



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 116th CONGRESS, SECOND SESSION

Vol. 166

WASHINGTON, WEDNESDAY, MAY 6, 2020

No. 85

House of Representatives

The House was not in session today. Its next meeting will be held on Friday, May 8, 2020, at 10 a.m.

Senate

WEDNESDAY, MAY 6, 2020

The Senate met at 11 a.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, we continue to depend on You to fulfill Your purposes for our lives. You have told us that Your purpose for us is that we live for Your glory. As our lawmakers strive to do Your will, bringing honor to Your name, have Your way in all they say and do.

Lord, send them Your help from celestial portals so that they will please You and be Your ambassadors during these challenging times. Rescue them from anything that will keep them from remembering that nothing is impossible for you.

Be exalted, O God, above the highest heavens. Let Your glory shine in our Nation and world.

We pray in Your loving 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. SASSE). The Senator from Iowa.

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

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

CORONAVIRUS

Mr. GRASSLEY. COVID-19 has put America through the wringer. There will be many lessons learned and stories to tell from this chapter of our history.

Today, I salute the heroes working on the frontlines during this pandemic. I can't overstate the debt of gratitude we owe the healthcare professionals who selflessly put their own lives on the line to care for COVID-19 patients. Our doctors, nurses, respiratory therapists, nursing home workers, pharmacists, and first responders are among those who have shouldered physical and mental exhaustion to heal the sick. In fact, today is National Nurses Day. So I give our nurses an extra applause on this their day. To the legions of healthcare professionals across America, thank you for the full measure of devotion you have shown to your community and to our great country.

I yield the floor.

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.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to resume consideration of the following nomination which the clerk will report.

The senior assistant legislative clerk read the nomination of William R. Evanina, of Pennsylvania, to be Director of the National Counterintelligence and Security Center. (New Position)

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

NOMINATIONS

Mr. McCONNELL. Mr. President, the core business of our Nation does not stop while we fight the coronavirus. This week, Senate committees are conducting oversight and holding hearings. Members are tracking the implementation of the CARES Act. We are discussing how Congress could do everything from further strengthening the health response to ensuring that a second epidemic of frivolous lawsuits does not redirect the national recovery into a trial lawyer bonanza.

Here on the floor, we are filling major vacancies in the Federal Government. Today, we will confirm Bill Evanina to lead the National Counterintelligence and Security Center. As our Nation grapples with challenges at home, it is critically important that a full complement of skilled professionals keep a close watch on our foes, adversaries, and competitors.

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



Printed on recycled paper.

S2253

Mr. Evanina's nomination will make him the first Senate-confirmed Director of the NCSC. This role represents our government's senior-most expert in counterintelligence. Fortunately, this nominee has served for 3 decades as special agent with the FBI, as chief of the CIA's Counterespionage Group, and as one of the principal advisers to the Director of National Intelligence.

Mr. Evanina's long professional experience has given him a well-trained eye. He has made clear he is focused on the most serious espionage threats facing our country today: China's insidious efforts to steal our industrial, governmental, technological, and political secrets and Russia's continuing efforts to meddle in our democracy. We have a qualified professional who is tailor-made for an important job. Our colleagues on the Intelligence Committee have reported him out on a unanimous bipartisan basis twice. The vice chairman, Senator WARNER, said: "Bill Evanina should be confirmed without further delay."

But even still, our Democratic colleagues chose to obstruct his nomination on the floor this week and require a full day of floor time to confirm. Ironically, at the same time, we have also heard some of our Democratic colleagues complain that we spend too much time voting on nominations. It is bad enough to spend 3 years delaying nominations to a historic degree and deliberately making the process painful, but it reached a new level of irony for our Democratic friends to do all that and then complain that their own strategy is inconveniencing their schedules.

Essential matters of government do not cease because of the coronavirus. They do not cease because of partisanship either. As long as Senate Democrats continue to make incredibly qualified nominees travel the hard way, including someone whom their own Democratic ranking member openly praised, then, I will assure them they will need to continue to show up and cast votes. The country's business will not go undone.

NOMINATION OF JUSTIN WALKER

Mr. President, speaking of nominations, this morning our colleagues on the Judiciary Committee are examining the qualifications of Judge Justin Walker. Judge Walker is a fellow Kentuckian. He is a district judge of the Western District of Kentucky, and he is President Trump's nominee to serve on our second most important Federal Court, the Court of Appeals for the District of Columbia.

I am grateful to Chairman GRAHAM and all the other chairmen who are finding creative ways to conduct important business. The Senate is demonstrating that the work of governing must and can continue, albeit in new ways.

So to respect this time of social distancing, I am going to offer my introduction here on the floor instead of over in the committee. Since Judge

Walker was tapped to serve the people of Kentucky on the Federal district bench, he wasted no time in expanding his strong reputation for intellectual brilliance, legal acumen, and total fairness and impartiality.

In just the last few weeks, Judge Walker has won national attention for an eloquent and persuasive opinion that forcefully defended Kentuckians' basic First Amendment freedom of religion, and he has earned a "well-qualified" rating from the left-leaning American Bar Association that Senate Democrats, like my friend the Democratic leader, have frequently described as "the gold standard."

Let me say that again. In the span of just a couple of weeks, almost simultaneously, Judge Walker has won praise from religious freedom advocates nationwide and the approval of the ABA, which Democrats call "the gold standard." That illustrates the kind of impressive individual the committee is considering this morning.

Already, Judge Walker's reputation as a brilliant legal rising star precedes him. Yet, when you consider the full scope of his education and experience, it is hardly a surprise. Judge Walker graduated from Duke University summa cum laude. He graduated from Harvard Law School magna cum laude, and he edited the Law Review.

He had prestigious clerkships at the DC Circuit for then-Judge Brett Kavanaugh and at the Supreme Court for then-Justice Anthony Kennedy. He learned at the elbows of legal giants. Then, he moved on to skilled performance in private practice, and then to distinguished scholarship at the University of Louisville Law School, with particular expertise in national security, administrative law, and the separation of powers.

Indeed, it is an impressive record. As Kentucky's secretary of State, Mike Adams, put it recently, "Judge Walker is more than just a [C.V.]." Hence, the outpouring of praise from his peers, colleagues, and neighbors in Kentucky who know him well. One hundred Kentucky lawyers, many of whom have practiced before Judge Walker in the district court, wrote to praise his "courage to apply precedent faithfully." Sixteen State attorneys general wrote to share their confidence in Judge Walker's ability to "weigh the facts against the law as it is written . . . not as he wishes it to be."

I am confident our colleagues on the committee will find that this nominee possesses a generational legal mind, a kind heart, and total judicial impartiality.

President Trump made an outstanding choice when he asked this Kentuckian to take his public service to the next level. I am confident Judge Walker will not disappoint. I urge the committee to approve his nomination. I look forward to voting to confirm him soon here on the Senate 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. 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.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

NOMINATION OF JUSTIN WALKER

Mr. SCHUMER. Mr. President, the Senate is here, open for business. The janitors and food service workers, police officers, and all the staff who operate the floor are here. They are all here. Capitol Police are doing their usual excellent job.

The Republican leader called us back despite the obvious health risks, but we are ready to do the business our country demands. So there is a question that looms: Why isn't the Senate focused on responding to the COVID-19 pandemic? There hasn't been a single vote here on the Senate floor related to coronavirus—not even a nominee related to coronavirus.

Rather than focusing on COVID-19 with laser-like intensity, the Senate Judiciary Committee today will waste precious time on the nomination of Leader MCCONNELL's protegee, Justin Walker, to serve on the DC Court of Appeals, the second most powerful court in the country.

Mr. Walker is a 37-year-old Federalist Society disciple who has more experience as a cable news commentator than he does trying cases in court. Mr. Walker's qualifications pale in comparison to those of previous nominees to the DC Circuit—Democrat and Republican. Nominees by Democratic Presidents and Republican Presidents all were deeply steeped in the law—just about every one—and here we have this?

What Leader MCCONNELL is doing to the courts is nothing short of disgraceful. The judges currently sitting on the second highest court in the land had decades of experience in Supreme Court advocacy, appellate work, criminal law, private practice, academia, and so on, prior to their nominations. Mr. Walker has been a district court judge for less than a year—less than a year. He had no trial experience prior to that.

Inexperience aside, bad enough as that is, Walker's views are way out of the mainstream. In 2018, he described Chief Justice Roberts' opinion upholding our healthcare law as "indefensible" and "catastrophic." Meanwhile, he praised a dissenting opinion by then-Judge Kavanaugh as a "roadmap for the Supreme Court" to invalidate it.

Every Republican who votes for this nominee, Mr. Walker, will be voting to dismantle the ACA and take millions of people's healthcare away from them if his statements prove to be how he judges things, which seems very likely given previous experience of other nominees like this.

This week, legal briefs are due in the Supreme Court case that will determine the future of our healthcare law. In the midst of a global pandemic, at a time when our healthcare system has never been more important, Senate Republicans are preparing to jam through a judge who believes it should all be crashing down. Tens of millions of people would lose their health insurance, and protections for Americans with preexisting conditions would be eliminated.

Mr. Walker's nomination would be controversial in normal times, to say the least—less experience in the court than on TV. During this public health crisis, his nomination is nothing short of a disgrace. The Senate should be focused on helping the country—hospitals and doctors, nurses and healthcare workers, essential employees and small businesses and families suffering from huge financial hardship.

There are millions of newly unemployed Americans, but the only jobs issue the Republican majority seems to be focused on this week is the jobs of rightwing judges who wish to dismantle healthcare at a time when healthcare is needed more than ever. Let me say that again. There are millions of newly unemployed Americans, but in the Senate, the Republican majority is spending time giving jobs to rightwing judges.

Now, let's get back to what matters. Democrats are focused on helping workers, small businesses, and American families. In times of crisis and economic hardship, these average Americans, working people—they take it on the chin. That is where our focus needs to be—not on legal immunity for big corporations, not on big oil or gas companies, not on juicing the markets. The focus should be on average folks. That is who all of us in Congress should be focused on helping right now.

TRUMP ADMINISTRATION

Now, on the administration, Congress can only do so much. I have actually been very proud of how both parties have come together over the past few months to pass historic legislation 96 to nothing—96 to nothing—with a great deal of input and improvement by the Democratic minority. But to make this legislation work, we need a competent, steady, focused administration to not only implement our laws but coordinate our national response.

It is no secret that the Trump administration has been anything but focused, anything but steady, anything but competent. President Trump seems to spend more time deflecting blame, attacking others, pushing quack medicines, and hiding from the truth than he does actually leading our Nation's response to this crisis.

Last night, in an interview on ABC News, the President said that his failure to prepare our national stockpiles with medical equipment was because "he had a lot of other things going on." The national stockpile for the vital PPE that our frontline workers need

and other materials—the President failed to prepare our stockpiles with this equipment because he had a lot of other things going on? That is a President?

Vice President PENCE yesterday confirmed that the White House was winding down its Coronavirus Task Force long before the disease has been contained, waving the white flag of surrender to COVID-19 long before the battle is over.

A report in today's New York Times details the failures of the administration and Mr. Kushner in particular to procure critical supplies at a time when we lack masks, gloves, and other protective equipment. Instead of appointing a military person with experience in command and control, as I suggested, Mr. Kushner recruited a team of consultants who had "little to no experience with government procurement procedures or medical equipment."

Now we are reading reports of a whistleblower from the Department of Health and Human Services who reports that there was "pressure from HHS leadership to ignore scientific merit and expert recommendations and instead to award lucrative contracts based on political connections and cronyism." This whistleblower is scheduled to appear before a House committee next week. This whistleblower should come before the Senate as well. Senators have many questions to ask him. I believe Senators on both sides of the aisle would have those questions.

So this was and is a time when the American people need the executive branch to lead a coordinated response to this evil virus, to listen to medical experts, to heed their advice, to respect and listen to science, but President Trump seems unwilling and unable to handle the truth, and it is hurting our country each and every day.

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

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

NATIONAL NURSES WEEK

Mr. THUNE. Mr. President, today is the first day of National Nurses Week—an annual commemoration each May celebrating the contributions of nurses—so today seemed like a fitting day to come down to the floor and talk about the contributions of nurses and other essential workers over the past couple of months.

When we think about heroism, we tend to think of striking actions that take place in extreme circumstances—running into burning buildings, jumping onto a grenade to save a fellow soldier, racing out under fire to rescue a wounded comrade. And it is right that when we think of heroism, we think of such acts—acts of superhuman courage, generosity, and self-sacrifice.

The past couple of months have also reminded us of another kind of heroism—the quiet heroism of doing one's duty, of getting up and going to work and doing your job day after day in difficult circumstances, even when you are tired, even when you are scared, even when you know that doing your job could place you in danger. We have seen a lot of that heroism over the past couple of months.

A lot of Americans have been able to telework during the coronavirus crisis, but many, many more have had to go out and do the work that can't be done from home: police officers, first responders, pharmacists, grocery store employees, farmers and ranchers, food supply workers, cleaning personnel, bank employees, utility workers, delivery drivers, and most of all, doctors and nurses.

Over the past few weeks, we have come to realize how much we rely on these individuals and that society couldn't operate without them. All the food in the world won't do us any good if it doesn't make it to grocery store shelves. That prescription from the doctor for lifesaving blood pressure medication is useless without a pharmacist to dispense the drug. We tend to take our utilities for granted, but what would we do during this crisis if no one was picking up our trash or making sure that the water keeps running and the electricity keeps flowing?

Sometimes heroism looks like running into a burning building, and sometimes it looks like putting on a mask and gloves and stocking the shelves with bread and pasta and cereal.

I want to say a special word about medical personnel. Of all the essential workers who have gotten up and gotten on with their duty in these days of the pandemic, medical personnel have displayed a special courage. They have been on the frontlines of this battle, the ones directly confronting the disease. Every day when they go to work, they go to work knowing that day could be the day they catch the virus from a sick patient, but they go to work anyway. They have read about and sometimes seen colleagues die from the disease. At times, they have lacked adequate protective equipment, but they have gone to work anyway.

Those nurses we are celebrating this week have worked 12-hour shifts providing medical care in a high-stress environment and have still found time to sit with and comfort patients. I have read more than one story about nurses making sure coronavirus patients separated from family and friends don't die alone.

To our Nation's doctors and nurses and other medical personnel: Thank you. We are so grateful for your courage and for your sacrifice.

Before I close, I want to say a special thank-you to the essential workers around the Capitol Complex here in Washington.

While Senators have been able to do aspects of our job remotely, we have

also had to be here in the Capitol to do the critical work of responding to the crisis, and we simply couldn't be here without the contributions of a number of individuals: the men and women of the Capitol Police, the cleaning staff, the food service workers, the maintenance technicians and other support staff, the staffers who have to be in the office for the Senate to be able to operate, and the staffers right here on the floor—the doorkeepers and cloakroom staff and individuals from the Offices of the Secretary and the Parliamentarian.

I know these are stressful days to be coming to work. I know you have been asked to exceed your normal duties. I am incredibly grateful and I know that all of my colleagues are incredibly grateful for everything you have done to keep the Senate operating safely. It is because of you that we are able to get keeping our work done for the American people.

Sooner or later, we are going to get through this pandemic and life will return to something resembling normal, but I hope we will still remember to be grateful for the people who have kept our society running during this crisis, who have shown us, in a difficult and challenging time, how to get up every day and do our duty.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

NOMINATION OF WILLIAM R. EVANINA

Mr. WYDEN. Mr. President, I rise to oppose the confirmation of William Evanina, whom we will be voting on shortly. Because of his failure to protect whistleblowers, leading whistleblower protection organizations support the opposition to Mr. Evanina's confirmation.

I ask unanimous consent that the statements of two organizations, true advocates of whistleblower rights at this crucial time, be printed in the RECORD.

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

[From the Government Accountability Project, May 6, 2020]

SENATOR WYDEN OPPOSES SENIOR INTELLIGENCE OFFICIAL'S NOMINATION OVER WHISTLEBLOWERS

WASHINGTON—Today, Senator Ron Wyden (D-OR) opposed William Evanina's nomination to serve as the Senate-confirmed Director of the National Counterintelligence and Security Center (NCSC). Sen. Wyden's opposition comes days after Senator Charles Grassley (R-IA) lifted his 2018 hold on Mr. Evanina, placed in part because "Mr. Evanina was responsible for developing policies and procedures to address retaliatory security clearance actions" taken against whistleblowers. Mr. Evanina has yet to produce those policies and procedures, leaving government investigators with little guidance.

Government Accountability Project's National Security Analyst Irvin McCullough said,

"Losing your security clearance means losing your livelihood for many Intelligence Community employees. These folks' whistle-

blowing protections were specifically designed to give special care to whistleblowers whose security clearances are revoked in retaliation for making protected disclosures. However, the Director of National Intelligence never implemented uniform policies and procedures for these whistleblowers, meaning agencies can act as their own fiefdoms when adjudicating these complaints. While a whistleblower at the CIA has the same rights as a whistleblower at the NSA, one may find it much harder to enforce their rights simply because their agency is free to apply harsher standards than the other. That is unacceptable. Bill Evanina was directed to issue universal guidance for all agencies to follow when investigating these types of retaliation complaints, but he hasn't done it. While Mr. Evanina is a dedicated public servant who has contributed greatly to our country's national security, this is his job and he needs to do it. We thank Senator Wyden for taking a stand to protect whistleblowers and ensure accountability inside the Intelligence Community."

Contact: Andrew Harman, Communications Director.

STATEMENT FROM LIZ HEMPOWICZ, DIRECTOR OF PUBLIC POLICY, PROJECT ON GOVERNMENT OVERSIGHT

"POGO commends Senator Wyden for standing up for whistleblowers by refusing to confirm Mr. Evanina until this critical issue is resolved. Any security clearance action must be based on the national interests of our country, not personal bias or retaliation. Retaliatory security clearance actions undermine the security clearance process, this is why Congress made it unlawful to retaliate against a whistleblower by restricting their access to classified information. ODNI charged Mr. Evanina's office with the creation of uniform guidance for investigating retaliatory actions, but he has failed to fulfil that mandate even after several years. Thank you to Senator Wyden for standing up for whistleblowers and their right to a fair and equal investigation."

Mr. WYDEN. Mr. President, it is currently open season on whistleblowers under the Trump administration. Donald Trump and those around him have made it clear that anyone who speaks up about waste, fraud, abuse, or lawbreaking can be punished. If you are a whistleblower under the Trump administration, Donald Trump himself and his echo chamber will publicly call you a liar. They will threaten to make your name public, even at the cost of your physical security. They will prevent your complaints from getting to the Congress, and they will fire the inspectors general who investigate your complaints.

Now, more than ever, courageous whistleblowers deserve leaders who are going to protect them, defend them, and vigorously advocate and work for them. They deserve leaders who are going to stand up to Donald Trump and anybody else who tries to punish those who are going to speak truth—truth, especially, to those in power.

I am rising today, taking this time of the Senate, to speak on behalf of whistleblowers who feel under siege right now. I am on the floor to oppose the confirmation of William Evanina's track record of inaction and why he should not be the Director of the National Counterintelligence and Security Center.

The fact is that Mr. Evanina has failed, repeatedly, the key test on protecting whistleblower rights. Specifically, he failed to enact whistleblower protections that the Congress required in 2014. Think about that—all those years to get the job done and he didn't do it. That is a 6-year track record of letting down whistleblowers and failing to follow the law.

Today, Congress ought to stand up for whistleblowers, protect our democracy, and the rule of law. And when Congress does act and pass whistleblowers' protection legislation the way this body did in 2014, the Congress must not reward those who ignore the whistleblower protection laws. Here, you have a case of exactly that, refusal to implement it for almost 6 years, and the person we are discussing with that track record of not being there for whistleblowers at a crucial time is being considered for a job promotion in the Senate.

I want to unpack, for a few minutes, what the world looks like now to a potential whistleblower in today's intelligence community. One of the biggest threats faced by whistleblowers who work with classified information is that their bosses are going to retaliate against them by revoking their security clearances. Without clearances, they can't do their jobs, their livelihoods are ruined, and their families suffer. That threat has a chilling effect on potential whistleblowers and makes it less likely that abuses are going to be investigated and brought to light.

The Congress has cared about this for years. It is why, in 2014, the Congress passed legislation specifically prohibiting the revocation of security clearances as a form of retaliation against whistleblowers.

Here is what the questions were. What happens if a whistleblower's boss simply insists that they revoked the clearance for some other reason? What if they say it wasn't retaliation for being a whistleblower? Does the whistleblower have any recourse? Is there an appeals process? Or are whistleblowers, who stick their neck out to report waste, fraud, and abuse, just out of luck?

The Congress then stood with whistleblowers. In that same 2014 law, Congress required the Director of National Intelligence, in consultation with the Attorney General and the Secretary of Defense, to develop and implement policies and practices to make that appeals process for whistleblowers a reality. In other words, the Congress recognized that if whistleblowers were truly going to be protected from retaliation, there had to be a meaningful process for them to defend themselves against agencies that always have all the power and always have an obvious incentive to silence and remove those who speak up about abuses.

This important law was passed by Congress in July 2014. As of that day in 2014, the Director of National Intelligence should have been drafting those

policies, but they didn't do it in 2014, or in 2015, or in 2016, or in 2017, or 2018, or 2019—all those years of inaction—and certainly they haven't done it in 2020, especially because of the pandemic, because this is a crucial time when whistleblower protection is needed, now more than ever, because we need those folks to be speaking truth to policy-makers.

I ask the Senate: Who is at the helm every single one of those years of inaction? The person the Senate is thinking about promoting today, William Evanina. Six years have passed, and Mr. Evanina has not produced those whistleblower protection policies required by law.

During that time, there had been five Directors of National Intelligence. The Congress made the Director of the NCSC a Senate-confirmed position. Mr. Evanina kept his job, becoming both Acting Director and the nominee. Meanwhile, Congress reached out to ask: What is the story on these policies? Is anybody actually moving to protect the whistleblowers, as Congress required in 2014?

I want to say it again. On Mr. Evanina's watch, nothing happened in 2014, nothing happened in 2015, nothing happened in 2016, and nothing happened in 2017, 2018, 2019, and not in 2020—no policies, lots of empty rhetoric and no policies. Without the actual policies, whistleblowers are vulnerable, and when they tell the truth and push for accountability, they suffer.

Every day, Donald Trump steps up his attacks on whistleblowers, on inspectors general, and on the whole system of accountability that has traditionally been bipartisan. Congress has pushed back, passing laws to protect whistleblowers, but the laws have to mean something for the sake of whistleblowers and the rule of law. Congress should not reward those who ignore the law and leave whistleblowers vulnerable. That is what Mr. Evanina has done for 6 years. That is why I cannot support his confirmation. He has defied the law and failed to protect whistleblowers.

I am going to state the obvious. When the Congress passes a law, it has to be implemented. When Congress directs the government to protect whistleblowers, that is something that is priority business. In 2014, this body tried to protect whistleblowers. A law was passed. Mr. Evanina has ignored it all these years. That is just not acceptable.

Now, with Donald Trump and his administration feeling free to publicly attack whistleblowers again and again and conduct an unrelenting assault on the entire whistleblower system, laws to protect them are especially important to our democracy. Day after day, we see the costs of a campaign to silence people who speak up about abuses. We see it in his efforts to cover up his failed, often corrupt, responses to the COVID-19 crisis. We see it across the board.

Now is when this country needs officials who are going to demonstrate leadership, who are going to stand up for the brave and the people who are willing to put their neck out to report misconduct. Whistleblowers deserve it, and the country deserves it.

Now, the last point I am going to make—my colleagues probably have heard it, and they are going to hear it, I believe, again—is that Mr. Evanina is going to promise once more, after 6 years of empty promises, to complete these critical whistleblower protection policies. What I would ask Senators is this: Enough is enough, right? After 6 years—6 years of unfulfilled promises—the Senate ought to say: The country deserves better. The country deserves action, and the country deserves real protection for whistleblowers.

Mr. Evanina remains the Acting Director. I want him—even after he hasn't done it for 6 years, I want him to complete those whistleblower protection policies. When they are completed and the law Congress passed is implemented, it seems to me that is the time for the Senate to discuss again whether Mr. Evanina should get a promotion.

Now, last, I just want to come back to how I started. I am not the only one who feels this way. The country's leading whistleblower organizations have made it clear they oppose Mr. Evanina's confirmation due to his failure to produce policies. They include such organizations as the Government Accountability Project, the Project on Government Oversight, Whistleblower Aid, and National Security Counselors. It is not just one Member of the U.S. Senate who is here to say that it is time to finally ensure that these courageous Americans, these patriots, who are willing to come forward when all the incentives in American Government are to stay quiet, not put yourself at risk, don't put your career in jeopardy—when all the incentives are for them to stay quiet, in this country right now, we need them speaking truth more than ever before. I oppose this nomination because there is a long, long track record of not being willing to stand up for these courageous whistleblowers, and I intend to vote against the nominee.

I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, I rise today in strong support of William Evanina to be the first Senate-confirmed Director of the National Counterintelligence and Security Center, or NCSC. I believe Bill is an American patriot and an American success story.

He was raised in Peckville, PA, with very modest means. He was the first in his family to go to college. Prior to joining the FBI in 1996, his first job was with the General Services Administration in Philadelphia. Over his 24-year long career with the FBI, Bill investigated organized crime and violent crimes. He investigated the 9/11 ter-

rorist attacks, the anthrax attacks, and the Daniel Pearl kidnapping. Bill also led the counterespionage group at the Central Intelligence Agency. He earned a reputation as the consummate counterintelligence and security professional, fiercely dedicated to the mission with unquestionable honor.

Then, in June 2014, then-Director of National Intelligence, Jim Clapper—someone whom I know and respect very much—appointed Bill to serve as the Director of the NCSC. Many technical and complex activities fall under NCSC, including personnel security policy, information technology protection standards, CI cyber operations, supply chain risk management, threat awareness for the U.S. critical infrastructure, and damage assessments from spies and unauthorized disclosures. I have partnered, in my role as vice chairman, with Bill on many topics, to include educating industry about the threats posed by China and reforming an antiquated personnel vetting system.

The Intelligence Authorization Act for fiscal year 2016 recognized the vital work that NCSC does and made the position subject to Presidential nomination and Senate confirmation. In February 2018, President Trump nominated Bill to be the first Senate-confirmed Director. The Senate Intelligence Committee considered the nomination in May of 2018 and unanimously—unanimously, with some concerns from my colleague from Oregon, but unanimously—recommended his confirmation to the full Senate.

His nomination didn't get taken up because a Member on the opposite side had a concern. We considered his nomination again in February 2019 in the new Congress, and, again, our committee voted unanimously in favor of his nomination.

Unfortunately, over the last 2 years, despite universal recognition of Bill's qualifications for the position, his nomination became entangled in unrelated matters. Despite the delay—and I think Bill had plenty of opportunities to leave the government—Bill stayed the course, committed to the mission above all else.

Now, I share my colleague from Oregon's concerns about whistleblowers. I have seen this administration and this White House's disregard for whistleblowers. I tell you this: I believe I have Bill's commitment that the matter of processing the procedures on whistleblower protections will be dealt with. I also feel extraordinarily strongly that at this moment in time, when there is not a single Senate-confirmed appointee in the whole Office of Director of National Intelligence, now more than ever, we need at least one career intelligence professional with a good record, confirmed by this Senate, standing guard over an operation that right now, unfortunately, seems to be directed too often by political appointees that, both, disregard protection for whistleblowers and, in my

mind, too often disregard protections for our whole intelligence community.

With the fact that we have now gotten rid of the unrelated matters that were precluding Bill's confirmation by my colleague on the majority, I think we deserve to give this nominee what he and the country deserves—a vote. And my hope is a very strong vote of confirmation so that we can send someone who, as a career professional, has a commitment to holding truth first and foremost above political interference. We need Bill Evanina confirmed in this position.

I look forward to Mr. Evanina's confirmation today so that he can continue addressing the many important counterintelligence and security challenges facing our Nation.

I yield the floor.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of William R. Evanina, of Pennsylvania, to be Director of the National Counterintelligence and Security Center. (New Position)

Mitch McConnell, Lisa Murkowski, Chuck Grassley, Josh Hawley, Joni Ernst, John Barrasso, John Cornyn, Shelley Moore Capito, Deb Fischer, Rob Portman, John Thune, Roger F. Wicker, John Boozman, Roy Blunt, Cindy Hyde-Smith, Mike Braun, Marsha Blackburn.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of William R. Evanina, of Pennsylvania, to be Director of the National Counterintelligence and Security Center (New Position), shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from North Carolina (Mr. BURR) and the Senator from Kansas (Mr. MORAN).

Further, if present and voting, the Senator from Kansas (Mr. MORAN) would have voted "yea".

Mr. DURBIN. I announce that the Senator from Ohio (Mr. BROWN), the Senator from Vermont (Mr. LEAHY), the Senator from Washington (Mrs. MURRAY), the Senator from Vermont (Mr. SANDERS), the Senator from Hawaii (Mr. SCHATZ), the Senator from Michigan (Ms. STABENOW), the Senator from Massachusetts (Ms. WARREN), and the Senator from Rhode Island (Mr. WHITEHOUSE) are necessarily absent.

The PRESIDING OFFICER (Mr. CRAMER). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 83, nays 7, as follows:

[Rollcall Vote No. 82 Ex.]

YEAS—83

Alexander	Fischer	Perdue
Baldwin	Gardner	Peters
Barrasso	Gillibrand	Portman
Bennet	Graham	Reed
Blackburn	Grassley	Risch
Blunt	Harris	Roberts
Booker	Hassan	Romney
Boozman	Hawley	Rosen
Braun	Heinrich	Rounds
Cantwell	Hoeven	Rubio
Capito	Hyde-Smith	Sasse
Cardin	Inhofe	Schumer
Carper	Johnson	Scott (FL)
Casey	Jones	Scott (SC)
Cassidy	Kaine	Shaheen
Collins	Kennedy	Shelby
Cooms	King	Sinema
Cornyn	Klobuchar	Smith
Cortez Masto	Lankford	Sullivan
Cotton	Lee	Tester
Cramer	Loeffler	Thune
Crapo	Manchin	Tillis
Cruz	McConnell	Toomey
Daines	McSally	Udall
Durbin	Menendez	Warner
Enzi	Murkowski	Wicker
Ernst	Murphy	Young
Feinstein	Paul	

NAYS—7

Blumenthal	Markey	Wyden
Duckworth	Merkley	
Hirono	Van Hollen	

NOT VOTING—10

Brown	Murray	Warren
Burr	Sanders	Whitehouse
Leahy	Schatz	
Moran	Stabenow	

The PRESIDING OFFICER. On this vote, the yeas are 83, the nays are 7.

The motion is agreed to.

The PRESIDING OFFICER. The Senator from Colorado.

CORONAVIRUS

Mr. GARDNER. Mr. President, early last December or at least sometime later last year, people in Wuhan, China, began showing symptoms of what was at that time an unidentified respiratory disease in increasing numbers. We now know that virus as COVID-19, and it has completely upended our way of life in the United States and around the globe. This virus has infected over 3.5 million people around the world and killed, tragically, over 68,000 people in the United States, and that includes over 900 incredible and great Coloradans, my home State. We certainly mourn with those families who have lost loved ones, and we will keep fighting for a path forward as we get through this together.

I want to commend in the strongest terms possible our frontline workers, whether it has been our first responders, our healthcare professionals, or those who have allowed us to continue to enjoy a safe and secure food supply; people in the essential businesses who each and every day don't complain but go to work to help make sure our communities can get back to work. The list of heroes in our communities, those who have given so much, goes on and on and on.

I think it is important to recognize that as we have addressed the coronavirus challenge in this country—the measures we have taken, the steps

that have been laid out by mayors and governors and the President—they have been to comply with guidances and health directives and to comply with the best science and scientists our country has, not out of fear of the coronavirus, not because people are afraid of COVID-19, but they have done it out of love—love for their community; love for their parents and grandparents, whom they hope to keep safe and healthy; love for our country, to stop the spread and flatten the curve.

So to all of our incredible healthcare workers, the frontline workers, essential workers, grocery store clerks and gas station workers, mechanics at farm equipment dealerships that have remained open to keep tractors running during planting, to our ranchers and farmers who have kept our food supply flowing: Thank you.

People everywhere across Colorado are hurting, obviously, because of this pandemic. I have heard numerous stories across our great State. I have held telephone townhalls in every congressional district in Colorado, speaking directly with Coloradans who have lost their jobs, who are unsure about how they will feed their family, and who have endless questions about what the future holds for them.

I have heard from restaurant workers in Denver who were laid off when their restaurant closed. I have heard from restaurant owners who have done everything they can to keep their restaurant workers employed—preparing meals and providing them to the hungry and the homeless.

A small business owner in Monument, CO, shared with me how difficult it was to lay off 35 dedicated staff members but not having a choice.

I have talked to businesses in El Paso County near Colorado Springs who used the last prepaid minutes on a cell phone to participate in our townhall to try to figure out where they could get food.

I have talked to elderly Coloradans who were afraid to go to the grocery store because they didn't know if they had special hours. They had an underlying condition, and they didn't know if they could go safely. Our staff was able to help this person get the groceries they needed and the disinfectant they had requested and leave some information about the special hours that grocery stores around the town were holding for people who needed a little bit more social distancing—more space, more time, a safer environment to go out.

But the effects of the coronavirus aren't because somebody intentionally decided to hurt our economy, but they are hurting because of the necessary public health actions their government has taken. It is in large part the government's responsibility to help get them through this because it was the government that said to them: Stay at home. Close your doors. Don't go to work.

It is our responsibility to provide the help that our economy needs to get

moving again, to get people back to work, because it was the advice of governments, from the local levels to the Federal level, that said: These are the things you need to do to stop the spread and flatten the curve.

Throughout this entire health epidemic, I have approached it with a three-prong strategy. Throughout this process, this three-prong strategy has been the focus I have used to approach what we as a country must do to get through. These are not steps that should be taken one at a time. You don't accomplish step 1 and then attempt to accomplish step 2 and then maybe get to step 3. These are things that need to be done all at the same time as we move on our path to recovery.

First, we must obviously address the immediate health crisis. The second prong is, we must make sure we are providing real-time assistance to real individuals who are really hurting across the State of Colorado and the country. The third prong is to make sure that we are supporting our businesses through this crisis, to make sure that when the health emergency is over, we have an economy that is able to snap back and run strong.

These steps have to be done all at the same time—not step 1, then 2, then 3—but the first prong, the steps taken to flatten the curve and stop the spread, has been absolutely critical and will continue to be critical.

Congress has taken many steps to support the health response, including \$175 billion to support healthcare providers, \$17 billion to the Strategic National Stockpile for medical equipment and supplies, and a recent infusion of \$25 billion to support testing, including dedicated funding for States and Tribes. We have also spent money to support scientists as they rapidly developed and produced new testing technologies and worked to get them to the market as quickly as possible. But it is going back to that bravery of our frontline healthcare workers, our first responders, our public health experts, as well as the innovation of our scientists who have served as beacons of light during this difficult time and will help us get through this health emergency.

On prong 2, providing individuals with the assistance they need, we have continued to do that and must continue to do that to address this health emergency because when we started the very first steps, we said to every American: Please stay home. Figure out how to socially distance.

As a result, unemployment claims have skyrocketed to record numbers as Americans grappled with work reductions, job loss, and overall changes to our daily lives.

It is important that Congress acted quickly to provide individuals with immediate assistance. In the CARES Act, we provided direct individual assistance to millions of individuals and married couples across the State and

across the country. We allowed Federal student loan borrowers to defer payments for 6 months without interest or penalties. We established a temporary Pandemic Unemployment Assistance Program for those who are self-employed or independent contractors whose livelihoods have been impacted by the pandemic—people who otherwise might not have had a place to go.

One consistent message I have heard from countless Coloradans as I have spoken with them during the pandemic is that they appreciate our bipartisan efforts. It is beyond that. It is not simply a bipartisan effort where Republicans and Democrats are working together; it is actually nonpartisan because Republicans and Democrats realize there is no reason to bear that mantle of “party” because so many people are hurting, and we know what needs to be done for the country to work together, to be nonpartisan, and to provide the relief real individuals need in real time.

We have to keep fighting in this nonpartisan way and this bipartisan way to make testing more widely available, to support State and local governments, to advocate for frontline and essential workers, and to set up our economy to return as strong as it was before the pandemic. Thank goodness our economy was as strong as it was when we went into this. Imagine where we would be if we had a weak or struggling economy as we entered the health emergency.

Prong 3 requires support for businesses. The economic relief that was provided through the Paycheck Protection Program under the CARES Act continues to be an essential tool for our small businesses and families across all four corners of Colorado. Over \$10 billion in round 1 and round 2 of the Paycheck Protection Program has been delivered to keep people on the payroll in Colorado. The Paycheck Protection Program was created to keep employees on the payroll and to help keep bills paid so that workers can keep their jobs, salaries, and benefits—they can keep them—and so small businesses can hit the ground running when they are able to resume operations. Think about the millions of small businesses in our country responsible for over \$6 trillion in salary every year in this country.

We often talk about small businesses being the backbone, the foundation, and the bedrock of our economy, and it is absolutely true. Small businesses employ nearly half of all American workers, and they make up 99.5 percent of all Colorado businesses, employing more than 1.1 million Coloradans.

Because of clarifications to the program I fought for, just last week I heard from three rural hospitals in Colorado that received Paycheck Protection Program loans through their local community bank. They were within a matter of a week or weeks of having to lay off employees and in some cases, shut down. The access to the Paycheck

Protection Program was an absolute game changer for these critical and vital rural hospitals. Now these hospitals can continue to provide both critical healthcare services to their communities and jobs for their employees, and in many communities, these rural hospitals are the largest employer in that community.

These actions and programs are essential cornerstones to our recovery, but we must finish laying the foundation to ensure our economy snaps back and runs strong. While governments can allow businesses to open, the American people simply won't return—they won't fully return to the economy until they have confidence that the virus is under control.

The first step to tackling any problem, of course, is seeing it, and that is especially true with COVID-19. How do we see it? Through widespread testing. Widespread testing is key to seeing the bigger picture in the fight against this virus. Our country's well-being both medically and financially relies on our ability to see where the illness is and where it is not and where it is spreading and where it is declining. That, in turn, depends on our ability to ramp up testing capacity.

Rapid testing for COVID-19 and further research into the benefits, applications, and development of that body of testing will help show which Coloradans have been exposed to COVID-19 and the percentage of our population that has already recovered. This will better inform local schools, businesses, and governments as they make their own determinations about the path forward. It will help provide peace of mind for Coloradans as they start to visit their families, reschedule doctors' appointments for routine preventative services, and return to their jobs. It will also help States and local health departments decide what type of other responsive measures are necessary.

My approach to this pandemic has been an all-hands-on-deck approach. When the Governor calls me and says our State needs more tests, more masks, or more equipment, I get to work fighting to find that assistance. Working together with the Governor, leaders at the Federal level, and our allies abroad, we have been able to secure hundreds of thousands of masks and tests for our State, and we are working around the clock for more.

Without effective widespread testing and a corresponding strategy that leverages and improves public health infrastructure to support monitoring, we cannot have a real-time response to the virus. Rapid testing and the ability of public health departments to inform individuals with positive cases quickly so they can take appropriate action and further prevent the spread is critical to making sure our entire economy is not forced to shut down in the future.

The dollars we have provided through various phases of action as it relates to the health emergency will help provide

that testing to help mobilize new testing, to invent the kind of testing we need—an antigen-based test, an antibodies test—the opportunities we have to rapidly let the people of this country know what is happening, what is not happening, and how we should tailor our public policies to fit the spread of the virus and the decline of the virus and the reopening of our economy.

We need a test that is so ubiquitous that people can buy a Big Gulp at 7-Eleven and buy a COVID-19 test and keep it in their car or keep it in their first aid kit so that if they wake up in the morning with a sore throat, they can test and they can have the actual results. Instead of shutting down a household or a community or a country, we can get the results to implement better public policies then and there.

Congress must also make sure that the Paycheck Protection Program continues to be funded and improved where needed to better support America's small businesses and the employees they are able to keep on the payroll as a result. We must make the program flexible enough to be effective, and we must make the rules so clear—so clear—that people will be competent that they can use it.

I have seen the headlines about big businesses taking this money when they might not really need it, but I have also talked to 15-employee companies that have needed \$30,000 or \$40,000 to pay their workers and that are now terrified of crossing Federal prosecutors.

I heard from a Coloradan I have known my entire life who is working with her son's business. This is an essential business that has remained open because of the role they play in our food supply. They went to the bank, and they got a loan under the Paycheck Protection Program. They were very excited that they would be able to keep their doors open, and then they received a letter that said: Hey, are you sure you needed this loan? Maybe you didn't. Now they don't know whether they should keep it. They are terrified to use it.

While we have to make sure our programs aren't abused, we also have to make sure we don't create a chilling effect on businesses that truly need it. I understand the need to be careful about who gets this money, but when we are scaring businesses that we all agree need assistance the most, maybe things have gone too far and Congress is no longer helping.

Congress should act to make rules that are clear. We should help guide those rules to be clear and bring confidence to the program to make sure that people can be at work, keep their jobs, and keep their benefits.

When the foundation is secure and we have this foundation secure, we should then explore the immediate opportunities for economic activity and employment—the opportunities that will benefit every American and create the

conditions for a quicker recovery. Until the American consumer is fully back, with confidence in our economy, we need to look for ways to fill the gap.

We have long talked about the need to refurbish our infrastructure. Now is the time to do it.

This health crisis has laid bare the cyber desert that exists in many of our rural communities. We should make a concentrated effort to make rural broadband a reality.

We should fully and permanently fund the Land and Water Conservation Fund and put funding towards our deferred maintenance projects across our Federal lands that we all cherish so much. That will create immediate jobs building roads and maintaining trails and creating the kinds of job opportunities that many of our high mountain towns desperately need as a result of this health emergency and now economic emergency.

I have introduced a bill that has the President's support and both sides of the aisle, and certainly the ideas are supported across both Chambers of Congress—the Great American Outdoors Act. Communities throughout the Nation would benefit, and these funds would help contribute to a strong and growing outdoor recreation economy—one of the largest drivers of our economy in Colorado and in many States.

In short, we need to take some big and bold steps to make sure that our economy is back on track and to help accelerate it once again. We need these big steps because we have taken a hard shot in the last couple of months.

We also need to support mental health efforts. Prior to the pandemic, 70 percent of Colorado's mental health need was unmet, and on average, one Coloradan died by suicide every 7 hours. Before COVID-19, I was working on a number of legislative efforts to improve mental health support, and COVID-19 has only underscored just how time-sensitive these matters are—particularly my legislation, the National Suicide Hotline Designation Act.

In a mental health emergency, it is almost impossible to remember the current 10-digit hotline. Sometimes there is more than one 10-digit hotline. So establishing 9-8-8 as a national suicide prevention hotline will save lives and help more Americans in need to access critical mental health support.

S. 2661, the National Suicide Hotline Designation Act, is more than smart policy that will help save lives; it is a statement that our government recognizes the crisis and is working across party lines to address it. Establishing 9-8-8 as a national suicide prevention hotline will save lives and help more Americans who need access to critical mental health support.

I have been proud to push for this three-digit hotline and funding for the National Suicide Prevention Lifeline, and I will keep fighting to make suicide prevention services more accessible. Let's come together, and let's get this done.

Access to mental health care is especially important during this trying time filled with grief and uncertainty for so many people, and we must ensure we are doing everything we can to prevent these devastating outcomes from occurring.

But no matter how bleak our situation looks, it is important to remember that America has faced its fair share of challenges. Together, we have persevered and persisted through world wars, economic disasters, the September 11 terrorist attacks, and much, much more. While this virus will not be the last challenge our country faces, we know that this, too, shall pass, and together, we will make it to the other side stronger than ever. I have faith and confidence in the American people and in our ability to pull together and to continue to meet this challenge head-on. Colorado has been that shining example of resiliency in so many instances, and it will continue to be.

Over these last several months, I have spoken directly to countless Coloradans, all unsure of what the future holds, but they are certain we will get through this by looking up to that great Rocky Mountain horizon. Coloradans everywhere are stepping up and meeting this challenge in the spirit of our great country. They are donating food, they are donating personal protective equipment, and they are donating time, talents, and their blood. Individuals and businesses across Colorado and across the country are seeing needs and responding to those in need.

To the brave healthcare providers fighting around the clock, the reliable farmers and ranchers working day in and day out to keep food on the table, and all the essential workers who continue to selflessly put themselves at risk to ensure others are taken care of first, I give my deepest thanks and praise.

In Colorado, we have lost two first responders on the frontlines in the fight against COVID-19.

Deputy Jeff Hopkins served in the El Paso County Sheriff's Office, and he had been serving there since 2001. On April 1, he passed away from COVID-19 at the age of 41—1 day after he was diagnosed with COVID-19. His death was determined to be a line-of-duty death, which is a reminder to all of us that our brave first responders are in harm's way every day but especially during this pandemic.

We also recently lost Paul Cary, who worked as a firefighter and paramedic in Aurora for more than 30 years. Paul was 66 years old, and he selflessly drove—selflessly drove—27 hours straight to New York in an ambulance to help out in the battle against COVID-19. While there, he was tending to patients and transporting them to hospitals. After falling ill with the virus, Paul died on April 30. Coloradans lined the streets to give him a hero's farewell.

To Deputy Hopkins, to Paul Cary, and to the countless heroes like them

who are risking their own lives for our health and safety every day, thank you.

First responders and medical professionals all across our State continue to make countless sacrifices on our behalf.

The long hours and time away from family and loved ones, the undeniable mental toll this pandemic takes on those on the frontlines and the health risks—these sacrifices don't go unnoticed. We must do everything we can to make sure the first responders of COVID-19 have the resources, the support, and the personal protective equipment needed to fight this pandemic.

We will never be able to fully show our deep appreciation for our healthcare providers, frontline employees, and first responders who are working to keep vital parts of our country moving. We have to do everything we can to try to make up what they have done for us in big ways and small ways every day.

In Colorado, we don't look back; we look forward. We look out across the Great Plains, the Great High Plains, up to that majestic Rocky Mountain horizon for that next optimistic day.

In the middle of the health emergency, a couple of weeks ago, I received a letter in the mail, and it had a pair of pliers in this letter, and I really didn't know what it was. It sat on my desk, and I opened it up not knowing what it was.

I ask unanimous consent that I be allowed to share an item on the floor that was sent to me during the health pandemic.

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

Mr. GARDNER. Mr. President, in the letter, this pair of pliers came, and I opened it up, and here is what it said:

Senator GARDNER, I want to thank you and everyone at your office profusely for everything that you have done for me. You have allowed for me to continue receiving uninterrupted benefits and care for combat injuries I have sustained while serving as an Officer in the U.S. Army.

In 2014, you came to visit me in the Ward of Walter Reed, while I was still bandaged and pretty beat up, missing my dominant hand and looking overall pretty haggard. You told me a story about the Korfs (My Mom's side) [of the family] in Yuma County.

At this point, I realized who the letter was from, and I remembered very clearly the story I had told this young soldier.

You told me a story about the Korfs (My Mom's side) in Yuma County walking into your family's hardware store and stress-testing pliers.

It was a story I had received from my granddad about these two brothers who would come in years and years ago—decades ago. They would grab a pair of pliers on the parts counter, and they would squeeze them, and they were so strong that they would snap the pin in the pliers. I told him that story.

He wrote in his letter:

Apparently my ancestors wouldn't buy a pair if they didn't stand up to the grip of the

man that I can only imagine was pretty strong in the arms. While I'm sure they only broke a few sets and got away with it by being [expletive], I've enclosed a pair as recompense.

After you visited, I took that story with me. After 5 years as an amputee, I've been an Infantry Officer and I spent years training as a Special Forces Officer—the only amputee to ever pass Assessment and Selection. It's been inspiring to grip this set of pliers and try to snap them.

And then he wrote:

Sometimes our tools break, sometimes it's our fault, sometimes they're not flat sturdy to begin with, sometimes these tools have just been used to the point of failure. Every time, though, what really matters is what we do once that tool is broken. We fix it, get a new one, or we improvise something better. Either way, we figure out how to finish the job, because people are depending on us to get it done.

Carey G. DuVall, CPT U.S. Army, Ft. Bragg, NC.

We face a tremendous challenge unlike we have ever faced in our lifetimes, and, while we are going to use every tool we have to help fix what has happened, we know that every one is not going to be perfect. But we have to keep trying because that is what the American people do every day. They make it work. They fight. They get back on their feet. We have to be in this fight with them.

Thank you.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. MURPHY. Mr. President, I think all of us are in awe on a daily basis of those who we have a responsibility to serve. The people of Colorado, the people of Texas, and the people of Connecticut are doing just absolutely extraordinary things, and I hope that over the next several weeks we get to hear more of those stories.

At the end of last week, I got a chance, with my Governor, to go down to a healthcare facility in Bridgeport, CT. It is a healthcare facility that has been designated to serve only COVID-19-positive patients. The nurses and staff came outside into the parking lot area to have a socially distanced, masked conversation with us.

While they have struggles, and while they need help, they have a sense of mission about them that is impressive. They are working double shifts. They barely get to see their kids. They know that their lives are in danger every time they go into a facility where there are only patients who have tested positive for COVID, and yet they know they are doing something with their life today that they will be able to tell their kids and grandkids about. They are making a difference.

I think about those individuals who aren't a first responder, who aren't a healthcare worker but have found a way to do heroic things just in their neighborhoods.

Luciana Vera was already making a difference. She was a bilingual teacher in the Stamford, CT, public school system, but she heard about a crisis that

one of her students was having. One of her student's mother had contracted the virus, had gone into a coma, but was pregnant and delivered a child while she was in a medically induced coma. Her husband also had the virus, as did one of her children. So do you know what Luciana did? Do you know what this teacher did? She took the baby into her home. While she taught her students online during the day, she warmed up bottles and fed that baby at night.

Jerry Sicardi is 100 years old. He lives in Stratford, CT. Even at 100 years old, he decided to get together with his daughter Judy and start making masks. We all have these stories from our States, just folks who started sewing masks and giving them out to people who needed them. Jerry gave them out to his neighbors. He sent some to the Bridgeport Correctional Center. He gave them to former students. Then, when folks learned that Jerry was pretty good at making masks, they would call, and he would make them on order.

These are the stories that could, frankly, fill up the whole day from each one of our States.

While my constituents in Connecticut, who are as generous as that, would have undertaken those actions regardless of the effectiveness of the response from their government, their actions are all the more important, given the failures of their Federal Government to do the right thing by them.

I want to spend a few minutes today talking about the Trump administration's response to the crisis that we are facing. If we are going to be here in Washington, I think it is important for us to talk about what is missing.

There has been a lot of ink spent already criticizing the Trump administration's response to the crisis—that the strategy was wrong, the focus was in the wrong place, or that the level of activity wasn't high enough. But I really think that this is the wrong paradigm. It is the wrong lens through which to have this discussion because the problem really isn't that President Trump's response to coronavirus has been ineffective. It is that he hasn't responded at all. For all intents and purposes, there has been no response to coronavirus from this administration. There have been press conferences. There is a social media presence, but they aren't running a national response.

From the beginning, the response has been left to States, to cities, to counties, to hospitals, to school districts, to nursing homes, to shelters, to food banks, to charitable organizations—really, to every public-facing entity that isn't the administration. We shouldn't lose sight of how remarkable that is—that in the face of the most serious national crisis since 2001, perhaps since Vietnam or World War II, the administration has effectively chosen to stand down and let others lead.

I know that sounds like hyperbole because there is a task force, right?

There are press conferences on TV every day. But hear me out.

At the beginning, the President didn't do nothing. He fanned the flames. He called coronavirus in the early days a "hoax" perpetuated by his political opponents. He telegraphed to the country that this wasn't something we needed to be prepared for because it was just going to go away, despite all the experts telling him differently.

On 12 different occasions, he praised the Chinese response and said that President Xi was doing an excellent job responding to the crisis. He praised, specifically, their transparency. At a moment when the international community was trying to get into China to find out what they knew so that we could start developing vaccines and treatments, the chief apologist in those early days for the Chinese response was our own President.

Arguably, the most significant action that the Trump administration undertook—really, the only action that the President mentions to this day, when pressed for tangible things that he has done—was the set of travel restrictions. But public health experts told the President that the restrictions wouldn't work, especially since they were filled with loopholes. We now know that 400,000 people ended up getting into the United States from the countries that were subject to the restrictions list. The travel ban was feckless. It was a failure. And after that, the administration effectively gave up. They gave up.

What could they have done? As the travel ban started to prove ineffective at stopping the virus and cases started to mount, what could they have done? Well, they could have decided to lead a national effort to make sure we have the supplies necessary to fight the virus. Members of Congress told the administration early on that we needed to appropriate dollars to make sure that we had things like masks and gowns and ventilators. They could have created a national effort to ramp up domestic production of personal protective equipment. They didn't do that.

The administration could have come up with a national testing plan. They could have done an early assessment of how many tests were going to be needed and taken control of the supply chain necessary to make those diagnostic machines and the cartridges that go inside them. They didn't do that.

They could have begun the work of building a national public health workforce. Every expert told the administration that it wasn't just the machines and the equipment, that we were going to need public health workers to do the testing, to then trace the spread of the disease, and to help support quarantines. They could have started to put together a plan to build that workforce at a national level or at least a plan to help States build that workforce. But they didn't do that.

They could have, early on, worked with States to create uniformed stand-

ards for school and business closings. This didn't have to be left to States and municipalities and individual superintendents. The administration could have chosen to lead on the question of how and when we chose to close our economy and our school systems down, but they didn't do that.

They could have joined with other countries to jointly produce a vaccine. In fact, there was an entity set up at the beginning of the Trump administration specifically for that purpose, the Coalition for Epidemic Preparedness Innovations. They could have made an investment in that international organization after having refused to join early on during the President's term, but they didn't do that.

They could have increased aid for developing nations or refugee camps. They could have gone on the international offensive, like President Obama did during the Ebola epidemic, and made sure that we were helping every country beat the virus because, as we know, due to the failure of the travel restrictions, if you don't stop it everywhere, you really are not stopping it anywhere, but they didn't do that.

They could have made sure that everybody in this country had insurance. The Trump administration could have stopped pushing junk plans. They could have, at least temporarily, put on hold the lawsuit to try to end the Affordable Care Act and the 20 million who are insured through it, but they didn't do that.

They could have worked to create a national commitment to make sure that every student has the ability to distance learn and has internet access, or they could have proposed a plan to ramp up special education funding to make sure they are protecting kids with disabilities during this crisis. They didn't do that.

Finally, they could have proposed any of the various programs that Congress developed and passed: the PPP program, the State stabilization fund, the hospital relief fund, the national testing program fund. None of these were initiatives from President Trump.

Early on, as negotiations were beginning on these relief packages, the President's only idea was a payroll tax cut. Frankly, it is still the President's only idea.

The President didn't need to leave all of the legislative leadership to Congress. He and his team could have laid out detailed new programs to combat the virus or to save the economy and pressed Congress to pass them, but they didn't even do that.

I am not saying there aren't meetings. I am not saying there aren't press conferences. But my State, one of the hardest hit in the Nation, has had to effectively fend for itself.

When I talk to State leaders, or hospital executives, or food pantry directors, none of them talk to me about all of the help they are getting from the Trump administration. They talk

about the programs that Congress has passed, but they don't talk about any meaningful, impactful responses to this crisis run by the Trump administration. Do you know why? Because they don't exist, and even when the Trump administration tries to do something meaningful, they screw it up.

Take, for instance, the much-heralded plan to reopen America. Now, that was a good idea, a serious set of guidelines for States to use to judge when the right time is to reopen. I may have quibbles with certain elements of that plan, but I thought they were generally on the right track, giving States some specific guidelines so that we can have some consistency across the country as to when States decide to reopen schools and businesses.

The administration stuck with that plan for about a week, and now President Trump is calling on States to reopen, regardless of whether any of the benchmarks have been met in his own plan. Now he is talking about healthcare workers and cafeteria workers as warriors, apparently preparing them for a summer during which his experts tell him there will be 3,000 coronavirus deaths a day because of these early reopenings. If that is true, the President's so-called coronavirus warriors would be dying at a daily total 10 times that of the warriors who fought in World War II.

Not all of this was avoidable. China, where the virus started, bears serious responsibility for the global spread, but the epidemic did not have to become the crisis of the magnitude we have witnessed today.

A normal President would have been able to take steps early on and throughout that could have controlled the spread. Our President effectively chose to stand aside and leave 50 States and thousands of cities and hospitals to manage the response instead. They were left largely helpless, without significant Federal support, competing against each other for scarce resources, and now our country is in desperate straits. So, once again, it is up to Congress to lead.

I agree with my friend from Colorado that there has been remarkable bipartisan support in this body in order to fill the vacuum that has been created by the refusal of our President to lead, and so we will have to do it again. Let me leave my colleagues with a few suggestions as to the path that we should take going forward to build upon those suggestions proffered by my colleague from Colorado.

First and foremost, we have to admit what is true. The States and the cities are in charge of the response. The Trump administration is not. I have heard my colleagues talk about aid to States or municipalities that are fighting the virus as a bailout. That is nonsense. It is more accurate to talk about what the States and cities are doing as a bailout of the Federal Government.

When the Trump administration refused to run a national response, it was

the States, like mine, and cities, like those in my State, that stepped up to lead the response. All we are asking is that we share in the cost of the States' and cities' efforts to save lives.

Second, our schools are going to be overwhelmed with need when they reopen. I am one of the few parents of school-aged children, children who go to public school. My kids are lucky enough that they don't have special learning needs, and they have two parents who are able to telework from home and support their distance learning. But there are millions of kids who have learning disabilities, who have needs totally unmet during this time who are going to show back up at school way behind and in crisis. We need to appropriate money right now, especially for special education, so that school districts across the country can start to do planning now, this spring and this summer, so that there are supports around those kids when they show back up. Every kid is going to have to catch up. But especially for kids with serious learning disabilities, they are going to need extra help. And States that are going to have expended all of the money available to them to fight the virus and that have cratering revenues because of the shutdown of the economy are not going to be able to fund those special education needs themselves. It is going to have to be us. It is going to have to be us. So why wait until the fall? Let's make a down-payment on that assistance for kids with disabilities and do it now.

Food banks in Connecticut are running dry. They are running dry. We need more support in the next bill for nutrition assistance. We have to start thinking creatively about how to make sure that everybody has access to food. Right now, if you are on a SNAP benefit, you have to go to a grocery store. Well, those aren't safe places for everybody on SNAP benefits. Some of the corner bodegas have closed down. So the only place that might be open is a long way away. So restaurants can be a lifeline right now. Traditionally, we don't allow you to use your SNAP benefits in restaurants, but I think we should temporarily allow for that in the next package we pass. And guess what. That would be a win for people who are on assistance who need more food options. It would also be a win for restaurants that are looking for customers.

Fourth, we have to build that public health workforce. Again, States will not be able to afford it themselves. Every medical expert tells us that it is not just testing. It is tracing the contacts that that individual had. It is quarantining those they had contact with. And that can't be done just with an act. There have to be workers who help do that tracing, who help support the quarantine. We have to build that workforce. Again, there is just no conceivable way that States can pay that by themselves.

Then, lastly, we need to get back into the game internationally. It was a

fallacy from the beginning to think that we can just shut our borders and protect ourselves. That is not how viruses work. In an interconnected economy today, there is no practical way to completely shut down your borders from individuals or products that move across international boundaries.

We have offers right now to engage with our partners internationally on ways that could end up helping to save lives in the United States. I mentioned the Trump administration's refusal to join CEPI, which is the international body working on a vaccine. Why? Why is Europe and Canada and Australia and Japan and Saudi Arabia and India all working jointly on a vaccine, and we are on the outside? It doesn't mean that we would have to stop doing our own congressionally funded work to develop a vaccine, but why not also join the international effort so that we are not on the outside if they develop that vaccine? An easy thing we can do in this next bill is make sure we are both working on a vaccine domestically but also working internationally.

When this crisis is over and life has returned to relative normal, there will be a grave, serious accounting of how badly the Trump administration failed this Nation that it was sworn to protect. I am grateful for my colleagues stepping up time and again in a bipartisan way to try to fill the gap created by the failure to lead by the executive branch. Hopefully, when we do that accounting, it will allow us to learn lessons. For now, this Congress has to soldier on and do our best to muster a Federal response that, if not for our actions, would be practically nonexistent.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. Madam President, like other Senators, around this time of the year, I am used to being with folks from home who are traveling to Washington, DC. Between spring break trips and industry fly-ins, spring is normally a very busy season here at the Capitol. I always look forward to seeing both new and familiar faces and spending time with my constituents and talking about the challenges they are facing and the changes they would like to see coming out of Congress.

Yet, as we all know, this is not a typical springtime in Washington. Normally busy sidewalks and hallways are largely empty, as our constituents hunker down at home while we continue working to get them the help they need. Just as Texans have adopted new routines to meet social distancing requirements, so have I, as have all of us.

I know I am not alone among my colleagues when I say that over the last few weeks, I have logged some serious hours on phone calls and video conferences with folks across Texas. Actually, I have been a little bit surprised at how efficient it is in terms of reaching large numbers of people, and I

think it will probably change some of the ways we work here and some of the ways we act with our constituents here in the future.

I spoke with those in the medical field about the ongoing challenges to our frontline healthcare workers, the progress toward developing a vaccine, antibody tests, and the like.

I have talked with the Texas Farm Bureau, our farmers and ranchers, our grocery store workers, and our food bank employees about the need to make sure that all Texans can access the food they need, especially during a time like this.

I have talked with mayors, county judges, and other leaders in our communities about the work they are doing.

I was listening to our friend and colleague from Connecticut who believes that the response needs to be coming out of Washington and that we all need to simply fall in line according to the dictates of the national government. Well, it raises interesting questions about the Constitutional Convention and the agreement to have a Federal system, not a national system. We have sovereign States that have their own sphere of responsibility. Our cities and counties are best able, in my view, to respond to local conditions.

Rather than a command and control response, what we have had in Texas and I dare say in most other places has been a collaborative approach. Working with the national government to provide the resources and some of the guidance is very important. But our Governors, who control the National Guard, which has come out to help do testing, help stock food banks, and help build temporary hospital facilities, and our mayors and county judges and local officials have really done an outstanding job. I am very proud of the work they have done. We haven't just taken orders on high from the Federal Government; we worked together, hand in glove, with the Federal Government.

Of course, I talked to countless small business owners across our big cities and small towns and everywhere in between about the financial strain caused by the pandemic, and it is significant, to say the least. Many, of course, were forced to close their doors or dramatically scale back their operations, and many have had to make hard decisions to stay afloat.

I was just emailing with a friend of mine in Dallas who has ownership in a company that just declared chapter 11 bankruptcy. Our small businesses are the heart and soul of our communities. They are our favorite locally owned restaurants; the florists we call upon on anniversaries, birthdays, and other holidays; the drycleaners, the barber-shops, the gyms, the pharmacies—all the places we have been going for years. They feel like an extended part of our family. They are part of what make our communities unique, and they are a huge driver of our economy.

In Texas and across the country, small businesses employ nearly 50 percent of the local workforce. For many of these workers, the closures and cancellations brought on by the coronavirus have put their livelihoods in jeopardy, with many losing some or all of their income and many, their jobs entirely.

As the Senate was working on our third response package back in March, we knew that without a serious investment in our small businesses, the result would be catastrophic. That is why we created the Paycheck Protection Program through the CARES Act to provide cash flow assistance for our small businesses. As we know, those low-interest loans can be used to cover everything from payroll, to supply chain disruptions, to rent or mortgage. And if the employers are able—I underline the word “able”—if they are able to keep their employees on the payroll until June, then much of those loans can be turned into grants.

During my calls and video conferences with chambers of commerce and small business owners throughout Texas, I have been able to talk about the benefits of these loans and how to access them. Small Business Administration staff have joined me on dozens of these calls to answer technical questions about the loan program and other types of assistance offered by the SBA, which has been really valuable and appreciated by everyone.

Small businesses in my State have jumped at the opportunity to take advantage of the PPP loans and start talking with their banks and gathering up paperwork and going through the formal application process.

As we know now, it became quickly obvious how popular the PPP program was and that it would exceed the funding levels after 2 weeks. That indicates the kind of demand and the kind of need and that our response was actually hitting the target. But after 2 weeks, the first \$350 billion was exhausted and depleted. From that first \$350 billion, 135,000 small businesses in Texas received loans—more than any other State. That program brought approximately \$28.5 billion to Texas small businesses and protected thousands of jobs.

Well, we know, after a little bit of jockeying back and forth with the House, Congress finally replenished the Paycheck Protection Program with an additional \$320 billion, and that money is flying out the door as we speak.

You don't have to look far to see why this program is so popular.

Valerie Gonzalez-Handly owns Delicious Tamales in my hometown of San Antonio. Like other restaurants across the country, her business struggled as the stay-at-home orders were put in place. Delicious Tamales closed for 2 weeks last month but was able to reopen because of the \$232,000 loan they received through the Paycheck Protection Program. All 38 employees returned to work. Valerie called the Pay-

check Protection Program a “life saver.”

For patients at a clinic in Tyler, TX—another PPP loan recipient—these loans could be a literal life saver. Bethesda Health Clinic provides healthcare services to low-income and uninsured Texans in the Tyler area. The clinic doesn't receive State or Federal funding, and one-third of their budget comes from the Hangers of Hope thrift stores they operate, which were forced to close. The clinic had to furlough their employees in order to survive the financial squeeze but was able to take advantage of the Paycheck Protection Program. Krysti McWha is the chief financial and operations officer, and she said this has erased a lot of worry for the clinic and allowed the furloughed employees to return to work. It has also enabled them to continue to serve the public during a time of heightened healthcare concerns.

The Paycheck Protection Program has been vital to Texas small businesses and I dare say to the Nation's small businesses. I am glad Congress, working together as we should during a time of national emergency, was able to provide this lifeline and replenish these funds when they ran dry.

That is not to say, though, that this program has been implemented without a hitch. When you do something this big and this fast, there are bound to be some hiccups. We expected there would be these small holes and gaps in what was needed, and over the last few weeks, those have become pretty clear.

One of those issues is the tax deductible expenses for the businesses that take advantage of these loans. Businesses are normally able to deduct wages and other business expenses from their taxable income, but the notice issued by the IRS said small businesses cannot deduct these expenses, which is exactly the opposite of what we intended to do. Just to give an idea of how harmful this could be, if a small business's payroll during the 8-week period covered by a loan were \$100,000, that amount could not be deducted as a business expense when they file their taxes.

Our goal with this legislation was to help—not hurt—to help small businesses remain solvent and keep their employees on the payroll so they can recover from this pandemic as soon as possible and be ready for what I hope is a v-shaped bounceback in our economy once we defeat this virus. We certainly didn't intend to make next year's tax season a nightmare or to add to the burdens of these small businesses. Yet, based on the IRS's guidance, that is the path we are headed down.

We have to right this wrong. Yesterday, I introduced the bipartisan Small Business Expense Protection Act with the chairman and ranking member of the Finance Committee, Senator GRASSLEY and Senator WYDEN, along with Senator RUBIO, who chairs the Small Business Committee, and Senator CARPER, who serves, as I do, on

the Finance Committee. This legislation will clarify that small businesses can still deduct expenses that were paid for with a forgiven paycheck protection loan from their taxes. Without this clarification, small businesses will be up the creek without a paddle when they file their taxes next year.

This program was created to reduce the financial barriers our small businesses are trying to overcome, not to add more. This bipartisan bill has already received support of the American Institute of CPAs—certified public accountants—and is critical to ensuring America's small businesses receive the full benefits intended by Congress in the Paycheck Protection Program.

As we continue to provide relief for America's workers and small businesses, it is critical that this fix be included. Texas small businesses saw the Paycheck Protection Program as a lifeline during this incredibly challenging time. Let's not make them regret grabbing ahold of it.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. KAINE. Madam President, I ask permission to speak for up to the full 10 minutes.

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

Mr. KAINE. I rise to discuss the next steps the Senate should take in dealing with the COVID-19 global pandemic.

I applaud the bipartisan result Congress has shown in passing four important pieces of legislation to provide trillions of dollars of aid to Americans in the midst of this catastrophe.

My heart goes out to people who are suffering. When we were last here voting sort of near midnight on March 25 or early in the morning on March 26, 675 Americans had then died of coronavirus. Now, more than 72,000 have. In the few weeks we have been away, the number of deaths has increased by more than 70,000. Millions have been diagnosed. Those numbers are rising every day.

The crisis has been the most severe economic shock our Nation has experienced in decades, even more severe than the economic collapse of 2008–2009.

Madam President, just a personal privilege. I know four people who have died of coronavirus.

Jeanette Galliano, my brother Steve's mother-in-law, died in a senior facility in New Orleans in the last few weeks.

Lois Shaver. Lois is the mother of one of our closest friends, the godmother of our middle son. Lois died in a nursing home in Fairfax County in Northern Virginia in the last few weeks.

Gerald Glenn was a minister, a bishop, and pillar of the Richmond faith community. He was somebody I appointed to boards when I was Governor. Senator WARNER did the same. Bishop Glenn passed away of coronavirus right after Easter.

Dolson Anderson was a longtime friend. His wife Linda was one of my

agency heads when I was Governor. As Dolson was providing care for Linda after knee surgery, he contracted coronavirus, and after 16 days on a ventilator, he died.

There are two other names. My next door neighbor, Dean DeForest. My wife Anne and I have lived next to Dean and Mary Ruth for 28 years. Dean died after 2 weeks, after a long battle with lung cancer, not coronavirus. But what coronavirus meant for Dean and so many like him was he couldn't have family with him in the normal way. He couldn't have a funeral or a memorial service or family gathered to grieve in the normal way because of people's worry about infection.

Then there is Lorna Breen. Lorna was a Charlottesville native who was working as an emergency room physician in New York Presbyterian and was so stressed out by what she saw. She developed coronavirus. She went back to the hospital to work as soon as she could, and it was too much for her. She went home to be with her family in Charlottesville, and about 10 days ago, she died by suicide after facing the tremendous burden of being a first responder.

I want to mention all of them. All of us—everyone in this Chamber, everyone who works here—have direct personal connections. The suffering is massive, and it is likely to continue. Because it is, Congress should do more. The American public expects us to, and we shouldn't let them down.

What should be our next priorities? One way to look at the legislation we already passed is that Congress has provided aid to five basic pillars: aid to individuals and families; grants to small businesses and nonprofit organizations; loans to medium and large size businesses; aid to local and State governments; and aid to hospitals, healthcare providers, and the healthcare system.

The three bills we passed in March made major investments in each of these five pillars. By April, we realized that the depth of the crisis was so great, we needed to do more. While we realized that our action was going to be partial rather than comprehensive, we did step up to do more to provide support for two of those five pillars—small businesses, hospitals and healthcare providers.

After providing \$350 billion in forgivable loans for small businesses under the CARES Act, we added another \$370 billion in April for small businesses through additional loans, through the PPP program, SBA's EIDL grant-loan program, and a new set-aside directing resources to small businesses through smaller financial institutions.

And, recognizing that this is fundamentally a public health emergency, we also added \$100 billion in new health funds—\$75 billion for healthcare providers and \$25 billion to enable the United States to finally support development of a competent and comprehensive testing program.

We did not hesitate to act in providing more resources to two key pillars—small businesses and our health system—and that tells me what our next step should be. We should show the same willingness to direct more resources to individuals and families, as well as State and local governments.

Individuals and families are hurting. Thirty million Americans have filed for unemployment. People have lost jobs. Some have businesses that may never reopen, and they have seen other unplanned expenses for healthcare or childcare, as local schools have closed. Rent and mortgage payments, car payments, utility bills, food and medicine—these expenses continue, and the pressure on working Americans is intense.

When we passed the CARES Act in March, I was struck by the fact that the PPP program for small businesses was \$350 billion, but the total direct payments for families was only \$295 billion—about 85 percent of the business grant program.

Given that we just added another \$370 billion in aid for small businesses, I think we should add an equal amount for individuals and families. Whether this is a second round of direct payments or a combination of direct payments and other supports—childcare, rent and mortgage assistance—we should show the public that we value the needs of families and individuals as much as we value small businesses.

And the second thing we should do is to provide more assistance and flexibility to State and local governments. The CARES Act provided \$150 billion in block grant funding to States and localities, but this \$150 billion was limited for use to only deal with unanticipated costs connected with COVID-19.

Here is an odd thing. The funds for businesses were specifically designed to help them deal with revenue losses so that they could remain in operation and avoid layoffs. The hospital and healthcare provider funding was designed to help deal with revenue losses experienced as we postponed elective surgeries and clinical visits. The funds were designed to avoid layoffs. The aid to individuals was designed to help families cope with lost wages and lost salary.

But the CARES bill would not allow State or local governments to use funds to backstop lost revenue, and that is having serious consequences.

I was a mayor and a Governor. I know that 46 States have a fiscal year that starts on July 1, and that means that most States and local governments are working on their budgets right now. They have to project income and expenses for the next year and write their budgets accordingly.

So what are State and local governments seeing? Massive declines in tax revenue. Sales taxes are declining. Meals taxes, lodging taxes, income taxes—all are declining. Jurisdictions are trying to figure out the extent of the likely decline, and though it is

hard to know with certainty, the revenue drops are sizeable.

In Virginia, the town of Abingdon is predicting a revenue loss of about 15 percent; Fredericksburg, more than 10 percent; Blacksburg, nearly 18 percent. The list goes on and on. The Commonwealth of Virginia is predicting revenue losses of \$2 to \$3 billion over the next 2 fiscal years.

If cities, towns, counties, and States lose revenue, what are their options? Since most government costs are personnel, here is what they will be forced to cut—teachers, police officers, firefighters, EMTs. That is already happening in Virginia and all over the country.

Staunton is proposing furlough days for all city employees, including first responders. Prince William County has removed 31 police, fire, and sheriff positions from their budget. Abingdon is laying off 13 full-time and 64 part-time employees.

Every State, city, county, and town in this country is making the same decisions right now, and it shouldn't be this way. We provided funds to businesses to backstop revenue losses so they could avoid layoffs. We provided funds to hospitals to backstop revenue losses so they could avoid layoffs. We need to allow our State and local governments to backstop revenue losses so they can avoid layoffs.

It is never a good time to lay off teachers, firefighters, police, sheriffs, EMTs—never. But I can tell you that the worst time to do it is a national health emergency. The overwhelming majority of our first responders work for State and local governments. Why would we want to lay them off?

President Trump has said he doesn't want to bail out States and local governments, and he has criticized them. He didn't name-call businesses that wanted help. He didn't say: We will not bail you out. Instead, he wanted to extend the helping hand. His attacks on State and local governments are particularly insulting since the American public is much more satisfied with how their State and local leaders are handling this crisis than how the administration is.

Senator MCCONNELL advanced the idea that States and local governments should consider bankruptcy. He didn't say that about businesses that wanted aid. Promoting bankruptcy, which would mean layoffs and broken promises to pensioners, is heartless.

America needs its teachers and its first responders. This isn't a Democrat or Republican thing. There are as many Republican Governors as there are Democrats. There are as many cities and counties managed with Republican leadership as there are Democrats.

The CARES Act had \$150 billion for general State and local government relief, but we have now done over \$1.2 trillion in relief for businesses. I am glad we are helping our businesses get through this, but don't the communities where we live and work, send our

kids to school, pray and play deserve help to get through this crisis too? Does anyone really believe that we will be better off as a nation in fighting this emergency if teachers, firefighters, police, sheriffs, and EMTs are laid off all over this country?

So I will close in just saying to my colleagues: We stepped up big to refill the tank for small businesses and hospitals. It is now time to step up for State and local governments and individuals and families.

I yield the floor.

The PRESIDING OFFICER (Mr. PERDUE). Under the previous order, all postcloture time is expired.

The question is, Will the Senate advise and consent to the Evanina nomination?

Mr. CARDIN. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from North Carolina (Mr. BURR) and the Senator from Kansas (Mr. MORAN).

Further, if present and voting, the Senator from Kansas (Mr. MORAN) would have voted "yea."

Mr. DURBIN. I announce that the Senator from Ohio (Mr. BROWN), the Senator from Vermont (Mr. LEAHY), the Senator from Washington (Mrs. MURRAY), the Senator from Vermont (Mr. SANDERS), the Senator from Hawaii (Mr. SCHATZ), the Senator from Michigan (Ms. STABENOW), and the Senator from Rhode Island (Mr. WHITEHOUSE) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 84, nays 7, as follows:

[Rollcall Vote No. 83 Ex.]

YEAS—84

Alexander	Fischer	Perdue
Baldwin	Gardner	Peters
Barrasso	Gillibrand	Portman
Bennet	Graham	Reed
Blackburn	Grassley	Risch
Blunt	Harris	Roberts
Booker	Hassan	Romney
Boozman	Hawley	Rosen
Braun	Heinrich	Rounds
Cantwell	Hoeven	Rubio
Capito	Hyde-Smith	Sasse
Cardin	Inhofe	Schumer
Carper	Johnson	Scott (FL)
Casey	Jones	Scott (SC)
Cassidy	Kaine	Shaheen
Collins	Kennedy	Shelby
Coons	King	Sinema
Cornyn	Klobuchar	Smith
Cortez Masto	Lankford	Sullivan
Cotton	Lee	Tester
Cramer	Loeffler	Thune
Crapo	Manchin	Tillis
Cruz	McConnell	Toomey
Daines	McSally	Udall
Durbin	Menendez	Van Hollen
Enzi	Murkowski	Warner
Ernst	Murphy	Wicker
Feinstein	Paul	Young

NAYS—7

Blumenthal	Markey	Wyden
Duckworth	Merkley	
Hirono	Warren	

NOT VOTING—9

Brown	Moran	Schatz
Burr	Murray	Stabenow
Leahy	Sanders	Whitehouse

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

The Senator from Illinois.

DACA

Mr. DURBIN. Mr. President, I spent 5 weeks in my home in Springfield, IL, following orders—good ones—to suggest that I had to get out of circulation and so should everyone else. It was an interesting moment. My wife and I think it may have been the longest stretch we had ever spent under the same roof together. We got along, which is good, and I got to field the neighborhood a little more than I usually do as I travel back and forth almost every week.

I got to know the people a little more, waving from a distance. I looked around and noticed that almost every lawn had a sign on it saying: "We love healthcare workers." Many people had signs in their windows to back that up too, and we should. These doctors, these nurses, and these people who work in nursing homes caring for the elderly and making certain they are in a good, safe environment are important, and they are risking their lives for the people whom we love. We thank them over and over. But there is one part of that group that I would like to highlight for just a few moments on the floor of the Senate. I want to spend a few minutes talking about one special group of healthcare workers—immigrants.

One in six healthcare and social service workers—3.1 million out of 18.7 million—are immigrants. When they come on television and give us a breakdown of what is going on in emergency rooms and the likelihood of our success in communities in dealing with this coronavirus, you must notice so many times and think that they may be newcomers to the United States. Many of them are.

These immigrants are playing a critical role in the battle against this pandemic. Yet the President of the United States and many around him continue to disparage immigrants, falsely claiming that they are just a drain on society, that all they are doing is taking our jobs away and we really wouldn't miss them if they were gone. So I came to the floor today to tell a story about one of them, an immigrant health hero. I will be joined by some of my colleagues who have similar stories to tell.

We are inviting people to share their own stories on social media using the hashtag "immigranthealthheroes." I

will put up the hashtag here so that if anyone wants to check in, they can do so.

Many of these healthcare workers are young immigrants who came to the United States as children. They are known as Dreamers. They are American in every way except for their legal immigration status. They were brought here at an early age by parents who didn't give them a vote on the decision, grew up in the United States, went to our schools, sometimes all the way through college and professional school, want to make a life in this country, have no criminal record, and are just looking for a chance.

It was 9 years ago when I joined Republican Senator Dick Lugar on a bipartisan basis asking President Obama to use his executive authority to protect these Dreamers from deportation. He responded and created the Deferred Action for Childhood Arrivals, or DACA.

DACA provides temporary protection from deportation for Dreamers if they register with the government, pay a substantial fee, and go through a criminal background check. More than 800,000 Dreamers came forward and received President Obama's DACA protection.

DACA unleashed the full potential for these Dreamers that they never dreamed they would have, and they started contributing to America as soldiers and teachers and small business owners.

More than 200,000 DACA recipients are now categorized as "essential critical infrastructure workers"—"essential critical infrastructure workers." Who came up with that name? It is the definition of President Trump's own Department of Homeland Security. One out of four of these DACA protectees are essential critical infrastructure workers, and among these essential workers are 41,700 DACA recipients in the healthcare industry. They include doctors, intensive care nurses, paramedics, and respiratory therapists.

But on September 5, 2017, President Trump repealed DACA. Because of that action by the President, hundreds of thousands of Dreamers face losing their jobs, but, more importantly, they face being deported, many to countries they barely remember, if they remember at all.

The courts stepped in and blocked the President from enforcing this DACA decision, but he took on the appeal of that decision, and now it is in the Supreme Court, just across the street.

I was proud to lead 172 current and former Members of Congress on a bipartisan brief asking the Supreme Court to rule against President Trump's repeal of DACA. These young DACA recipients are being protected while the case is being considered by the Supreme Court, but a decision could come down any day—could come down any day—that basically makes these young people subject to deportation and takes away any legal right

they have to work. If the Court rules in favor of President Trump on DACA, 200,000 essential American workers will be sidelined and deported, even as we fight this pandemic.

Last month, I sent a letter to the President—37 of my colleagues joined me—urging him to extend the work authorization for DACA recipients, not to make their future depend on what happens in the Court. The President has the authority to say that, at least until the end of the calendar year—or beyond, I hope—we are not going to deport these young people, and we are not going to take their jobs away, particularly those in the healthcare industry.

But if you consider President Trump's attitude toward immigrants, you know he is likely to forge ahead with his decision to deport the Dreamers. That means we have to do our part.

I worked with Republican Senator LINDSEY GRAHAM, chairman of the Senate Judiciary Committee, to include a provision to automatically extend work authorizations for DACA recipients in the CARES Act that Congress just passed a few weeks ago. We presented it to the leaders on a bipartisan basis. We had the approval of Senate Democratic leader CHUCK SCHUMER and Speaker of the House NANCY PELOSI, but not the Republican leader in the Senate. He stopped us from extending this protection. I don't know what his situation is in Kentucky, but I can tell you that in Illinois, we need every one of these healthcare workers we have today. We can't afford to lose them. To think that 41,000 DACA recipients and another 11,000 TPS critical healthcare workers would be deported would mean that many Americans who count on these great professionals are going to get less care and perhaps terrible results.

As Congress debates the next legislation to address the COVID-19 pandemic, I will continue pushing for this provision. It is not too much to ask that if these people simply want to be working in ERs and hospitals, risking their lives for all of us, that they at least have the peace of mind to know that they can stay until the end of the calendar year. That is all I am asking for. Is it too much to ask? Some of them are suffering, and their families are suffering too. All they want is the authority to stay here.

Last year, the House of Representatives passed the Dream and Promise Act, based on the Dream Act, with a strong vote. Senator MCCONNELL has refused to call it in the Senate. It could help us. I wish he would consider it.

I have come to the floor over 100 times and told the stories of Dreamers. I don't think there is any better way to make the case—meet them, know them, realize what they brought to America and what they bring each day.

Today, I want to tell you the story of this man. His name is Manuel Bernal. He works in the emergency department at the Advocate Christ Medical Center.

Manuel was brought to the United States when he was 2 years old. He grew up in Memphis, TN. He always wanted to become a doctor. He wrote me a letter, and he said:

Early on, I developed an appreciation for the medical profession when I witnessed the compassionate care received by a loved one at St. Jude Children's Research Hospital.

Manuel graduated in the top 10 percent of his hospital class. He was a leader of several high school honor societies. In his spare time, he was a swimmer, a football player, and volunteered at the St. Jude Club and the Key Club.

He continued his education at the University of Tennessee at Chattanooga. He graduated summa cum laude in biology with a minor in chemistry. In college, he worked as a medical scribe for doctors in the emergency room at a small community hospital in Chattanooga. After this experience, he decided he wanted to go all the way. He wanted to become an emergency room physician. He continued his education at Loyola University Chicago Stritch School of Medicine.

Allow me a few seconds to praise this wonderful school. He was one of dozens of DACA recipients at Stritch, which was the first medical school to admit DACA students. They do not receive any special treatment in the selection process, and they are not eligible for a penny in Federal financial assistance. Many of them borrowed money from the State of Illinois to complete their medical education in the hopes that once they are licensed, they can come back and practice in our State, which they promise to do.

Here is what Manuel says DACA means to him:

DACA has undoubtedly opened up many doors for me. It meant allowing me to obtain my dream of serving others through emergency medicine. If DACA ended, I would be forced to stop doing not only what I love doing but what I trained so hard to do.

Today, Dr. Manuel Bernal is an emergency room resident at Advocate Christ Medical Center in Chicago, one of the busiest trauma hospitals in our city. His supervisor told him he did not have to treat COVID-19 patients because he is only a resident, but he stepped forward and volunteered to do it anyway.

Manuel's DACA is set to expire in October, 5 months from now. Will America be stronger if this doctor leaves? Will they be better at Advocate Christ Medical Center, the trauma hospital, if Manuel was forced to leave this country? I can't imagine anyone would answer yes.

Manuel and hundreds of thousands of other Dreamers are counting on the Supreme Court to reject President Trump's abolition of DACA and counting on us who serve in the Senate to solve this crisis President Trump alone created. As long as I am a U.S. Senator, I will continue to come to the floor of the Senate to advocate for Manuel and for thousands of others

who simply want a chance to prove themselves to earn their way into America's future. It would be an American tragedy at this moment when we face this national emergency to lose these brave and talented young people. They are saving lives every day, and they are risking their own to do it. Can we ask anything more of anyone else in this country? We must ensure that Manuel and hundreds of thousands of others in our essential workforce are not forced to stop working when their services are needed now more than ever.

Ultimately, we need to pass legislation that is just common sense, that says these young people who came here as kids and have worked doubly hard under the greatest of pressures and have made a success of their lives, like this young man, can stay in America and be part of our future. He is truly a healthcare hero, and he is an immigrant. He is an immigrant healthcare hero, and there are thousands just like him across America. We need them now more than ever.

I see that Senator CORTEZ MASTO is here. I know she wants to speak on this subject.

I yield the floor to her.

The PRESIDING OFFICER (Mr. COTTON). The Senator from Nevada.

LEGISLATIVE SESSION

MORNING BUSINESS

Ms. CORTEZ MASTO. Mr. President, I ask unanimous consent that the Senate proceed to legislative session for 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.

DACA

Ms. CORTEZ MASTO. Mr. President, I rise, along with my good friend and colleague, the senior Senator from Illinois, to stress the importance of what is happening in this country right now and who is on the frontline during this healthcare crisis and why we need to support them. There is no doubt.

I just came from Nevada. There are so many essential workers who are risking their lives, as well as their loved ones, to provide essential care and help for individuals, not just in Nevada but across the country. We are talking about healthcare workers. We are talking about transit drivers, sanitation workers, first responders. We are talking about those who are working with the grocery stores, showing up every day to make sure that individuals in need can have the groceries they so require during this healthcare crisis.

So much is at stake right now. I do not want to forget all of those State and local government workers. Right now in my State, there are so many