

makeover on our country. They need us to get rid of obstacles that might stand in their way. One such obstacle is becoming obvious.

A second epidemic of frivolous lawsuits could follow the actual pandemic and crush our recovery before it begins. Already, more than two-thirds of independent business owners say they are specifically worried about a legal liability minefield getting in the way of reopening.

Already, lawyers have begun filing hundreds of COVID-related complaints in courts all across our country. This is exactly the kind of hostile environment that could take our reopening and recovery from challenging to downright impossible. So the Senate is going to act. Senate Republicans are preparing a major package of COVID-related liability reforms to foster our economic recovery. This package, which Senator CORNYN and I are spearheading, will extend significant new protections to the people who have been on the frontlines of this response and those who will be on the frontlines of our reopening.

First and foremost, we are going to protect the healthcare workers who have been locked in combat with this mysterious new disease. We are not going to let healthcare heroes emerge from this crisis facing a tidal wave of medical malpractice lawsuits so that trial lawyers can line their pockets.

We aren't going to federalize the entirety of medical malpractice law, but we are going to raise the liability threshold for COVID-related malpractice lawsuits. This will give our doctors, nurses, and other healthcare providers a lot more security as they clock in every day and risk themselves to take care of strangers.

Second, we are including new legal protections for the businesses, nonprofits, and government agencies that have kept serving throughout the crisis and for those that will need to lead the reopening.

We are facing the worst layoffs since the Great Depression and a storm of uncertainty for Main Street businesses. Americans want to get back to work, and we need to do everything in our power to help that happen.

Also, K-12 schools, colleges, and universities right now are completely uncertain about the fall. If we want schools to reopen this fall, we will have to create the conditions to make that possible. If we want schools to reopen this fall, we have to create the conditions to make that possible.

If we want even an outside shot at the kind of brisk rehiring that American workers deserve, we have to make sure opportunistic trial lawyers are not lurking on the sidewalk outside every small business in America, waiting to slap them with a lawsuit the instant they turn the lights back on.

Our legislation is going to create a legal safe harbor—safe harbor—for businesses, nonprofits, governments, and workers and schools that are fol-

lowing public health guidelines to the best of their ability. To be clear now, we are not talking about immunity from lawsuits. There will be accountability for actual gross negligence and intentional misconduct. That will continue. We aren't going to provide immunity, but we are going to provide some certainty. If we want American workers to clock back in, we need employers to know that if they follow the guidelines, they will not be left to drown in opportunistic litigation. We are going to make sure it is the trial lawyers and not struggling job creators who will need to clear a very high legal burden.

In addition, I hope our bill will find ways to expand existing protections for the manufacturers of therapeutics, diagnostics, and potential vaccines—things we are urging the private sector to produce as fast as possible. And I hope we will be able to create new protections for other medical equipment manufacturers, as well, like the policies we put in the CARES Act to increase the supply of masks.

So it is all well and good to give rhetorical tributes here on the floor to healthcare professionals, essential workers, key industries, small businesses, charities, and nonprofits. Rhetoric is well and good. Words matter, but actions matter more. Americans on the frontlines do not just need Senators to talk about how important they are. They need action. They need us to provide the same kinds of commonsense legal protections that Congress has enacted a number of times previously in difficult or unusual periods.

American taxpayers deserve these protections as well. The men and women of this country just saw Congress commit historic amounts of their own money to sweeping recovery legislation so that we could help healthcare facilities and small businesses survive the crisis. We are not going to stand idly by while a small group of wealthy lawyers vacuum up this relief money and redirect it into their own pockets.

Strong legal protections are the right move for doctors, nurses, hospitals, schools, and universities; for workers who want their jobs back, for small business owners who are struggling to stay open, and for nonprofits that have helped the vulnerable; and for taxpayers, who want their money to finance a real national rescue and not the biggest trial lawyer bonanza in American history.

Senate Republicans are going to continue to develop this legislation. It is going to be a redline for us in any future coronavirus legislation. The administration has already stated its support for action on this issue as well.

American heroes across our country deserve these basic protections. This Senate majority will make sure they get them.

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. Madam 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.

CORONAVIRUS

Mr. SCHUMER. Madam President, no challenge in our lifetime resembles the depth of our current challenge. We have faced diseases, recessions, and natural disasters, but at no time in my lifetime has a public health crisis on this scale been paired with such an extensive economic disaster.

Finally—finally—we are beginning to see signs that the spread of this evil disease has abated in parts of the country—not over but at least the curve is going down. My home State of New York is just beginning to turn the corner, but, unfortunately, there are many parts of the country that have not yet reached their peak.

The unemployment rolls are as long as they have been since the Great Depression. Working Americans are struggling to pay rent and put food on the table, and many have no idea when the next paycheck may arrive.

It breaks your heart to see people waiting for hours in their cars to line up at food banks. When they are interviewed by the press, they are people who never went to a food bank before. That is how deep and troubling this crisis is.

So we in Congress have an obligation to do the Nation's business during this time of crisis, to be focusing on this crisis, to help the millions of American workers and businesses pleading—pleading—for assistance.

The Constitution instructs us to provide for the common welfare, but at this critical juncture in our Nation's history, the Republican leadership, led by Leader MCCONNELL, is ducking their responsibility, plain and simple. Leader MCCONNELL has yet to schedule any legislative business for the floor of the Senate this month having to do with COVID.

It has taken sustained pressure from Senate Democrats to force our Republican colleagues to conduct even the routine business of holding hearings on the coronavirus. We have had a few hearings now, but not many. Where is the SBA Administrator to talk about the problems in PPP? Where is Secretary Scalia to talk about the problems in unemployment insurance? Where are the OSHA executives to talk about how we protect workers from this pandemic, particularly when they are required to go to work? They are not around.

Even the hearings we are having are slow. They are sort of eked out like

toothpaste from a tube. The word is we are hearing from Mnuchin and Powell on the 19th. That is close to 2 months after we passed COVID 3. That is not oversight. That is not Congress's job—at any time. It is made even worse because we are in a crisis.

Then, last night, amazingly, the Republican leader explained that Republicans have “not yet felt the urgency of acting immediately.” Let me repeat that. With millions of Americans sick and tens of thousands dying, with depression levels of unemployment, the Republican leader, Senator McCONNELL, said that Republicans have “not yet felt the urgency of acting immediately.”

We live in a divided nation, but one thing that pretty much everyone agrees on is that there is a great deal of urgency right now.

Leader McCONNELL, there is nothing more urgent to a family that is struggling to feed their children and keep a roof over their heads. Leader McCONNELL, there is nothing more urgent to a small business owner who is inches away from closing the doors of his life's work. The Republican leadership needs to wake up—wake up—to the dire economic reality tens of millions of Americans are facing.

We must pass big, bold legislation to confront the crisis before us. That is just what the House of Representatives is working on right now. We don't believe that our two parties will agree on everything we must do, but at the very least—at the very least—we should agree there is an urgency to provide relief to our citizens who are suffering and struggling.

President Hoover lacked the urgency to get the Federal Government involved at the outset of the Great Depression. Every history book teaches us that his error prolonged and likely deepened the suffering of American workers. When Republican leader looks at unemployment numbers and say that we don't need to act immediately, that government has done enough already, they are the latter-day Herbert Hoovers, and I fear it could lead to similar results, a deeper and longer recession, and—God forbid, but it is not out of the question—a second Great Depression because of the inaction and incompetence of the President, being followed obediently, wrongly by the Republican Senators.

The lack of urgency in the Republican Party extends down Pennsylvania Avenue to the Oval Office. From almost the very beginning of this crisis, President Trump has downplayed its severity and tried to wish it out of existence.

The President said coronavirus might disappear “miraculously”—his word. He said it was a hoax. He said the warm weather might take care of it. He pitched quack medicines and speculated that a vaccine could be ready in 2 months. Two months ago, the President said that “anybody who wants a test can get a test,” which is not even close to being true.

The President's words are reckless—constant belittling of the crisis, ignoring the crisis, burying the truth, and burying his head in the sand—and it has prolonged and made the crisis worse, and the American people know it.

That is why he lashes out—the President does—at reporters who ask him fair questions. That is why. He knows he is to blame for a good part of the depth and prolongation of this crisis. He knows that. Yet he can't bring himself to face the truth. He can't bring himself to tell the American people the truth. Pitching quack medicines, telling people it is going to go away, saying yesterday “that we have met the moment and we have prevailed.” What planet is he on?

More than 30 million are unemployed, and “we have prevailed”? There are 1.3 million infected and 80,000 American fatalities, and those numbers are still growing. And “we have prevailed”?

The President's comments show a stunning disregard for the truth, and it hurts every American. I don't care what your politics is. No one should tolerate a President who ignores the truth, says whatever pops into his head, whether it is true or false or dangerous, and then moves on his merry way to speak the next untruth and talk about the next quack cure.

The President's comments show a stunning disregard for the truth. It may have been in the Rose Garden and not on the deck of a battleship, but President Trump saying “We have prevailed” is akin to declaring “mission accomplished” long before the battles are over and the war is won.

Later on, the President, as usual, tries to correct what he said—or his advisers do. He said he only meant testing, that we have prevailed on testing. But that is false too. Even the corrections are false. The United States is testing about 300,000 people a day. Most experts believe the number is inadequate to stop this outbreak and ensure that when we reopen, we do so safely. We have prevailed on testing? Not remotely.

Here is what is so ironic about the President hiding his head in the sand and not tackling the testing issue in a real way. He is desperate that we get back to work, but the only way to get back to work is when we have enough tests—not just for those who are very ill but for anyone who wants it. You know, the White House—they all test. Anyone who walks in the White House is tested. Why isn't that good enough for all the American people?

Why is it that even in States that have opened up, like Georgia, the stores are still empty? Because people are worried, justifiably. The way to remove that worry or at least greatly reduce it is to make sure everyone can be tested.

When New Rochelle became the first quarantined city, I called the mayor and said: What do you need to get rid

of this quarantine? He said he needed enough testing so that he could test every person in New Rochelle, and those who tested positive, he would say they have to quarantine and stay home, and those who didn't could go to work and shop in the stores and get our community going.

Most of the countries—I think just about every one of the countries that has dealt successfully with the coronavirus has had far more testing at the right times and the right places than we have.

Maybe Dr. Fauci can set things straight this morning. Dr. Fauci and a few other administration officials are testifying before the HELP Committee remotely. It will be one of the first times that Fauci and the others have appeared publicly without the President lurking over their shoulders, modifying their answers, or directly contradicting their advice.

Dr. Fauci, please don't pull any punches, particularly when you are asked questions. We know the White House may have to approve the statement you make, and they will mute it. It was muted this morning and very technical. But you don't have to do that when the questions are asked. Don't pull punches. Tell the American people the truth. Dr. Fauci, you have an obligation to tell the American people the truth because only that will save lives and reduce the economic length of this crisis. And, Dr. Fauci, maybe if you tell the truth in this opportunity—a hearing without the President looking over your shoulder—maybe your testimony, Dr. Fauci—I hope your testimony, Dr. Fauci, reaches not only the American people but a President who is ready to throw caution to the wind in order to reopen the country. Please, Dr. Fauci, don't pull punches.

TRUMP ADMINISTRATION

Mr. SCHUMER. One final matter today. Today, the Supreme Court will hear oral arguments in a case that will determine whether the President can block access to his tax returns and other financial documents.

You may not think this is related to COVID, but in a certain sense, it is. In a sense, the case about the President's tax returns has something in common with the President's response to coronavirus: President Trump wants to hide the truth. He wants to hide the truth about coronavirus and the depth of the problem and how we deal with it. He wants to hide the truth and not release his tax returns.

For 40 years, every President has disclosed his personal financial information to avoid even the perception of impropriety or self-dealing, but this President has used every avenue to deny such transparency. What is President Trump hiding in his taxes? The President is not an ordinary citizen anymore; he is President of the United States. The American people have a