

MIDDLE CLASS HEALTH BENEFITS TAX REPEAL ACT OF 2019—Motion to Proceed—Resumed

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the motion to proceed to H.R. 748, which the clerk will report.

The senior assistant legislative clerk read as follows:

A bill (H.R. 748) to amend the Internal Revenue Code of 1986 to repeal the excise tax on high cost employer-sponsored health coverage.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. DURBIN. Mr. President, each of us receives a report almost on an hourly basis from our home States. At the end of the day, my State of Illinois sends a report on the latest situation involving this COVID-19 virus. There were 163 new infections announced yesterday—that is the biggest 1-day jump we have had—and 1 additional death.

Governor Pritzker has issued a stay-at-home order for the State of Illinois today beginning Saturday, today, at 5 p.m. until April 7. The city of Chicago is closing its parks and libraries, as well, starting today.

The Veterans' Administration has reported one confirmed veteran's case with the virus in the Chicago area. That person is now under home quarantine.

We had an exceptional situation at Midway Airport where two FAA tower employees tested positive for the virus several days ago, and we, of course, have to have an abundance of care and caution for the remaining employees there. The FAA, together with the city of Chicago, has been involved with screening the other employees and also determining whether the workplace has been cleaned properly before anyone goes back to work. The net result of it has been that Southwest Airlines announced suspending its flights in the Midway Airport because of this tower situation. When I spoke to the head of the Federal Aviation Administration, he told me there was a similar challenge at another major airport.

I am afraid we haven't heard the last of it. It is an indication of what happens when someone tests positive in a work atmosphere that is a critical part of our economy and the safety of our Nation. Our hope is—fingers crossed—that this tower may resume its activities the early part of next week, but we want to make sure that when we do, all the employees are going to be safe in their workplace.

We are also laboring in Illinois, as many States are, with the problem of

not having adequate testing. We just don't know the extent of the infection. I mentioned the numbers that were reported yesterday, but that is based on the very small sample of tests that are being taken. We still have not received the test kits, and those that we have, some of them cannot be used because they don't have the necessary reagent or chemical that is part of the collection process. It turns out we are dependent on a foreign source for that chemical. In ordinary times, it was never a problem, but in extraordinary times, it is.

I joined with Senator ALEXANDER, Senator BLUNT, and Senator MURRAY asking the National Academy of Sciences, in the midst of this crisis, to step back, get to altitude, and look down on the dependence of the United States on foreign-made medicines, medical equipment, and medical devices, and determine whether we need to reassess that dependence.

In the ordinary course of business, there is no problem with things traveling back and forth between the United States and foreign countries, but in this situation, where there is a public health crisis that has interrupted ordinary trade patterns, or in the future, if we anticipate a similar challenge because of terrorism, we have to think ahead.

I hope the National Academy of Sciences will give us their analysis of this situation as it currently exists and some guidance on how to look to these issues in the future. It is critical that we do.

We also know that we have problems relating to our hospitals. One of the things we have urged Senator McCONNELL to consider—and Senator SCHUMER used the term “Marshall Plan” for our hospitals—I think it is absolutely essential.

Yesterday, I had a conference call with 30 or 40—maybe more—hospital administrators in the State of Illinois. I wanted to share some of the thoughts they gave me yesterday in the course of that conversation. This is through the Illinois Hospital Association. They said: What we need is a direct and immediate infusion of funds. We need access to critical supplies. We need a surge capacity.

There are 300,000 hospital workers in Illinois. At this point, they need protective equipment that is lacking in so many areas. It turns out that our Federal stockpile—whatever it is worth—was either not large enough or cannot be distributed fast enough to meet the needs of these hospitals.

One of the hospital administrators—I am not going to name the individual hospital, but one of the hospital administrators of a major hospital in Chicago said: We are worried about a shortage of ventilators. I heard that over and over again.

They also want to let us know that these hospitals are taking huge financial hits today. We know about the restaurant industry because we see the

closed restaurants, and we can imagine all the workers not reporting to work and trying to make things work for their families under the circumstances, but we don't appreciate the fact that because of this COVID-19, many of our hospitals have seen a significant reduction in their revenue streams.

One of the hospital administrators said: Our outpatient clinic work is down to a minimum, and elective surgeries are being put off for obvious reasons. That is 50 percent of our revenue at the hospital, and so we have revenue issues going into this.

They urged me to, through Medicare and Medicaid, increase reimbursements, and based on preliminary bipartisan discussions yesterday, I believe that is being considered. Both Medicaid and Medicare would increase the DRGs, for example, which is the reimbursement mechanism for those treating COVID-19 patients.

They are concerned—and they told me this over and over again—that at a moment when we need our hospitals more than ever, many of the hospitals are facing closure because they just don't have the funds necessary to keep the doors open. The ordinary sources of revenue and profit have been pushed back and reduced. There are a variety of proposals that came to us in terms of making these Federal funds available, but they urged me over and over again to do this as quickly as possible and not to establish some long, involved bureaucratic process for applying for these funds.

We also talked about the money flowing directly to the hospitals rather than through State governments or through some Federal agencies. I know this is risky business when it comes to accounting, but at a time of a national economic and public health crisis, I personally agree with them. I think we have no choice.

I went through the hospitals, and they talked about their liquidity and cash problems. They said we need to treat this like a FEMA emergency. There are responses that use hospitals in those emergencies, that cut through the redtape and get the money to the places needed as quickly as possible. We have to do exactly the same thing.

They talked about the number of infections growing exponentially, and they also talked to me about one rural hospital that literally said they were within days of closing. I can tell you, in that area of the State—a rural part of the State of Illinois—it means patients facing any medical challenges will have long distances to travel to find a place to be treated. We can't let that happen if it is at all possible to save these hospitals.

They understand the overseas supplies are coming in. Many of them are desperately needed. They asked if there is any way to expedite that by the use of cargo air that may not be utilized in the ordinary course of business. We are looking into that because of our economic situation.

I could give more information, but I won't. It is pretty obvious. The first line of defense for us in this public health crisis will be our hospitals. We are hoping that patients, through telemedicine, can be at least counseled and diagnosed and we can avoid people coming to emergency rooms unless it really is necessary.

I understand the impulse we all have. If someone we love feels sick and appears to have the symptoms, we want them tested immediately and treated immediately. We have to take care and heed the advice even when it is hard. Telehealth is a way for us to have a better diagnosis of those in long distances and perhaps counsel them that an immediate trip to the emergency room is not necessary. I hope we can reach that point.

We are also concerned about extension of facilities. Currently, the major hospitals in my State are looking to the expansion through tents—the kinds of emergency shelters that might be available so that people can be separated from one another.

Yesterday, I spoke to the Secretary of the Army, Mr. MCCARTHY, about the availability of Department of Defense expertise. The Department of Defense can step into a situation and very quickly convert hotels into hospital-type arrangements. They can take closed hospitals and put them up and running in very quick order. I think that expertise is desperately needed.

I encouraged the Secretary of the Army and Secretary of the Defense to make that expertise available. We are connecting them right now, between our State and the experts at the Department of Defense. These are men and women who do this. They are prepared to do it at a moment's notice if our military men and women are in peril. I would say at this point, America is in danger because of this, and we should turn to their responses and help as quickly as possible.

I want to say one thing about a statement made earlier today by both Senator SCHUMER and Senator MCCONNELL. We have before us an opportunity—and I hope we seize it—to show we can continue the bipartisanship that leads us to this moment.

The first two bills that addressed this COVID-19 or coronavirus virus threat to America were handled in an extraordinary way—perhaps to the surprise of many Americans. They were done on a bipartisan basis and on a timely basis.

We have only had the Republican proposal for a little over 24 hours. Yet I can tell you that as soon as it was received, active negotiations were undertaken at all levels. I sat through many of them yesterday. They were done in good faith. There are differences, clearly, in policy. We are really writing these bills as we travel down this path—this dangerous path. It is important that we do it in a timely way but also exercise good judgment.

My concern now is that we get this done and done this weekend because if

we can finish this bill in a satisfactory way to both Republicans and Democrats and report it to the House when they return next week, they will be able to take it up and move on it quickly.

There are so many Americans who are desperately waiting for word from Washington as to what their future will be—first in terms of medical care but second in terms of keeping their families together in difficult times. I am not opposed, nor have I heard anyone opposed to providing financial assistance to individuals and families who really need it. We want to do that. I know the Presiding Officer has been a leader on this issue as well. But we also were hoping that we can include in this some guarantee that it won't be one-and-done, that it isn't just a matter of providing this one check, stepping back, and waiting for the consequences. We know many people are facing long-term challenges and need an immediate and long-term commitment from us to make sure their families can stay together during this difficult time. I believe we can and should.

Let me close by saying this is an exceptional time. We are isolated in one respect but closer in another. I think we all have come together in ways unanticipated. I have been on two—FaceTime and Zoom—apps this morning with members of my family, and we are doing this now almost on a daily basis. I feel more connected now in one respect than usually is the case. It is because we all care for one another. It goes beyond families; I believe that sentiment is shared across America. We have to keep it alive despite our political differences, despite all the things that separate us. There is so much more that brings us together and so much more that unites this country. We have to depend on that strength now more than ever.

This is a challenge the likes of which we have never seen in our modern history. We can rise to this challenge, as we have so often in the past. I know we can do it in a unified way, bringing this Nation together.

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. DURBIN. 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. DURBIN. Mr. President, I want to clarify a statement I made earlier. I said that, because of problems at the control tower at Midway, Southwest Airlines had suspended its flights. It turns out it has substantially curtailed its flights, but it has not suspended all of its flights.

I want to put that on the record because, in this moment of great national challenge, we should all take care that

our remarks are accurate. The earlier press report has been amended by the newspapers, and I wanted to make my statement on the floor clear.

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. VAN HOLLEN. 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. VAN HOLLEN. Mr. President, thank you for presiding today, and to all who are here at this moment of extreme challenge for our country and for the world, we must rise to the occasion and unite to fight a common enemy, COVID-19, also known as the coronavirus.

What we are witnessing is Americans from all backgrounds and all walks of life doing that around the country—coming together and uniting, not physically close, but spiritually close to one another as we work our way through this crisis.

In my State of Maryland, people are doing exactly that. Our healthcare workers on the frontlines—whether they be nurses, whether they be people working in clinics, in the hospitals, whether they be doctors, they are all pulling together to get the job done.

Elected officials from the Federal, State, and local governments are working together, as are nonprofits and businesses.

Three nights ago, I held a telephone townhall meeting on COVID-19, and more than 5,000 Marylanders joined that call. They called in to share their hopes, their concerns, and their determination.

Yesterday, in Maryland, we lost the second life to COVID-19, and our medical services are being stretched thin. But people are coming together to get the job done, and as we address the healthcare challenges, we must also deal with the financial and economic pain that is arising from that and spreading quickly.

Most of all, Marylanders, like other Americans, told us they want clear guidance from public health officials and a united and effective response to both the healthcare crisis and the economic fallout.

Since Marylanders are united and Americans are united, we, too, in Congress must unite to do our job. And to date—to date—we have risen to meet the moment. The question is, What comes next?

Over a few weeks ago, we did unite to pass emergency legislation to provide \$8.3 billion to provide funding to our public health systems and to direct more dollars toward developing a vaccine and therapeutics.

Last week we passed a measure to ensure that tests for the coronavirus are free. It makes no sense to have any American discouraged from getting a

test because they can't pay for it. That hurts them; that hurts the entire community. That was an important provision, as was the emergency food assistance for people in need.

In States that have closed schools, we have lots of students who are now home. Many of those students get one of their best meals at school during lunch, so that emergency food assistance has been absolutely vital. In Maryland, we have about 350 schools that are now being used for families to pick up food for their kids and for others in the community.

We help provide more resources to State insurance systems, which are being stressed more and more as we speak, and we need to do a lot more on that front.

We passed emergency sick leave measures because we do not want to have anybody feeling that they have to go to work in order to get the paycheck to pay the bills if they are feeling sick. That is bad for them, and obviously it is bad for their coworkers who would risk getting the virus. So we took an important measure there, although there, as well, there were big gaps in the paid sick leave provisions, which we must close as we work on round 3 of this legislation.

So that brings me to what we are going to face now in the coming 12 to 24 hours, which is coming up with an economic package—a package that deals with the economic fallout, and I want to address what I think should be our priorities there.

But before I do that, I do want to take a moment to talk about the healthcare situation that we are witnessing right now because, of course, to the extent that we can stop the spread of the virus, to the extent we stop the contagion from the virus, that is also the fastest way to try to get our economy back on track. What we are seeing is so many businesses going under and being threatened because of precautions people are taking—understandable precautions—to make sure that we don't spread the virus.

So in that fight on the healthcare front, I want to salute—I want to salute—and thank all those healthcare workers who are on the frontlines: the nurses, the hospital and clinic staffs, the doctors who are doing heroic work and putting their lives and their health at risk to help others and save the lives of others.

We here in this Chamber must do everything in our power to support them in that important work—to support them as they support others. That begins with making sure they have all the equipment they need to protect themselves, but that is not happening. That is not happening as we gather here.

There are severe shortages in the supply of masks, shortages in supplies of simple but essential items, like gloves and gowns.

It took far too long, but the President finally invoked his authority

under the Defense Production Act, which helps spur domestic production of some of these supplies. But even as we gather now, it is not clear whether that is really up and running as it should be. In fact, it is suggested from reports that we are falling short.

At the same time, we know others in the world are experiencing these shortages. They are also being hit hard by the coronavirus. So here in the United States, we cannot continue to expect to get these necessary supplies from overseas when they are going to need them and keep them in their own countries, and that is why it is essential that we ramp up efforts yesterday to make sure that we have these supply chains here at home.

Testing of the coronavirus—it is clear that the coronavirus got an 8- to 10-week head start in this country, and we were woefully unprepared, especially with respect to tests to try to identify the spread of the virus and where it was and how fast it was moving. We were also unprepared on our testing infrastructure.

While we are now ramping up, we are still far behind. There are still far too many bottlenecks in the system. At Johns Hopkins University in Baltimore, they are doing their own testing, but their testing has been limited by shortages in reagents. That was true a week ago; it continues to be true today. And the University of Maryland Medical System, another major research hospital system in our State, has not yet begun to do their testing because of continued shortages of reagents. That is absolutely unacceptable.

We are also hearing of shortages in swabs—simple swabs—simply to take the test. We need to ramp up the testing supply. We also need to knock down the barriers to getting tests. We need to adopt the South Korean model, and many of us have been calling for this for a long time. We see States and Governors moving forward with this, but the Federal Government needs to take a much more active role in establishing that infrastructure.

Ventilators—we have more and more sick patients, and if the trajectories continue, it is clear we will face a shortage in ventilators. We have to ramp this up much faster than we are doing right now because, otherwise, we are going to have a lifesaving treatment intervention that will not be available for those who need it.

Mr. President, we are witnessing shortages in hospital beds overall and shortages of beds in ICUs. We need the Army Corps of Engineers to be working and building out this necessary emergency infrastructure.

As we take these emergency measures, we also need to continue to do the urgent work of developing therapeutics and a vaccine.

I visited the National Institutes of Health about 3 or 4 weeks ago. It is a national treasure. We are proud to have it located in the State of Mary-

land along with the FDA. At NIH, I met with scientists who are on the frontlines of developing the vaccine. They are working 24/7.

I think this moment is appropriate to salute all the men and women who work at NIH. I hope I never see another budget proposal coming down that cuts the vital medical research that is conducted there and around the country.

They are working on a vaccine, and they are working on therapeutics. They are in the process of conducting clinical trials on both. As we have heard reported, they are conducting clinical trials on some off-label drugs. These are drugs that have been developed to try to fight against other diseases. They may not have worked against other diseases. They may work as a therapeutic in this case of the coronavirus, but as Dr. Fauci has warned us, nobody will know until we do a clinical trial and nobody's hope should be unrealistically raised until the evidence is in.

On the vaccine front, we have been told by the scientists—by Dr. Fauci and others in his lab—that it will take a minimum of 12 to 18 months to develop a vaccine, and that is much faster than the usual timetable to develop a vaccine. People are working overtime to get this done. Clinical trials have already begun on a vaccine, as well, but 12 to 18 months, while fast for developing a new vaccine, is a long time given the immediate crisis that we face now.

So what do we do now on the healthcare front? First, no more mixed messages—let's let the healthcare authorities speak and provide the guidance that the American people need at this time.

For far too long, the President of the United States downplayed the crisis, even calling it a hoax at one point. We know it is not a hoax. We know the death toll and the number of sick continues to rise, and we must pull together in a fact-based way to address it. We have to listen to people like Dr. Fauci and others who have called for dramatic social distancing measures.

One of those measures we must take is teleworking wherever we can do it. We have seen offices here in the Senate and the House rapidly move toward teleworking and make changes in their offices to facilitate teleworking. Just a few days ago, the President finally said to the country that employers should facilitate telework—a little late, but it was the right message. Unfortunately, there has been a lot of foot dragging in the executive branch itself when it comes to teleworking. I and a number of our colleagues have asked the President to issue an Executive order on teleworking. The President has not done that yet.

The head of the Office of Personnel Management resigned a few days ago. This is the person who is in charge of all the Federal Government personnel from an operational standpoint and who resigned in the middle of this crisis. We don't know why. Finally, OMB,

or the Office of Management and Budget, issued a directive to agencies saying to maximize telework. But I represent a lot of Federal employees, and I am hearing from lots of them that their agencies apparently haven't gotten the message. The President needs to issue that Executive order, and he needs to do it today. Too many Federal employees are being put at risk because agencies have not taken the time to expand telework opportunities. We need to lead by example, not from behind.

Many Governors are leading by example and States are doing that, as are local officials. They are directing the necessary social distancing measures. In my State of Maryland, Governor Hogan has closed schools to prevent the spread of the virus. Restaurants are closed, bars are closed, gyms are closed, and many other gathering places are closed. There are all of those social distancing steps being taken—whether by government directive or voluntarily, by our constituents heeding the calls to take these precautionary measures. All of those necessary steps have resulted in a huge and escalating economic fallout.

Thousands of workers have already been furloughed or laid off around the country. Small businesses are being crushed. No customers in the door, no sales, and no income mean you can't pay your employees. It means you can't pay your bills. Whether they are mortgages on your restaurant or mortgages on your home, those bills are still due and coming.

So what do we do? What do we do as we approach round 3 here in the U.S. Senate and House, having successfully worked on a bipartisan basis to address rounds 1 and 2? First of all, as for unemployment insurance, because of rapidly escalating layoffs around the country, claims are rising, and we need to rise to the occasion. We need a far more robust system, and, certainly, during this emergency period, we should provide 100 percent wage replacement to workers who have lost their jobs through no fault of their own as a result of this crisis.

We also need to address the totally antiquated aspects of our unemployment insurance system. Some of that will have to wait until after the crisis, but on an emergency basis, we need to address the needs of people who are working as self-employed individual contractors.

Let's say you are an event planner, and all of your events got canceled. You are not currently in the unemployment system in most States, probably, but you are no longer getting any income. We need to make sure the unemployment system in this emergency addresses those workers and we need to work on a long-term fix. There is the gig economy. We all know the gig economy is a larger and larger share of our economy. A lot of those workers are not covered. If you are a worker who is in the taxi business or working for one of the other transportation agencies,

you are not able to pick up folks at the airport anymore because people aren't coming to the airport, and you are not covered by other unemployment systems.

So if it is Uber or others, we need to address those workers and make sure they have wage replacement during this terrible shutdown of parts of the economy. We need to focus on that. Senator WYDEN has introduced a bill—I am proud to cosponsor it with him—that addresses many of these issues, but we need to tackle it as part of the bill that we are dealing with right now, because these people are losing their jobs right now.

Second is no foreclosures or evictions during this period of time. You lose your job. You got no money. We are working on wage replacement, but we haven't done this yet. In the meantime, bills are coming due. Someone is demanding a mortgage payment. Someone is demanding a rent payment. We need to freeze collections of these payments and defer payments until after the emergency.

This is easier said than done, because when we say to a landlord that they can't collect the rent, we also need to say to the bank who loaned money to the owner of the building that they have to exercise forbearance on that loan.

That is why a group of us and I organized a letter recently that went to the heads of the financial regulatory agencies—the Fed, the OCC, the FDIC—asking them to use the full extent of their powers to address this issue in a way that deals with the entire economic food chain, from the lenders at the top of the chain to the borrowers at the bottom of the chain, because they are the ones in a position to do it.

I just got a letter back last night from the FDIC. I hope to hear from the others quickly, but we don't have time to wait. We should address that issue to the maximum extent in our powers in round 3, which we are working on right now.

Third, small businesses and medium-sized businesses are crushed—no customers in the door, no revenue, bills mounting, trying to make payroll. Of course, many of them have already had to lay off some of their employees because their bills are coming due, and they have to try to figure out how to simply stay afloat.

A lot of people have said: Well, let's give these small businesses emergency loans. Well, if you think about it, if you are a small mom-and-pop operation, another loan at this point, when there are no customers coming in the door, is simply going to saddle you with more and more debt at the end of this emergency. So extending a loan is, in some ways, for these small businesses throwing them an anchor, because they are never going to be able to recover. They are only going to have more and more debts to pay off at the end of the day when they are trying to restart their businesses and get people back in the door.

I have a wonderful local example. Her name is Julie Verratti. She is the co-owner of the brewery and restaurant in Maryland called Denizens. It is a family business. She wrote to me a number of days ago, because she is undergoing exactly these kinds of stresses and pressures. She writes:

Small businesses need a bailout right now without delay. The number one thing we need is cash retention and cash infusion.

Here are specific actions that will help make that happen:

1. [An] immediate moratorium on all commercial debt payments (loans and credit cards) mortgages, and rents. If you have to choose, focus on SBA loans because small businesses are the only ones that go the SBA backed route.

She also says:

Immediate moratorium on all evictions and foreclosures.

We have to work on that front. I talked about that. But we also have to attack this from all angles. That is why this small business relief is so essential, and it must take the form of grants, so long as the businesses use that money for prescribed purposes: maintaining payroll—whatever payroll may be left—and paying their ongoing debts and obligations. Loans, as Julie says, will not fix this for small businesses. It must be in the form of grants—again, so long as the recipient complies with the terms of that grant.

Small businesses like mom-and-pop organizations that already had to lay off employees should not be penalized. They should be eligible for the grants to pay their mortgages to keep themselves afloat.

Many midsized businesses are in this position as well. We need to address that because they are in many cases laying off employees in large numbers.

Just for a local example, people who live in this area may be familiar with Silver Diner. Unlike Dunkin' Donuts, which works on a franchise model, the Silver Diner owns its different Silver Diners throughout the region. They have 1,800 employees. Their employees, in most cases, have had to be furloughed or laid off because of no money in the door. But the Silver Diner is too big an operation to meet the strict requirements of the Small Business Administration. So, in this emergency situation, we need to provide flexibility that allows us to help some of these middle-sized businesses that are undergoing incredible stress because we want to make sure we help their workers and help them retain as many workers as they can, but also to make sure they can pay their bills when no customers are coming in the door. They need to pay the bills so that, when this is over, they can open up operations and rehire those employees.

That is why Senators MURPHY, MERKLEY, and I introduced a proposal yesterday to address these stresses on small and medium-sized businesses, not with emergency loans that they are not going to be able to afford to repay later, but with emergency grants so long as those grants are used for the

purposes indicated. That would put these small and midsized businesses in a position to rehire their employees once this economic storm passes through.

There are, of course, other major industries that have been hard hit, and we should consider what kind of relief is appropriate for them, like the airlines. We have to be very careful that we don't repeat some of the things that went wrong in the past when it came to helping big businesses. Yes, we would like to help their workers through this storm, but we need to make sure that any funds that go to the airlines, for example, are not used for more stock buybacks that simply help their stockholders and executives and CEOs.

The airlines have engaged in a huge amount of stock buybacks in the last year, including after the \$2 trillion tax cut that was provided. Instead of using a lot of that revenue to invest in their workers and plant equipment, a lot of it went out the door in the form of stock buybacks, and it would be unacceptable for any relief monies to go for that kind of purpose or to go for any kind of bonuses.

In fact, if the taxpayers are going to be making some investments to keep some of these big industries afloat, we should look at what we did in some of the earlier cases later in the game with respect to preferred stock so that taxpayers get fully repaid and we also have a stake in the future success of that investment.

One other big area that has not gotten much attention in discussions here on Capitol Hill until the last few days has been the huge needs being faced by State and local governments—States like my State of Maryland, cities like Baltimore City, and other cities and towns in Maryland. They are on the frontlines in many respects, and they are facing huge pressures, which is why we received a letter, an emergency plea from the National Governors Association, just the other day.

This is a bipartisan point from Governors Larry Hogan and Andrew Cuomo, and they point out, No. 1, that Medicaid is a major source of Federal help that they use to provide for the medical needs of people in their States, and they are asking for an increase in FMAP. We provided some increase in FMAP in one of the earlier bills we passed, but they desperately need more as the health impact of the virus continues to spread.

As you can imagine, transit systems, whether paid for by States or local jurisdictions, are essentially seeing all their revenues dry up as people understandably don't get on those crowded systems. So no revenue means that they are in a world of hurt. We need to provide emergency help.

The National League of Cities has also sent us a letter talking about similar kinds of needs, and we need to address those needs in this bill, round 3, and not, as some are suggesting, postpone that to some future date. We

don't know when that would be because the emergency is now, and the need is now.

Finally, this healthcare crisis has exposed some huge fissures in our society in the kind of safety net that we provide. I am not going to go into the entire list because it is too exhaustive to go through, but I want to highlight a couple of things.

We had, in the first instance, the question of whether people are going to have to pay for the coronavirus tests. We all recognize that it is a public health imperative. It would be a mistake to have people have to pay for tests because, if you can't afford it and therefore don't get it, then it not only hurts you, but it hurts other people.

There has been a lot of discussion about the vaccine. When we develop a vaccine—and we hope we will—that also needs to be available to all Americans without cost. That is something we need to address.

Senator SCOTT from Florida and I have pointed out that a lot of the drugs that are developed by pharmaceutical companies are drugs that benefited from the research at the National Institutes of Health. And who pays for the research at the National Institutes of Health—at NIH? Well, the taxpayer, to the tune of about \$40 billion a year.

So it makes no sense at all for the taxpayers, who made this big investment in research and development of a drug, to then be price-gouged by the pharmaceutical companies that take the benefits of that good work and then add a big, big pricetag. Our proposal would make sure that where you have that kind of public investment in research and development, you essentially have a process to make sure that there is a reasonable price. Ultimately, when it comes to a public health vaccine, as is being developed now, we need to make sure that it is available to everybody and that nobody cannot afford that.

Second, as our schools have been shut in many States, we are seeing the results of the digital divide—just one piece of that—because there are a lot of students who don't have access to the internet, and, therefore, they are not going to be able to engage in distance learning if this crisis continues and schools decide to try to expand distance learning. Why? Because they are not connected to the internet or they don't have a computer at home, so many of us have introduced proposals on this. I have introduced a bill to close the digital homework gap. We are asking the FCC to use emergency authorities to direct funds to buy devices—simple devices—that a student who is not connected to the internet could use to get some reception to be able to do their homework. We should do that right now, but then, of course, we have the longer term challenge of building out that broadband infrastructure to deal with the digital divide.

Then there are things we should do to make sure we are better prepared.

There is a long list of those, but one of them is pretty simple. Senator ANGUS KING and I have sent a letter to the folks who are finalizing and putting this bill together to require that the office at the White House that had previously existed under the Obama administration—the office that was set up specifically to be an early warning system for a pandemic response like the one we are witnessing—that that be a permanent office within the White House and that no future President would be able to dismantle that office. We are learning now, the hard way, what happens when you don't have that early warning system and strategic response at the highest levels of the U.S. Government.

So those are some of the things we should be doing. As we gather here, America's best minds—our top scientists around the world—are looking to answer questions about the virus and help develop a vaccine. Brave healthcare workers are treating the sick and preparing for many more patients. The people who produce and deliver our food and other essentials, who keep our water, power, and internet on are all at work, whether in their work spaces or teleworking. First responders are on duty, and our military continues to defend the Nation.

Marylanders and Americans are doing their part—staying at home, social distancing, finding ways to be together while apart, and, perhaps most challenging for kids, staying busy and not going completely stir-crazy. Teachers and students are embracing distance learning. Families are marking birthdays and other special occasions with e-cards and video chats. Those at the lowest risk are doing what they can to protect the most vulnerable among us.

The fundamental decency of all these Americans is shining through. I draw strength and faith from their actions, and I know that, together—if not physically together—working together, we will succeed. We will succeed if we come together here in the House and the Senate like Americans are working together around the country. If we can do that at this moment, as we approach round 3 of our actions, then I am absolutely confident that the country will have the resources and direction it needs. Let us be as united and determined as the American people.

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

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

Mr. CORNYN. Mr. President, we are here on a Saturday, which is not typical for the U.S. Senate, but these are not typical times. More than a month before cases popped up in every State

across the country, some of the first coronavirus patients who were evacuated from China arrived in San Antonio, TX. They were quarantined at Lackland Air Force Base and treated by the dedicated health professionals there.

At that point, things looked a lot different. Outside of those evacuees, no Texans were known to have acquired the coronavirus, and, for the most part, the virus didn't impact people's daily lives. They would see updates on the news about the growing number of cases in China, read about the people being evacuated from cruise ships and other countries, but there was no evidence the disease was spreading through our communities. Schools were filled with children, restaurants with customers, and arenas with sports fans.

But, as we know now, it didn't take long before the situation took a quick turn. Once new cases began popping up, it was clear that our communities were exposed. Over the last few weeks, the virus has spread across the country, and our health officials and community leaders have taken every precaution to keep their people safe. They have canceled in-person classes, emptied office buildings, called off large events, and encouraged folks to stay home and avoid close contact with others.

On Thursday, in Texas, Governor Abbott issued an executive order adopting the standards set out by the President and the Centers for Disease Control to further slow the spread across the entire State. Among other measures, this executive order closed schools and required all restaurants, bars, and food courts to put a stop to dine-in options. They have to move to drive-through, carry-out, or delivery service only.

Now, I believe these precautions are in the best interest of the public health. Certainly, we hope they don't have to last long, but they are necessary now, and I want to thank the Governor for taking these steps in the interest of public safety.

As cities across the State and across the country have taken similar precautions, we have seen the economic consequences that these difficult decisions have brought about. Our local restaurants, hardware stores, and gyms don't have the money to keep paying their employees' wages and expenses without anything coming in the front door.

Through no fault of their own, many of these businesses suddenly find themselves without customers to serve, but the bills are still coming in. Expenses continue to pile up—things like rent, utilities, and other things you can't avoid, even if you are not paying payroll.

Then, there are the employees wondering how long they are going to have to be off the job and how long it will be before they are able to apply for unemployment compensation or otherwise pay for their expenses.

This is different from any crisis since I have been in the Senate. I got here

shortly after 9/11. We know what that was like. It was about a trillion-dollar hit to our economy. Obviously, it was a national security incident. Three thousand Americans were killed here in the United States, and that started the war on terror, which we have been fighting ever since.

In 2008, we had the great economic meltdown on Wall Street because of all of these exotic mortgage products that the banking and the mortgage industry had created. We remember what happened there. Unfortunately, it became necessary for us to take extraordinary measures to help the very same industry that caused the problem back in 2008. As distasteful as that was, I believe it was in the best interest of the country and our ability to recover from that disaster.

This is different. Nobody in this country caused this problem. We are all equal victims of this virus. So I think, as we look at how we should respond to this epidemic—or pandemic, as now it has been called because it is global in nature—we need to look at how we can target the help to the people who need it the most in order to bridge this gap between the lack of a paycheck and unavailability of unemployment insurance, and how do businesses, small and large, burn through their cash or reserves but still stay alive so that they can rehire the same people they have laid off once this crisis passes.

What I am hoping happens is that, after this crisis passes, we learn some important lessons, things about the supply chain for our medication, supply chain for medical equipment and the like, and what we need to do to protect ourselves and the rest of the globe against pandemics like this, because there has been, in my lifetime, nothing quite like this in terms of the fear it has engendered and the reaction of both the markets and the economy—as well as the public health concerns.

So we need to learn important lessons from that. In the interim, we need to do everything we can to lend a helping hand to those who need our help. The Senate has already passed two bills as part of what we all know will be a long recovery process. The first focused primarily on our public health system by sending vital funding to healthcare providers, investing in the development of vaccines, possible treatments, and more diagnostic tests.

Something I hear from my Governor and our local officials, something they need the most and ask me about the most, is testing, so that, for people who develop symptoms, they can figure out whether this is the seasonal flu, allergies, something else, or is this the COVID-19 virus, because, if it is the COVID-19 virus, they need to be isolated, either at home under the watchful eye of their healthcare professional or, in some cases, if they become seriously ill, if their breathing becomes compromised, they need to go to the hospital. So the first bill focused pri-

marily on the healthcare aspects. The second bill that was passed, signed by the President just a few days ago—I think it was on Thursday—focused more on the small businesses and individual workers who have been impacted.

Of course, as we all know, we are now working on the third installment. We don't know how many installments will be required, how many chapters are in this book that we are in the process of writing, but we know that this is important, and it is important that we act with effectiveness but speed at the same time.

This is the largest of the bills so far. We are talking about amounts of money that stagger my imagination, but I believe this emergency requires bold action to address this pandemic from every angle possible. As I said, once this passes, we need to learn the lessons that this virus is trying to teach us to make sure we never find ourselves in this sort of vulnerable position again. But, in the meantime, we have other work to do.

As the leader has previously outlined, the Coronavirus Aid, Relief, and Economic Security Act—the acronym is CARES Act—will take action on four major priorities:

We will see, for people who, through no fault of their own, don't have any money coming in, direct financial aid—something many of us never would have contemplated under non-emergency circumstances. We will see, of course, relief for the small businesses I mentioned, people like the restaurants, hotels, and others. They have no customers because their business is shut—again, not through any fault of their own but because, by order of their Governor or local government official, for public health purposes they are shut down. So we need to find some way to throw a lifeline to those small businesses.

Then, I believe, for those large employers that hire tens or maybe hundreds of thousands and probably millions of Americans, we need to find a way to help them obtain loans that they will pay back, with interest, but that will bridge this period of time while they are burning cash and wondering: Will I still be around? Will I still be viable as a business once this crisis passes?

What we need to have happen is, once we defeat this virus, we need to make sure that America goes back to work and our economy, which was incredibly strong until this virus hit, is restored.

I am hopeful that some of the projections that we have seen by people like JPMorgan and others, which, unfortunately, show a dramatically negative impact of the virus during the first and second quarter, the second quarter probably being the worst—we need to make sure that this is a V-shaped recovery. In other words, when we hit bottom, we need to make sure our economy bounces back, and that means these businesses need to remain intact,

and they need to be prepared to rehire their employees if they had laid them off. And we need to make sure that our economy is restored by a rapid recovery.

That is why I think this bill is so important.

Of course, the fourth is more support for our healthcare professionals. On the first point, direct aid, we know many workers have lost their jobs or had their hours seriously cut down. As we all know, that is especially true for the service and hospitality industries, which have been the hardest hit.

Think about your local waiter, somebody working for tips, somebody working for an hourly wage—bartenders, hairdressers, housekeepers—the ones who, only a few weeks ago, had jobs and steady paychecks and are now without any income with which to sustain themselves or their families. They are wondering how they are going to pay the rent before the first of the month, cover their electric bill, buy groceries to feed their family, and keeps things afloat until life returns to normal.

We are working to get that money into the hands of Texans and Americans who need help now, as fast and as efficiently and as effectively as possible—no paperwork to fill out, just direct aid from Washington to middle-class Americans. Again, it is something I never would have contemplated in a nonemergency situation, but I think, under this situation, we need to act quickly and we need to act effectively to get money into the hands of those who, through no fault of their own, don't have any money coming in.

This can help cover expenses while their income is short, perhaps provide a little extra stability, and inject a little extra money into our economy when it is desperately needed.

On small businesses other than the ones I have mentioned, I have heard from a number of them who are worried they will not be able to weather the storm without significant and immediate financial assistance in some form. Well, this legislation would provide new small business interruption loans through their local financial institutions—the banks, their credit unions. These businesses can turn to those banks and credit unions and whoever their preferred lender might be for a federally backed, Small Business Administration loan. Qualifying businesses can use this money to cover their rent, core expenses, and payroll.

In fact, that is what we want them to do. We want them to continue to keep their employees on the payroll if they can so that, as soon as people start showing up again to patronize their business, we can see the economy take off as these people are restored to their former jobs. We are hoping to minimize the disruption that this virus will have for our Main Street businesses and do as much as possible to avoid layoffs.

But we also need financial assistance—I would call it economic sta-

bilization—for some of the largest employers in the country, including our airlines, that our economy depends upon. Now, I said “loans” because this money will be repaid. As to those people who claim that somehow we are bailing out large American corporations, that is not what we are proposing here. We are not giving companies a free pass for their own bad decisions.

Again, nobody here in America contributed to this condition in which we find ourselves. That was the virus that emanated in Wuhan Province in China. But if we are going to have any chance of rebounding in the long term, we have to ensure that these businesses can survive. No American business, from your local sandwich shop to a major airline, asked for or expected this turmoil, and they need our support now.

The final pillar of this bill will hit at the cause of this crisis: the virus itself. Supporting our healthcare professionals and first responders and ensuring that they have the resources and equipment they need is priority No. 1. We also need to continue investing in the development of a vaccine—although we know that will take months—in the interim, and possible treatments, including some of the drugs that are already on the market that are now being tested by the Food and Drug Administration to see whether this new application for combating the COVID-19 virus is effective and safe for people to take, and, of course, more testing and diagnostics. That is one of the things that distinguish America from the rest of the world on not only how resilient we are but how quickly we innovate our way out of problems.

As the Presiding Officer knows, we were just at a meeting where Senator ALEXANDER, the chairman of the Health, Education, Labor, and Pensions Committee, said that soon he anticipated a new, FDA-approved testing kit for the coronavirus that will be widely available. People who now can't get access to a test will be able to use the test based on advice from their medical provider and gain the confidence of knowing “Hey, I am negative. I don't have anything to worry about personally, and what I need to do is to continue to do what the Centers for Disease Control told us all we need to do, which is to maintain good personal hygiene and social distancing”—a new phrase that we have all become acquainted with. As long as you are negative and you do those things, then you are likely going to be healthy and not be affected directly by this virus.

That is one of the things that are happening in real time now—development of the new tests. The proliferation of this inexpensive and quick testing will allow for people who are positive to be identified so they can be treated either at home or in a healthcare facility.

The truth is, most of us—if you are otherwise healthy, if you get the

coronavirus, you may experience some minor symptoms. One of the biggest concerns is people who got the virus and are asymptomatic or presymptomatic and whether they are infecting other people. But for most of us, you will be fine after you recover, but you need to be isolated so you don't infect others. And some people—particularly the elderly and people with comorbidities, underlying illnesses, or medical conditions, who are the most vulnerable—will have to be hospitalized, to be sure.

This is one of those all-hands-on-deck moments unlike I have ever experienced before in my service in the Senate. I appreciate the response from the administration and the President on down. I appreciate the cooperation among our colleagues who have worked to prepare not only the initial proposal but who are working now on a bipartisan basis to come up with a package we can vote on quickly. I hope negotiations with our Democratic colleagues will move smoothly and meet the majority leader's target of having a package we can vote on on Monday.

Will this be the last bill we pass relative to this crisis? I doubt it, but we don't know for sure because that, I think, is what is driving so much of the volatility in the markets and the uncertainty and fear that some people feel—it is the unknown. As we work our way through this, we will be able to adapt additional legislation, if required, to meet with the needs at that time. As I said, this has been a moving target.

I appreciate the cooperation we have seen so far. I think, as we all realize, there are some things that transcend politics. Every time we have had a national crisis—this one included—I think it has always called the better angels of our nature and resulted in our ability to work together to produce our best efforts to help address the crisis, to solve the problem, and to help the American people.

Each day we waste debating this bill further by talking about other ideological goals that people want to accomplish and take advantage of this emergency to try to pass things that are unrelated to dealing with the virus—every day we waste with those sorts of things is a day that healthcare providers, small businesses, and constituents are spending without the help they need and deserve.

The time to act is now. There is no question that this pandemic will have a lasting impact on our country. I believe one of the things we need to do is figure out how we can prevent this sort of thing from happening ever again. But I believe a major investment by our government will now allow us to weather the storm together and to come out with the best possible result on the other side.

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. BARRASSO. 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. BARRASSO. Mr. President, I come to the floor today to provide an update on the bold, bipartisan action Congress is taking to respond to the pandemic we have with the coronavirus.

First, we are all deeply saddened by the loss of life due to the outbreak in this country and globally. I know, Mr. President, it has affected your State in terms of disease as well as death; in my State, disease, not yet death, and we are hoping to prevent that. All of us remain very concerned about the great loss of life and the suffering that is happening as a result of this.

These are extraordinary times. We are fighting a world war to defeat a virus. We want to do it to save lives but also to keep people safe.

This war has two fronts. Mr. President, I know you discussed these on television the other evening. I listened carefully about the impact on your State. As you said, we are fighting on the front of public health as well as the health of our economy.

The coronavirus right now is controlling our economy. It has taken a dominant role. To stop this disease, the Nation has largely shut down.

These temporary restrictions on our daily activities are necessary in an effort to limit new cases and the spread of the disease. Yet the economic fallout is devastating millions of hard-working American families. Once we defeat the virus, we will rebuild. Our economy will bounce back. We are a strong and resilient Nation, and we always bounce back, and we will again.

First, we need to make it through this medical crisis. This is going to require big and bold and bipartisan action. The American people need help. I would reassure the American people that Congress is responding. This is a national rescue operation, as I see it, and help is on the way.

President Trump and Congress are coming together in a bipartisan way to ease the pain of the American people. It is going to take time. It is going to happen. We are sending immediate relief, and we have done that. We are sending financial support—plus medical support—to people all across America.

The bill being considered on the floor right now is called the CARES Act. It stands for Coronavirus Aid, Relief, and Economic Security Act. It will bolster our economy, and it will help working families. This bill allows us to deliver direct cash payments to most Americans to see people through this economic downturn. People who work in small businesses and people who own small businesses will receive federally guaranteed loans to help them stay viable and keep their businesses viable

so that they can keep their employees on the payroll until we get to a point where they are—from a disease standpoint—able to reopen the businesses. We want them to be viable when the day comes that businesses can reopen all across America.

The CARES Act is major legislation that will stabilize our economy and protect American jobs. It also includes critical new support for our healthcare workers and for patients.

I have introduced bipartisan CARES Act language, along with Senator MICHAEL BENNET of Colorado, with regard to healthcare. The goal is to provide immediate relief for rural hospitals, for small community hospitals, and for small physician practices. During this crisis, rural hospitals and small healthcare providers are on the frontlines, providing urgent care. They continue to work around-the-clock, keeping communities in Wyoming and across the country safe.

These providers are stretched like never before. I have talked with several of them in Wyoming over the past 24 hours. I talked to one this morning whose coronavirus test has come back. It is negative, and he is back in the fight today in the hospital.

Our bill provides rural hospitals with aid in the form of Federal grants based on insurance payments. This will help make up for lost revenue due to the forced cancellation of elective surgeries. Of course, these are surgeries that have already been scheduled and planned for patients needing surgeries. Yet, in terms of providing and making sure we have the resources needed at those hospitals—the beds available and personal protective equipment—elective surgeries have been canceled. Small physician practices, hospitals, and rural communities aren't able to tolerate that sort of loss of flow, just as any business is not able to tolerate that sort of cashflow loss.

Small physician practices will receive low-interest loans based on the payroll of that practice in terms of what we are doing with this bill that MICHAEL BENNET and I—in a bipartisan way—have introduced. Rural healthcare workers need immediate, short-term financial relief to help them through this crisis time.

The CARES Act also includes a number of important public health provisions. Our bill eases the shortage of drugs and critical equipment, including ventilators and medical masks. It expands testing and ensures testing is free for patients, and it speeds the development of new coronavirus vaccines and treatments since none have existed before the disease was made known worldwide as a new virus, which it is.

The CARES Act that we are at looking today on the floor of the Senate also protects patients through the expanded use of health savings accounts for telehealth. It expands telehealth access for Medicare patients. It increases Medicare payments to hospitals treating coronavirus patients.

The CARES Act will help employers and workers weather the storm that we are facing because of coronavirus. Once the storm passes, you know, as do I, that the American economy will continue to recover.

The CARES Act is the third coronavirus emergency bill considered in the Senate. The first two have already been passed into law, signed by the President. Earlier this month, Congress passed two major relief packages: the first, an \$8 billion emergency funding bill for our healthcare system; the second, a \$100 billion bill to provide additional relief to affected families, to small businesses, and to workers.

These three relief measures are only the beginning. More legislation will be coming to address this unprecedented economic and public healthcare crisis. Once we defeat the virus, the economy will recover; America will be back. The American people are strong. We are resilient. We are determined to get through this, and we will. We are all Americans. We are all in it together.

Be assured that Congress will stop at nothing to ensure that America and Americans survive and revive and thrive. This storm will pass. The people of this great Nation will emerge stronger than ever. Americans will defeat the coronavirus together.

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 (Mr. TILLIS). Without objection, it is so ordered.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to executive session for the en bloc consideration of Executive Calendar Nos. 596 through 599; that the nominations be confirmed en bloc; that the motions to reconsider be considered made and laid upon the table with no intervening action or debate; and that the President be immediately notified of the Senate's action, all en bloc.

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

The nominations considered and confirmed en bloc are as follows:

IN THE COAST GUARD

The following named officer for appointment in the United States Coast Guard Reserve to the grade indicated under title 10, U.S.C., section 12203(a):

To be rear admiral (lower half)

Capt. Miriam L. Lafferty

The following named officer for appointment in the United States Coast Guard Reserve to the grade indicated under title 10, U.S.C., section 12203(a):