agriculture may approve State agency plans for temporary emergency standards of eligibility and levels of benefits under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.) for households with eligible children. Plans approved by the Secretary shall provide for supplemental allotments to households receiving benefits under such Act, and issuances to households not already receiving benefits. Such level of benefits shall be determined by the Secretary in an amount not less than the value of meals at the free rate over the course of 5 school days for each eligible child in the household.

“(c) MINIMUM CLOSURE REQUIREMENT.—The Secretary of Agriculture shall not provide assistance under this section in the case of a school that is closed for less than 5 consecutive days.

“(d) USE OF EBT SYSTEM.—A State agency may provide assistance under this section through the EBT card system established under section 7 of the Food and Nutrition Act of 2008 (7 U.S.C. 2016).

“(e) RELEASE OF INFORMATION.—Notwithstanding any other provision of law, the Secretary of Agriculture may authorize State educational agencies and school food authorities administering a school lunch program under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.) to release to appropriate officials administering the supplemental nutrition assistance program such information as may be necessary to carry out this section.

“(f) WAIVERS.—To facilitate implementation of this section, the Secretary of Agriculture may approve waivers of the limits on certification periods otherwise applicable under section 3(f) of the Food and Nutrition Act of 2008 (7 U.S.C. 2012(f)), reporting requirements otherwise applicable under section 6(c) of such Act (7 U.S.C. 2015(c)), and other administrative requirements otherwise applicable to State agencies under such Act.

“(g) AVAILABILITY OF COMMODITIES.—During fiscal year 2020, the Secretary of Agriculture may purchase commodities for emergency distribution in any area of the United States during a public health emergency designation.

“(h) DEFINITIONS.—In this section:

“(1) The term ‘eligible child’ means a child (as defined in section 12(d) or served under section 11(a)(1) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1760(d), 1759(a)(1)) who, if not for the closure of the school attended by the child during a public health emergency designation and due to concerns about a COVID-19 outbreak, would receive free or reduced price school meals under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.) at the school.

“(2) The term ‘public health emergency designation’ means the declaration of a public health emergency, based on an outbreak of SARS-CoV-2 or another coronavirus with pandemic potential, by the Secretary of Health and Human Services under section 319 of the Public Health Service Act (42 U.S.C. 247d).

“(3) The term ‘school’ has the meaning given the term in section 12(d) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1760(d)).

“(i) FUNDING.—There are hereby appropriated to the Secretary of Agriculture such amounts as are necessary to carry out this section: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

“SEC. 1102. In addition to amounts otherwise made available, \$100,000,000, to remain available through September 30, 2021, shall be available for the Secretary of Agriculture to provide grants to the Commonwealth of the Northern Mariana Islands, Puerto Rico, and American Samoa for nutrition assistance in response to a COVID-19 public health emergency: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

## "TITLE II

## "DEPARTMENT OF DEFENSE

## "DEFENSE HEALTH PROGRAM

"For an additional amount for 'Defense Health Program', \$82,000,000, to remain available until September 30, 2022, for health services consisting of SARS-CoV-2 or COVID-19 related items and services as described in section 6006(a) of division F of the Families First Coronavirus Response Act (or the administration of such products): *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

## "TITLE III

## "DEPARTMENT OF THE TREASURY

## "INTERNAL REVENUE SERVICE

## "TAXPAYER SERVICES

"For an additional amount for 'Taxpayer Services', \$15,000,000, to remain available until September 30, 2022, for the purposes of carrying out the Families First Coronavirus Response Act: *Provided*, That amounts provided under this heading in this Act may be transferred to and merged with 'Operations Support': *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

## "TITLE IV

## "DEPARTMENT OF HEALTH AND HUMAN SERVICES

## "INDIAN HEALTH SERVICE

## "INDIAN HEALTH SERVICES

"For an additional amount for 'Indian Health Services', \$64,000,000, to remain available until September 30, 2022, for health services consisting of SARS-CoV-2 or COVID-19 related items and services as described in section 6007 of division F of the Families First Coronavirus Response Act (or the administration of such products): *Provided*, That such amounts shall be allocated at the discretion of the Director of the Indian Health Service: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

## "TITLE V

## "DEPARTMENT OF HEALTH AND HUMAN SERVICES

## "ADMINISTRATION FOR COMMUNITY LIVING

## "AGING AND DISABILITY SERVICES PROGRAMS

"For an additional amount for 'Aging and Disability Services Programs', \$250,000,000, to remain available until September 30, 2021, for activities authorized under subparts 1 and 2 of part C, of title III, and under title VI, of the Older Americans Act of 1965 ('OAA'), of which \$160,000,000 shall be for Home-Delivered Nutrition Services, \$80,000,000 shall be for Congregate Nutrition Services, and \$10,000,000 shall be for Nutrition Services for Native Americans: *Provided*, That State matching requirements under sections 304(d)(1)(D) and 309(b)(2) of the OAA shall not apply to funds made available under this heading in this Act: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

## "OFFICE OF THE SECRETARY

## "PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY FUND

"For an additional amount for 'Public Health and Social Services Emergency

Fund', \$1,000,000,000, to remain available until expended, for activities authorized under section 2812 of the Public Health Service Act (42 U.S.C. 300hh-11), in coordination with the Assistant Secretary for Preparedness and Response and the Administrator of the Centers for Medicare & Medicaid Services, to pay the claims of providers for reimbursement, as described in subsection (a)(3)(D) of such section 2812, for health services consisting of SARS-CoV-2 or COVID-19 related items and services as described in paragraph (1) of section 6001(a) of division F of the Families First Coronavirus Response Act (or the administration of such products) or visits described in paragraph (2) of such section for uninsured individuals: *Provided*, That the term 'uninsured individual' in this paragraph means an individual who is not enrolled in—

"(1) a Federal health care program (as defined under section 1128B(f) of the Social Security Act (42 U.S.C. 1320a-7b(f)), including an individual who is eligible for medical assistance only because of subsection (a)(10)(A)(ii)(XXIII) of Section 1902 of the Social Security Act; or

"(2) a group health plan or health insurance coverage offered by a health insurance issuer in the group or individual market (as such terms are defined in section 2791 of the Public Health Service Act (42 U.S.C. 300gg-91)), or a health plan offered under chapter 89 of title 5, United States Code:

*Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

## "TITLE VI

## "DEPARTMENT OF VETERANS AFFAIRS

## "VETERANS HEALTH ADMINISTRATION

## "MEDICAL SERVICES

"For an additional amount for 'Medical Services', \$30,000,000, to remain available until September 30, 2022, for health services consisting of SARS-CoV-2 or COVID-19 related items and services as described in section 6006(b) of division F of the Families First Coronavirus Response Act (or the administration of such products): *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

## "MEDICAL COMMUNITY CARE

"For an additional amount for 'Medical Community Care', \$30,000,000, to remain available until September 30, 2022, for health services consisting of SARS-CoV-2 or COVID-19 related items and services as described in section 6006(b) of division F of the Families First Coronavirus Response Act (or the administration of such products): *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

## "TITLE VII

## "GENERAL PROVISIONS—THIS ACT

"SEC. 1701. Not later than 30 days after the date of enactment of this Act, the head of each executive agency that receives funding in this Act shall provide a report detailing the anticipated uses of all such funding to the Committees on Appropriations and the Senate: *Provided*, That each report shall include estimated personnel and administrative costs, as well as the total amount of funding appropriated, allotted, obligated, and expended, to date: *Provided further*, That each such plan shall be updated and submitted to such Com-

mittees every 60 days until all funds are expended or expire.

"SEC. 1702. States and local governments receiving funds or assistance pursuant to this division shall ensure the respective State Emergency Operations Center receives regular and real-time reporting on aggregated data on testing and results from State and local public health departments, as determined by the Director of the Centers for Disease Control and Prevention, and that such data is transmitted to the Centers for Disease Control and Prevention.

"SEC. 1703. Each amount appropriated or made available by this Act is in addition to amounts otherwise appropriated for the fiscal year involved.

"SEC. 1704. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

"SEC. 1705. Unless otherwise provided for by this Act, the additional amounts appropriated by this Act to appropriations accounts shall be available under the authorities and conditions applicable to such appropriations accounts for fiscal year 2020.

"SEC. 1706. Each amount designated in this Act by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 shall be available (or rescinded or transferred, if applicable) only if the President subsequently so designates all such amounts and transmits such designations to the Congress.

"SEC. 1707. Any amount appropriated by this Act, designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 and subsequently so designated by the President, and transferred pursuant to transfer authorities provided by this Act shall retain such designation.

"This division may be cited as the 'Second Coronavirus Preparedness and Response Supplemental Appropriations Act, 2020'."

(2) Amend division C to read as follows:

## "DIVISION C—EMERGENCY FAMILY AND MEDICAL LEAVE EXPANSION ACT

## "SEC. 3101. SHORT TITLE.

"This Act may be cited as 'Emergency Family and Medical Leave Expansion Act'.

## "SEC. 3102. AMENDMENTS TO THE FAMILY AND MEDICAL LEAVE ACT OF 1993.

"(a) PUBLIC HEALTH EMERGENCY LEAVE.—

"(1) IN GENERAL.—Section 102(a)(1) of the Family and Medical Leave Act of 1993 (29 U.S.C. 2612(a)(1)) is amended by adding at the end the following:

"(F) During the period beginning on the date the Emergency Family and Medical Leave Expansion Act takes effect, and ending on December 31, 2020, because of a qualifying need related to a public health emergency in accordance with section 110.'

"(2) PAID LEAVE REQUIREMENT.—Section 102(c) of the Family and Medical Leave Act of 1993 (29 U.S.C. 2612(c)) is amended by striking 'under subsection (a)' and inserting 'under subsection (a) (other than certain periods of leave under subsection (a)(1)(F))'.

"(b) REQUIREMENTS.—Title I of the Family and Medical Leave Act of 1993 (29 U.S.C. 2611 et seq.) is amended by adding at the end the following:

## "SEC. 110. PUBLIC HEALTH EMERGENCY LEAVE.

"(a) DEFINITIONS.—The following shall apply with respect to leave under section 102(a)(1)(F):

"(1) APPLICATION OF CERTAIN TERMS.—The definitions in section 101 shall apply, except as follows:

"(A) ELIGIBLE EMPLOYEE.—In lieu of the definition in sections 101(2)(A) and 101(2)(B)(ii), the term "eligible employee"

means an employee who has been employed for at least 30 calendar days by the employer with respect to whom leave is requested under section 102(a)(1)(F).

“(B) EMPLOYER THRESHOLD.—Section 101(4)(A)(i) shall be applied by substituting “fewer than 500 employees” for “50 or more employees for each working day during each of 20 or more calendar workweeks in the current or preceding calendar year”.

“(2) ADDITIONAL DEFINITIONS.—In addition to the definitions described in paragraph (1), the following definitions shall apply with respect to leave under section 102(a)(1)(F):

“(A) QUALIFYING NEED RELATED TO A PUBLIC HEALTH EMERGENCY.—The term “qualifying need related to a public health emergency”, with respect to leave, means the employee is unable to work (or telework) due to a need for leave to care for the son or daughter under 18 years of age of such employee if the school or place of care has been closed, or the child care provider of such son or daughter is unavailable, due to a public health emergency.

“(B) PUBLIC HEALTH EMERGENCY.—The term “public health emergency” means an emergency with respect to COVID-19 declared by a Federal, State, or local authority.

“(C) CHILD CARE PROVIDER.—The term “child care provider” means a provider who receives compensation for providing child care services on a regular basis, including an “eligible child care provider” (as defined in section 658P of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858n)).

“(D) SCHOOL.—The term “school” means an “elementary school” or “secondary school” as such terms are defined in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

“(3) REGULATORY AUTHORITIES.—The Secretary of Labor shall have the authority to issue regulations for good cause under sections 553(b)(B) and 553(d)(A) of title 5, United States Code—

“(A) to exclude certain health care providers and emergency responders from the definition of eligible employee under section 110(a)(1)(A); and

“(B) to exempt small businesses with fewer than 50 employees from the requirements of section 102(a)(1)(F) when the imposition of such requirements would jeopardize the viability of the business as a going concern.

“(b) RELATIONSHIP TO PAID LEAVE.—

“(1) UNPAID LEAVE FOR INITIAL 10 DAYS.—

“(A) IN GENERAL.—The first 10 days for which an employee takes leave under section 102(a)(1)(F) may consist of unpaid leave.

“(B) EMPLOYEE ELECTION.—An employee may elect to substitute any accrued vacation leave, personal leave, or medical or sick leave for unpaid leave under section 102(a)(1)(F) in accordance with section 102(d)(2)(B).

“(2) PAID LEAVE FOR SUBSEQUENT DAYS.—

“(A) IN GENERAL.—An employer shall provide paid leave for each day of leave under section 102(a)(1)(F) that an employee takes after taking leave under such section for 10 days.

“(B) CALCULATION.—

“(i) IN GENERAL.—Subject to clause (ii), paid leave under subparagraph (A) for an employee shall be calculated based on—

“(I) an amount that is not less than two-thirds of an employee’s regular rate of pay (as determined under section 7(e) of the Fair Labor Standards Act of 1938 (29 U.S.C. 207(e)); and

“(II) the number of hours the employee would otherwise be normally scheduled to work (or the number of hours calculated under subparagraph (C)).

“(ii) CLARIFICATION.—In no event shall such paid leave exceed \$200 per day and \$10,000 in the aggregate.

“(C) VARYING SCHEDULE HOURS CALCULATION.—In the case of an employee whose schedule varies from week to week to such an extent that an employer is unable to determine with certainty the number of hours the employee would have worked if such employee had not taken leave under section 102(a)(1)(F), the employer shall use the following in place of such number:

“(i) Subject to clause (ii), a number equal to the average number of hours that the employee was scheduled per day over the 6-month period ending on the date on which the employee takes such leave, including hours for which the employee took leave of any type.

“(ii) If the employee did not work over such period, the reasonable expectation of the employee at the time of hiring of the average number of hours per day that the employee would normally be scheduled to work.

“(c) NOTICE.—In any case where the necessity for leave under section 102(a)(1)(F) for the purpose described in subsection (a)(2)(A)(iii) is foreseeable, an employee shall provide the employer with such notice of leave as is practicable.

“(d) RESTORATION TO POSITION.—

“(1) IN GENERAL.—Section 104(a)(1) shall not apply with respect to an employee of an employer who employs fewer than 25 employees if the conditions described in paragraph (2) are met.

“(2) CONDITIONS.—The conditions described in this paragraph are the following:

“(A) The employee takes leave under section 102(a)(1)(F).

“(B) The position held by the employee when the leave commenced does not exist due to economic conditions or other changes in operating conditions of the employer—

“(i) that affect employment; and

“(ii) are caused by a public health emergency during the period of leave.

“(C) The employer makes reasonable efforts to restore the employee to a position equivalent to the position the employee held when the leave commenced, with equivalent employment benefits, pay, and other terms and conditions of employment.

“(D) If the reasonable efforts of the employer under subparagraph (C) fail, the employer makes reasonable efforts during the period described in paragraph (3) to contact the employee if an equivalent position described in subparagraph (C) becomes available.

“(3) CONTACT PERIOD.—The period described under this paragraph is the 1-year period beginning on the earlier of—

“(A) the date on which the qualifying need related to a public health emergency concludes; or

“(B) the date that is 12 weeks after the date on which the employee’s leave under section 102(a)(1)(F) commences.”

**“SEC. 3103. EMPLOYMENT UNDER MULTI-EMPLOYER BARGAINING AGREEMENTS.**

“(a) EMPLOYERS.—An employer signatory to a multiemployer collective bargaining agreement may, consistent with its bargaining obligations and its collective bargaining agreement, fulfill its obligations under section 110(b)(2) of title I of the Family and Medical Leave Act of 1993, as added by the Families First Coronavirus Response Act, by making contributions to a multiemployer fund, plan, or program based on the paid leave each of its employees is entitled to under such section while working under the multiemployer collective bargaining agreement, provided that the fund, plan, or program enables employees to secure pay from such fund, plan, or program based on hours they have worked under the multiem-

ployer collective bargaining agreement for paid leave taken under section 102(a)(1)(F) of title I of the Family and Medical Leave Act of 1993, as added by the Families First Coronavirus Response Act.

“(b) EMPLOYEES.—Employees who work under a multiemployer collective bargaining agreement into which their employers make contributions as provided in subsection (a) may secure pay from such fund, plan, or program based on hours they have worked under the multiemployer collective bargaining agreement for paid leave taken under section 102(a)(1)(F) of title I of the Family and Medical Leave Act of 1993, as added by the Families First Coronavirus Response Act.

**“SEC. 3104. SPECIAL RULE FOR CERTAIN EMPLOYERS.**

“An employer under 110(a)(B) shall not be subject to section 107(a) for a violation of section 102(a)(1)(F) if the employer does not meet the definition of employer set forth in Section 101(4)(A)(i).

**“SEC. 3105. SPECIAL RULE FOR HEALTH CARE PROVIDERS AND EMERGENCY RESPONDERS.**

“An employer of an employee who is a health care provider or an emergency responder may elect to exclude such employee from the application of the provisions in the amendments made under of section 3102 of this Act.

**“SEC. 3106. EFFECTIVE DATE.**

“This Act shall take effect not later than 15 days after the date of enactment of this Act.”

(3) Amend division E to read as follows:

**“DIVISION E—EMERGENCY PAID SICK LEAVE ACT**

**“SEC. 5101. SHORT TITLE.**

“This Act may be cited as the ‘Emergency Paid Sick Leave Act’.

**“SEC. 5102. PAID SICK TIME REQUIREMENT.**

“(a) IN GENERAL.—An employer shall provide to each employee employed by the employer paid sick time to the extent that the employee is unable to work (or telework) due to a need for leave because:

“(1) The employee is subject to a Federal, State, or local quarantine or isolation order related to COVID-19.

“(2) The employee has been advised by a health care provider to self-quarantine due to concerns related to COVID-19.

“(3) The employee is experiencing symptoms of COVID-19 and seeking a medical diagnosis.

“(4) The employee is caring for an individual who is subject to an order as described in subparagraph (1) or has been advised as described in paragraph (2).

“(5) The employee is caring for a son or daughter of such employee if the school or place of care of the son or daughter has been closed, or the child care provider of such son or daughter is unavailable, due to COVID-19 precautions.

“(6) The employee is experiencing any other substantially similar condition specified by the Secretary of Health and Human Services in consultation with the Secretary of the Treasury and the Secretary of Labor. Except that an employer of an employee who is a health care provider or an emergency responder may elect to exclude such employee from the application of this subsection.

“(b) DURATION OF PAID SICK TIME.—

“(1) IN GENERAL.—An employee shall be entitled to paid sick time for an amount of hours determined under paragraph (2).

“(2) AMOUNT OF HOURS.—The amount of hours of paid sick time to which an employee is entitled shall be as follows:

“(A) For full-time employees, 80 hours.

“(B) For part-time employees, a number of hours equal to the number of hours that such

employee works, on average, over a 2-week period.

“(3) CARRYOVER.—Paid sick time under this section shall not carry over from 1 year to the next.

“(c) EMPLOYER’S TERMINATION OF PAID SICK TIME.—Paid sick time provided to an employee under this Act shall cease beginning with the employee’s next scheduled workshift immediately following the termination of the need for paid sick time under subsection (a).

“(d) PROHIBITION.—An employer may not require, as a condition of providing paid sick time under this Act, that the employee involved search for or find a replacement employee to cover the hours during which the employee is using paid sick time.

“(e) USE OF PAID SICK TIME.—

“(1) IN GENERAL.—The paid sick time under subsection (a) shall be available for immediate use by the employee for the purposes described in such subsection, regardless of how long the employee has been employed by an employer.

“(2) SEQUENCING.—

“(A) IN GENERAL.—An employer may first use the paid sick time under subsection (a) for the purposes described in such subsection.

“(B) PROHIBITION.—An employer may not require an employee to use other paid leave provided by the employer to the employee before the employee uses the paid sick time under subsection (a).

**“SEC. 5103. NOTICE.**

“(a) IN GENERAL.—Each employer shall post and keep posted, in conspicuous places on the premises of the employer where notices to employees are customarily posted, a notice, to be prepared or approved by the Secretary of Labor, of the requirements described in this Act.

“(b) MODEL NOTICE.—Not later than 7 days after the date of enactment of this Act, the Secretary of Labor shall make publicly available a model of a notice that meets the requirements of subsection (a).

**“SEC. 5104. PROHIBITED ACTS.**

“It shall be unlawful for any employer to discharge, discipline, or in any other manner discriminate against any employee who—

“(1) takes leave in accordance with this Act; and

“(2) has filed any complaint or instituted or caused to be instituted any proceeding under or related to this Act (including a proceeding that seeks enforcement of this Act), or has testified or is about to testify in any such proceeding.

**“SEC. 5105. ENFORCEMENT.**

“(a) UNPAID SICK LEAVE.—An employer who violates section 5102 shall—

“(1) be considered to have failed to pay minimum wages in violation of section 6 of the Fair Labor Standards Act of 1938 (29 U.S.C. 206); and

“(2) be subject to the penalties described in sections 16 and 17 of such Act (29 U.S.C. 216; 217) with respect to such violation.

“(b) UNLAWFUL TERMINATION.—An employer who willfully violates section 5104 shall—

“(1) be considered to be in violation of section 15(a)(3) of the Fair Labor Standards Act of 1938 (29 U.S.C. 215(a)(3)); and

“(2) be subject to the penalties described in sections 16 and 17 of such Act (29 U.S.C. 216; 217) with respect to such violation.

**“SEC. 5106. EMPLOYMENT UNDER MULTI-EMPLOYER BARGAINING AGREEMENTS.**

“(a) EMPLOYERS.—An employer signatory to a multiemployer collective bargaining agreement may, consistent with its bargaining obligations and its collective bargaining agreement, fulfill its obligations under this Act by making contributions to a

multiemployer fund, plan, or program based on the hours of paid sick time each of its employees is entitled to under this Act while working under the multiemployer collective bargaining agreement, provided that the fund, plan, or program enables employees to secure pay from such fund, plan, or program based on hours they have worked under the multiemployer collective bargaining agreement and for the uses specified under section 5102(a).

“(b) EMPLOYEES.—Employees who work under a multiemployer collective bargaining agreement into which their employers make contributions as provided in subsection (a) may secure pay from such fund, plan, or program based on hours they have worked under the multiemployer collective bargaining agreement for the uses specified in section 5102(a).

**“SEC. 5107. RULES OF CONSTRUCTION.**

“Nothing in this Act shall be construed—

“(1) to in any way diminish the rights or benefits that an employee is entitled to under any—

“(A) other Federal, State, or local law;

“(B) collective bargaining agreement; or

“(C) existing employer policy; or

“(2) to require financial or other reimbursement to an employee from an employer upon the employee’s termination, resignation, retirement, or other separation from employment for paid sick time under this Act that has not been used by such employee.

**“SEC. 5108. EFFECTIVE DATE.**

“This Act, and the requirements under this Act, shall take effect not later than 15 days after the date of enactment of this Act.

**“SEC. 5109. SUNSET.**

“This Act, and the requirements under this Act, shall expire on December 31, 2020.

**“SEC. 5110. DEFINITIONS.**

“For purposes of the Act:

“(1) EMPLOYEE.—The terms ‘employee’ means an individual who is—

“(A)(i) an employee, as defined in section 3(e) of the Fair Labor Standards Act of 1938 (29 U.S.C. 203(e)), who is not covered under subparagraph (E) or (F), including such an employee of the Library of Congress, except that a reference in such section to an employer shall be considered to be a reference to an employer described in clauses (i)(I) and (ii) of paragraph (5)(A); or

“(ii) an employee of the Government Accountability Office;

“(B) a State employee described in section 304(a) of the Government Employee Rights Act of 1991 (42 U.S.C. 2000e–16(c)(a));

“(C) a covered employee, as defined in section 101 of the Congressional Accountability Act of 1995 (2 U.S.C. 1301), other than an applicant for employment;

“(D) a covered employee, as defined in section 411(c) of title 3, United States Code;

“(E) a Federal officer or employee covered under subchapter V of chapter 63 of title 5, United States Code; or

“(F) any other individual occupying a position in the civil service (as that term is defined in section 2101(1) of title 5, United States Code).

“(2) EMPLOYER.—

“(A) IN GENERAL.—The term ‘employer’ means a person who is—

“(i)(I) a covered employer, as defined in subparagraph (B), who is not covered under subclause (V);

“(II) an entity employing a State employee described in section 304(a) of the Government Employee Rights Act of 1991;

“(III) an employing office, as defined in section 101 of the Congressional Accountability Act of 1995;

“(IV) an employing office, as defined in section 411(c) of title 3, United States Code; or

“(V) an Executive Agency as defined in section 105 of title 5, United States Code, and including the U.S. Postal Service and the Postal Regulatory Commission; and

“(ii) engaged in commerce (including government), or an industry or activity affecting commerce (including government), as defined in subparagraph (B)(iii).

“(B) COVERED EMPLOYER.—

“(i) IN GENERAL.—In subparagraph (A)(i)(I), the term ‘covered employer’—

“(I) means any person engaged in commerce or in any industry or activity affecting commerce that—

“(aa) in the case of a private entity or individual, employs fewer than 500 employees; and

“(bb) in the case of a public agency or any other entity that is not a private entity or individual, employs 1 or more employees;

“(II) includes—

“(aa) includes any person acting directly or indirectly in the interest of an employer in relation to an employee (within the meaning of such phrase in section 3(d) of the Fair Labor Standards Act of 1938 (29 U.S.C. 203(d)); and

“(bb) any successor in interest of an employer;

“(III) includes any ‘public agency’, as defined in section 3(x) of the Fair Labor Standards Act of 1938 (29 U.S.C. 203(x)); and

“(IV) includes the Government Accountability Office and the Library of Congress.

“(ii) PUBLIC AGENCY.—For purposes of clause (i)(IV), a public agency shall be considered to be a person engaged in commerce or in an industry or activity affecting commerce.

“(iii) DEFINITIONS.—For purposes of this subparagraph:

“(I) COMMERCE.—The terms ‘commerce’ and ‘industry or activity affecting commerce’ means any activity, business, or industry in commerce or in which a labor dispute would hinder or obstruct commerce or the free flow of commerce, and include ‘commerce’ and any ‘industry affecting commerce’, as defined in paragraphs (1) and (3) of section 501 of the Labor Management Relations Act of 1947 (29 U.S.C. 142 (1) and (3)).

“(II) EMPLOYEE.—The term ‘employee’ has the same meaning given such term in section 3(e) of the Fair Labor Standards Act of 1938 (29 U.S.C. 203(e)).

“(III) PERSON.—The term ‘person’ has the same meaning given such term in section 3(a) of the Fair Labor Standards Act of 1938 (29 U.S.C. 203(a)).

“(3) FLSA TERMS.—The terms ‘employ’ and ‘State’ have the meanings given such terms in section 3 of the Fair Labor Standards Act of 1938 (29 U.S.C. 203).

“(4) FMLA TERMS.—The terms ‘health care provider’ and ‘son or daughter’ have the meanings given such terms in section 101 of the Family and Medical Leave Act of 1993 (29 U.S.C. 2611).

“(5) PAID SICK TIME.—

“(A) IN GENERAL.—The term ‘paid sick time’ means an increment of compensated leave that—

“(i) is provided by an employer for use during an absence from employment for a reason described in any paragraph of section 2(a); and

“(ii) is calculated based on the employee’s required compensation under subparagraph (B) and the number of hours the employee would otherwise be normally scheduled to work (or the number of hours calculated under subparagraph (C)), except that in no event shall such paid sick time exceed—

“(I) \$511 per day and \$5,110 in the aggregate for a use described in paragraph (1), (2), or (3) of section 5102(a); and

“(II) \$200 per day and \$2,000 in the aggregate for a use described in paragraph (4), (5), or (6) of section 5102(a).”

“(B) REQUIRED COMPENSATION.—

“(i) IN GENERAL.—Subject to subparagraph (A)(ii), the employee’s required compensation under this subparagraph shall be not less than the greater of the following:

“(I) The employee’s regular rate of pay (as determined under section 7(e) of the Fair Labor Standards Act of 1938 (29 U.S.C. 207(e)).

“(II) The minimum wage rate in effect under section 6(a)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(a)(1)).

“(III) The minimum wage rate in effect for such employee in the applicable State or locality, whichever is greater, in which the employee is employed.

“(ii) SPECIAL RULE FOR CARE OF FAMILY MEMBERS.—Subject to subparagraph (A)(ii), with respect to any paid sick time provided for any use described in paragraph (4), (5), or (6) of section 5102(a), the employee’s required compensation under this subparagraph shall be two-thirds of the amount described in clause (B)(i).

“(C) VARYING SCHEDULE HOURS CALCULATION.—In the case of a part-time employee described in section 5102(b)(2)(B) whose schedule varies from week to week to such an extent that an employer is unable to determine with certainty the number of hours the employee would have worked if such employee had not taken paid sick time under section 2(a), the employer shall use the following in place of such number:

“(i) Subject to clause (ii), a number equal to the average number of hours that the employee was scheduled per day over the 6-month period ending on the date on which the employee takes the paid sick time, including hours for which the employee took leave of any type.

“(ii) If the employee did not work over such period, the reasonable expectation of the employee at the time of hiring of the average number of hours per day that the employee would normally be scheduled to work.

“(D) GUIDELINES.—Not later than 15 days after the date of the enactment of this Act, the Secretary of Labor shall issue guidelines to assist employers in calculating the amount of paid sick time under subparagraph (A).

“(E) REASONABLE NOTICE.—After the first workday (or portion thereof) an employee receives paid sick time under this Act, an employer may require the employee to follow reasonable notice procedures in order to continue receiving such paid sick time.

“SEC. 5111. REGULATORY AUTHORITIES.

“The Secretary of Labor shall have the authority to issue regulations for good cause under sections 553(b)(B) and 553(d)(A) of title 5, United States Code—

“(1) to exclude certain health care providers and emergency responders from the definition of employee under section 5110(1) including by allowing the employer of such health care providers and emergency responders to opt out;

“(2) to exempt small businesses with fewer than 50 employees from the requirements of section 5102(a)(5) when the imposition of such requirements would jeopardize the viability of the business as a going concern; and

“(3) as necessary, to carry out the purposes of this Act, including to ensure consistency between this Act and Division C and Division G of the Families First Coronavirus Response Act.”

(4) Amend division F to read as follows:

“DIVISION F—HEALTH PROVISIONS

“SEC. 6001. COVERAGE OF TESTING FOR COVID-19.

“(a) IN GENERAL.—A group health plan and a health insurance issuer offering group or

individual health insurance coverage (including a grandfathered health plan (as defined in section 1251(e) of the Patient Protection and Affordable Care Act)) shall provide coverage, and shall not impose any cost sharing (including deductibles, copayments, and co-insurance) requirements or prior authorization or other medical management requirements, for the following items and services furnished during any portion of the emergency period defined in paragraph (1)(B) of section 1135(g) of the Social Security Act (42 U.S.C. 1320b–5(g)) beginning on or after the date of the enactment of this Act:

“(1) In vitro diagnostic products (as defined in section 809.3(a) of title 21, Code of Federal Regulations) for the detection of SARS-CoV-2 or the diagnosis of the virus that causes COVID-19 that are approved, cleared, or authorized under section 510(k), 513, 515 or 564 of the Federal Food, Drug, and Cosmetic Act, and the administration of such in vitro diagnostic products.

“(2) Items and services furnished to an individual during health care provider office visits (which term in this paragraph includes in-person visits and telehealth visits), urgent care center visits, and emergency room visits that result in an order for or administration of an in vitro diagnostic product described in paragraph (1), but only to the extent such items and services relate to the furnishing or administration of such product or to the evaluation of such individual for purposes of determining the need of such individual for such product.

“(b) ENFORCEMENT.—The provisions of subsection (a) shall be applied by the Secretary of Health and Human Services, Secretary of Labor, and Secretary of the Treasury to group health plans and health insurance issuers offering group or individual health insurance coverage as if included in the provisions of part A of title XXVII of the Public Health Service Act, part 7 of the Employee Retirement Income Security Act of 1974, and subchapter B of chapter 100 of the Internal Revenue Code of 1986, as applicable.

“(c) IMPLEMENTATION.—The Secretary of Health and Human Services, Secretary of Labor, and Secretary of the Treasury may implement the provisions of this section through sub-regulatory guidance, program instruction or otherwise.

“(d) TERMS.—The terms ‘group health plan’, ‘health insurance issuer’, ‘group health insurance coverage’, and ‘individual health insurance coverage’ have the meanings given such terms in section 2791 of the Public Health Service Act (42 U.S.C. 300gg–91), section 733 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1191b), and section 9832 of the Internal Revenue Code of 1986, as applicable.

“SEC. 6002. WAIVING COST SHARING UNDER THE MEDICARE PROGRAM FOR CERTAIN VISITS RELATING TO TESTING FOR COVID-19.

“(a) IN GENERAL.—Section 1833 of the Social Security Act (42 U.S.C. 1395l) is amended—

“(1) in subsection (a)(1)—

“(A) by striking ‘and’ before ‘(CC)’; and

“(B) by inserting before the period at the end the following: ‘, and (DD) with respect to a specified COVID-19 testing-related service described in paragraph (1) of subsection (cc) for which payment may be made under a specified outpatient payment provision described in paragraph (2) of such subsection, the amounts paid shall be 100 percent of the payment amount otherwise recognized under such respective specified outpatient payment provision for such service.’;

“(2) in subsection (b), in the first sentence—

“(A) by striking ‘and’ before ‘(10)’; and

“(B) by inserting before the period at the end the following: ‘, and (11) such deductible

shall not apply with respect to any specified COVID-19 testing-related service described in paragraph (1) of subsection (cc) for which payment may be made under a specified outpatient payment provision described in paragraph (2) of such subsection’; and

“(3) by adding at the end the following new subsection:

“(cc) SPECIFIED COVID-19 TESTING-RELATED SERVICES.—For purposes of subsection (a)(1)(DD):

“(1) DESCRIPTION.—

“(A) IN GENERAL.—A specified COVID-19 testing-related service described in this paragraph is a medical visit that—

“(i) is in any of the categories of HCPCS evaluation and management service codes described in subparagraph (B);

“(ii) is furnished during any portion of the emergency period (as defined in section 1135(g)(1)(B)) (beginning on or after the date of enactment of this subsection);

“(iii) results in an order for or administration of a clinical diagnostic laboratory test described in section 1852(a)(1)(B)(iv)(IV); and

“(iv) relates to the furnishing or administration of such test or to the evaluation of such individual for purposes of determining the need of such individual for such test.

“(B) CATEGORIES OF HCPCS CODES.—For purposes of subparagraph (A), the categories of HCPCS evaluation and management services codes are the following:

“(i) Office and other outpatient services.

“(ii) Hospital observation services.

“(iii) Emergency department services.

“(iv) Nursing facility services.

“(v) Domiciliary, rest home, or custodial care services.

“(vi) Home services.

“(vii) Online digital evaluation and management services.

“(2) SPECIFIED OUTPATIENT PAYMENT PROVISION.—A specified outpatient payment provision described in this paragraph is any of the following:

“(A) The hospital outpatient prospective payment system under subsection (t).

“(B) The physician fee schedule under section 1848.

“(C) The prospective payment system developed under section 1834(o).

“(D) Section 1834(g), with respect to an outpatient critical access hospital service.

“(E) The payment basis determined in regulations pursuant to section 1833(a)(3) for rural health clinic services.”

“(b) CLAIMS MODIFIER.—The Secretary of Health and Human Services shall provide for an appropriate modifier (or other identifier) to include on claims to identify, for purposes of subparagraph (DD) of section 1833(a)(1), as added by subsection (a), specified COVID-19 testing-related services described in paragraph (1) of section 1833(cc) of the Social Security Act, as added by subsection (a), for which payment may be made under a specified outpatient payment provision described in paragraph (2) of such subsection.

“(c) IMPLEMENTATION.—Notwithstanding any other provision of law, the Secretary of Health and Human Services may implement the provisions of, including amendments made by, this section through program instruction or otherwise.

“SECTION 6003. COVERAGE OF TESTING FOR COVID-19 AT NO COST SHARING UNDER THE MEDICARE ADVANTAGE PROGRAM.

“(a) IN GENERAL.—Section 1852(a)(1)(B) of the Social Security Act (42 U.S.C. 1395w–22(a)(1)(B)) is amended—

“(1) in clause (iv)—

“(A) by redesignating subclause (IV) as subclause (VI); and

“(B) by inserting after subclause (III) the following new subclauses:

“(IV) Clinical diagnostic laboratory test administered during any portion of the emergency period defined in paragraph (1)(B) of section 1135(g) beginning on or after the date of the enactment of the Families First Coronavirus Response Act for the detection of SARS-CoV-2 or the diagnosis of the virus that causes COVID-19 and the administration of such test.

“(V) Specified COVID-19 testing-related services (as described in section 1833(cc)(1)) for which payment would be payable under a specified outpatient payment provision described in section 1833(cc)(2).”;

“(2) in clause (v), by inserting ‘, other than subclauses (IV) and (V) of such clause,’ after ‘clause (iv)’; and

“(3) by adding at the end the following new clause:

“(vi) PROHIBITION OF APPLICATION OF CERTAIN REQUIREMENTS FOR COVID-19 TESTING.—In the case of a product or service described in subclause (IV) or (V), respectively, of clause (iv) that is administered or furnished during any portion of the emergency period described in such subclause beginning on or after the date of the enactment of this clause, an MA plan may not impose any prior authorization or other utilization management requirements with respect to the coverage of such a product or service under such plan.”.

“(b) IMPLEMENTATION.—Notwithstanding any other provision of law, the Secretary of Health and Human Services may implement the amendments made by this section by program instruction or otherwise.

**“SECTION 6004. COVERAGE AT NO COST SHARING OF COVID-19 TESTING UNDER MEDICAID AND CHIP.**

“(a) MEDICAID.—

“(1) IN GENERAL.—Section 1905(a)(3) of the Social Security Act (42 U.S.C. 1396d(a)(3)) is amended—

“(A) by striking ‘other laboratory’ and inserting ‘(A) other laboratory’;

“(B) by inserting ‘and’ after the semicolon; and

“(C) by adding at the end the following new subparagraph:

“(B) in vitro diagnostic products (as defined in section 809.3(a) of title 21, Code of Federal Regulations) administered during any portion of the emergency period defined in paragraph (1)(B) of section 1135(g) beginning on or after the date of the enactment of this subparagraph for the detection of SARS-CoV-2 or the diagnosis of the virus that causes COVID-19 that are approved, cleared, or authorized under section 510(k), 513, 515 or 564 of the Federal Food, Drug, and Cosmetic Act, and the administration of such in vitro diagnostic products;”.

“(2) NO COST SHARING.—

“(A) IN GENERAL.—Subsections (a)(2) and (b)(2) of section 1916 of the Social Security Act (42 U.S.C. 1396o) are each amended—

“(i) in subparagraph (D), by striking ‘or’ at the end;

“(ii) in subparagraph (E), by striking ‘; and’ and inserting a comma; and

“(iii) by adding at the end the following new subparagraphs:

“(F) any in vitro diagnostic product described in section 1905(a)(3)(B) that is administered during any portion of the emergency period described in such section beginning on or after the date of the enactment of this subparagraph (and the administration of such product), or

“(G) COVID-19 testing-related services for which payment may be made under the State plan; and”.

“(B) APPLICATION TO ALTERNATIVE COST SHARING.—Section 1916A(b)(3)(B) of the Social Security Act (42 U.S.C. 1396o-1(b)(3)(B)) is amended by adding at the end the following new clause:

“(xi) Any in vitro diagnostic product described in section 1905(a)(3)(B) that is administered during any portion of the emergency period described in such section beginning on or after the date of the enactment of this clause (and the administration of such product) and any visit described in section 1916(a)(2)(G) that is furnished during any such portion.”.

“(C) CLARIFICATION.—The amendments made this paragraph shall apply with respect to a State plan of a territory in the same manner as a State plan of one of the 50 States.

“(3) STATE OPTION TO PROVIDE COVERAGE FOR UNINSURED INDIVIDUALS.—

“(A) IN GENERAL.—Section 1902(a)(10) of the Social Security Act (42 U.S.C. 1396a(a)(10)) is amended—

“(i) in subparagraph (A)(ii)—

“(I) in subclause (XXI), by striking ‘or’ at the end;

“(II) in subclause (XXII), by adding ‘or’ at the end; and

“(III) by adding at the end the following new subclause:

“(XXIII) during any portion of the emergency period defined in paragraph (1)(B) of section 1135(g) beginning on or after the date of the enactment of this subclause, who are uninsured individuals (as defined in subsection (ss)); and

“(ii) in the matter following subparagraph (G)—

“(I) by striking ‘and (XVII)’ and inserting ‘, (XVII)’; and

“(II) by inserting after ‘instead of through subclause (VIII)’ the following: ‘, and (XVIII) the medical assistance made available to an uninsured individual (as defined in subsection (ss)) who is eligible for medical assistance only because of subparagraph (A)(ii)(XXIII) shall be limited to medical assistance for any in vitro diagnostic product described in section 1905(a)(3)(B) that is administered during any portion of the emergency period described in such section beginning on or after the date of the enactment of this subclause (and the administration of such product) and any visit described in section 1916(a)(2)(G) that is furnished during any such portion’.

“(B) RECEIPT AND INITIAL PROCESSING OF APPLICATIONS AT CERTAIN LOCATIONS.—Section 1902(a)(55) of the Social Security Act (42 U.S.C. 1396a(a)(55)) is amended, in the matter preceding subparagraph (A), by striking ‘or (a)(10)(A)(ii)(IX)’ and inserting ‘(a)(10)(A)(ii)(IX), or (a)(10)(A)(ii)(XXIII)’.

“(C) UNINSURED INDIVIDUAL DEFINED.—Section 1902 of the Social Security Act (42 U.S.C. 1396a) is amended by adding at the end the following new subsection:

“(ss) UNINSURED INDIVIDUAL DEFINED.—For purposes of this section, the term “uninsured individual” means, notwithstanding any other provision of this title, any individual who is—

“(1) not described in subsection (a)(10)(A)(i); and

“(2) not enrolled in a Federal health care program (as defined in section 1128B(f)), a group health plan, group or individual health insurance coverage offered by a health insurance issuer (as such terms are defined in section 2791 of the Public Health Service Act), or a health plan offered under chapter 89 of title 5, United States Code.”.

“(D) FEDERAL MEDICAL ASSISTANCE PERCENTAGE.—Section 1905(b) of the Social Security Act (42 U.S.C. 1396d(b)) is amended by adding at the end the following new sentence: ‘Notwithstanding the first sentence of this subsection, the Federal medical assistance percentage shall be 100 per centum with respect to (and, notwithstanding any other provision of this title, available for) medical assistance provided to uninsured individuals

(as defined in section 1902(ss)) who are eligible for such assistance only on the basis of section 1902(a)(10)(A)(ii)(XXIII) and with respect to expenditures described in section 1903(a)(7) that a State demonstrates to the satisfaction of the Secretary are attributable to administrative costs related to providing for such medical assistance to such individuals under the State plan.’.

“(b) CHIP.—

“(1) IN GENERAL.—Section 2103(c) of the Social Security Act (42 U.S.C. 1397cc(c)) is amended by adding at the end the following paragraph:

“(10) CERTAIN IN VITRO DIAGNOSTIC PRODUCTS FOR COVID-19 TESTING.—The child health assistance provided to a targeted low-income child shall include coverage of any in vitro diagnostic product described in section 1905(a)(3)(B) that is administered during any portion of the emergency period described in such section beginning on or after the date of the enactment of this subparagraph (and the administration of such product).”.

“(2) COVERAGE FOR TARGETED LOW-INCOME PREGNANT WOMEN.—Section 2112(b)(4) of the Social Security Act (42 U.S.C. 1397ll(b)(4)) is amended by inserting ‘under section 2103(c)’ after ‘same requirements’.

“(3) PROHIBITION OF COST SHARING.—Section 2103(e)(2) of the Social Security Act (42 U.S.C. 1397cc(e)(2)) is amended—

“(A) in the paragraph header, by inserting ‘, COVID-19 TESTING,’ before ‘OR PREGNANCY-RELATED ASSISTANCE’; and

“(B) by striking ‘category of services described in subsection (c)(1)(D) or’ and inserting ‘categories of services described in subsection (c)(1)(D), in vitro diagnostic products described in subsection (c)(10) (and administration of such products), visits described in section 1916(a)(2)(G), or’.

**“SEC. 6005. TREATMENT OF PERSONAL RESPIRATORY PROTECTIVE DEVICES AS COVERED COUNTERMEASURES.**

“Section 319F-3(i)(1) of the Public Health Service Act (42 U.S.C. 247d-6d(i)(1)) is amended—

“(1) in subparagraph (B), by striking ‘or’ at the end; and

“(2) in subparagraph (C), by striking the period at the end and inserting ‘; or’; and

“(3) by adding at the end the following new subparagraph:

“(D) a personal respiratory protective device that is—

“(i) approved by the National Institute for Occupational Safety and Health under part 84 of title 42, Code of Federal Regulations (or successor regulations);

“(ii) subject to the emergency use authorization issued by the Secretary on March 2, 2020, or subsequent emergency use authorizations, pursuant to section 564 of the Federal Food, Drug, and Cosmetic Act (authorizing emergency use of personal respiratory protective devices during the COVID-19 outbreak); and

“(iii) used during the period beginning on January 27, 2020, and ending on October 1, 2024, in response to the public health emergency declared on January 31, 2020, pursuant to section 319 as a result of confirmed cases of 2019 Novel Coronavirus (2019-nCoV).”.

**“SEC. 6006. APPLICATION WITH RESPECT TO TRICARE, COVERAGE FOR VETERANS, AND COVERAGE FOR FEDERAL CIVILIANS.**

“(a) TRICARE.—The Secretary of Defense may not require any copayment or other cost sharing under chapter 55 of title 10, United States Code, for in vitro diagnostic products described in paragraph (1) of section 6001(a) (or the administration of such products) or visits described in paragraph (2) of such section furnished during any portion of the emergency period defined in paragraph

(1)(B) of section 1135(g) of the Social Security Act (42 U.S.C. 1320b-5(g)) beginning on or after the date of the enactment of this Act.

“(b) VETERANS.—The Secretary of Veterans Affairs may not require any copayment or other cost sharing under chapter 17 of title 38, United States Code, for in vitro diagnostic products described in paragraph (1) of section 6001(a) (or the administration of such products) or visits described in paragraph (2) of such section furnished during any portion of the emergency period defined in paragraph (1)(B) of section 1135(g) of the Social Security Act (42 U.S.C. 1320b-5(g)) beginning on or after the date of the enactment of this Act.

“(c) FEDERAL CIVILIANS.—No copayment or other cost sharing may be required for any individual occupying a position in the civil service (as that term is defined in section 2101(1) of title 5, United States Code) enrolled in a health benefits plan, including any plan under chapter 89 of title 5, United States Code, or for any other individual currently enrolled in any plan under chapter 89 of title 5 for in vitro diagnostic products described in paragraph (1) of section 6001(a) (or the administration of such products) or visits described in paragraph (2) of such section furnished during any portion of the emergency period defined in paragraph (1)(B) of section 1135(g) of the Social Security Act (42 U.S.C. 1320b-5(g)) beginning on or after the date of the enactment of this Act.

**“SEC. 6007. COVERAGE OF TESTING FOR COVID-19 AT NO COST SHARING FOR INDIANS RECEIVING PURCHASED/REFERRED CARE.**

“The Secretary of Health and Human Services shall cover, without the imposition of any cost sharing requirements, the cost of providing any COVID-19 related items and services as described in paragraph (1) of section 6001(a) (or the administration of such products) or visits described in paragraph (2) of such section furnished during any portion of the emergency period defined in paragraph (1)(B) of section 1135(g) of the Social Security Act (42 U.S.C. 320b-5(g)) beginning on or after the date of the enactment of this Act to Indians (as defined in section 4 of the Indian Health Care Improvement Act (25 U.S.C. 1603)) receiving health services through the Indian Health Service, including through an Urban Indian Organization, regardless of whether such items or services have been authorized under the purchased/referred care system funded by the Indian Health Service or is covered as a health service of the Indian Health Service.

**“SEC. 6008. TEMPORARY INCREASE OF MEDICAID FMAP.**

“(a) IN GENERAL.—Subject to subsection (b), for each calendar quarter occurring during the period beginning on the first day of the emergency period defined in paragraph (1)(B) of section 1135(g) of the Social Security Act (42 U.S.C. 1320b-5(g)) and ending on the last day of the calendar quarter in which the last day of such emergency period occurs, the Federal medical assistance percentage determined for each State, including the District of Columbia, American Samoa, Guam, the Commonwealth of the Northern Mariana Islands, Puerto Rico, and the United States Virgin Islands, under section 1905(b) of the Social Security Act (42 U.S.C. 1396d(b)) shall be increased by 6.2 percentage points.

“(b) REQUIREMENT FOR ALL STATES.—A State described in subsection (a) may not receive the increase described in such subsection in the Federal medical assistance percentage for such State, with respect to a quarter, if—

“(1) eligibility standards, methodologies, or procedures under the State plan of such State under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) (including any

waiver under such title or section 1115 of such Act (42 U.S.C. 1315)) are more restrictive during such quarter than the eligibility standards, methodologies, or procedures, respectively, under such plan (or waiver) as in effect on January 1, 2020;

“(2) the amount of any premium imposed by the State pursuant to section 1916 or 1916A of such Act (42 U.S.C. 1396o, 1396o-1) during such quarter, with respect to an individual enrolled under such plan (or waiver), exceeds the amount of such premium as of January 1, 2020;

“(3) the State fails to provide that an individual who is enrolled for benefits under such plan (or waiver) as of the date of enactment of this section or enrolls for benefits under such plan (or waiver) during the period beginning on such date of enactment and ending the last day of the month in which the emergency period described in subsection (a) ends shall be treated as eligible for such benefits through the end of the month in which such emergency period ends unless the individual requests a voluntary termination of eligibility or the individual ceases to be a resident of the State; or

“(4) the State does not provide coverage under such plan (or waiver), without the imposition of cost sharing, during such quarter for any testing services and treatments for COVID-19, including vaccines, specialized equipment, and therapies.

“(c) REQUIREMENT FOR CERTAIN STATES.—Section 1905(cc) of the Social Security Act (42 U.S.C. 1396d(cc)) is amended by striking the period at the end of the subsection and inserting ‘and section 6008 of the Families First Coronavirus Response Act, except that in applying such treatments to the increases in the Federal medical assistance percentage under section 6008 of the Families First Coronavirus Response Act, the reference to “December 31, 2009” shall be deemed to be a reference to “March 11, 2020”.’.

**“SEC. 6009. INCREASE IN MEDICAID ALLOTMENTS FOR TERRITORIES.**

“Section 1108(g) of the Social Security Act (42 U.S.C. 1308(g)) is amended—

“(1) in paragraph (2)—

“(A) in subparagraph (B)—

“(i) in clause (i), by striking ‘and’ at the end;

“(ii) in clause (ii), by striking ‘for each of fiscal years 2020 through 2021, \$126,000,000;’ and inserting ‘for fiscal year 2020, \$128,712,500; and’; and

“(iii) by adding at the end the following new clause:

“(iii) for fiscal year 2021, \$127,937,500;’;

“(B) in subparagraph (C)—

“(i) in clause (i), by striking ‘and’ at the end;

“(ii) in clause (ii), by striking ‘for each of fiscal years 2020 through 2021, \$127,000,000;’ and inserting ‘for fiscal year 2020, \$130,875,000; and’; and

“(iii) by adding at the end the following new clause:

“(iii) for fiscal year 2021, \$129,712,500;’;

“(C) in subparagraph (D)—

“(i) in clause (i), by striking ‘and’ at the end;

“(ii) in clause (ii), by striking ‘for each of fiscal years 2020 through 2021, \$60,000,000; and’ and inserting ‘for fiscal year 2020, \$63,100,000; and’; and

“(iii) by adding at the end the following new clause:

“(iii) for fiscal year 2021, \$62,325,000; and’;

“(D) in subparagraph (E)—

“(i) in clause (i), by striking ‘and’ at the end;

“(ii) in clause (ii), by striking ‘for each of fiscal years 2020 through 2021, \$84,000,000.’ and inserting ‘for fiscal year 2020, \$86,325,000; and’; and

“(iii) by adding at the end the following new clause:

“(iii) for fiscal year 2021, \$85,550,000.’; and

“(2) in paragraph (6)(A)—

“(A) in clause (i), by striking ‘\$2,623,188,000’ and inserting ‘\$2,716,188,000;’ and

“(B) in clause (ii), by striking ‘\$2,719,072,000’ and inserting ‘\$2,809,063,000.’.

**“SEC. 6010. CLARIFICATION RELATING TO SECRETARIAL AUTHORITY REGARDING MEDICARE TELEHEALTH SERVICES FURNISHED DURING COVID-19 EMERGENCY PERIOD.**

“Paragraph (3)(A) of section 1135(g) of the Social Security Act (42 U.S.C. 1320b-5(g)) is amended to read as follows:

“(A) furnished to such individual, during the 3-year period ending on the date such telehealth service was furnished, an item or service that would be considered covered under title XVIII if furnished to an individual entitled to benefits or enrolled under such title; or’.

(5) Amend division G to read as follows:

**“DIVISION G—TAX CREDITS FOR PAID SICK AND PAID FAMILY AND MEDICAL LEAVE**

**“SEC. 7001. PAYROLL CREDIT FOR REQUIRED PAID SICK LEAVE.**

“(a) IN GENERAL.—In the case of an employer, there shall be allowed as a credit against the tax imposed by section 3111(a) or 3221(a) of the Internal Revenue Code of 1986 for each calendar quarter an amount equal to 100 percent of the qualified sick leave wages paid by such employer with respect to such calendar quarter.

“(b) LIMITATIONS AND REFUNDABILITY.—

“(1) WAGES TAKEN INTO ACCOUNT.—The amount of qualified sick leave wages taken into account under subsection (a) with respect to any individual shall not exceed \$200 (\$511 in the case of any day any portion of which is paid sick time described in paragraph (1), (2), or (3) of section 5102(a) of the Emergency Paid Sick Leave Act) for any day (or portion thereof) for which the individual is paid qualified sick leave wages.

“(2) OVERALL LIMITATION ON NUMBER OF DAYS TAKEN INTO ACCOUNT.—The aggregate number of days taken into account under paragraph (1) for any calendar quarter shall not exceed the excess (if any) of—

“(A) 10, over

“(B) the aggregate number of days so taken into account for all preceding calendar quarters.

“(3) CREDIT LIMITED TO CERTAIN EMPLOYMENT TAXES.—The credit allowed by subsection (a) with respect to any calendar quarter shall not exceed the tax imposed by section 3111(a) or 3221(a) of such Code for such calendar quarter (reduced by any credits allowed under subsections (e) and (f) of section 3111 of such Code for such quarter) on the wages paid with respect to the employment of all employees of the employer.

“(4) REFUNDABILITY OF EXCESS CREDIT.—

“(A) IN GENERAL.—If the amount of the credit under subsection (a) exceeds the limitation of paragraph (3) for any calendar quarter, such excess shall be treated as an overpayment that shall be refunded under sections 6402(a) and 6413(b) of such Code.

“(B) TREATMENT OF PAYMENTS.—For purposes of section 1324 of title 31, United States Code, any amounts due to an employer under this paragraph shall be treated in the same manner as a refund due from a credit provision referred to in subsection (b)(2) of such section.

“(c) QUALIFIED SICK LEAVE WAGES.—For purposes of this section, the term ‘qualified sick leave wages’ means wages (as defined in section 3121(a) of the Internal Revenue Code of 1986) and compensation (as defined in section 3231(e) of the Internal Revenue Code)



paid by an employer which are required to be paid by reason of the Emergency Paid Sick Leave Act.

“(d) ALLOWANCE OF CREDIT FOR CERTAIN HEALTH PLAN EXPENSES.—

“(1) IN GENERAL.—The amount of the credit allowed under subsection (a) shall be increased by so much of the employer's qualified health plan expenses as are properly allocable to the qualified sick leave wages for which such credit is so allowed.

“(2) QUALIFIED HEALTH PLAN EXPENSES.—For purposes of this subsection, the term ‘qualified health plan expenses’ means amounts paid or incurred by the employer to provide and maintain a group health plan (as defined in section 5000(b)(1) of the Internal Revenue Code of 1986), but only to the extent that such amounts are excluded from the gross income of employees by reason of section 106(a) of such Code.

“(3) ALLOCATION RULES.—For purposes of this section, qualified health plan expenses shall be allocated to qualified sick leave wages in such manner as the Secretary of the Treasury (or the Secretary's delegate) may prescribe. Except as otherwise provided by the Secretary, such allocation shall be treated as properly made if made on the basis of being pro rata among covered employees and pro rata on the basis of periods of coverage (relative to the time periods of leave to which such wages relate).

“(e) SPECIAL RULES.—

“(1) DENIAL OF DOUBLE BENEFIT.—For purposes of chapter 1 of such Code, the gross income of the employer, for the taxable year which includes the last day of any calendar quarter with respect to which a credit is allowed under this section, shall be increased by the amount of such credit. Any wages taken into account in determining the credit allowed under this section shall not be taken into account for purposes of determining the credit allowed under section 45S of such Code.

“(2) ELECTION NOT TO HAVE SECTION APPLY.—This section shall not apply with respect to any employer for any calendar quarter if such employer elects (at such time and in such manner as the Secretary of the Treasury (or the Secretary's delegate) may prescribe) not to have this section apply.

“(3) CERTAIN TERMS.—Any term used in this section which is also used in chapter 21 of such Code shall have the same meaning as when used in such chapter.

“(4) CERTAIN GOVERNMENTAL EMPLOYERS.—This credit shall not apply to the Government of the United States, the government of any State or political subdivision thereof, or any agency or instrumentality of any of the foregoing.

“(f) REGULATIONS.—The Secretary of the Treasury (or the Secretary's delegate) shall prescribe such regulations or other guidance as may be necessary to carry out the purposes of this section, including—

“(1) regulations or other guidance to prevent the avoidance of the purposes of the limitations under this section,

“(2) regulations or other guidance to minimize compliance and record-keeping burdens under this section,

“(3) regulations or other guidance providing for waiver of penalties for failure to deposit amounts in anticipation of the allowance of the credit allowed under this section,

“(4) regulations or other guidance for recapturing the benefit of credits determined under this section in cases where there is a subsequent adjustment to the credit determined under subsection (a), and

“(5) regulations or other guidance to ensure that the wages taken into account under this section conform with the paid sick time required to be provided under the Emergency Paid Sick Leave Act.

“(g) APPLICATION OF SECTION.—This section shall apply only to wages paid with respect to the period beginning on a date selected by the Secretary of the Treasury (or the Secretary's delegate) which is during the 15-day period beginning on the date of the enactment of this Act, and ending on December 31, 2020.

“(h) TRANSFERS TO FEDERAL OLD-AGE AND SURVIVORS INSURANCE TRUST FUND.—There are hereby appropriated to the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund established under section 201 of the Social Security Act (42 U.S.C. 401) and the Social Security Equivalent Benefit Account established under section 15A(a) of the Railroad Retirement Act of 1974 (45 U.S.C. 231n-1(a)) amounts equal to the reduction in revenues to the Treasury by reason of this section (without regard to this subsection). Amounts appropriated by the preceding sentence shall be transferred from the general fund at such times and in such manner as to replicate to the extent possible the transfers which would have occurred to such Trust Fund or Account had this section not been enacted.

“SEC. 7002. CREDIT FOR SICK LEAVE FOR CERTAIN SELF-EMPLOYED INDIVIDUALS.

“(a) CREDIT AGAINST SELF-EMPLOYMENT TAX.—In the case of an eligible self-employed individual, there shall be allowed as a credit against the tax imposed by subtitle A of the Internal Revenue Code of 1986 for any taxable year an amount equal to the qualified sick leave equivalent amount with respect to the individual.

“(b) ELIGIBLE SELF-EMPLOYED INDIVIDUAL.—For purposes of this section, the term ‘eligible self-employed individual’ means an individual who—

“(1) regularly carries on any trade or business within the meaning of section 1402 of such Code, and

“(2) would be entitled to receive paid leave during the taxable year pursuant to the Emergency Paid Sick Leave Act if the individual were an employee of an employer (other than himself or herself).

“(c) QUALIFIED SICK LEAVE EQUIVALENT AMOUNT.—For purposes of this section—

“(1) IN GENERAL.—The term ‘qualified sick leave equivalent amount’ means, with respect to any eligible self-employed individual, an amount equal to—

“(A) the number of days during the taxable year (but not more than the applicable number of days) that the individual is unable to perform services in any trade or business referred to in section 1402 of such Code for a reason with respect to which such individual would be entitled to receive sick leave as described in subsection (b), multiplied by

“(B) the lesser of—

“(i) \$200 (\$511 in the case of any day of paid sick time described in paragraph (1), (2), or (3) of section 5102(a) of the Emergency Paid Sick Leave Act), or

“(ii) 67 percent (100 percent in the case of any day of paid sick time described in paragraph (1), (2), or (3) of section 5102(a) of the Emergency Paid Sick Leave Act) of the average daily self-employment income of the individual for the taxable year.

“(2) AVERAGE DAILY SELF-EMPLOYMENT INCOME.—For purposes of this subsection, the term ‘average daily self-employment income’ means an amount equal to—

“(A) the net earnings from self-employment of the individual for the taxable year, divided by

“(B) 260.

“(3) APPLICABLE NUMBER OF DAYS.—For purposes of this subsection, the term ‘applicable number of days’ means, with respect to any taxable year, the excess (if any) of 10 days over the number of days taken into account under paragraph (1)(A) in all preceding taxable years.

“(d) SPECIAL RULES.—

“(1) CREDIT REFUNDABLE.—

“(A) IN GENERAL.—The credit determined under this section shall be treated as a credit allowed to the taxpayer under subpart C of part IV of subchapter A of chapter 1 of such Code.

“(B) TREATMENT OF PAYMENTS.—For purposes of section 1324 of title 31, United States Code, any refund due from the credit determined under this section shall be treated in the same manner as a refund due from a credit provision referred to in subsection (b)(2) of such section.

“(2) DOCUMENTATION.—No credit shall be allowed under this section unless the individual maintains such documentation as the Secretary of the Treasury (or the Secretary's delegate) may prescribe to establish such individual as an eligible self-employed individual.

“(3) DENIAL OF DOUBLE BENEFIT.—In the case of an individual who receives wages (as defined in section 3121(a) of the Internal Revenue Code of 1986) or compensation (as defined in section 3231(e) of the Internal Revenue Code) paid by an employer which are required to be paid by reason of the Emergency Paid Sick Leave Act, the qualified sick leave equivalent amount otherwise determined under subsection (c) shall be reduced (but not below zero) to the extent that the sum of the amount described in such subsection and in section 7001(b)(1) exceeds \$2,000 (\$5,110 in the case of any day any portion of which is paid sick time described in paragraph (1), (2), or (3) of section 5102(a) of the Emergency Paid Sick Leave Act).

“(4) CERTAIN TERMS.—Any term used in this section which is also used in chapter 2 of the Internal Revenue Code of 1986 shall have the same meaning as when used in such chapter.

“(e) APPLICATION OF SECTION.—Only days occurring during the period beginning on a date selected by the Secretary of the Treasury (or the Secretary's delegate) which is during the 15-day period beginning on the date of the enactment of this Act, and ending on December 31, 2020, may be taken into account under subsection (c)(1)(A).

“(f) APPLICATION OF CREDIT IN CERTAIN POSSESSIONS.—

“(1) PAYMENTS TO POSSESSIONS WITH MIRROR CODE TAX SYSTEMS.—The Secretary of the Treasury (or the Secretary's delegate) shall pay to each possession of the United States which has a mirror code tax system amounts equal to the loss (if any) to that possession by reason of the application of the provisions of this section. Such amounts shall be determined by the Secretary of the Treasury (or the Secretary's delegate) based on information provided by the government of the respective possession.

“(2) PAYMENTS TO OTHER POSSESSIONS.—The Secretary of the Treasury (or the Secretary's delegate) shall pay to each possession of the United States which does not have a mirror code tax system amounts estimated by the Secretary of the Treasury (or the Secretary's delegate) as being equal to the aggregate benefits (if any) that would have been provided to residents of such possession by reason of the provisions of this section if a mirror code tax system had been in effect in such possession. The preceding sentence shall not apply unless the respective possession has a plan, which has been approved by the Secretary of the Treasury (or the Secretary's delegate), under which such possession will promptly distribute such payments to its residents.

“(3) MIRROR CODE TAX SYSTEM.—For purposes of this section, the term ‘mirror code tax system’ means, with respect to any possession of the United States, the income tax system of such possession if the income tax

liability of the residents of such possession under such system is determined by reference to the income tax laws of the United States as if such possession were the United States.

“(4) TREATMENT OF PAYMENTS.—For purposes of section 1324 of title 31, United States Code, the payments under this section shall be treated in the same manner as a refund due from a credit provision referred to in subsection (b)(2) of such section.

“(g) REGULATIONS.—The Secretary of the Treasury (or the Secretary’s delegate) shall prescribe such regulations or other guidance as may be necessary to carry out the purposes of this section, including—

“(1) regulations or other guidance to effectuate the purposes of this Act, and

“(2) regulations or other guidance to minimize compliance and record-keeping burdens under this section.

**“SEC. 7003. PAYROLL CREDIT FOR REQUIRED PAID FAMILY LEAVE.**

“(a) IN GENERAL.—In the case of an employer, there shall be allowed as a credit against the tax imposed by section 3111(a) or 3221(a) of the Internal Revenue Code of 1986 for each calendar quarter an amount equal to 100 percent of the qualified family leave wages paid by such employer with respect to such calendar quarter.

“(b) LIMITATIONS AND REFUNDABILITY.—

“(1) WAGES TAKEN INTO ACCOUNT.—The amount of qualified family leave wages taken into account under subsection (a) with respect to any individual shall not exceed—

“(A) for any day (or portion thereof) for which the individual is paid qualified family leave wages, \$200, and

“(B) in the aggregate with respect to all calendar quarters, \$10,000.

“(2) CREDIT LIMITED TO CERTAIN EMPLOYMENT TAXES.—The credit allowed by subsection (a) with respect to any calendar quarter shall not exceed the tax imposed by section 3111(a) or 3221(a) of such Code for such calendar quarter (reduced by any credits allowed under subsections (e) and (f) of section 3111 of such Code, and section 7001 of this Act, for such quarter) on the wages paid with respect to the employment of all employees of the employer.

“(3) REFUNDABILITY OF EXCESS CREDIT.—If the amount of the credit under subsection (a) exceeds the limitation of paragraph (2) for any calendar quarter, such excess shall be treated as an overpayment that shall be refunded under sections 6402(a) and 6413(b) of such Code.

“(c) QUALIFIED FAMILY LEAVE WAGES.—For purposes of this section, the term ‘qualified family leave wages’ means wages (as defined in section 3121(a) of such Code) and compensation (as defined in section 3231(e) of the Internal Revenue Code) paid by an employer which are required to be paid by reason of the Emergency Family and Medical Leave Expansion Act (including the amendments made by such Act).

“(d) ALLOWANCE OF CREDIT FOR CERTAIN HEALTH PLAN EXPENSES.—

“(1) IN GENERAL.—The amount of the credit allowed under subsection (a) shall be increased by so much of the employer’s qualified health plan expenses as are properly allocable to the qualified family leave wages for which such credit is so allowed.

“(2) QUALIFIED HEALTH PLAN EXPENSES.—For purposes of this subsection, the term ‘qualified health plan expenses’ means amounts paid or incurred by the employer to provide and maintain a group health plan (as defined in section 5000(b)(1) of the Internal Revenue Code of 1986), but only to the extent that such amounts are excluded from the gross income of employees by reason of section 106(a) of such Code.

“(3) ALLOCATION RULES.—For purposes of this section, qualified health plan expenses

shall be allocated to qualified family leave wages in such manner as the Secretary of the Treasury (or the Secretary’s delegate) may prescribe. Except as otherwise provided by the Secretary, such allocation shall be treated as properly made if made on the basis of being pro rata among covered employees and pro rata on the basis of periods of coverage (relative to the time periods of leave to which such wages relate).

“(e) SPECIAL RULES.—

“(1) DENIAL OF DOUBLE BENEFIT.—For purposes of chapter 1 of such Code, the gross income of the employer, for the taxable year which includes the last day of any calendar quarter with respect to which a credit is allowed under this section, shall be increased by the amount of such credit. Any wages taken into account in determining the credit allowed under this section shall not be taken into account for purposes of determining the credit allowed under section 45S of such Code.

“(2) ELECTION NOT TO HAVE SECTION APPLY.—This section shall not apply with respect to any employer for any calendar quarter if such employer elects (at such time and in such manner as the Secretary of the Treasury (or the Secretary’s delegate) may prescribe) not to have this section apply.

“(3) CERTAIN TERMS.—Any term used in this section which is also used in chapter 21 of such Code shall have the same meaning as when used in such chapter.

“(4) CERTAIN GOVERNMENTAL EMPLOYERS.—This credit shall not apply to the Government of the United States, the government of any State or political subdivision thereof, or any agency or instrumentality of any of the foregoing.

“(f) REGULATIONS.—The Secretary of the Treasury (or the Secretary’s delegate) shall prescribe such regulations or other guidance as may be necessary to carry out the purposes of this section, including—

“(1) regulations or other guidance to prevent the avoidance of the purposes of the limitations under this section,

“(2) regulations or other guidance to minimize compliance and record-keeping burdens under this section,

“(3) regulations or other guidance providing for waiver of penalties for failure to deposit amounts in anticipation of the allowance of the credit allowed under this section,

“(4) regulations or other guidance for recapturing the benefit of credits determined under this section in cases where there is a subsequent adjustment to the credit determined under subsection (a), and

“(5) regulations or other guidance to ensure that the wages taken into account under this section conform with the paid leave required to be provided under the Emergency Family and Medical Leave Expansion Act (including the amendments made by such Act).

“(g) APPLICATION OF SECTION.—This section shall apply only to wages paid with respect to the period beginning on a date selected by the Secretary of the Treasury (or the Secretary’s delegate) which is during the 15-day period beginning on the date of the enactment of this Act, and ending on December 31, 2020.

“(h) TRANSFERS TO FEDERAL OLD-AGE AND SURVIVORS INSURANCE TRUST FUND.—There are hereby appropriated to the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund established under section 201 of the Social Security Act (42 U.S.C. 401) and the Social Security Equivalent Benefit Account established under section 15A(a) of the Railroad Retirement Act of 1974 (45 U.S.C. 231n-1(a)) amounts equal to the reduction in revenues to the Treasury by reason of this section (without regard to this subsection). Amounts

appropriated by the preceding sentence shall be transferred from the general fund at such times and in such manner as to replicate to the extent possible the transfers which would have occurred to such Trust Fund or Account had this section not been enacted.

**“SEC. 7004. CREDIT FOR FAMILY LEAVE FOR CERTAIN SELF-EMPLOYED INDIVIDUALS.**

“(a) CREDIT AGAINST SELF-EMPLOYMENT TAX.—In the case of an eligible self-employed individual, there shall be allowed as a credit against the tax imposed by subtitle A of the Internal Revenue Code of 1986 for any taxable year an amount equal to 100 percent of the qualified family leave equivalent amount with respect to the individual.

“(b) ELIGIBLE SELF-EMPLOYED INDIVIDUAL.—For purposes of this section, the term ‘eligible self-employed individual’ means an individual who—

“(1) regularly carries on any trade or business within the meaning of section 1402 of such Code, and

“(2) would be entitled to receive paid leave during the taxable year pursuant to the Emergency Family and Medical Leave Expansion Act if the individual were an employee of an employer (other than himself or herself).

“(c) QUALIFIED FAMILY LEAVE EQUIVALENT AMOUNT.—For purposes of this section—

“(1) IN GENERAL.—The term ‘qualified family leave equivalent amount’ means, with respect to any eligible self-employed individual, an amount equal to the product of—

“(A) the number of days (not to exceed 50) during the taxable year that the individual is unable to perform services in any trade or business referred to in section 1402 of such Code for a reason with respect to which such individual would be entitled to receive paid leave as described in subsection (b), multiplied by

“(B) the lesser of—

“(i) 67 percent of the average daily self-employment income of the individual for the taxable year, or

“(ii) \$200.

“(2) AVERAGE DAILY SELF-EMPLOYMENT INCOME.—For purposes of this subsection, the term ‘average daily self-employment income’ means an amount equal to—

“(A) the net earnings from self-employment income of the individual for the taxable year, divided by

“(B) 260.

“(d) SPECIAL RULES.—

“(1) CREDIT REFUNDABLE.—

“(A) IN GENERAL.—The credit determined under this section shall be treated as a credit allowed to the taxpayer under subpart C of part IV of subchapter A of chapter 1 of such Code.

“(B) TREATMENT OF PAYMENTS.—For purposes of section 1324 of title 31, United States Code, any refund due from the credit determined under this section shall be treated in the same manner as a refund due from a credit provision referred to in subsection (b)(2) of such section.

“(2) DOCUMENTATION.—No credit shall be allowed under this section unless the individual maintains such documentation as the Secretary of the Treasury (or the Secretary’s delegate) may prescribe to establish such individual as an eligible self-employed individual.

“(3) DENIAL OF DOUBLE BENEFIT.—In the case of an individual who receives wages (as defined in section 3121(a) of the Internal Revenue Code of 1986) or compensation (as defined in section 3231(e) of the Internal Revenue Code) paid by an employer which are required to be paid by reason of the Emergency Family and Medical Leave Expansion Act, the qualified family leave equivalent amount otherwise described in subsection (c) shall be reduced (but not below zero) to the extent

that the sum of the amount described in such subsection and in section 7003(b)(1) exceeds \$10,000.

“(4) CERTAIN TERMS.—Any term used in this section which is also used in chapter 2 of the Internal Revenue Code of 1986 shall have the same meaning as when used in such chapter.

“(5) REFERENCES TO EMERGENCY FAMILY AND MEDICAL LEAVE EXPANSION ACT.—Any reference in this section to the Emergency Family and Medical Leave Expansion Act shall be treated as including a reference to the amendments made by such Act.

“(e) APPLICATION OF SECTION.—Only days occurring during the period beginning on a date selected by the Secretary of the Treasury (or the Secretary’s delegate) which is during the 15-day period beginning on the date of the enactment of this Act, and ending on December 31, 2020, may be taken into account under subsection (c)(1)(A).

“(f) APPLICATION OF CREDIT IN CERTAIN POSSESSIONS.—

“(1) PAYMENTS TO POSSESSIONS WITH MIRROR CODE TAX SYSTEMS.—The Secretary of the Treasury (or the Secretary’s delegate) shall pay to each possession of the United States which has a mirror code tax system amounts equal to the loss (if any) to that possession by reason of the application of the provisions of this section. Such amounts shall be determined by the Secretary of the Treasury (or the Secretary’s delegate) based on information provided by the government of the respective possession.

“(2) PAYMENTS TO OTHER POSSESSIONS.—The Secretary of the Treasury (or the Secretary’s delegate) shall pay to each possession of the United States which does not have a mirror code tax system amounts estimated by the Secretary of the Treasury (or the Secretary’s delegate) as being equal to the aggregate benefits (if any) that would have been provided to residents of such possession by reason of the provisions of this section if a mirror code tax system had been in effect in such possession. The preceding sentence shall not apply unless the respective possession has a plan, which has been approved by the Secretary of the Treasury (or the Secretary’s delegate), under which such possession will promptly distribute such payments to its residents.

“(3) MIRROR CODE TAX SYSTEM.—For purposes of this section, the term ‘mirror code tax system’ means, with respect to any possession of the United States, the income tax system of such possession if the income tax liability of the residents of such possession under such system is determined by reference to the income tax laws of the United States as if such possession were the United States.

“(4) TREATMENT OF PAYMENTS.—For purposes of section 1324 of title 31, United States Code, the payments under this section shall be treated in the same manner as a refund due from a credit provision referred to in subsection (b)(2) of such section.

“(e) REGULATIONS.—The Secretary of the Treasury (or the Secretary’s delegate) shall prescribe such regulations or other guidance as may be necessary to carry out the purposes of this section, including—

“(1) regulations or other guidance to prevent the avoidance of the purposes of this Act, and

“(2) regulations or other guidance to minimize compliance and record-keeping burdens under this section.

**“SEC. 7005. SPECIAL RULE RELATED TO TAX ON EMPLOYERS.**

“(a) IN GENERAL.—Any wages required to be paid by reason of the Emergency Paid Sick Leave Act and the Emergency Family and Medical Leave Expansion Act shall not be considered wages for purposes of section

3111(a) of the Internal Revenue Code of 1986 or compensation for purposes of section 3221(a) of such Code.

“(b) ALLOWANCE OF CREDIT FOR HOSPITAL INSURANCE TAXES.—

“(1) IN GENERAL.—The credit allowed by section 7001 and the credit allowed by section 7003 shall each be increased by the amount of the tax imposed by section 3111(b) of the Internal Revenue Code of 1986 on qualified sick leave wages, or qualified family leave wages, for which credit is allowed under such section 7001 or 7003 (respectively).

“(2) DENIAL OF DOUBLE BENEFIT.—For denial of double benefit with respect to the credit increase under paragraph (1), see sections 7001(e)(1) and 7003(e)(1).

“(c) TRANSFERS TO FEDERAL OLD-AGE AND SURVIVORS INSURANCE TRUST FUND.—There are hereby appropriated to the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund established under section 201 of the Social Security Act (42 U.S.C. 401) and the Social Security Equivalent Benefit Account established under section 15A(a) of the Railroad Retirement Act of 1974 (45 U.S.C. 231n-1(a)) amounts equal to the reduction in revenues to the Treasury by reason of this section (without regard to this subsection). Amounts appropriated by the preceding sentence shall be transferred from the general fund at such times and in such manner as to replicate to the extent possible the transfers which would have occurred to such Trust Fund or Account had this section not been enacted.”.

The resolution was agreed to.

A motion to reconsider was laid on the table.

**COMMUNICATION FROM FINANCIAL ADMINISTRATOR, THE HONORABLE HENRY CUELLAR, MEMBER OF CONGRESS**

The SPEAKER pro tempore laid before the House the following communication from Dean Lester, Financial Administrator, the Honorable HENRY CUELLAR, Member of Congress.

CONGRESS OF THE UNITED STATES,  
Washington, DC, March 11, 2020.

Hon. NANCY PELOSI,  
Speaker, House of Representatives,  
Washington, DC.

DEAR MADAM SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I, Dean Lester, have been served with a subpoena for testimony issued by the U.S. District Court for the District of Columbia.

After consultation with the Office of House Employment Counsel, I have determined that compliance with the subpoena is consistent with the privileges and rights of the House.

Sincerely,

DEAN LESTER,  
Financial Administrator,  
Office of Rep. Henry Cuellar.

**COMMUNICATION FROM THE CLERK OF THE HOUSE**

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, March 16, 2020.

Hon. NANCY PELOSI,  
Speaker, House of Representatives,  
Washington, DC.

DEAR MADAM SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II

of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on March 16, 2020, at 3:00 p.m.:

That the Senate passed with an amendment H.R. 4920.

That the Senate agreed to without amendment H. Con. Res. 87.

With best wishes, I am,  
Sincerely,

CHERYL L. JOHNSON.

**COMMUNICATION FROM THE CLERK OF THE HOUSE**

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, March 16, 2020.

Hon. NANCY PELOSI,  
Speaker, House of Representatives,  
Washington, DC.

DEAR MADAM SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on March 16, 2020, at 6:24 p.m.:

That the Senate passed S. 3501.

With best wishes, I am,  
Sincerely,

CHERYL L. JOHNSON.

**ADJOURNMENT**

The SPEAKER pro tempore. Pursuant to section 7(b) of House Resolution 891, the House stands adjourned until 9 a.m. on Thursday, March 19, 2020.

Thereupon (at 8 o'clock and 12 minutes p.m.), under its previous order, the House adjourned until Thursday, March 19, 2020, at 9 a.m.

**PUBLIC BILLS AND RESOLUTIONS**

Under clause 2 of rule XII,

Mr. NEAL introduced a resolution (H. Res. 904) directing the Clerk of the House of Representatives to make corrections in the engrossment of H.R. 6201; to the Committee on Appropriations, and in addition to the Committee on House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned; which was considered and agreed to.

**ADDITIONAL SPONSORS**

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

- H.R. 303: Mr. RYAN.
- H.R. 5216: Ms. OCASIO-CORTEZ.
- H.R. 5259: Mr. GOODEN.
- H.R. 5859: Mr. CARTER of Georgia, Mr. GIANFORTE, and Mr. GRIFFITH.
- H.R. 5920: Mr. LEVIN of California.
- H.R. 5955: Mr. THOMPSON of Mississippi.
- H.R. 5995: Mr. ROUZER, Mr. NEGUSE, and Ms. BLUNT ROCHESTER.
- H.R. 6203: Mrs. DAVIS of California, Mr. THOMPSON of Mississippi, Mr. WALBERG, Ms. STEVENS, Mrs. MCBATH, Mr. SMITH of Washington, Mr. LOWENTHAL, and Mr. WRIGHT.
- H.R. 6215: Ms. MATSUI.

H.R. 6268: Ms. JUDY CHU of California and Mr. ESPALLAT.  
H.R. 6275: Ms. JAYAPAL, Ms. WILSON of Florida, Mrs. HAYES, Mr. COURTNEY, Mr. TAKANO, Ms. FUDGE, Ms. BONAMICI, Ms. STEVENS, and Mr. CASTRO of Texas.



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 116<sup>th</sup> CONGRESS, SECOND SESSION

Vol. 166

WASHINGTON, MONDAY, MARCH 16, 2020

No. 50

## Senate

The Senate met at 3 p.m. and was called to order by the President pro tempore (Mr. GRASSLEY).

### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal God, as our Nation faces this national state of emergency, we pause to thank You with our whole hearts for the gift of this day. In spite of challenges that often seem insurmountable, You remain our hope for the years to come. As our Senators strive to meet the challenge of the coronavirus, validate their efforts with Your Divine blessings.

You are the righteous judge who knows even the motives of our hearts. May Your providential purposes be fulfilled in our Nation and world. Touch this land we love with Your healing hands.

We pray in Your powerful Name. Amen.

### PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

The PRESIDING OFFICER (Mr. HAWLEY). The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I ask unanimous consent to speak in morning business for 1 minute.

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

### CORONAVIRUS

Mr. GRASSLEY. Mr. President, on Friday, President Trump declared a national emergency concerning the novel coronavirus disease outbreak. This proclamation frees up additional resources to further efforts to contain and combat the virus.

Over the weekend, my Governor of Iowa, Kim Reynolds, confirmed Iowa's first case of community-spread COVID-19, which was in Dallas County, Iowa.

It is very important to continue to take commonsense precautions. Stay home if you are sick, wash your hands, avoid large gatherings, and heed the advice of health officials. Extra caution now will save lives later.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

### RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

### CORONAVIRUS

Mr. MCCONNELL. Mr. President, the new coronavirus has spread from China throughout the world, and it is challenging our Nation in new ways. Across our country, daily routines are being disrupted, families are grappling with school closings and changes to childcare, major American companies and institutions are literally modifying how they do business, and a growing number of Main Street small businesses face the possibility of significant disruptions as more and more communities begin to "hunker down," as Dr. Fauci put it, on the advice of public health experts and local leaders.

As an aside, I have noticed that a lot of the discussion in the media has focused on individuals who may be temporarily transitioning from office work to working from home. So I want to especially acknowledge the many other

hard-working Americans for whom telework is not an option. Now, more than ever, we are reminded who really keeps this country running: the hard-working men and women who grow things, who make things, who drive trucks and move goods across the country, who mine coal or otherwise produce domestic energy and, literally, power our communities, who run the stores and shops we rely on, who serve our communities as police and first responders, and, of course, especially the dedicated frontline healthcare professionals, who work tirelessly to heal and protect all the rest of us.

To all Americans—but, most especially, to those hard-working people whose efforts are going to get our country through this challenge—I have one message: The Senate stands with you. We stand with American workers and families, we stand with American businesses, and we stand with the public health experts and the heroic frontline medical professionals whom our Nation seems poised to lean on as heavily as we have at any point in recent memory.

The Senate is committed to meeting these uncertain times with bold and bipartisan solutions. That is what we did a little more than a week ago, when the Senate passed billions of dollars in emergency funding for health and small businesses with an overwhelming bipartisan vote and put it on the President's desk. That is what we are going to keep doing this week, particularly if the House of Representatives can actually complete its work and transmit a finished product of its relief over to us. And it is what we are going to keep doing in the days and weeks ahead.

With respect to the House-passed legislation, I understand the House chose to proceed with their planned 1-week recess, despite not having finished processing their bill. As of this afternoon, we are still waiting for the House to reach a decision on possible technical corrections and to submit a final

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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product to us here in the Senate. We cannot consider the legislation until we get it, but I know that Senators on both sides have spent the last several days carefully studying the House proposal, and I know that all of us are eager to act quickly to support American workers, families, and small businesses.

Even more broadly, Senate Republicans are absolutely convinced that the House's bill can only be the beginning—just the beginning—of Congress's efforts to secure our economy and support American families. This is a unique challenge—a unique challenge. Unlike in any other tough circumstances, our short-term goal is not simply to bring economic activity right back to normal starting tomorrow. Instead, our task is to secure the historically strong foundation of our Nation's economy and support Americans during this period when public health may require that some normal activities simply be scaled back.

I have spoken with countless colleagues and committee chairmen over the last several days. We agree there are three major areas where the Senate must continue to develop bold and bipartisan action:

No. 1, we will need to take further steps to assist individual Americans and families with financial challenges in the weeks and months ahead.

No. 2, we will need to further significant actions to secure our Nation's economy—particularly Main Street small businesses—and safeguard our historically strong economic foundation through this period.

No. 3, we will need further steps to ready our healthcare system and support our Nation's medical professionals.

The Senate majority is already working toward next steps on all three of those fronts. I hope further bold action can be just as bipartisan and collaborative as the process by which we passed the first set of additional funds. We must work with each other in the bipartisan spirit this moment demands—and with the administration and the House—to deliver results for our country.

#### USA FREEDOM REAUTHORIZATION ACT OF 2020

Mr. MCCONNELL. Now, Mr. President, on one other important matter, late last night, several critical authorities that law enforcement uses to keep Americans safe lapsed into expiration. Barring Senate action, these important tools, which help protect the homeland from terrorists and counter foreign intelligence activities on U.S. soil, will remain offline.

Fortunately, in the weeks leading up to this deadline, the Attorney General engaged in extensive bipartisan talks with Members of the House—of both parties—to try to reach a solution. The resulting legislation, which the House passed last week by large margins

within each party, strikes a key balance. It reauthorizes the tools which our national security requires, while also imposing a number of new reforms which basic accountability demands.

We can't let the relative success of these tools at preserving the safety and security of our country mislead us to believe they are unnecessary. It is just the opposite. Terrorist organizations still search constantly for opportunities to strike on American soil. Hostile foreign intelligence services—whether Chinese, Russian, or Iranian—still seek to conduct operations within our borders, to recruit assets and agents among our population.

These threats will not wait around if the United States delays restocking our toolbox, so the Senate should not wait to act. I sincerely hope that even our colleagues who may wish to vote against the House bill will not make us prolong this brief lapse in authorities and that we will be able to get these tools back online this week.

#### RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

#### LEGISLATIVE SESSION

#### USA FREEDOM REAUTHORIZATION ACT OF 2020—MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to consideration of the motion to proceed to H.R. 6172, which the clerk will report.

The legislative clerk read as follows: Motion to proceed to Calendar No. 440, H.R. 6172, a bill to amend the Foreign Intelligence Surveillance Act of 1978 to prohibit the production of certain business records, and for other purposes.

Mr. MCCONNELL. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### CORONAVIRUS

Mr. SCHUMER. Mr. President, first let me thank the staff who are here today under these difficult circumstances—here at the desk, the Sergeant at Arms, the doorkeepers, the police officers, and the many others who are here today. We thank them, as always. They are the unsung heroes of the Senate.

Now, as the Senate returns this week in a time of extraordinary challenge for our country, COVID-19, known as the coronavirus, continues to spread rapidly. In less than a week, the number of confirmed cases in the United States has grown from around 1,000 to well over 4,000. The actual number of cases is probably higher.

Here in the Capitol, public tours are suspended, and much of our staff is working from home. In a further effort to limit interactions, Senate Democrats will not be holding our regular caucus lunch, which will instead be conducted by conference call.

In my home State of New York alone, there are nearly 1,000 confirmed cases. The State is doing everything in its power to treat those afflicted, to prepare for future cases, and to limit the spread of the virus. Residents in the tristate area—New York, New Jersey, and Connecticut—are now under new restrictions on gatherings at bars, restaurants, and other public places.

I urge everyone to stay safe and to listen to the advice of public health experts. Practice good hygiene, follow the recommendations issued by State and Federal governments about public gatherings, and please—please—stay home if you feel sick.

As these important safeguards go into effect, there will be economic consequences. Businesses will face shortfalls. Employees will not be able to work. Families will bear the responsibility of childcare as school closures mount. For millions of families who live paycheck to paycheck, for parents who have to choose between keeping their jobs or taking care of their kids, and for so many others—the small business owner who has no liquidity even though it was a healthy business a few weeks ago—these are all very, very difficult times. The Congress and the Federal Government as a whole must take steps immediately to provide relief to those American workers, families, and businesses.

Last Friday, the House of Representatives passed legislation to provide for free coronavirus testing, extensions of paid sick leave, food assistance for schoolkids and the elderly, and assistance to States overburdened by Medicaid costs and expanded unemployment insurance. The Senate should take up this bill and pass it immediately by consent—today. We cannot wait.

It was my preference to keep the Senate in session over the weekend so that we could have passed this bill already, but Leader MCCONNELL—regrettably and almost inexplicably—decided to send everyone home and then call them back today. Many Members on my side of the aisle were extremely upset by Leader MCCONNELL's decision. There should be no further delay in passage of this legislation because, surely, we must move on to other necessary measures to address the coronavirus and its widening impact on the medical, economic, and social fabric of this country.

Testing capacity and public health infrastructure like hospital beds, masks, ventilators, and more remain a very urgent priority. Economic assistance for working families and small businesses must continue to be a focus of our efforts, as well as broader macroeconomic policies. Families will be without salaries, small businesses without liquidity, and they will need help immediately.

As early as tomorrow, I will present a series of proposals to congressional appropriators that Senate Democrats believe should be part of the next bill to address the coronavirus. In consultation with the ranking members of the committees of jurisdiction, we are proposing an immediate and initial infusion of at least \$750 billion to wage war against COVID-19 and the economic crisis it is now causing. The proposal will get money directly into the hands of the American people and, among other priorities, include Federal funding to address hospital and treatment capacity issues; expand unemployment insurance and increase Medicaid funding; ensure that everyone can afford treatment for coronavirus; provide immediate loan payment forbearance for all Federal loans—student loans, mortgages, small business loans, and others—and moratoriums on evictions and foreclosures; deliver immediate help to small businesses; fund emergency childcare, especially for healthcare workers and first responders; help schools with remote learning; provide assistance to keep public transportation running; address public health and economic needs in Indian Country; and utilize the Defense Department to provide personnel, equipment, supplies, and critical response capabilities to support the nationwide response.

There will be other proposals that will be needed, and we will talk about these as well, but, in sum, we need big, bold, immediate Federal action to deal with the crisis. The kinds of targeted measures we are putting together will mainline money into the economy and directly into the hands of families who need it most.

Importantly, this proposal will ensure that our medical professionals have the resources—including physical space and equipment—they need to provide treatment and keep Americans safe. Our proposal does not include every possible measure, nor must it. There will be multiple legislative vehicles to respond to the coronavirus. But in the near term, our proposal takes a comprehensive approach to dealing with the issues that workers, families, and the health of America face today.

I strongly urge my House and Senate colleagues on both sides of the aisle to review our proposal and incorporate our ideas into the next bill we will consider here in Congress. Now, the road ahead will be difficult. The disease will continue to spread and test our capacity—as a Congress and as a country—to respond with the necessary urgency, foresight, and cooperation.

Leaders in public office, from the President of the United States on down, must communicate clearly and honestly and set aside politics on behalf of the public good. Leaders in Congress must work together and with uncommon speed to respond to a set of national challenges unlike any we have faced in the recent past. Public health officials and researchers and doctors on the frontlines must continue to do the difficult and noble work they are now engaged in. We are all in their debt for their courage, their dedication, their duty.

The American people must hunker down and follow the guidance of experts until the cloud of this disease has passed. And it will pass. But until skies clear, we must all pull in the same direction and do what is necessary to ensure the health, safety, and security of the American people—today and in the weeks and months to come.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. GILLIBRAND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mrs. GILLIBRAND. Mr. President, right now, across New York State, the country, and the world, we are facing a crisis not seen in a century. It risks the health of our families and the health of our fellow Americans as well as our economic present and future. We are at the edge of a precipice, and lives are on the line. It poses a deep challenge to our collective psyche. How do we defend against such an overwhelming danger? How do we overcome our fear?

If you are a person who looks to history, you may turn to great leaders of the past. If you are a veteran or serving in our military today, you might look to your training. We are at war with this invisible threat. How do we create the right strategy, tactics, and assault plans?

If you are a person of faith, you might turn to scripture. The book of Ephesians tells us how to fight against such fears: “Put on the full armor of God, so that when the day of evil comes, you may be able to stand your ground.” It calls us to take up our “shield of faith,” to wear our “belt of truth,” and to stand firmly with our feet “fitted with the readiness that comes from the gospel of peace.”

Regardless of where your inspiration comes from, in times like these, we are afraid, and we need to be brave. We need to be selfless, and we need to be courageous. We have to look inward to find our inner strength, our resilience. We have to use our God-given common sense, and we need to fight—fight far harder than we could ever imagine.

Our enemy is clear—a novel coronavirus that is at our doorstep and

taking lives. Our mission is to stop the spread, protect the vulnerable, and ultimately prevent future outbreaks. Every blocked transmission is a victory.

Our frontline defenders are our doctors, our nurses, our first responders. Our National Guard is rightfully being called in to support these actions. To defeat this enemy, though, we need far more support. Mothers and fathers, sons and daughters, and all caregivers are going to be essential in limiting the spread of this virus. We need them added to the frontlines today—all of them.

The House passed a bill last week that takes a first step in beginning to address these needs. It provides mandatory emergency sick days and up to 3 months of coronavirus-related paid leave for some workers. This puts us closer to helping those on the frontlines of this crisis so they no longer have to face the impossible choice of whether to stay home to care for themselves, for a child who is home from school, for a loved one who is sick, or to risk public health to put food on the table for their families.

Unfortunately, the bill falls short. First, over half of the private sector workforce was left out of the paid sick and family leave provisions. Let me say that again. Of the over 100 million private sector workers in this country, over half will not be helped by this bill. Companies with more than 500 workers are not required to provide any paid sick leave, and the administration can give exemptions to companies with fewer than 50 employees. Taken together, this could amount to exemptions for about 75 percent of workers. Worse, it fails to take care of many of those who are most at risk—low-wage workers. These are the workers who are the least able to afford to take a day off, let alone weeks to self-quarantine.

In order to fight this crisis, we must slow the spread of this virus and ultimately stop its transmission. We must provide paid sick days and paid family and medical leave to every American worker now. There can be no exceptions or carve-outs, especially not for the wealthiest companies in the world.

For those who say this can't be done, they could not be more wrong. We should never send Armed Forces into battle without a plan, the right equipment, and the resources they need to win. If we don't equip all of our frontline defenders, including our parents and caregivers, we will fail to limit this spread.

Second, it is clear that, in a matter of days, most public school children in America will be out of school. The stress this puts on working parents is truly hard to articulate with or without there being guaranteed paid leave. Many low-income children rely on school meals for the best meal of the day. A school lunch can often make the difference between being healthy and being malnourished. Therefore, we need

a surge in food stamps, food distribution, and emergency meal delivery programs.

Third, we need a surge of testing. Without this critical information, we cannot reopen schools or businesses. To ensure universal free testing, we must authorize testing by all labs and hospitals and remove burdensome restrictions.

From the start of this crisis, public health officials have uniformly highlighted the importance of there being widely available testing and have decried our lack of it. As we have more fully grasped the magnitude of this crisis, States have developed their own tests, and their labs and hospitals are ready to conduct them. However, the approval process is still lagging. We are testing below our capacity because the FDA and CDC have yet to approve testing methods.

This is not the time to let redtape stand in our way. The administration must authorize States to utilize their own testing methods in their own facilities in order to try to keep up with the spread of this virus. Again, fighting a war without facts on the ground, without critical intelligence, cannot prevail. We need this information—yesterday.

Fourth, I support Governor Cuomo's call to deploy the Army Corps of Engineers to build temporary medical facilities so that when hospitals are overwhelmed, we can move people into those temporary facilities. The Federal Government must work aggressively to help our States increase hospital capacity.

Finally—and I can't emphasize this enough—every future policy that we debate here must put families and workers first—no half measures. These are the people on the frontlines of this crisis. They deserve our unwavering support. Just like we give the troops the resources they need, we have to have the same war footing today.

The very next piece of legislation before this Chamber must extend full-paid sick and family leave to every American worker. It must deal with the strain caused by the shuttering of our public schools, and it must increase our testing capacity and build more capacity for urgently needed care. We must pass it without further delay. Anything less will be a failure of government in this time of need. Anything less is defeat before the battle has even begun. This is how we fight. Every person we protect is a victory. This is our shared duty.

God bless America.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Ms. ERNST). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. COTTON. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. COTTON. Madam President, I sat at this very desk 2 months ago during

the impeachment trial, where I read news, oftentimes from East Asian sources, about a viral pneumonia from an unknown virus emerging from central China. From those earliest days, I began calling for drastic measures to prevent this virus from reaching our shores and to prepare for its potential arrival. I cannot claim any special expertise. I am not a doctor. I am not a scientist. I am not an epidemiologist. But I could tell from the very beginning that the Chinese Communist Party was lying about everything related to this virus, and that we had to be prepared for the worst.

That is why in January I called for a travel ban from mainland China. That is why in February I began to call for crash approvals of laboratory-developed testing kits or the use of the kind of testing kits the World Health Organization approved or that South Korea has been using. That is why I urged a Manhattan Project level of investment in rapid testing and approval for therapeutic products and vaccines.

That travel ban and some other measures taken has bought us some time, but our hour of great national testing has arrived. The moment of decision is upon us. The time has come for extraordinary measures.

Look at what has happened to Italy just over the last 2 weeks. Two weeks ago, Italians were enjoying early spring weather, sipping coffee and wine in restaurants and bars—just 2 weeks ago. Today, elderly Italians are being denied care and instead administered last rites because their healthcare system is totally overloaded. It is time to take extraordinary measures to avoid that fate. What seems extreme today will seem obvious tomorrow.

Here are a few of the measures whose time has come, regrettably. First, we need to stop all nonessential business activity in this country. You can call it a shutdown. You can call it quarantine. You can call it curfew. You can call it whatever you want, but no one should be going to work in this country unless they are involved in essential activities—groceries, pharmacies, delivering goods to those places, electricity, water, sanitation, public safety. Anything else poses too great a risk to public health.

Second, it is time for nonessential government services to shut down, as well, at the Federal, State, and local levels. Anyone who is involved in trying to arrest the spread of this virus or to mitigate its economic impact or provide other essential services, like food aid to the needy or care for other kinds of patients in a VA hospital, must come to work, and we must be prepared to work extremely long hours. But anyone else in government at any level should be telecommuting, if they can, and staying home, in any case.

Third, it is time for our military to prepare to provide advanced support of civilian authorities. This is a mission the military long plans for. They are rarely called upon to do so, but an ur-

gent hour is approaching, especially at our hospitals and our nursing homes and other healthcare facilities, when our young men and women in uniform could be called upon to support our great doctors and our nurses to provide additional capacity to treat patients, not just with this coronavirus but with other urgent needs as well. That planning is in its infancy. It needs to accelerate immediately.

Again, I know these are extraordinary measures, and they will impose hardship and pain and dislocation, but the faster we arrest the spread of this virus, the faster things can get back to normal and our economy will heal. We will protect ourselves, and we will protect our well-being.

In the meantime, this Congress will be called upon for some pretty drastic measures, as well, to ensure that all those persons affected by steps taken on this day and the steps I am calling for can make ends meet, can put food on the table, and keep a roof over their head and pay their bills.

The House, over the weekend, passed a bill that has many important provisions that I support and I suspect will pass unanimously from this Chamber: free virus testing; provisions for school lunches for those whose schools have closed, like the children all across Arkansas; liability protection for the manufacturers of respirator masks, which need it so we can get millions of more masks out to doctors and nurses.

But the House bill doesn't go far enough, and it doesn't go fast enough. The centerpiece of the House bill providing aid to affected workers is a new kind of tax credit for paid sick leave. Unfortunately, that is wrongheaded on both counts. First, a tax credit—even a refundable one, even one on which you can get an advance from the IRS—will not do much good if a business has no revenue whatsoever. Imagine all those restaurants, all those bars, all those gyms that are going to come to a screeching halt today or tomorrow. They will have no cash to pay their dislocated workers. They will not be sending anything to the Treasury every 3 days in the form of payroll taxes, from which they can get an advance. They will have nothing. They will go bankrupt if we force them to advance sick leave with no revenue whatsoever.

But, also, it doesn't go far enough on the sick leave front. That is a misguided category error. Yes, we should take care of those who are sick with this virus. But there are so many others, as well—those who are quarantined but are not sick, as some of those in the Senate have done; those whose businesses are shuttered but are perfectly healthy, if they work in a bar or restaurant or theater or gym; those who have children whose schools have closed and have no means to provide for childcare so they can get to work. They all have bills to pay as well. They all have mouths to feed. So the House approach simply doesn't go far enough or fast enough to create a complicated



new system that doesn't cover enough of America's workers and families.

So I would suggest a better approach. We simply need to use existing systems to get cash in the hands of workers and their families as quickly as possible. One approach is instant tax refunds or rebates—call them what you will—to anyone who filed taxes last year, especially those in the lower tax brackets, who are most likely to struggle to make ends meet if they are not bringing home a paycheck. That can be done almost instantly.

A second approach is to use existing social welfare agency programs to get cash out the door and into the hands of displaced workers and their families. Take unemployment insurance, for instance. The whole point of unemployment insurance is to get checks quickly in the hands of those who need it.

I consulted this weekend with our State officials. I consulted today with Federal officials. We don't have to redesign the unemployment system. We don't have to set new parameters and criteria in 50 different information technology systems in our States. All we simply do is treat someone who is sick with this virus or quarantined because of potential exposure or who is furloughed from a job or who is caring for a child as if they were unemployed.

The cash stipend may not be their full wage, but it will be enough, and it will be in their hands immediately so they can feed their kids and so they can pay their bills. That can be done right now—immediately. We don't have to use employers and tax credits as a middleman or a conduit.

Third, we have to think about all those businesses that are essentially going into a self-protective shutdown—all those restaurants and bars and gyms and theaters and I suspect many more in the days ahead. They are not making payroll. They are probably cutting supplies. They still have other debts to pay, though. We should help them get through this short period of testing, whether with loans or loan guarantees or grants—what have you.

We have to remember, though, that when small businesses and medium-sized businesses run out of cash, they go into chapter 7 bankruptcy. They liquidate. Those jobs don't come back. When giant businesses have a cash crunch, they go into chapter 11. Sure, the owners may change, but they come back into business.

Those are just a few of the steps we have to take to mitigate the economic harm this virus is inflicting on our people and to ensure that no one, not a single person in this country, has any financial incentive to go to work when they are sick or when they even may be feeling sick or to go out to try to find another job because their workplace is shut down and they can't get any support from the government.

Again, I know these are extraordinary measures, but these are also extraordinary times, and the faster we act, the more aggressively we act, the

shorter these times will last. We will stop the spread of this virus; we will get our people back to work; our markets will come back; and we will be stronger on the back end of this crisis than we were coming into it.

Nothing I have said here is a Republican idea or Democratic idea. I don't have partisan objections to what the House has proposed. I simply want to make sure that the action we take will work and will get relief to all of those displaced workers and their families in a timely fashion, when they need it, to put food on the table and keep a roof over their kids' heads and pay for medicine and make car payments. That is why the Senate is here today. That should be our focus in the days ahead, and that is something we can accomplish together this week.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. LEAHY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. LEAHY. Madam President, families across the country are facing an unprecedented challenge, and we must act, and act now, on solutions that put families and the American people first. The Families First Coronavirus Response Act takes a substantial step toward providing the relief and assurance communities need as we face this public health crisis.

Families should not be forced to choose between a paycheck and their own health and safety, or the health and safety of their community. A restaurant worker in Vermont cannot afford to stay home from work for several days or several weeks and still afford to pay her rent or feed her family, but staying home is exactly what we are asking waitresses, store clerks, gas station attendants, hourly workers, and many other employees to do. To contain this virus, we must address this reality.

Today, I am strongly urging Republicans and Democrats to drop their labels and support this emergency relief package, and pass it now. The American people need leadership, not political battles. The Families First Coronavirus Response Act creates two weeks of emergency paid sick leave so that people who work for small businesses are able to stay home from work if they are sick or must quarantine due to coronavirus. It creates up to 12 weeks of job protection under the Family and Medical Leave Act, and allows an employee to stay home for a longer period of time to recover from illness, or take care of a sick family member, or care for a child who must be at home because of school and daycare closures. These are commonsense solutions. Not only is it the right thing to do, it is a critical step if we want to

contain and defeat this public health crisis. It means employees won't have to choose between going to work when they are sick and potentially spreading the virus and missing a paycheck. This bill also makes important changes to the unemployment insurance program to help those that lose their job during this crisis. I hope, as Congress considers further steps to help address this crisis, we further support the small businesses that are supporting these employees and are the backbone of our local economies.

The Families First Coronavirus Response Act would inject \$500 million into the Special Supplemental Nutrition Program for Women, Infants and Children (WIC) and contains legislative changes to free up funding to help children who would go without breakfast or lunch if their schools closed. It would provide \$400 million for the Emergency Food Assistance Program to ensure that food banks have the resources they need to serve their communities and provide \$250 million for senior nutrition programs. These are common sense proposals to help families where they are in their communities.

Importantly, this bill will provide \$1 billion to help cover the cost of testing for people who are uninsured. This virus does not discriminate between the rich or the poor, or between those who have insurance and those who do not. Our approach to address this crisis cannot discriminate either. Nothing can help our country make up the ground we have lost because of the failed policies and poor execution of this administration of testing for the coronavirus. Because of the delays in getting the tests to State and local governments where they are needed, we do not fully understand the scope or spread of this disease in our country. We cannot compound these mistakes by denying the coronavirus test to those who can least afford it. Cost cannot be a barrier to seeking medical treatment during a public health crisis.

This bill is not perfect. As currently drafted, the paid sick leave benefits and Family Medical Leave Act polices extend only to companies with 500 employees or fewer. That leaves many workers in this country without these important protections. I understand this was the price of securing White House support for this bill. I would like the White House to explain why it thinks hourly workers at Target, Walmart, or McDonald's are less deserving of these protections. If we had the luxury of time, I would join other Senate Democrats in offering an amendment to close this gap, but we do not have that luxury. This bill was a product of compromise, and any change risks a threat of delay at a time when delay is our greatest enemy.

To my friends across the aisle who also want changes in this bill, I urge you to stand down. We need to pass this bill today, without delay. We do not have time for a lengthy debate.

The American people are looking to us for leadership and swift action; let's provide it.

This bill is the first step toward meeting American families where they are as they confront this crisis. In my more than 40 years in the United States Senate, few moments have demanded our bipartisan leadership more than this crisis. We must provide the protections in this bill—paid sick leave, unemployment insurance, nutrition assistance, and affordable testing for the American people—and we must do it now.

I this time of uncertainty, concern, and fear, I want to remind my fellow Vermonters and all Americans: We are all in this together. We can be smart about how we conduct our lives, while being good neighbors. We can support our communities, our first responders, healthcare workers, store clerks, and shelf stockers, and all those providing essential services. I am confident that our country will emerge from this crisis stronger than we were before, as we always have. I strongly encourage Republicans and Democrats to support this bill.

I see nobody else seeking recognition. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BOOZMAN). Without objection, it is so ordered.

The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. LEAHY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

H. R. 6172

Mr. LEAHY. Mr. President, I entered the Senate in the wake of Watergate in 1975. The very first vote I cast was in favor of creating the Select Committee to Study Government Operations with Respect to Intelligence Activities and the Rights of Americans—that is, the Church Committee. Through that Committee's work, the American public soon learned of years of abuses that had occurred at the hands of the executive branch's intelligence agencies. In response, the Senate passed sweeping reforms to rein in this overreach.

Since then, more flaws and occasional abuses have been documented within our surveillance authorities, but the Senate rarely has had an opportunity to debate and improve them. We did so in 2015, when Senator LEE and I led the effort in the Senate to pass the USA FREEDOM Act. Senator LEE and I strongly believe the Senate should do the same now. We should strengthen the amicus program, ensure that all exculpatory information is provided to the Foreign Intelligence Surveillance Court, and make other basic changes to better protect the civil liberties of all Americans.

I am thankful that Majority Leader MCCONNELL today has agreed to what Senator LEE and I requested last week—that we pass a short extension

of the expiring FISA authorities to give us an opportunity to both review and improve the House bill with a limited number of amendments. Critically, this will give us time to take up this issue after the Senate responds to the coronavirus.

I am particularly thankful to Senator LEE, who has tirelessly worked to reform surveillance authorities since he came to the Senate. With today's agreement, we will have the next 2 months to build consensus around important reforms, and I hope all of you will join us in this effort. That is what the Senate did when confronted with abuses documented by the Church Committee, and that is what the Senate must do now.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LEE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. LEE. Mr. President, I ask unanimous consent to receive permission to complete my remarks before any vote is conducted.

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

Mr. LEE. Mr. President, I came to the floor several days ago in connection with the expiring national security provisions. We have three provisions of our national security system of laws that are set to expire and have been set to expire for a long time. In fact, they expired yesterday, the 15th of March.

We have known that this was going to happen for a long time. When the USA FREEDOM Act was passed in 2015—a bill that I authored, along with my distinguished friend and colleague Senator LEAHY from Vermont—we knew those three provisions known as lone wolf, 215, and roving wire taps would expire at the end of 2019.

We got to the end of 2019, and we found ourselves up against a spending cliff, and the Senate decided, with the concurrence of the House of Representatives and the President, that we should postpone until March 15 the expiration of those three provisions that I just mentioned.

I came to the floor on Thursday to raise concerns that we needed to be able to amend and reform these provisions of the Foreign Intelligence Surveillance Act, or FISA, for a number of reasons. Among other reasons, I noted that the President of the United States found that his own rights as an American citizen were abused, as this law was manipulated, was abused in an unholy alliance of partisan political interests against him.

For that reason, the President of the United States has, quite thankfully, made this point clear to the American people. Even though the abuses that we know of that occurred with respect to

the President of the United States were not themselves one of these expiring provisions, we note the law itself as a whole is subject to abuse and that at moments like these, when these provisions are expiring, it is appropriate for us to take a broader look at the overall legal framework in which FISA operates and to bring about reforms.

I came to the floor on Thursday, and I asked that we simply reauthorize these three expiring provisions for a period of a few weeks—that we reauthorize them cleanly and without any modification to give us a few weeks to deal with the immediate crisis surrounding the coronavirus. I asked that, at the end of that period, we proceed with the understanding that the Senate be allowed to vote on a small handful of amendments—proposed reforms—to FISA.

This, unfortunately, drew an objection, resulting in the expiration of these three provisions over the weekend. This was unnecessary. As I pointed out at the time, I and my bipartisan group of colleagues, who have been concerned about these and other foreign intelligence surveillance provisions, didn't necessarily want it to expire. In fact, we believed that this was an unnecessary step. It was unnecessary to allow the law to go through the uncertainty of an expiration without having something to put in its place.

We could have and would have and should have done it differently. Fortunately, we were able to reach a deal—a deal that is still unfolding but a deal that is about to be announced on the Senate floor, whereby we will be extending for a few weeks these three expiring provisions, and, at the end of that time, we will be able to vote on a small handful of provisions, amendments to the Foreign Intelligence Surveillance Act framework.

This is necessary. We ought not wait until the President of the United States himself becomes a victim of this. When he has been a victim, we should assume that there are other victims—people whose rights have been invaded, violated as the law has been abused. We know that to be the case.

For that reason, we have negotiated this agreement, whereby we will be able to receive votes on amendments to improve and reform the Foreign Intelligence Surveillance Act.

I want to thank President Trump for bringing this issue to the attention of the American people and for reminding them of the importance of reforming this law. I want to thank the lead cosponsor of the legislation that I have filed in connection with this and of the amendments that we will be considering.

PAT LEAHY from Vermont and I have worked on FISA-related issues for basically the entirety of the 9 years I have spent in the U.S. Senate. I am grateful to him for working with me on this.

I also want to point out that it shouldn't have to come to this. We

shouldn't have to wait until the moment when we are on the eve of the expiration of some important legislation and where we have to wait for the President of the United States to weigh in and lean in and exercise as much leadership as he has to tell us that we ought to reconsider laws that we ourselves have enacted. From time to time, laws require revision, review, and reform. That always, necessarily, requires amendments, and we ought to be ready, able, and willing to vote on amendments as necessary.

Finally, this has become all too symptomatic of a Senate in which amendment votes, while once the norm, have now become the exception. This is unacceptable. It is not a partisan issue. It is neither Republican nor Democratic. It is neither liberal nor conservative. It is simply an American issue. The American people, including each of our constituents from each of the 50 States that we represent, deserve and expect for us to be more than a rubberstamp.

We can't justify our pattern of waiting for legislation to come over from the House of Representatives and then accepting the highly flawed proposition that the House must have gotten it right and we, therefore, must accept as a binary choice the entirety of what they have done, without considering or voting on amendments. This isn't acceptable. We can do better. I am encouraged that in this instance we have chosen to do better. I hope and expect and will continue to demand that we vote on more amendments and that this become the norm once again rather than the exception.

Finally, I am grateful that Senate leadership—Republican and Democratic alike—has chosen to allow us to consider amendments here. We are doing the right thing, and I look forward to more of precisely this kind of activity, not just voting on amendments pivotal to FISA but also broader issues. This isn't just about FISA. This is about everything we do. The minute any of us ever hears an argument suggesting that we have to accept whatever a handful of Senators or a committee or the other House of Congress has proposed and we ought to accept it or deny it—lock, stock, and barrel—without amendments, that is almost always an injurious and a dangerous argument, one that runs contrary to the very purpose for which this body exists.

I am grateful for this opportunity we will have to vote on these amendments. I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

The majority leader is recognized.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the cloture motion with respect to the motion to proceed to H.R. 6172 be withdrawn.

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

The cloture motion was withdrawn.

**PROVIDING A 77-DAY EXTENSION OF CERTAIN AUTHORITIES FOR FOREIGN INTELLIGENCE AND INTERNATIONAL TERRORISM INVESTIGATIONS**

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 3501, submitted earlier today.

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

The legislative clerk read as follows:

A bill (S. 3501) to provide a 77-day extension of certain authorities for foreign intelligence and international terrorism investigations, and for other purposes.

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

Mr. McCONNELL. I ask that the bill be considered read a third time and the Senate vote on passage of the bill with no intervening action or debate.

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.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass?

The bill (S. 3501) was passed, as follows:

**S. 3501**

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SEVENTY-SEVEN-DAY EXTENSION OF AUTHORITY TO ACCESS CERTAIN BUSINESS RECORDS FOR FOREIGN INTELLIGENCE AND INTERNATIONAL TERRORISM INVESTIGATIONS AND FOR ROVING SURVEILLANCE.**

Section 102(b)(1) of the USA PATRIOT Improvement and Reauthorization Act of 2005 (Public Law 109-177; 50 U.S.C. 1805 note) is amended by striking "March 15, 2020" and inserting "May 30, 2020".

**SEC. 2. SEVENTY-SEVEN-DAY EXTENSION OF AUTHORITY FOR INDIVIDUAL TERRORISTS TO BE TREATED AS AGENTS OF FOREIGN POWERS UNDER THE FOREIGN INTELLIGENCE SURVEILLANCE ACT OF 1978.**

Section 6001(b)(1) of the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108-458; 50 U.S.C. 1801 note) is amended by striking "March 15, 2020" and inserting "May 30, 2020".

**SEC. 3. EFFECTIVE DATE.**

This Act and the amendments made by this Act take effect on March 14, 2020.

Mr. McCONNELL. Mr. President, I ask unanimous consent 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.

**ORDER OF BUSINESS**

Mr. McCONNELL. Mr. President, I ask unanimous consent that at a time

to be determined by the majority leader in consultation with the Democratic leader, the Senate proceed to the immediate consideration of H.R. 6172. I further ask that there be 10 hours of debate, equally divided between the proponents and the opponents of the bill, with an hour of debate under the control of the sponsors of each amendment, or their designees, and with Senators LEAHY and WYDEN controlling 1 hour each. I further ask that the only amendments in order be three amendments to be proposed by the following Senators or their designees: LEE, on amicus reforms and exculpatory evidence; PAUL, on rights of Americans; DAINES, on section 215 web browser/search history data collection prohibition; and three side-by-sides to be proposed by Senator McCONNELL, or his designee, on the same topics, with all amendments and the bill subject to a 60-affirmative vote threshold for passage; finally, that upon the use or yielding back of that time and upon disposition of the amendments in the order listed, the bill, as amended, if amended, be read a third time and the Senate vote on passage of the bill with no intervening action or debate.

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

The PRESIDING OFFICER. The Senator from Illinois.

**CORONAVIRUS**

Mr. DURBIN. Mr. President, we are at an extraordinary moment in our Nation's history. The President of the United States has declared a national emergency. One has to go back to the early 1900s to the Spanish influenza to find a similar public health threat to the United States of America. We are in the midst of not just a threat in our own country but a global coronavirus pandemic. There are more than 173,000 cases nationwide, and more than 7,300 people have died.

What you see today on the floor of the Senate is exactly the opposite of what we are being advised as a nation we need to do. What you see today on the floor of the Senate are staff people—thank you for being here—protective forces outside the Chamber, and others who are invisible to those coming and going who are part of the ordinary business of the Senate. You see, we did today what the President has told America we should not do, what medical experts have told us we should not do. We have taken unnecessary airline flights to come here to Washington, DC. I was on a plane this morning from Springfield, IL, to Chicago. There were six passengers on the plane. Most people are listening to the advice of the medical experts and avoiding unnecessary travel.

Unfortunately, we were required to come back today from across the United States. Some Members stayed over the weekend because their homes are too far away. Some decided to drive this morning just to be extremely safe. But the fact is, we were asked to take unnecessary airline flights to come

back here today and this week and, frankly, expose ourselves to the possibility of some public health risk and ask our staff to do the same.

In addition to that, we have been counseled by the leaders—both at the State and the Federal levels—not to gather in groups of more than 10. It looks like we are breaking that rule right here on the floor of the Senate. The obvious question is why: Why would we put ourselves at risk? Why would we put our staff at risk and their families to come back here?

There are two issues. The first issue is the Foreign Intelligence Surveillance Act, which was brought up on the floor of the Senate last Thursday, and Senator LEE and Senator LEAHY offered the extension of this act for a period of time in return for a few amendments to be debated on the floor. That was rejected.

Just minutes ago, what was rejected last Thursday was accepted. We made this trip back here, and it was not necessary. You have to ask yourselves: Are we being respectful of ourselves, our family, our staff? Are we being respectful of our responsibility as setting a model for the rest of America? I am afraid not.

Now there is this bill remaining that just passed the House of Representatives, the Families First Coronavirus Response Act. The coronavirus act was one that was negotiated by speaker NANCY PELOSI and the President of the United States through Mr. Mnuchin. That went on for a week, and the bill was agreed to and supported by both. The President even tweeted his support for it. That shows his level of commitment, I suppose. Speaker PELOSI supported it as well. It was a measure that should have passed by a voice vote here in the Senate over the weekend. Instead, we are still talking about it today.

There are measures included in it that are critical for public health. May I give you one example? When the State of Illinois and the city of Chicago asked for protective masks for healthcare workers so that they can avoid infection, they sent us an allotment of 25,000 masks. A State of 12.5 million people was sent 25,000 masks. Those would protect the people working at one major hospital in Chicago for a month. It is totally inadequate.

The last time we faced any kind of epidemic threat like this, we received 1.5 million masks from the stockpile. What is holding up the masks? What is holding up the test kits? Those are legitimate questions.

One of the provisions in this bill that is still sitting here somewhere in Senate limbo would authorize new masks to be released across the United States to my State and others. So while we talk, the masks are not being delivered.

Why, then, aren't we taking up this bill tonight? The coronavirus bill should be taken up at this moment by unanimous consent. Let those who ob-

ject to it come to the floor if they wish and object and explain why. If they have an amendment to offer, so be it. But if it is just to let the ordinary course of things work their way through and maybe we will get around to this by Wednesday or Thursday, shame on us. This is a matter of national emergency and a public health crisis in this country.

What kind of example are we setting by coming back to this Chamber at risk to our staff and the people and ourselves and our families? We have Members of the Senate going in and out of quarantine. They are self-quarantining themselves, and we are acting like it is business as usual. We will get around to it later this week.

What are we waiting for? This is a healthcare emergency. It is time for both political parties to come to the floor—not this empty Chamber—and do our job tonight. There is no excuse for it. If someone has a substantive objection to the bill, state it on the floor. You have plenty of chance to do it. Offer an amendment, if you wish, or just vote no, but for goodness' sake, the American people expect us to do our work.

We are here at risk to ourselves and others. We should do our work, and do it quickly. If this is going to end up in some voice vote that is quietly registered tomorrow, a number of us are going to be very upset because we made this trip here because we had to represent our people who elected us and sent us here thinking we would have to vote.

If we can do this without a vote, so be it. But couldn't this have been done without exposing all of the staff people and all of the protective forces and everyone else to the obvious pandemic that we think is threatening our country in a massive way?

I take this very seriously because I love my family and friends. I wouldn't want any of them to be hurt because of something I have picked up—some virus I have picked up. I have increased my exposure today to be here on this floor, and, tonight, we are going to quietly sneak away and maybe come back tomorrow and actually do some work. We should do it tonight.

This coronavirus emergency should be taken seriously by both parties and taken seriously by the U.S. Senate. It is time for us to act. That is what we were sent here to do. Let's do it.

The PRESIDING OFFICER. The Senator from Idaho is recognized.

Mr. RISCH. Mr. President, will the Senator from Illinois yield to an inquiry?

Mr. DURBIN. I am happy to yield.

Mr. RISCH. Mr. President, I am told that Speaker PELOSI has not sent a bill to the Senate yet. Is that your understanding?

Mr. DURBIN. I understand the bill has been sent.

Mr. RISCH. Mr. President, I have a parliamentary inquiry.

Has the bill been sent by Speaker PELOSI to the Senate yet?

The PRESIDING OFFICER. The Chair is unaware that the bill has arrived.

Mr. RISCH. It is probably tough for us to vote on a bill that hasn't arrived yet.

Mr. DURBIN. Let me defer to the Senator from Idaho.

I have just had this explained by my staff. There is an enrollment correction that was supposed to be taken up on the floor of the House today and sent over with the bill.

Mr. RISCH. I don't disagree with you that we should take it up.

Mr. DURBIN. I understand a Republican Member of the House is objecting to the enrollment correction at this point, and it is being held up there because of his objection.

Mr. RISCH. Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN. I think you just watched what is wrong with this place.

Senator DURBIN comes here and talks about the importance of doing something. Last Thursday, when Speaker PELOSI and Secretary Mnuchin were close to coming up with a deal about what we have to do to stop this virus—keep in mind, the President of the United States first mentioned this in an answer to a question with all the elites in Davos, Switzerland. He first answered a question saying: Oh, this virus is nothing. It will mean nothing.

I think it took him 8 weeks before he declared an emergency. Then, last Thursday, we were supposed to start working on this. We should have. I asked Senator MCCONNELL on this floor—I opened this door, and I pointed down the hall. I said: Senator MCCONNELL should come back here, and let's work on this bill.

Whether they were actually finished doing it in the House down the hall or not, we should be working on this.

Now we have had 4 more days. Senator MCCONNELL had to go back to Kentucky. I don't know what he went back for. We asked him to stay and finish this, to negotiate and do it to take care of stopping this virus, to take care of all the people in my State in Illinois and Senator MARKEY's State and Senator COONS' State and Senator BOOZMAN's State, to take care of all these people who are losing their jobs and don't know what to do.

Senator MCCONNELL went back to Kentucky and wasted 3 days—make that 4 days since today is another day we are wasting. Again, I don't know why he went back. It is 3 more days of people being worried. It is 3 more days of people self-quarantining. It is 3 more days of businesses in Columbus and Dayton shutting down. It is the anguish you feel if you think one of your loved ones is sick. All of this—empty airplanes and all the things that are happening—and we are wasting another day.

I always appreciate the Senator from Idaho bringing up a parliamentary

technical question, but why aren't we doing this? Why aren't we listening to what Senator DURBIN said?

It has been 3 days since the House passed the comprehensive package. It is 3 days and counting for people worried about how they are going to take time off from work if they get sick.

Think about this. The Presiding Officer knows all kinds of service workers in Arkansas; Senator DURBIN knows them in Illinois; Senator MARKEY, in Massachusetts. I know all kinds of workers who are feeling sick. They are making \$12 an hour. They don't have any sick days. They think: Do I go to work and maybe I will get sick and maybe infect my neighbor? Or do I stay home and give up that \$12 an hour—that \$100 I need to make my rent—and then, tomorrow, face the same question and the day after? That is what we are forcing on people. Instead, we are just playing games. We wasted 3 days, and now we are wasting another day.

When a situation changes this quickly, people are scared at home. People are looking for leadership. Leader MCCONNELL and President Trump have failed the people they serve. We need to get help to people today. Let's immediately get to work on the next round of support.

Let me tell you what that next round of support is. We should pass the bill today to help people with unemployment insurance, to help people with sick days, to help people with Medicaid. We should do all that. It means putting our workers first. We shouldn't be bailing out Wall Street. That will be next. You can bet Senator MCCONNELL will hurry when the airlines come for their bailout package and hurry when the banks come for their bailout package and hurry when the big hotel chains come for their bailout package.

We have to put money in the pockets of individuals first. The IRS needs to send an initial check of at least \$2,000 directly to every single working-class, low-income, and middle-class family who can use it so they won't get evicted or won't get foreclosed on. We don't need a corporate middleman to do that. We need to make sure every worker who needs unemployment insurance can get it.

I have spoken to my Governor, who has done a good job on this. He served here with Senator DURBIN. He is Mike DeWine, a Republican. I talked to him three times this week. He will help us speed up the unemployment checks so that they get to workers. We need to make sure that all workers are eligible for unemployment insurance, including independent contractors and people who are self-employed.

Second, we need a temporary expansion of the earned income tax credit and the child tax credit for the next several years.

Third, we need to hold any company accountable that is getting taxpayer dollars. If we are going to help the airlines—and I think we should—it means the airlines can do no stock buybacks.

It means no sending of jobs overseas. It means no outsourcing of jobs to independent and usually low-paid contract workers—food service, custodial, security workers. It means no golden parachutes for executives. It means no using of taxpayer dollars, with which we are bailing them out, to bust unions that are trying to organize in the workplaces. If they want taxpayer money, you commit to using it to help people who make this country work.

Fourth, we need to prevent evictions and foreclosures and provide emergency rental and mortgage assistance to make up for lost wages. Millions of Americans are one lost paycheck away from eviction or foreclosure. You all know the number. Forty percent of Americans don't have \$400 extra to fix their cars. Also, if they lose their paychecks, they can't pay their rent. We need to look at canceling some amount of student loan debt. Through no fault of their own, we know millions of Americans aren't going to be able to make student loan payments. Canceling debt will allow people to get back on their feet.

Since January 22, President Trump has had chance, after chance, after chance to get ahead of this public health crisis. In fact, 2 years ago, I sent him a letter, writing: Why did you fire Admiral Ziemer? Why did you eliminate the office of 40 people in the White House that was in charge of surveilling the world to look for potential pandemics? Why did you fire them? Please reinstate them.

He ignored the letter. He hasn't explained why he eliminated that office. He would have known way before January about this potential pandemic, and if it had still existed, he might have done something about it at the urging of that office. The President has failed in this. Congress can't make the same mistakes. We need to get ahead of the crisis facing family budgets before it is too late.

Mr. DURBIN. Will the Senator yield for a question?

Mr. BROWN. I yield to the Senator from Illinois.

Mr. DURBIN. Through the Chair, I ask a question of the Senator from Ohio.

The Senator from Idaho, who is a friend, raised a parliamentary issue, and you have gotten to the heart of the matter with the question of how families are going to survive in the midst of the pandemic and what we are going to do about it. The Senator from Idaho raised a parliamentary issue, and we are guided by rules around here.

To the knowledge of the Senator from Ohio, in the past, has the Senate entered into agreement on bills posted in the House before the papers actually arrived in the Senate?

Mr. BROWN. I thank the Senator from Illinois.

Yes. Sure, we have. If we want to get something done, we get something done. We find a way, through unanimous consent, for all of us to agree.

Who can say that this is anything but a national crisis? Are we going to make our unwillingness to do anything contingent on some parliamentary trick? No. We are paid to do this job. Just because Senator MCCONNELL has taken 4 days and not done it doesn't mean that we shouldn't. We should work.

Mr. DURBIN. I thank the Senator.

Mr. BROWN. I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. MARKEY. Mr. President, I echo what the Senator from Illinois has said and what the Senator from Ohio has said.

We have a national emergency. We should have already finished this phase of dealing with this crisis, for there are many more phases to deal with. As part of this debate, we should ensure that there is sick leave for every single worker in our country. That is not in this package that is coming through right now. We have to make sure everyone is covered. We need unemployment insurance, and we need to ensure that it extends to workers in the gig economy—tip workers, domestic workers, and contractors. We have to cover people so they stay home. We have to let them know that unemployment insurance is going to extend to them during this crisis.

We cannot allow our inaction—our thinking through of what we have to do—to shut down any potential for this crisis' not growing to a level which we are seeing in other countries. We can do it, but it is the Senate that has to deliberate on these issues, find the solutions, and deliver them to the American people. They are desperate for answers right now. They are being told to go home right now. Waiters, bartenders, and contractors are being told to just go home.

What is going to happen to them if they don't have sick time? What is going to happen to them if they don't have unemployment insurance? What are they going to be doing in terms of caring for their families?

We should be here this week, taking care of the package that has already been agreed to and beginning the debate immediately on everything else we have to do. I will give you an example.

Let's just take the hospitals of our country. For most of the major cities in America, a high percentage of the revenue for those hospitals comes from foreign patients who fly in from around the world and into our major cities. That revenue stream is going to be cut off for an indefinite period of time. Hospitals depend upon elective surgeries. That is going to be cut off for an indefinite period of time. That is the revenue flow that goes into hospitals that then allows them to take care of the poorer people in each and every one of our communities. If they don't have that revenue stream, it is going to place enormous pressure on

them to lay off doctors, to lay off nurses, and to lay off other key personnel because the revenue stream will not be there.

We are the ones who are going to have to provide the revenue stream. At this time, we cannot have a hospital system in crisis in our country. We should be here, deciding whether we are going to provide a fund of \$100 billion or \$200 billion or \$300 billion to ensure our healthcare system stays robust at this time of all times in our history.

We are heading into issue after issue that this Senate has to deal with. If we are here—if we are back—we should deal with it. We should deal with it this week. We should deal with it on the emergency basis that we are telling every family to with regard to this crisis, but every other family is dependent upon us to provide the answers for them and their families.

So I agree with the Senators. This is something that requires our attention. We are here, and we are the answers for them. If we don't give them, then there will be no answers. We know that the first bill—the \$8 billion bill—was three times larger than the White House wanted, but we made sure that the extra funding was going into each and every one of our States. We know that this bill that was just negotiated with the Speaker and the President last week is just being held up by a Republican with regard to a procedural obstacle. That is why.

We have to deal with this on a war footing. We are at war with an invisible enemy that is moving into every single city and town and into every single part of our economy as we speak right now. If we don't provide the defense for our families, then we are going to be looked at as being those who failed the American people.

We should already have robust testing, but we don't. We should have the protective gear in the hands of every doctor and nurse all across our country, but our doctors and nurses are being told to reuse their masks—to reuse them. The Senator from Illinois was already talking about how hard it is to get that extra protective gear for his hospitals, and the same thing is true all across our country.

We know there is a crisis. We know there is a shortage. We know there is a huge gap that exists between what we have and what we are going to need, but we don't have any more time. We didn't use the time in December. We didn't use it in January, and we didn't use it for most of February. There were warnings that were coming, but we now know it is real. We know it is in every community already and in every State already in our Nation.

We should stay here, and we should do this work. We should make sure that our hospitals know for sure that they are going to have the help they need, especially the community hospitals because they are going to be very fragile—very, very fragile—in

terms of the revenue stream going in while great expectations will be expected from them in terms of what they are going to do for their local communities.

So let's stay. Let's debate this. Let's make sure that the frontline workers have the protective gear they need, have the testing equipment they need, and have the guarantee that their salaries are going to be paid and that they are going to be taken care of, because we are going to need them to be putting themselves in harm's way in our country for, potentially, months. This is the time for us to stand up and to stay here in order to get these issues resolved this week. We shouldn't do it next week. We should do it this week.

I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. MANCHIN. Mr. President, I agree with everything that has been said. I agree that, basically, we should never have left here Thursday night. So many of us could, maybe, drive home. I was able to drive home and was able to drive back. Yet so many people were put in harm's way when they went home on airplanes. As you might know, we don't have the youngest crowd—I think our average age is about 62 here—so it is putting them and their families and, basically, the people they work with in danger also.

Let me tell you what we are talking about here. If we are going to come to the aid of the economy of this country, I have no doubt that Democrats and Republicans will come together to take care and help people. I hope they realize the people who really need help are the people who cannot make it from one week to the next, let alone from one paycheck to the next.

I was out last week just in DC, and I talked to a young waiter—a very, very nice, young man.

I asked: What happens if you have to go home for 2 weeks?

He said: I am finished. I can't make it. I can't make my payments. I can't make my house payment. I can't make my rent payment. I can't make my grocery payment.

He was done. That is how worried he was. He said no one had asked him that question. These are the people we have to worry about.

I want to bring to your attention one more thing. As of 2:30 this afternoon, my State didn't have one reported case. Now, that is great. That is wonderful. I pray to the good Lord that this is the case that we have none, but let me tell you the thing that scares me. I have the most at-risk population base in the Nation. The Kaiser report that came out showed the State of West Virginia as being the most in danger of all of the States with its having the most vulnerable people.

I have over 720,000 elderly. I have over 220,000 who are critically ill under 60 years of age. If you put all of this together, of the over 1.8 million people, I have over 1 million who could be abso-

lutely, totally devastated by this virus if it hits, and we haven't shown one case yet. Of the 1.8 million people I have told you about and of the 1 million who are in vulnerable situations, we have had only 84 tests in my State as of 2:30. Now, 80 have come back negative, and as of 2:30, 4 are unknown.

I am surrounded by five States in this wonderful, little State of mine, West Virginia. These are the most beautiful people in the world, and they have worked hard. A lot of them have respiratory illnesses, and they will be the first to be attacked. If it hits my State and if we are not prepared for it because, basically, we won't even have the tests to identify who will be ill and who will need these treatments and will need the healthcare, the hospital care, what will we do? I don't have the ventilators, and I don't have the respirators. I don't have anything available to that many people who are that vulnerable. What do we do?

I know of all of the financial aid we are talking about and of all of the help that we are going to need. We had better concentrate on how we find a cure—on how we basically take care of the people who are the most vulnerable—and that would, first and foremost, protect the people of America. They are scared to death. I am scared. I am concerned. I am afraid that my State of West Virginia is falling into a lapse to where the people of West Virginia might think: Oh, we are protected. No cases have been reported, so we are in good shape.

I pray to the good Lord that this is the case, but my gut tells me that it is not. We just don't know.

Mr. DURBIN. Will the Senator yield for a question through the Chair?

Mr. MANCHIN. I yield to the Senator.

Mr. DURBIN. We have the Families First Coronavirus Response Act that passed the House of Representatives early on Saturday morning, which we could consider—and have in the past on a parliamentary basis—and which I have called for, and others have joined me. We should move on this and move on it quickly. The Senator from Massachusetts has expanded it to other areas that we should be considering. While we are here, let's get some work done.

Among the things included in this is the testing. The Senator said there have been 84 tests in the entire State?

Mr. MANCHIN. This is out of 1.8 million people in the most vulnerable State in America.

Mr. DURBIN. It is obvious that you cannot measure the actual rate of infection until you have enough tests of those who are suspicious—who have a fever or a cough.

Mr. MANCHIN. Senator, if you have seen the map of the United States, West Virginia stands out and doesn't show anything. I think, how could that happen?

Mr. DURBIN. We have faced the same thing with 12.5 million people. We have tested 360 a day for the entire State. It is ridiculous.

Mr. MANCHIN. We have tested 84 total.

Mr. DURBIN. I know.

The Governor has told me that we really don't know how many people are infected. We don't know the rate—whether it is going up and at what rate—and whether it is in certain areas of our State and not in others. So, if you don't have testing, you don't have knowledge, and you can't fight a pandemic.

I would just say to the Senator that this was the highest priority in this bill that passed the House of Representatives on Saturday.

Mr. MANCHIN. We should have been here on Saturday.

Mr. DURBIN. We should have been here on Saturday. We should take it up today. What are we waiting for? For goodness' sakes, we ought to do it.

Mr. DURBIN. The other thing is food assistance, and I know your State struggles. There are many people, as you said. It is not paycheck to paycheck; it is week to week. Some of them qualify for food stamps, the SNAP program.

Mr. MANCHIN. I will tell you what we were able to do on that. I sent a letter last week immediately to Sonny Perdue, and he answered immediately. We were able to get all of the kids—because we have so many children in West Virginia who rely on their breakfast and their lunch from the schools for nutrition, we are going to be delivering. The school is doing that.

The State is taking some steps to shut things down. Schools have been shut down. They have said no more community gatherings whatsoever. They have done all of the things they were told to do. We just don't know where the virus may be, if it is there, and how it is going to affect us.

Mr. DURBIN. It starts with testing. It is food assistance, and it is also additional Medicaid money coming back to the State. I am sure the State of West Virginia, like Illinois, desperately needs it.

I was surprised to learn today that the capacity of hospitals in the United States is less than 1 million patients, fewer than 1 million patients. In a nation of 350 million people, we have hospital capacity of less than 1 million, and when it comes to the intensive care units, it is a much, much smaller number than that. So that is our fear. If this goes rampant, it could overwhelm our hospital system.

Certainly Medicaid money back to your State and mine in this bill that passed the House should be authorized tonight. We should vote on this tonight.

Mr. MANCHIN. The economics of this whole thing right now is, first of all, we should know who is infected, where the infection is going, and how rampant this will be. We don't know yet.

Next of all, who is the most vulnerable economically? The people who work day to day, paycheck to paycheck, and week to week. That is where the relief—

Mr. DURBIN. Medical leave.

Mr. MANCHIN. Exactly. We have to do some things and do them quickly. And if this thing doesn't come up, we should sit here and protest until it does come up. There is no reason we can't do it tonight.

Mr. DURBIN. There is no reason. And if the President was credible—and I believe he was when he called this a national healthcare emergency—we ought to act like it.

Mr. MANCHIN. Well, today he recognized it and came forth and basically said today in that press release that I listened to—he basically acknowledged the threat of what we are dealing with and the enormity of what we are dealing with. It was the first time I have heard basically the concern that we have that this thing is bigger than any of us, but all of us together can fight this.

But I would ask the majority leader: Mr. Majority Leader, we should have stayed here. Yet we are here now. Let's do it.

Mr. DURBIN. Let's do it.

Mr. MANCHIN. Let's do it. No blame. No blame. Let's just do it.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. COONS. Mr. President, I rise to speak briefly about hard decisions. There are hard decisions that have been made all over our country in recent days and weeks—decisions by superintendents of school districts on whether to shut down their schools and send their children home; hard decisions made by mayors about how to provide for first responders, for those who run the paramedic and ambulance and police services, and the 9/11 centers and the public hospitals; decisions by Governors about where and when and whether to declare states of emergency. We have seen decisions made by faith leaders, by sports leaders, by school leaders—leaders of all types at all levels.

But the most important decisions that are being made tonight are around America's kitchen tables, where folks are looking at each other and saying: How much longer will I have a job? How much longer will we be able to put food on the table? How will we care for our kids who are unexpectedly home from school or college or overseas for days or weeks? How much longer can we stay in our home before we have to go see our mom, our grandmom, our uncle, our father, who is in a skilled nursing facility, who is scared and alone?

Just this afternoon, seven counties in California announced a shelter-in-place order. We have seen counties, cities, and communities all over our country gradually move from a very relaxed and casual attitude, to a very concerned attitude, to being on high alert, to now, in half a dozen communities around our country, looking more like Italy than they do like America of a month ago.

It has been a slow-rolling response, and we should have been here this

weekend to make sure that the Senate of the United States stepped forward and did our job and made our hard decisions.

I take some encouragement from the fact that the first round of support—\$8.3 billion—got crafted, taken up, passed, and signed into law in just a matter of 2 weeks—long overdue, but \$8.3 billion that went out for vaccine development, for test kits, for personal protective equipment, to put a floor underneath this burgeoning public health crisis that is COVID-19 as it has spread now to every State in our country.

The next package that has already been passed by the House—that should be considered by this body—we must take up and pass immediately, and it directly speaks to those hard decisions at homes all over our country. It speaks to folks who are concerned that they don't have health insurance. It speaks to folks who are concerned that they don't have unemployment insurance. It speaks to folks who don't know where their kids—who used to get school lunches—are going to get their next good meal. It speaks to some of the challenges of the most vulnerable in our country.

I don't know about my colleagues, but I took a lot of phone calls this weekend from constituents who are concerned, who are anxious, who are angry, who want to know what we are doing at the Federal level to provide backup; folks who run nonprofits that are struggling to keep their services available and to stay open under great pressure; folks who run faith services in our community who canceled their services, closed their buildings, but now have half a dozen organizations communities rely on, whether it is a food pantry, a clothes closet, or a job-training service; folks who are anxious about what will happen to their staff and their students at their schools; in particular, folks who are anxious about what will happen to the seniors in their skilled nursing facilities or in their hospitals.

As you have heard my colleagues speak to, our hospital system does not have the capacity for thousands and thousands of newly diagnosed folks to present themselves at emergency rooms, seeking hospitalization around our country.

We should act immediately to deliver the sorts of mobilized Federal resources that the Army Corps of Engineers, the Veterans' Administration, the Department of Defense, and State and local FEMA affiliates and agencies can deliver to scale up our response in a prompt and appropriate way.

We should not leave this building and session until we have taken up and put together a package that will provide an appropriate stimulus for working families all over our country, provide a floor for small businesses and for working families who will be gravely concerned tonight about what will happen tomorrow.

We have hard choices to make, but that is why people hire us. Instead of being here in a largely empty Chamber with nothing on our agenda tonight, we should be taking up, debating, passing, and sending to the President for signature bold strokes that will give confidence to the American people and address the concerns that families all over our Nation are facing tonight, and then, for our health and the health of our staff and our families, we should go into recess. But we should not do so, as we just did for a long weekend, until we take up and pass these pressing measures of national interest.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. MURPHY. Mr. President, let me associate myself with the remarks of the Senator from Delaware and others who spoke before him.

We are here. We are all in town. We came back for an expected vote tonight that did not occur. There is no excuse for us not to be voting at this moment on an assistance package that is going to be dispositive on some of the toughest decisions that many American families will make over the course of this year or next.

Let me drill down on what those decisions are. Right now, there are parents in my State of Connecticut who have to go to work tomorrow but have a child who is home from school, and they have to make a decision as to whether they are going to forgo tomorrow's paycheck and stay home from work, possibly face termination or discipline, or leave their child at home alone or in an unsafe environment.

There are thousands and thousands of families in my State who cannot afford to miss a paycheck—a paycheck—that is the difference between being able to put food on the table or not, whether or not their kids have diapers, whether the lights stay on. That is the decision many families are making tomorrow in Connecticut.

Here is another decision that many individuals are making in my State: Tonight there are a lot of moms and dads who have a cough, who are starting to feel a little fever coming on, but they have work tomorrow, and they have a paycheck they need for their family, and they don't have paid sick leave as part of their compensation package. That is not part of their contractual deal with their employer. So they are making that decision. Do I forgo a paycheck? Do I risk getting fired or disciplined, or do I go to work even though I am not feeling well, even though I have symptoms that I know are problematic?

They are facing those decisions tonight because we weren't here this weekend, because a bill passed the House that had in it an answer for many of those families—not all of those families—had guaranteed paid sick leave for thousands and thousands of workers all across this country who were waiting for that assurance that if they stayed home with their child who

is home from school or they decided to stay home with the beginnings of symptoms that look like COVID-19, they would be protected financially. That bill was ready for action here in the Senate, and had we passed it on Saturday or Sunday, there would have been thousands of parents, thousands of workers, who would have stayed home today. But they didn't. They didn't.

I know this to be true. I know this to be true—that there were many, many workers who went to work today even though they might not have been feeling well, didn't stay home with their kids because they didn't feel they could go without that paycheck. So this is about real-life, minute-by-minute decisions that are being made by families in this country.

I know sometimes it doesn't feel that important if we wait a day. I know sometimes it feels like a bummer if we have to miss out on a weekend. But not this weekend. Not today. These decisions that families are making are fundamentally different if we do it a day ahead of time.

The epidemic has less of a chance at winning if we pass this legislation tonight rather than tomorrow or Wednesday or Thursday. And I worry about that because I have listened to some of my Republican colleagues suggest over the last 24 hours that we are not going to pass this bill, that we are going to change the bill, that we are going to amend it and we are going to send it back to the House.

This bill is ready. It has bipartisan support. The President announced on Friday night that he was for it. No reason to wait in order to give our constituents some assurances, in order to make sure they are making the right decisions for their family and for their health and for all of our health rather than decisions necessary in order to guarantee that next paycheck comes, which is essential—essential—for their family's financial health.

Lastly, I just don't want to let the President of the United States off the hook here. I watched yet another one of these press conferences yesterday in which he once again sort of glossed over the gravity of the moment, in which he hinted that young people didn't have as much to worry about as older people, in which he once again savaged the press, attacking them right at the moment when Americans are relying on the media to give them information that is going to keep them safe.

I talked to several of my hospital leaders today, and they talked about the fact that not only do they need personal protective equipment—they are running out—not only do they need more ventilators, but some of my hospitals don't even have the swabs necessary to do the tests. That is not an issue today because they can't get the tests processed, but once we get the testing capacity ramped up, they are not sure they will have the swabs necessary to do the tests.

It is just inexcusable that we got caught this unready. It is inexcusable that many of us were sitting in a meeting with the President's representatives in early February, begging for a supplemental bill to be sent to the Senate and House then so that we would be ready when the disease ramped up and were told by the administration that they didn't need it, that they had enough resources.

It is unacceptable that to this day, this President doesn't understand the urgency of this crisis. This is a crisis of a pandemic sweeping the country, but it is also a crisis of leadership. It is also a crisis of leadership. And at the very least, we need to keep the heat on this President to be accurate in his portrayal of the scope and the danger of this national public health emergency, and on a daily basis, he is failing even to just be honest with the American people.

I really hope that we get this done tomorrow. It doesn't look like we are coming in tonight. For my constituents in Connecticut, they can't wait another 24 hours, they can't wait another 48 hours to know whether they are going to have at least some modicum of protection if they choose to do the right thing by their family, do the right thing by their health. We need to provide them that assurance, and we need to do it immediately.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, I am going to conclude for the sake of the staff and yourself and others who are here, who, as I mentioned earlier, are at risk. We are all at risk with this pandemic.

But just to summarize as quickly as I can, we returned this week when we were supposed to be back in our States. We returned this week because there was pressing legislative business. One of the items before us, raised by Senator McCONNELL, the Republican leader, was the Foreign Intelligence Surveillance Act reauthorization. There are some Senators who have questions and objections to the bill that passed the House. Those Senators on the Republican side and on the Democratic side came to the floor last Thursday and said: We will agree to an extension of this law if you will give us a chance to actually debate our concerns on the floor of the Senate. That request was rejected last week by Senator McCONNELL.

So tonight we were going to have the showdown vote to see whether or not we move forward on this, and, lo and behold, moments before that vote, Senator McCONNELL agreed to what he refused to agree to last Thursday. Yes, we will have a temporary extension, and we will have debate and amendments before that extension expires.

So one of the reasons that we were drawn back to Washington, when we were counseled by all the medical experts not to take unnecessary airline flights, was for a matter that was resolved without a vote tonight.



I came to the floor after that and said: If that is the case, then, for goodness sakes, the only other remaining matter pending before us is the Families First Coronavirus Response Act, passed by the House of Representatives in the early hours of Saturday: free testing for coronavirus, strengthening food assistance, safeguarding Medicaid benefits, enhancing unemployment assistance, and establishing paid leave. My request then was and still is, Why don't we pass that by voice vote? Let's do it.

This was a measure agreed to on a bipartisan basis by Speaker NANCY PELOSI and by the President of the United States, Donald Trump. If the two of them can come together and agree on it, are you telling me we can't agree on it in the Senate? And if someone wants to vote no, so be it. Place your vote on the record. But for some reason we are not going to do that. We are going to sit around tonight and come back tomorrow.

Will we do it tomorrow? I don't know. But there is no sense of urgency in the Senate, as there should be—first, for the people in this country who are facing this virus and the disruption in their own personal lives. Some of those people are losing jobs, and some are sick and should stay away from their jobs. They want to know what this bill says that passed the House of Representatives—that there is medical leave for them if they are sick and can't work, and then, if they lose their jobs, if there is going to be some assistance for their families in this time of trouble. Those are reasonable requests by every family. That is the highest priority. Why would we wait to take that up? Why would we delay that decision and leave more uncertainty among the people of Illinois and across America? There is no reason or excuse for it. Let's get that done.

Secondly, this measure also says that we are going to continue to work on a bipartisan basis to solve this problem. Let's take this up tomorrow morning.

As was noted before, we raised, in the initial bill to deal with this pandemic, the President's ask from \$2 billion to \$8 billion and did it on a bipartisan basis to put the medical and healthcare resources to work across America. We should and we did, and we did it with a minimum of debate on a bipartisan basis.

This bill, the second bill in the package, should have been treated exactly the same way. It should have moved through the Senate without asking all the Senators to return, the staff to come here, the Capitol Hill Police and others to protect us, and all the staff support that we have. We didn't have to go through this. We should have done this.

If Senator MCCONNELL and the Republican leadership would have reached out, he would have found there was a lot of cooperation available on our side of the aisle—again, on a bipartisan basis.

I don't disagree with what the Senator from Massachusetts said. There is more to be done—a lot more to be done. We will discover it, and we should move on it quickly. But for the time being, pass this bill. Tell the American people we heard you and we know what we are up against, and we are in it together, on a bipartisan basis.

Let's not dream up some way in the Senate rules to drag this out day after weary day and expose one another to the virus that has been rampantly crossing this country and threatening us every single day. We need to do this work, get it done, and get it done quickly.

I yield the floor.

The PRESIDING OFFICER (Mr. SULLIVAN). The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, I came here today from Connecticut, where I have been to hospitals and local public health departments, small and large businesses, places where healthcare is provided and where the backbone of our economy is done. And I came here to vote. I came here to vote on a package passed by an overwhelming bipartisan majority in the House of Representatives.

That overwhelming bipartisan spirit should be what animates us as we seek to save lives and livelihoods. We are literally on the cusp of an existential crisis in this country that will transform the lives of almost every American of almost every age and background and religious creed. Yet, in the face of that crisis, we will have no vote tonight. That is disgraceful. It is shameful.

In the course of traveling around Connecticut, I have visited hospitals in Milford, Hartford, and in other places around the State and local health departments and with local officials who have said to me that there is still inadequate testing because the Federal Government has still failed to fulfill its promise to provide that testing.

There are fears that the surge of health cases as a result of coronavirus will deplete the resources of hospitals and other healthcare facilities because there are deficient numbers of ICUs and ventilators, and still the Federal Government has failed to provide them.

There is fear and anxiety about the future of our economy when parents have to make decisions about whether to stay home now to take care of their children because they are out of school or because their family has one person who is ill from this virus, and they are all quarantined.

Will they be able to pay their mortgages and put food on the table? They are literally living from paycheck to paycheck. They are trying to make it in real time, right now.

Likewise, I met this morning with small business owners and managers who are fearful they will literally become insolvent, they will go bankrupt, they will go under because they have insufficient resources to weather this

financial storm. They are receiving no revenue, but they still have overhead expenses. If they are restaurants, they are now, in effect, closed. If they are retail establishments, most people are staying home. If they are small businesses, the backbone of the economy in providing jobs, they are challenged and they have to make real decisions in real time, right now.

The package that is available for us to vote on would provide relief to those families and those businesses, to people who are anxious about the future of their lives and livelihoods, who have to make those hard decisions right now, tonight, about what they will do. It would provide paid sick leave and emergency medical and family leave and strengthen unemployment compensation, as well as tax credits. For our States, it would provide a kind of expanded Medicaid support—\$440 million for Connecticut alone and hundreds of millions for other States around the country.

We need to embark on that program of massive support and sweeping international cooperation and unsparing truth telling about the dimension of this crisis—no more magical thinking or happy talk. We are about to see numbers soar, and, as Anthony Fauci said, we are about to see Americans hunker down, as they must do, and, in that period, what we have before us in legislation will mean, potentially, life and death decisions. Time matters. Hours and days are profoundly significant when families have to make these decisions. We can delay, but it is to the ultimate profound damage of those lives, and we can make a difference if we act now.

We could have acted by unanimous consent over the weekend. I am sorry that the Senate went home and that there was no action. But we need to act now—if not tonight, tomorrow morning. It should have been this afternoon because the loss of time is a loss of opportunity that we cannot afford.

The small business people who met with me this morning, the health directors in New London and in other cities, such as Hartford, the hospital administrators in Hartford and Milford, the local officials, the mayors around the State of Connecticut, and the small business community who were hosted today by the MetroHartford Alliance said to me: We need action.

We have an obligation to act. We cannot allow time to pass without action. We owe it to the people of Connecticut and the American people that there be action to meet that surge and challenge for the hospitals, to provide that assistance in grants, not just loans, in this package and then in a next package.

There must be additional steps. I support the initiative that I understand may be coming from Senator SCHUMER and others and join in that initiative for hundreds of billions of dollars in aid to meet this crisis on the homefront as well as in the economic arena.

Truth telling to the American people means recognizing the extraordinary, unprecedented, historic magnitude of the challenge before us. The scope and scale of potential suffering can be reduced. We owe it to the American people to act. There is no excuse for delay. The failure to act is unconscionable and inconceivable, given the magnitude of the challenge but also given the resolute and resilient spirit that I have seen across Connecticut. Whether it is with Americans donating to people who need it—supplies and other kinds of necessities—or the spirit of giving that I have seen among faith leaders and public officials, the courage of police and firefighters and emergency responders, and the dedication of healthcare providers, whether it is in hospitals or clinics like Charter Oak in Hartford and across Connecticut, everywhere that I have visited, I have seen that American spirit coming forward—the great, positive spirit of America and the ingenuity. That was the word that one of the small business people this morning used to myself and David Griggs at the MetroHartford Alliance. The ingenuity of meeting this challenge, whether it is in research for new vaccines or devising new ways to deliver the tests or providing for more ventilators and intensive care units—that ingenuity is truly American. The dedication of those healthcare givers, first responders, small business people, local officials, and others around the State and around the country ought to inspire us to do better and to take this vote and do our job.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### MORNING BUSINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Ridgway, one of his secretaries.

#### EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

#### PRESIDENTIAL MESSAGE

REPORT RELATIVE TO THE ISSUANCE OF A PROCLAMATION DECLARING A NATIONAL EMERGENCY WITH RESPECT TO THE OUTBREAK OF CORONAVIRUS DISEASE (COVID-19) THAT INVOKES SECTION 1135 OF THE SOCIAL SECURITY ACT, TO ALLOW THE SECRETARY OF HEALTH AND HUMAN SERVICES TO EXERCISE AUTHORITY UNDER THAT SECTION TO TEMPORARILY WAIVE OR MODIFY CERTAIN REQUIREMENTS OF THE MEDICARE, MEDICAID, AND STATE CHILDREN'S HEALTH INSURANCE PROGRAMS AND OF THE HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT PRIVACY RULE THROUGHOUT THE DURATION OF THE PUBLIC HEALTH EMERGENCY, RECEIVED DURING ADJOURNMENT OF THE SENATE ON MARCH 13, 2020—PM 53

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Finance:

*To the Congress of the United States:*

Pursuant to section 201 of the National Emergencies Act (50 U.S.C. 1621), I hereby report that I have exercised my authority to declare that the outbreak of coronavirus disease (COVID-19) in the United States constitutes a national emergency. This declaration invokes section 1135 of the Social Security Act, 42 U.S.C. 1320b-5, to allow the Secretary of Health and Human Services to exercise the authority under that section to temporarily waive or modify certain requirements of the Medicare, Medicaid, and State Children's Health Insurance programs and of the Health Insurance Portability and Accountability Act Privacy Rule throughout the duration of the public health emergency declared in response to the COVID-19 outbreak.

I am enclosing a copy of the proclamation I have issued.

DONALD J. TRUMP.  
THE WHITE HOUSE, March 13, 2020.

#### MESSAGE FROM THE HOUSE

##### ENROLLED BILLS SIGNED

At 3:04 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

S. 760. An act to enable registered apprenticeship programs to better serve veterans, and for other purposes.

S. 893. An act to require the President to develop a strategy to ensure the security of next generation mobile telecommunications

systems and infrastructure in the United States and to assist allies and strategic partners in maximizing the security of next generation mobile telecommunications systems, infrastructure, and software, and for other purposes.

S. 1678. An act to express United States support for Taiwan's diplomatic alliances around the world.

H.R. 1365. An act to make technical corrections to the Guam World War II Loyalty Recognition Act.

H.R. 4334. An act to amend the Older Americans Act of 1965 to authorize appropriations for fiscal years 2020 through 2024, and for other purposes.

H.R. 4803. An act to facilitate the automatic acquisition of citizenship for lawful permanent resident children of military and Federal Government personnel residing abroad, and for other purposes.

The enrolled bills were subsequently signed by the President pro tempore (Mr. GRASSLEY).

The message further announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 6160. An act to extend the chemical facility anti-terrorism standards program of the Department of Homeland Security.

The message also announced that pursuant to 22 U.S.C. 2761, and the order of the House of January 3, 2019, the Speaker appoints the following Members on the part of the House of Representatives to the British-American Interparliamentary Group: Mr. MEEKS of New York, Ms. DELBENE of Washington, Mr. KILMER of Washington, Mr. GOMEZ of California, and Mr. CROW of Colorado.

The message further announced that pursuant to Executive Order No. 12131, and the order of the House of January 3, 2019, the Speaker appoints the following Members on the part of the House of Representatives to the President's Export Council: Mr. LARSON of Connecticut, Ms. DELBENE of Washington, and Mr. GOMEZ of California.

The message also announced that pursuant to 22 U.S.C. 276d, and the order of the House of January 3, 2019, the Speaker appoints the following Members on the part of the House of Representatives to the Canada-United States Interparliamentary Group: Mr. MEEKS of New York, Mr. PETERSON of Minnesota, Mr. DEFAZIO of Oregon, Mr. LARSEN of Washington, Ms. DELBENE of Washington, and Mr. MORELLE of New York.

#### ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, March 16, 2020, she had presented to the President of the United States the following enrolled bills:

S. 760. An act to enable registered apprenticeship programs to better serve veterans, and for other purposes.

S. 893. An act to require the President to develop a strategy to ensure the security of next generation mobile telecommunications systems and infrastructure in the United States and to assist allies and strategic partners in maximizing the security of next generation mobile telecommunications systems,

infrastructure, and software, and for other purposes.

S. 1678. An act to express United States support for Taiwan's diplomatic alliances around the world.

**INTRODUCTION OF BILLS AND JOINT RESOLUTIONS**

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. McCONNELL:

S. 3501. A bill to provide a 77-day extension of certain authorities for foreign intelligence and international terrorism investigations, and for other purposes; considered and passed.

By Mr. CRAMER (for himself, Mr. COTTON, Mr. TILLIS, and Mr. MORAN):

S. 3502. A bill to delay the implementation date of the current expected credit losses methodology for estimating allowances for credit losses, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. MORAN (for himself, Mr. TESTER, Mr. TILLIS, Mr. BLUMENTHAL, Mrs. MURRAY, Mr. SULLIVAN, Mrs. BLACKBURN, Mr. BOOZMAN, Mr. CRAMER, Ms. SINEMA, Ms. HIRONO, Mr. MANCHIN, Mr. BROWN, Mr. INHOFE, Mr. ROUNDS, Mrs. LOEFFLER, Mr. CASSIDY, Mr. CORNYN, Ms. WARREN, Ms. DUCKWORTH, Ms. ROSEN, Mr. PETERS, Mr. BENNET, Mr. VAN HOLLEN, Ms. CORTEZ MASTO, Mr. WYDEN, Mr. DAINES, Ms. MCSALLY, Ms. COLLINS, and Mr. DURBIN):

S. 3503. A bill to authorize the Secretary of Veterans Affairs to treat certain programs of education converted to distance learning by reason of emergencies and health-related situations in the same manner as programs of education pursued at educational institutions, and for other purposes; 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 Mr. ENZI (for himself and Mr. MENENDEZ):

S. Res. 544. A resolution supporting the designation of March 2020 as "National Colorectal Cancer Awareness Month"; to the Committee on Health, Education, Labor, and Pensions.

**ADDITIONAL COSPONSORS**

S. 3129

At the request of Mr. CRAPO, the name of the Senator from South Carolina (Mr. SCOTT) was added as a cosponsor of S. 3129, a bill to provide for certain reforms with respect to the Medicare program under title XVIII of the Social Security Act, and for other purposes.

**STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTION**

By Mr. McCONNELL:

S. 3501. A bill to provide a 77-day extension of certain authorities for foreign intelligence and international terrorism investigations, and for other purposes; considered and passed.

Mr. McCONNELL. 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. 3501

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SEVENTY-SEVEN-DAY EXTENSION OF AUTHORITY TO ACCESS CERTAIN BUSINESS RECORDS FOR FOREIGN INTELLIGENCE AND INTERNATIONAL TERRORISM INVESTIGATIONS AND FOR ROVING SURVEILLANCE.**

Section 102(b)(1) of the USA PATRIOT Improvement and Reauthorization Act of 2005 (Public Law 109-177; 50 U.S.C. 1805 note) is amended by striking "March 15, 2020" and inserting "May 30, 2020".

**SEC. 2. SEVENTY-SEVEN-DAY EXTENSION OF AUTHORITY FOR INDIVIDUAL TERRORISTS TO BE TREATED AS AGENTS OF FOREIGN POWERS UNDER THE FOREIGN INTELLIGENCE SURVEILLANCE ACT OF 1978.**

Section 6001(b)(1) of the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108-458; 50 U.S.C. 1801 note) is amended by striking "March 15, 2020" and inserting "May 30, 2020".

**SEC. 3. EFFECTIVE DATE.**

This Act and the amendments made by this Act take effect on March 14, 2020.

By Mr. MORAN (for himself, Mr. TESTER, Mr. TILLIS, Mr. BLUMENTHAL, Mrs. MURRAY, Mr. SULLIVAN, Mrs. BLACKBURN, Mr. BOOZMAN, Mr. CRAMER, Ms. SINEMA, Ms. HIRONO, Mr. MANCHIN, Mr. BROWN, Mr. INHOFE, Mr. ROUNDS, Mrs. LOEFFLER, Mr. CASSIDY, Mr. CORNYN, Ms. WARREN, Ms. DUCKWORTH, Ms. ROSEN, Mr. PETERS, Mr. BENNET, Mr. VAN HOLLEN, Ms. CORTEZ MASTO, Mr. WYDEN, Mr. DAINES, Ms. MCSALLY, Ms. COLLINS, and Mr. DURBIN):

S. 3503. A bill to authorize the Secretary of Veterans Affairs to treat certain programs of education converted to distance learning by reason of emergencies and health-related situations in the same manner as programs of education pursued at educational institutions, and for other purposes; considered and passed.

S. 3503

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. CONTINUATION OF DEPARTMENT OF VETERANS AFFAIRS EDUCATIONAL ASSISTANCE BENEFITS FOR CERTAIN PROGRAMS OF EDUCATION CONVERTED TO DISTANCE LEARNING BY REASON OF EMERGENCIES AND HEALTH-RELATED SITUATIONS.**

(a) IN GENERAL.—In the case of a program of education approved by a State approving agency, or the Secretary of Veterans Affairs when acting in the role of a State approving agency, that is converted from being offered on-site at an educational institution to being offered by distance learning by reason of an emergency or health-related situation, as determined by the Secretary, the Secretary may continue to provide educational assist-

ance under the laws administered by the Secretary without regard to such conversion, including with respect to paying any—

(1) monthly housing stipends under chapter 33 of title 38, United States Code; or

(2) payments or subsistence allowances under chapters 30, 31, 32, and 35 of such title and chapters 1606 and 1607 of title 10, United States Code.

(b) APPLICABILITY PERIOD.—Subsection (a) shall apply during the period beginning on March 1, 2020, and ending on December 21, 2020.

(c) DEFINITIONS.—In this section:

(1) EDUCATIONAL INSTITUTION.—The term "educational institution" has the meaning given that term in section 3452 of title 38, United States Code, and includes an institution of higher learning (as defined in such section).

(2) PROGRAM OF EDUCATION.—The term "program of education" has the meaning given that term in section 3002 of title 38, United States Code.

(3) STATE APPROVING AGENCY.—The term "State approving agency" has the meaning given that term in section 3671 of title 38, United States Code.

**SEC. 2. EMERGENCY DESIGNATIONS.**

(a) IN GENERAL.—This Act is designated as an emergency requirement pursuant to section 4(g) of the Statutory Pay-As-You-Go Act of 2010 (2 U.S.C. 933(g)).

(b) DESIGNATION IN SENATE.—In the Senate, this Act is designated as an emergency requirement pursuant to section 4112(a) of H. Con. Res. 71 (115th Congress), the concurrent resolution on the budget for fiscal year 2018.

**SUBMITTED RESOLUTIONS**

**SENATE RESOLUTION 544—SUPPORTING THE DESIGNATION OF MARCH 2020 AS "NATIONAL COLORECTAL CANCER AWARENESS MONTH"**

Mr. ENZI (for himself and Mr. MENENDEZ) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 544

Whereas colorectal cancer is the second leading cause of cancer death among men and women combined in the United States;

Whereas it is estimated that, in 2020, 147,950 individuals in the United States will be diagnosed with colorectal cancer and approximately 53,200 individuals will die from the disease;

Whereas colorectal cancer is one of the most preventable forms of cancer because screening tests can allow for the discovery and removal of polyps before the polyps become cancerous;

Whereas screening tests can detect colorectal cancer early, which is when the disease is most treatable;

Whereas the Secretary of Health and Human Services estimates that if every individual 50 years of age or older had regular screening tests, as many as 60 percent of deaths from colorectal cancer could be prevented;

Whereas the 5-year survival rate for patients with localized colorectal cancer is 90 percent, but only 39 percent of all diagnoses occur at this stage;

Whereas screening tests can reduce the incidence of colorectal cancer and mortality, but approximately 1 in 3 adults between 50 and 75 years of age are not current with recommended colorectal cancer screening;

Whereas educational efforts can help inform the public on methods to prevent and screen for, as well as detect early symptoms of, colorectal cancer; and

Whereas public awareness and educational campaigns on colorectal cancer prevention, screening, and symptoms are held during the month of March each year: Now, therefore, be it

*Resolved*, That the Senate—

(1) supports—

(A) the designation of March 2020 as “National Colorectal Cancer Awareness Month”; and

(B) the goals and ideals of National Colorectal Cancer Awareness Month; and

(2) encourages the people of the United States to observe National Colorectal Cancer Awareness Month with appropriate awareness and educational activities.

**AUTHORIZING THE SECRETARY OF VETERANS AFFAIRS TO TREAT CERTAIN PROGRAMS OF EDUCATION CONVERTED TO DISTANCE LEARNING BY REASON OF EMERGENCIES AND HEALTH-RELATED SITUATIONS IN THE SAME MANNER AS PROGRAMS OF EDUCATION PURSUED AT EDUCATIONAL INSTITUTIONS**

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to immediate consideration of S. 3503, introduced earlier today.

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

The senior assistant legislative clerk read as follows:

A bill (S. 3503) to authorize the Secretary of Veterans Affairs to treat certain programs of education converted to distance learning by reason of emergencies and health-related situations in the same manner as programs of education pursued at educational institutions, and for other purposes.

The PRESIDING OFFICER. Is there objection to proceeding to the measure?

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

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

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

The bill (S. 3503) was passed as follows:

S. 3503

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. CONTINUATION OF DEPARTMENT OF VETERANS AFFAIRS EDUCATIONAL ASSISTANCE BENEFITS FOR CERTAIN PROGRAMS OF EDUCATION CONVERTED TO DISTANCE LEARNING BY REASON OF EMERGENCIES AND HEALTH-RELATED SITUATIONS.**

(a) IN GENERAL.—In the case of a program of education approved by a State approving

agency, or the Secretary of Veterans Affairs when acting in the role of a State approving agency, that is converted from being offered on-site at an educational institution to being offered by distance learning by reason of an emergency or health-related situation, as determined by the Secretary, the Secretary may continue to provide educational assistance under the laws administered by the Secretary without regard to such conversion, including with respect to paying any—

(1) monthly housing stipends under chapter 33 of title 38, United States Code; or

(2) payments or subsistence allowances under chapters 30, 31, 32, and 35 of such title and chapters 1606 and 1607 of title 10, United States Code.

(b) APPLICABILITY PERIOD.—Subsection (a) shall apply during the period beginning on March 1, 2020, and ending on December 21, 2020.

(c) DEFINITIONS.—In this section:

(1) EDUCATIONAL INSTITUTION.—The term “educational institution” has the meaning given that term in section 3452 of title 38, United States Code, and includes an institution of higher learning (as defined in such section).

(2) PROGRAM OF EDUCATION.—The term “program of education” has the meaning given that term in section 3002 of title 38, United States Code.

(3) STATE APPROVING AGENCY.—The term “State approving agency” has the meaning given that term in section 3671 of title 38, United States Code.

**SEC. 2. EMERGENCY DESIGNATIONS.**

(a) IN GENERAL.—This Act is designated as an emergency requirement pursuant to section 4(g) of the Statutory Pay-As-You-Go Act of 2010 (2 U.S.C. 933(g)).

(b) DESIGNATION IN SENATE.—In the Senate, this Act is designated as an emergency requirement pursuant to section 4112(a) of H. Con. Res. 71 (115th Congress), the concurrent resolution on the budget for fiscal year 2018.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the motion to reconsider be considered made and laid upon the table.

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

**ORDERS FOR TUESDAY, MARCH 17, 2020**

Mr. McCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Tuesday, March 17; further, 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; further, that following leader remarks, the Senate be in a period of morning business with Senators permitted to speak therein for up to 10 minutes each; finally, that the Senate recess from 12:30 until 2:15 p.m. to allow for the weekly conference meetings.

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

**ADJOURNMENT UNTIL 10 A.M. TOMORROW**

Mr. McCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous con-

sent that it stand adjourned under the previous order.

There being no objection, the Senate, at 7:19 p.m., adjourned until Tuesday, March 17, 2020, at 10 a.m.

**NOMINATIONS**

Executive nominations received by the Senate:

**FARM CREDIT ADMINISTRATION**

RODNEY K. BROWN, OF CALIFORNIA, TO BE A MEMBER OF THE FARM CREDIT ADMINISTRATION BOARD, FARM CREDIT ADMINISTRATION, FOR A TERM EXPIRING OCTOBER 13, 2024, VICE JEFFREY S. HALL, TERM EXPIRED.

**DEPARTMENT OF DEFENSE**

JAMES H. ANDERSON, OF VIRGINIA, TO BE A DEPUTY UNDER SECRETARY OF DEFENSE, VICE DAVID JOEL TRACHTENBERG, RESIGNED.

**CONSUMER PRODUCT SAFETY COMMISSION**

NANCY B. BECK, OF NEW YORK, TO BE A COMMISSIONER OF THE CONSUMER PRODUCT SAFETY COMMISSION FOR A TERM OF SEVEN YEARS FROM OCTOBER 27, 2018, VICE ANN MARIE BUERKLE, TERM EXPIRED.

NANCY B. BECK, OF NEW YORK, TO BE CHAIRMAN OF THE CONSUMER PRODUCT SAFETY COMMISSION, VICE ELLIOT F. KAYE.

**NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES**

ROBERT JOSEPH KRUCKEMEYER, OF TEXAS, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE HUMANITIES FOR A TERM EXPIRING JANUARY 26, 2022, VICE DOROTHY KOSINSKI, TERM EXPIRED.

**FEDERAL MEDIATION AND CONCILIATION SERVICES**

RICHARD GIACOLONE, OF VIRGINIA, TO BE FEDERAL MEDIATION AND CONCILIATION DIRECTOR, VICE ALLISON BECK, RESIGNED.

**NATIONAL LABOR RELATIONS BOARD**

MARVIN KAPLAN, OF KANSAS, TO BE A MEMBER OF THE NATIONAL LABOR RELATIONS BOARD FOR THE TERM OF FIVE YEARS EXPIRING AUGUST 27, 2025. (RE-APPOINTMENT)

**EQUAL EMPLOYMENT OPPORTUNITY COMMISSION**

ANDREA R. LUCAS, OF VIRGINIA, TO BE A MEMBER OF THE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION FOR A TERM EXPIRING JULY 1, 2025, VICE VICTORIA A. LIPNIC, TERM EXPIRING.

**NATIONAL LABOR RELATIONS BOARD**

LAUREN MCGARITY MCFERRAN, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE NATIONAL LABOR RELATIONS BOARD FOR THE TERM OF FIVE YEARS EXPIRING DECEMBER 16, 2024. (RE-APPOINTMENT)

**EQUAL EMPLOYMENT OPPORTUNITY COMMISSION**

JOCELYN SAMUELS, OF MARYLAND, TO BE A MEMBER OF THE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION FOR A TERM EXPIRING JULY 1, 2021, VICE CONSTANCE SMITH BARKER, TERM EXPIRED.

KEITH E. SONDERLING, OF FLORIDA, TO BE A MEMBER OF THE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION FOR A TERM EXPIRING JULY 1, 2024, VICE CHARLOTTE A. BURROWS, TERM EXPIRED.

**IN THE NAVY**

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be vice admiral*

REAR ADM. EUGENE H. BLACK III

**IN THE ARMY**

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

*To be colonel*

WILLIAM A. FORBES

**IN THE NAVY**

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

*To be lieutenant commander*

JAMES G. BUCKLEY

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

*To be lieutenant commander*

MICHAEL G. MATSON

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

*To be lieutenant commander*

KEVAN M. MELLENDICK

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

*To be lieutenant commander*

ANDREW S. MORRIS

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

*To be lieutenant commander*

ANDREW D. CORDREY

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

*To be commander*

NICHOLAS R. LEINWEBER

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

*To be captain*

SEAN A. MCKAY

FOREIGN SERVICE

THE FOLLOWING-NAMED CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE DEPARTMENT OF STATE FOR PROMOTION WITHIN THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF MINISTER-COUNSELOR:

- MICHAEL J. ADLER, OF MARYLAND
- ARUNA S. G. AMIRTHANAYAGAM, OF NEW YORK
- ASSIYA ASHRAF-MILLER, OF VIRGINIA
- AMBER MICHELE BASKETTE, OF THE DISTRICT OF COLUMBIA
- MARK J. BIEDLINGMAIER, OF VIRGINIA
- JOSEPH BOOKBINDER, OF VIRGINIA
- SCOTT DOUGLAS BOSWELL, OF THE DISTRICT OF COLUMBIA
- MATTHEW GORDON BOYSE, OF THE DISTRICT OF COLUMBIA
- NATALIE E. BROWN, OF VIRGINIA
- MARK JOSEPH CASSAYRE, OF VIRGINIA
- CAROL-ANNE CHANG, OF VIRGINIA
- KAREN K. W. CHOE-FICHTE, OF WASHINGTON
- ERIC SCOTT COHAN, OF FLORIDA
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- JEWELL ELIZABETH EVANS, OF MISSISSIPPI
- STEVEN H. FAGIN, OF THE DISTRICT OF COLUMBIA
- ERIC A. FICHTE, OF WASHINGTON
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- JOSHUA D. GLAZEROFF, OF VIRGINIA
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  - JEFFERSON D. SMITH, OF VIRGINIA
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  - RONALD W. STUART, OF VIRGINIA
  - GAVIN A. SUNDWALL, OF THE DISTRICT OF COLUMBIA
  - TRACY JO THOMAS, OF VIRGINIA
  - GREGORY DEAN THOME, OF VIRGINIA
  - JENNIFER S. TSENG, OF COLORADO
  - HEATHER CATHERINE VARIAVA, OF VIRGINIA
  - STEVEN CRAIG WALKER, OF VIRGINIA
  - ROBERT PATRICK WALLER, OF MARYLAND
  - JAN LIAM WASLEY, OF THE DISTRICT OF COLUMBIA
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  - EDWARD ANTHONY WHITE, OF VIRGINIA
  - THOMAS KAVON YAZDGERDI, OF VIRGINIA
  - HUGO YUE YON, OF MARYLAND
  - AZIZ Y. YOUNES, OF TEXAS
  - JOSEPH MICHAEL YOUNG, OF CALIFORNIA
- THE FOLLOWING-NAMED CAREER MEMBERS OF THE FOREIGN SERVICE FOR PROMOTION INTO THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR:
- ELIZA F. AL-LAHAM, OF VIRGINIA
  - JEFFREY J. ANDERSON, OF THE DISTRICT OF COLUMBIA
  - SUMERA ASHRUF, OF MARYLAND
  - NATALIE A. BAKER, OF TEXAS
  - STEPHEN B. BANKS, OF THE DISTRICT OF COLUMBIA
  - SARAH M. BERAN, OF THE DISTRICT OF COLUMBIA
  - DAVID M. BIRDSEY, OF MARYLAND
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  - STEPHANIE L. BOWERS, OF VIRGINIA
  - JOHN DANIEL BOYLL, OF TEXAS
  - CLINTON S. BROWN, OF NEW YORK
  - RAVI S. CANDADAI, OF TEXAS
  - ANGELA M. CERVETTI, OF VIRGINIA
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  - MARK W. CULLINANE, OF VIRGINIA
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  - NATHANIEL P. DEAN, OF THE DISTRICT OF COLUMBIA
  - ISABELLA DETWILER, OF MARYLAND
  - MATTHEW STEVEN DOLBOW, OF THE DISTRICT OF COLUMBIA
  - KAREN L. ENSTROM, OF THE DISTRICT OF COLUMBIA
  - SUSAN K. FALATKO, OF VIRGINIA
  - CHERYL L. FERNANDES, OF VIRGINIA
  - VERNELLE T. FITZPATRICK, OF VIRGINIA
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  - DAVID J. GAINER, OF VIRGINIA
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  - LESLIE M. HAYDEN, OF FLORIDA
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  - PATRICIA L. HOFFMAN, OF VIRGINIA
  - NEIL W. HOP, OF WASHINGTON
  - JAYNE A. HOWELL, OF THE DISTRICT OF COLUMBIA
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  - RAHIMA KANDAHARI, OF VIRGINIA
  - JON C. KARBBER, OF VIRGINIA
  - MATTHEW E. KEENE, OF VIRGINIA
  - THOMAS A. KELSEY, OF MARYLAND
  - DANIEL B. KING, OF DELAWARE
  - ROBERT T. KOEPCCKE, OF VIRGINIA

- RACHNA S. KORHONEN, OF NEW JERSEY
  - JUDY H. KUO, OF MARYLAND
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  - JOANN M. LOCKARD, OF VIRGINIA
  - PETER W. LORD, OF FLORIDA
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  - ELIZABETH K. TRUDEAU, OF NEW HAMPSHIRE
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  - PAUL S. WATZLAVICK, OF VIRGINIA
  - RICHARD TSUTOMU YONEOKA, OF VIRGINIA
  - EARL J. ZIMMERMAN, OF VIRGINIA
- THE FOLLOWING-NAMED CAREER MEMBERS OF THE FOREIGN SERVICE FOR PROMOTION INTO THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, AND A CONSULAR OFFICER AND A SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:
- MARK R. BRANDT, OF VIRGINIA
  - STEVEN ROBERT BRDA, OF FLORIDA
  - KELLY S. BRIDEN, OF FLORIDA
  - BART L. BROWN, OF VIRGINIA
  - MARK J. DAVIS, OF VIRGINIA
  - OTTO FREDERICK DICKMAN, OF UTAH
  - WILLIAM B. GANNON, OF MASSACHUSETTS
  - RALPH A. GASPARD, OF VIRGINIA
  - CHRISTOPHER J. GILLIS, OF FLORIDA
  - MISTY S. KNOTTS, OF VIRGINIA
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  - IVAN M. WATSON, OF VIRGINIA
  - IVAN A. WRAY, OF THE DISTRICT OF COLUMBIA

# EXTENSIONS OF REMARKS

PERSONAL EXPLANATION

**HON. JULIA BROWNLEY**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, March 16, 2020*

Ms. BROWNLEY of California. Madam Speaker, I was unable to vote on Roll Call 102, passage of the Families First Coronavirus Response Act. Had I been present, I would have voted AYE.

FAMILIES FIRST CORONAVIRUS RESPONSE ACT

SPEECH OF

**HON. ANNA G. ESHOO**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Friday, March 13, 2020*

Ms. ESHOO. Mr. Speaker, I rise in support of the Families First Coronavirus Response Act. Today's legislation comes on the heels of an \$8.3 billion bipartisan bicameral package passed last week to strengthen our nation's public health response to the coronavirus.

The Families First Act specifically protects working families from facing the terrible choice between staying home to avoid spreading the virus and losing the money they need to survive. It contains the following: free coronavirus testing for everyone who needs a test, including the uninsured; paid leave for up to three months for those who have to stay home because of the virus; unemployment benefits for those who lose their job or are furloughed during the crisis; increased federal funding to make sure our families have food through home-delivered meals to seniors, local food banks, and the SNAP program; and increased federal funds for Medicaid to support our local, state, tribal, and territorial governments and health systems in combatting this crisis. California will receive \$4.46 billion in Medicaid funding to fight coronavirus through this legislation.

Taken together, this legislation protects what's most important—the families and children who are at risk because of the coronavirus. I ask all my colleagues to join me in supporting the Families First Coronavirus Response Act today.

PERSONAL EXPLANATION

**HON. RAÚL M. GRIJALVA**

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

*Monday, March 16, 2020*

Mr. GRIJALVA. Madam Speaker, I would like to express my strong support for H.R. 6201, the Families First Coronavirus Response Act. It is imperative that we keep our communities safe from the coronavirus by protecting our health care workers and keeping our working families financially secure. This legislation signals to employers that they should urge their employees to stay home when sick—one of the most important things we can do to slow transmission. Making testing widely availability is vital to understanding the depth and course of the outbreak. The economic relief and safeguards for families, seniors, and children will help keep them healthy and allow appropriate social distancing.

Had I been present, I would have voted YEA on Roll Call No. 102.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, March 17, 2020 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

MARCH 25

10 a.m.  
Committee on Armed Services  
Subcommittee on SeaPower  
To receive a closed briefing on Navy aircraft carrier survivability.

SVC-217

2:30 p.m.  
Committee on Armed Services  
Subcommittee on Cybersecurity  
To hold hearings to examine the findings of the Cyberspace Solarium Commission.

SD-G50

Committee on Indian Affairs  
To hold an oversight hearing to examine the President's proposed budget request for fiscal year 2021 for Indian programs.

SD-628

MARCH 26

9:30 a.m.  
Committee on Armed Services  
To hold hearings to examine the posture of the Department of the Army in review of the Defense Authorization Request for fiscal year 2021 and the Future Years Defense Program.

SD-G50

MARCH 31

2:30 p.m.  
Committee on Armed Services  
Subcommittee on Personnel  
To hold hearings to examine the final recommendations and report of the National Commission on Military, National, and Public Service.

SD-G50

POSTPONEMENTS

MARCH 18

10 a.m.  
Committee on Health, Education, Labor, and Pensions  
To hold hearings to examine an emerging disease threat, focusing on how the U.S. is responding to COVID-19, the novel coronavirus, part 2.

SH-216

MARCH 24

10 a.m.  
Committee on Banking, Housing, and Urban Affairs  
To hold an oversight hearing to examine the Office of the Comptroller of the Currency.

SD-538

2:30 p.m.  
Committee on Banking, Housing, and Urban Affairs  
Subcommittee on Economic Policy  
To hold hearings to examine winning the economic competition between the United States and China.

SD-538

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

# Daily Digest

## Senate

### Chamber Action

*Routine Proceedings, pages S1747–S1763*

**Measures Introduced:** Three bills and one resolution were introduced, as follows: S. 3501–3503, and S. Res. 544. **Page S1761**

**Measures Passed:**

**FISA Extension:** Senate passed S. 3501, to provide a 77-day extension of certain authorities for foreign intelligence and international terrorism investigations. **Page S1761**

**Coronavirus School Closure GI Fix:** Senate passed S. 3503, to authorize the Secretary of Veterans Affairs to treat certain programs of education converted to distance learning by reason of emergencies and health-related situations in the same manner as programs of education pursued at educational institutions. **Pages S1761, S1762**

**Measures Considered:**

**USA FREEDOM Reauthorization Act—Agreement:** Senate resumed consideration of the motion to proceed to consideration of H.R. 6172, to amend the Foreign Intelligence Surveillance Act of 1978 to prohibit the production of certain business records. **Pages S1748–53**

A unanimous-consent agreement was reached providing that the motion to invoke cloture on the motion to proceed to consideration of the bill, be withdrawn. **Page S1753**

A unanimous-consent-time agreement was reached providing that at a time to be determined by the Majority Leader, in consultation with the Democratic Leader, Senate begin consideration of the bill; that there be 10 hours of debate, equally divided between the proponents and opponents of the bill with an hour of debate under the control of the sponsors of each amendment, or their designees, and with Senators Leahy and Wyden controlling one hour each; that the only amendments in order be three amendments to be proposed by the following Senators or their designees: Senator Lee on Amicus Reforms and Exculpatory Evidence; Senator Paul on Rights of Americans; Senator Daines on Sec. 215 Web Browsers/Search History Data Collection Prohibition; and three side by side amendments to be proposed by

Senator McConnell, or his designee, on the same topics, with all amendments, and the bill, subject to a 60 affirmative vote threshold for passage; and that upon the use or yielding back of that time, and upon disposition of the amendments in the order listed, Senate vote on passage of the bill, as amended, if amended, with no intervening action or debate. **Page S1753**

**Message from the President:** Senate received the following message from the President of the United States:

Transmitting, pursuant to the National Emergencies Act, a report relative to the issuance of a Proclamation declaring a national emergency with respect to the outbreak of coronavirus disease (COVID–19) that invokes section 1135 of the Social Security Act, to allow the Secretary of Health and Human Services to exercise authority under that section to temporarily waive or modify certain requirements of the Medicare, Medicaid, and State Children’s Health Insurance programs and of the Health Insurance Portability and Accountability Act Privacy Rule throughout the duration of the public health emergency, received during adjournment of the Senate on March 13, 2020; which was referred to the Committee on Finance. (PM–53) **Page S1760**

**Nominations Received:** Senate received the following nominations:

Rodney K. Brown, of California, to be a Member of the Farm Credit Administration Board, Farm Credit Administration, for a term expiring October 13, 2024.

James H. Anderson, of Virginia, to be a Deputy Under Secretary of Defense.

Nancy B. Beck, of New York, to be a Commissioner of the Consumer Product Safety Commission for a term of seven years from October 27, 2018.

Nancy B. Beck, of New York, to be Chairman of the Consumer Product Safety Commission.

Robert Joseph Kruckemeyer, of Texas, to be a Member of the National Council on the Humanities for a term expiring January 26, 2022.

Richard Giacalone, of Virginia, to be Federal Mediation and Conciliation Director.

Marvin Kaplan, of Kansas, to be a Member of the National Labor Relations Board for the term of five years expiring August 27, 2025.

Andrea R. Lucas, of Virginia, to be a Member of the Equal Employment Opportunity Commission for a term expiring July 1, 2025.

Lauren McGarity McFerran, of the District of Columbia, to be a Member of the National Labor Relations Board for the term of five years expiring December 16, 2024.

Jocelyn Samuels, of Maryland, to be a Member of the Equal Employment Opportunity Commission for a term expiring July 1, 2021.

Keith E. Sonderling, of Florida, to be a Member of the Equal Employment Opportunity Commission for a term expiring July 1, 2024.

1 Navy nomination in the rank of admiral.

Routine lists in the Army, Foreign Service, and Navy. **Pages S1762–63**

**Messages from the House:** **Page S1760**

**Enrolled Bills Presented:** **Page S1760–61**

**Additional Cosponsors:** **Page S1761**

**Statements on Introduced Bills/Resolutions:** **Page S1761**

**Adjournment:** Senate convened at 3 p.m. and adjourned at 7:19 p.m., until 10 a.m. on Tuesday, March 17, 2020. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S1762.)

## Committee Meetings

(Committees not listed did not meet)

No committee meetings were held.

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# House of Representatives

## Chamber Action

**Public Bills and Resolutions Introduced:** 1 resolution, H. Res. 904, was introduced. **Page H1707**

**Additional Cosponsors:** **Pages H1707–08**

**Reports Filed:** There were no reports filed today.

**Speaker:** Read a letter from the Speaker wherein she appointed Representative Raskin to act as Speaker pro tempore for today. **Page H1697**

**Guest Chaplain:** The prayer was offered by the Guest Chaplain, Rev. Dr. Dan C. Cummins, Capitol Worship, Washington, DC. **Page H1697**

**Recess:** The House recessed at 11:02 a.m. and reconvened at 12 noon. **Page H1697**

**British-American Interparliamentary Group—Appointment:** The Chair announced the Speaker's appointment of the following Members on the part of the House to the British-American Interparliamentary Group: Representatives Meeks, DelBene, Kilmer, Gomez, and Crow. **Page H1697**

**Canada-United States Interparliamentary Group—Appointment:** The Chair announced the Speaker's appointment of the following Members on the part of the House to the Canada-United States Interparliamentary Group: Representatives Meeks, Peterson, DeFazio, Larsen (WA), DelBene, and Morelle. **Page H1697**

**President's Export Council—Appointment:** The Chair announced the Speaker's appointment of the following Members on the part of the House to the President's Export Council: Representatives Larson (CT), DelBene, and Gomez. **Page H1697**

**Recess:** The House recessed at 12:01 p.m. and reconvened at 8:06 p.m. **Page H1697**

**Directing the Clerk of the House of Representatives to make corrections in the engrossment of H.R. 6201:** The House agreed to H. Res. 904, directing the Clerk of the House of Representatives to make corrections in the engrossment of H.R. 6201. **Pages H1698–H1707**

**Senate Referral:** S. 3501 was held at the desk.

**Senate Messages:** Messages received from the Senate by the Clerk and subsequently presented to the House today appear on page H1707.

**Quorum Calls—Votes:** There were no Yea and Nay votes, and there were no Recorded votes. There were no quorum calls.

**Adjournment:** The House met at 11 a.m. and adjourned at 8:12 p.m.

## Committee Meetings

No hearings were held.



*Joint Meetings*

No joint committee meetings were held.

**NEW PUBLIC LAWS**

*(For last listing of Public Laws, see DAILY DIGEST, p. D250)*

H.R. 4998, to prohibit certain Federal subsidies from being used to purchase communications equipment or services posing national security risks, to provide for the establishment of a reimbursement program for the replacement of communications equipment or services posing such risks. Signed on March 12, 2020. (Public Law 116–124)

H.R. 5671, to award a Congressional Gold Medal, collectively, to the United States Merchant Mariners of World War II, in recognition of their dedicated and vital service during World War II. Signed on March 13, 2020. (Public Law 116–125)

**COMMITTEE MEETINGS FOR TUESDAY,  
MARCH 17, 2020**

*(Committee meetings are open unless otherwise indicated)*

**Senate**

No meetings/hearings scheduled.

**House**

No hearings are scheduled.

**CONGRESSIONAL PROGRAM AHEAD**

**Week of March 17 through March 20, 2020**

**Senate Chamber**

During the balance of the week, Senate may consider any cleared legislative and executive business.

**Senate Committees**

*(Committee meetings are open unless otherwise indicated)*

No meetings/hearings scheduled.

**House Committees**

No hearings are scheduled.

*Next Meeting of the SENATE*

10 a.m., Tuesday, March 17

*Next Meeting of the HOUSE OF REPRESENTATIVES*

9 a.m., Thursday, March 19

## Senate Chamber

**Program for Tuesday:** Senate will be in a period of morning business.

*(Senate will recess from 12:30 p.m. until 2:15 p.m. for their respective party conferences.)*

## House Chamber

**Program for Thursday:** House will meet in Pro Forma session at 9 a.m.

## Extensions of Remarks, as inserted in this issue

## HOUSE

Brownley, Julia, Calif., E321  
Eshoo, Anna G., Calif., E321  
Grijalva, Raúl M., Ariz., E321



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