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House of Representatives

The House was not in session today. Its next meeting will be held on Tuesday, May 19, 2020, at 10:30 a.m.

Senate

MONDAY, MAY 18, 2020

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

PRAYER

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

Let us pray.

Eternal Master, the Father of us all, we thank You that, through Your Spirit, You have provided our legislative body with the talents and capabilities to fulfill Your purposes.

May our Senators remember that this body has many parts, each making its distinctive contribution to the success of the whole. As our lawmakers acknowledge and honor the value added by each Member of this body, unite them with faith, civility, courage, and gratitude.

And, Lord, we pray for the first responders and healthcare workers, who stand on the frontlines during this global health crisis.

We pray in Your unifying Name. Amen.

PLEDGE OF ALLEGIANCE

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

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

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

Mr. GRASSLEY. Mr. President, I ask unanimous consent to speak in morning business for 45 seconds.

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

GRADUATING CLASS OF 2020

Mr. GRASSLEY. Mr. President, this time of year is typically spent celebrating students of all ages as they graduate on to their next endeavors. Most graduations have a different look this year due to the pandemic, but the occasion has not lost its significance. Graduations are a time to celebrate the hard work and dedication students put into their educations.

I congratulate all Iowans who are graduating this spring as you begin new chapters in your lives. Barbara and I wish you all more years of continued success.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

CORONAVIRUS

Mr. McCONNELL. Mr. President, the COVID-19 pandemic continues to hold our Nation on high alert.

More than 1.4 million Americans have been infected; more than 80,000 lives have been tragically lost; and the livelihoods of tens of millions of working families have been turned upside down in what seems like the blink of an eye. Our Nation's healthcare system has not been stressed by contagion on this scale in over a century, and unemployment has not been this high since the Second World War.

A new generation of American heroes—from medical professionals, to lab researchers, to grocery store workers, to custodians and janitors, to community volunteers—has been called up to the frontlines to serve its neighbors and our country. So, for several weeks now, the Senate has counted ourselves among those ranks of essential workers. They are showing up for our country, so we are showing up for them. With respect to the pandemic itself, we are conducting rigorous oversight of the Senate's historic CARES Act rescue package and are helping to plan the pivot toward reopening.

Last week, Chairman ALEXANDER and the Committee on Health, Education, Labor, and Pensions engaged with Dr. Fauci, Dr. Redfield, Admiral Giroir, and other top experts to discuss paths for schools and businesses to reopen, and numbers of our colleagues are joining me and Senator CORNYN in thinking proactively about the issue of legal liability that could crush the recovery on the runway. We need strong legal protections to ensure that our historic recovery efforts are not drained away from healthcare workers, schools, and universities or small businesses in order to line the pockets of trial lawyers.

At the same time, we have kept our eye on the ball on other significant global challenges. Last week, on a bipartisan basis, the Senate reauthorized critical surveillance authorities for our national security professionals. We also made sure to include important new reforms to begin to address the abuses that marred the 2016 election,

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



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the disturbing details of which are continuing to come to light every day. Our action on that subject is not finished.

Thanks to leadership from Senator RUBIO, we passed legislation to continue ratcheting up the pressure on the Chinese Communist Party. In this case, our bill will shed new light and impose new consequences for the egregious abuses against the Uyghur people and other Muslim minorities. We also confirmed well-qualified nominees to important roles at the National Counterintelligence and Security Center, the Nuclear Regulatory Commission, the Department of Homeland Security, and the Department of Housing and Urban Development.

In other words, we have done more for the American people in 2 weeks on this side of the Capitol than the House of Representatives has done in the last 2 months. In the two months that the House Democrats have spent away from their duty stations, they have seemingly given themselves just one assignment—to draft an enormous political messaging bill and brand it as coronavirus relief.

Yet, even on this basis, they have failed. The 1,800-page doorstop that Speaker PELOSI dropped last week was appropriately greeted as the legislative equivalent of a standup comedy. There were tax hikes on small businesses in the midst of a small business crisis, and there were targeted tax cuts for the wealthiest people in the bluest States. There were two separate taxpayer-funded studies on diversity and inclusion in the market for marijuana. In sum, it was a \$3 trillion wish list slapped together in a clumsy effort to never let a good crisis go to waste—serious work here in the Senate and partisanship pointlessness over in the House.

The Senate will stay on course and continue our serious work at this serious time. Tomorrow morning, our colleagues on the Committee on Banking, Housing, and Urban Affairs will hear from Secretary Mnuchin and Fed Chairman Powell on the latest status of the CARES Act implementation efforts. The Homeland Security and Governmental Affairs Committee will meet this week to consider the nomination of Brian Miller to serve as Special Inspector General for the pandemic recovery programs. The Special Committee on Aging will be examining the challenges facing American seniors during this pandemic as both the virus itself and the social distancing measures take a heavy toll on older Americans. Of course, we will continue to uphold our responsibilities beyond the scope of COVID-19. We will consider more nominations to the Federal Election Commission and to the Federal bench.

Tomorrow, our colleagues on the Intelligence Committee will vote on reporting the nomination of JOHN RATCLIFFE to serve as Director of National Intelligence. This role is essential for monitoring and countering

evolving threats from Russia to China, to terrorist groups, and for ensuring the intelligence community's important work is not tainted by partisan bias or political weaponization.

We have a busy week ahead of us. This pandemic is not going to defeat itself; a careful reopening will not plan itself; and our Nation's other challenges are not about to politely step aside in the meantime. All kinds of American heroes across the country are tackling the coronavirus head on. We are going to do all we can to keep them safe and supported while they do.

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 legislative clerk read the nomination of Scott H. Rash, of Arizona, to be United States District Judge for the District of Arizona.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

RECOGNITION OF THE MINORITY LEADER

The Democratic leader is recognized.

CORONAVIRUS

Mr. SCHUMER. Mr. President, now, for the third week in a row, the Republican majority in the Senate has no COVID-related business on the agenda. For the third week in a row, Leader MCCONNELL has scheduled zero votes on legislation having to do with the crisis.

Senate Democrats have had to relentlessly pressure our Republican colleagues to secure even the most routine oversight hearings on the pandemic. If we had not pressured them, I doubt there would be any hearings at all, and they are few and far between. The hearings will be the only work we will have done in the Senate on COVID-19 in the entire month of May, and the Republican majority has had to be pressured into doing even those. There are now more than 35 million Americans out of work through no

fault of their own. Almost 1.5 million Americans are sick, and nearly 90,000 have died. Yet Senate Republicans have decided to take the month off from the coronavirus.

The American people may be wondering: What is the Republican-led Senate doing instead of addressing this urgent national crisis? What could be more pressing? What is the Republican Senate doing in the midst of the crisis?

Well, Leader MCCONNELL has scheduled five rightwing judges for the floor of the Senate, and the Republican chairman of the Homeland Security Committee will be holding a hearing designed to slander the family of the President's political opponent. Is the chairman of Homeland Security calling in FEMA to find out if our hospitals have enough PPE? No. He wants to echo Kremlin-backed conspiracy theories in order to go on a fishing expedition to smear Joe Biden's son.

We all know this is what the President focuses on instead of the COVID crisis, but must our Republican colleagues gamely follow such an absurd, diversionary, and untruthful agenda? I guess so. It is a shame.

Even more shameful, the company that the Senator from Wisconsin wants to issue a subpoena for is voluntarily cooperating and providing relevant documents to the committee. Did you hear that? They want to make a big show of subpoenaing, but the company says it will cooperate. It is a show. It is a sham. It has nothing to do with COVID and everything to do with Kremlin-backed rumors that they want to use to divert attention from the President's poor showing on COVID. The subpoena is just for show. It is not necessary because the company will cooperate. It is a way to kick up dirt for exclusively partisan purposes.

It would be bad enough if they were doing this when COVID-19 wasn't raging, but with COVID-19 raging, to spend time doing this instead of focusing on the way to get relief to people—unbelievable. It is a low point for that committee, a low point for the Senate.

This is what is on the Senate Republicans' agenda in the midst of historic unemployment and a national crisis: five rightwing judges and the exploitation—a show, mock hearing for partisan mudslinging. America is in crisis, and Senate Republicans are rearranging the Nation's deck chairs and trying to put them in a political assembly.

The Chairman of the Federal Reserve, Jay Powell, appointed by President Trump, said last week that we are looking at the worst recession since World War II. Yesterday, Mr. Powell warned that layoffs would continue for several months and that unemployment could reach 20 or even 25 percent. He said:

If we let people be out of work for long periods of time, if we let businesses fail unnecessarily, waves of them, there'll be longer term damage to the economy. The recovery will be slower. The good news is we can avoid that by providing more support now.

Mr. Powell went on to encourage policymakers to provide greater assistance to families and implement measures to keep workers in their homes. He also pointed out if State and local governments don't receive additional aid, they will be forced to lay off public employees and cut back on public services at the worst possible time.

Mr. Powell is spot-on, and tomorrow, in the Senate Banking Committee, my Republican colleagues will have a chance to hear this critical message straight from the horse's mouth, with Mr. Mnuchin and Mr. Powell set to testify only after Senate Democrats had to push and push and push for such a hearing. We asked for it 3 weeks ago. It should have happened 2 weeks ago because the country is calling out for action. Trump appointees are calling out for action. Governors across the country—Democratic and Republican Governors—are calling out for action. When will my Republican colleagues hear the message? After all, there is no shortage of action the Senate could take.

Millions of Americans are having difficulty receiving the expanded unemployment insurance benefits that Congress recently passed. Why aren't Senate Republicans holding a hearing on why millions of our citizens aren't getting the aid we intended to provide instead of these sham political show trial "gotcha" hearings?

Testing continues to be a major problem. A blockbuster report in the Washington Post last night says we are "far short of the [testing] number that most independent analysts say will be needed to avoid another wave of death and illness." The report described a concerning shortage of PPE, nasal swabs, and reagents in nursing homes and other frontline settings. The report outlined another problem: There is a startling lack of awareness in many communities about the need to get tested.

Why aren't Senate Republicans focusing on these issues? These are life-and-death issues. They relate to people's health and people's lives, and they relate to our economy getting well. Why isn't President Trump leading a nationwide push to increase testing capacity and frequency and awareness?

President Trump is so desperate to reopen the country as quickly as possible, but he refuses to roll up his sleeves and do the work that would allow us to do it safely. There is an anomaly here. He demands that people get back to work but doesn't do his work to make sure we have testing, to make sure there are guidelines, to make sure this works correctly so that we don't have a crisis a few months from now.

House Democrats have put together a major bill that would provide urgent and necessary relief to the American people. My colleagues on the Republican side don't have to like everything in it. They could easily say: Let's sit down and negotiate. Let's find some common ground.

Instead, Leader McCONNELL has said that Republicans have yet to feel "the urgency of acting immediately"—Herbert Hoover redux. Instead, his party is slowly preparing legislation to give legal immunity to big corporations that put workers in dangerous situations. Is that the No. 1 problem on every American's mind? Is that the No. 1 problem of people who are losing their jobs, people who have small businesses that are going bankrupt, people who can't feed their kids—protecting corporations from liability?

This Republican Party is so, so out of touch with America. It is so off-kilter, so in obeisance to the hard right that they can't even focus on a crisis when it is right before their eyes.

We are confronted with a period of prolonged economic misery for millions of American workers and families—Americans who, for the first time, are waiting in staggering lines at food banks, Americans who, for the first time, don't know if they will be able to keep a roof over their heads, put food on the table or pay the rent. How long will it take—how long? How much economic hardship—how much before Republicans feel the urgency to act?

STATE DEPARTMENT IG

Mr. President, on another matter, last Friday night, in the dark of night, President Trump fired the inspector general of the State Department, Mr. Steve Linick. Mr. Linick, according to reports, had been investigating the misuse of public resources by Secretary Pompeo and the Trump administration's arms sales to Saudi Arabia.

Mr. Linick is now the fifth—yes, the fifth—inspector general to be fired by President Trump from his or her post in the last few months. They all shared one thing in common. They had the audacity to do their jobs and speak the truth. They had the audacity to try and drain the swamp.

What is Donald Trump's reaction when he hears the truth? He fires the people who have spoken it. What kind of President is that?

During normal times it is bad enough, but during a crisis, it is more awful. The Inspector General of the Intelligence Committee delivered a whistleblower report to Congress as required by law. For this, it seems, he was fired.

It was through the work of the HHS inspector general the public learned the extent of the Trump administration's failure to provide hospitals and medical workers with testing, PPE, and necessary personnel in the early days of the pandemic. She has been fired too.

The inspector general for the Defense Department and the Transportation Department have been fired, as well, just as they were about to oversee parts of the administration's response to COVID.

Now it is Mr. Linick who was looking into potential wrongdoing at the State Department.

The inspectors general are the watchdogs for our Federal agencies, making

sure our government is working for the people. That is what they are there to do: Hold government accountable for waste and fraud and abuse. But if they actually do their jobs and say that the President is doing something wrong, he fires them.

The President can't handle the truth and will not tolerate oversight of his administration when truth speakers speak out. No other administration has come close to doing this. This President is so different, running almost a rogue administration that defies truth, that defies facts. Now five inspectors general have been fired all because they were doing their job, telling the truth, and trying to clean up the mess in Washington.

We know this about President Trump, but where the heck are my Republican colleagues in the Senate? My friends on the other side, especially the senior Senator from Iowa, have long defended and even sought to pass legislation to further empower inspectors general. Well, the President has just fired a parade of independent watchdogs and given no legitimate explanation for their dismissals.

Is a mild rebuke the most my Republican colleagues can muster—a tweet? Some concerned statements?

This is not the first time the President has fired an IG and failed to provide a sufficient explanation. So what are our Republican colleagues going to do about it? Nothing, it seems. Nothing. They are so afraid of President Trump. They so cling—almost to his ankles—that when they know he is doing wrong, when they know he is hiding the truth, they are afraid to say it. They shudder.

I have never seen anything like it: a President who is so out of control with his party so in line behind him, marching in lockstep. But when history looks back on this chapter, on President Trump's purge of independent watchdogs during a time of national crisis, it will not give credit to Senate Republicans who let the President off the hook with at most and only, at times, a polite slap on the wrist.

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

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

HEROES ACT

Mr. BARRASSO. Mr. President, I come to the floor today to discuss the House Democrats' \$3 trillion spending spree.

The American people are at a point where they need a life preserver. Instead, Speaker PELOSI has just thrown them an anvil.

It is absurd. Her COVID-19 proposal is pricey, partisan, and it is a pipe dream. It is a bloated bonanza of all of

her leftwing socialist projects. It weighs in at over 1,800 pages, but there is one glaring omission: House Democrats forgot to help fight the coronavirus.

This bill is NANCY PELOSI's socialist Democratic dream, but it is a nightmare for the American people. NANCY PELOSI needs a very serious reality check. The far-left fantasy will never become law. It cannot pass the Senate.

The country is trying to recover from the coronavirus. People are stressed. They are struggling. They are sacrificing. They are suffering. They need help to survive the crisis.

People have been living through 2 months of lockdowns to slow the spread of the disease. While the infection rate has finally started to flatten, tragically, tens of thousands of Americans have already died. More than 36 million people have lost their jobs.

People back home in my State of Wyoming and people who, I am sure, are back home in the Presiding Officer's home State of Missouri—people all across the country know what we need to do. We need to get back to business safely. We need this disease behind us. We need our communities back, and we need it as soon as possible.

Yet, as States reopen, incredibly, the Democrats are exploiting and prolonging the Nation's pain. Why? It seems to me they are trying to do it for political gain.

Joe Biden has called this deadly disease "an incredible opportunity . . . to fundamentally transform the country." NANCY PELOSI agrees. The global outbreak, she said, is a "wonderful opportunity" according to the Speaker of the House. She cannot let a crisis go to waste. I have seen the video of Hillary Clinton saying that you do not want a crisis to go to waste. So what is NANCY PELOSI doing? She is wasting the public's time on a proposal that does not have a single chance in the world of becoming law.

This bill really is a political payoff to NANCY PELOSI's constituency and her allies. Look at the wish list. Topping the House Democrats' \$3 trillion liberal wish list is the great blue State bailout. It has \$1 trillion to bail out very badly mismanaged Democrat-run States and local governments, sanctuary cities, one after another. The bill rescues underwater blue State pension plans. It includes a tax cut to the wealthiest 1 percent who live in those specific States—Illinois, New York, and California. It is a windfall for wealthy taxpayers in Democrat-run States.

That is not all. The bill provides direct payments to illegal immigrants. Apparently they forgot about that in the last bill, so they put it in this one—direct payments to illegal immigrants. Astonishingly, there is not an additional dime for paycheck protection funds, not for the small businesses that we need to keep on the payroll, even though the paycheck protection plan has saved 50 million jobs already in America.

The bill does want to seek to release prisoners from ICE detention centers, so NANCY PELOSI is focusing on that. But there is no liability protection for the small businesses that we need to get to reopen the country. That is not included in her bill.

These mom-and-pop businesses in my State of Wyoming are facing an avalanche of abusive lawsuits as they try to reopen. The Wyoming legislature actually addressed it in a special session on Friday. We need to address it as a nation.

The proposal that Pelosi has put out abolishes State voter ID requirements and overrides State voting laws. It is all a part of her master plan for Federal control of State election laws. As a former attorney general, the Presiding Officer understands clearly the importance of States having the pre-eminent role in the election process, not the Federal Government.

The Pelosi bill bales out the U.S. Postal Service, and it funds something that she calls environmental justice and does it to the tune of \$50 million. How does that help in the fight of coronavirus?

The proposal takes good care of the marijuana industry—absolutely—even though selling pot is still a felony in most States. I don't know how that helps in the fight against the coronavirus.

No matter. The Pelosi plan gives the cannabis business special access to cut-rate finance. In fact, her bill reads more like a marijuana measure than a pandemic package. That is because it includes the word "cannabis" 68 times—more often than she mentions jobs, hiring—the important thing about getting our country open and getting our communities back.

This Democratic socialist Christmas list just goes on and on—and the astronomical price: \$3 trillion.

If enacted, this Pelosi package would be the largest waste of taxpayer dollars in U.S. history. It is the largest bill, financially, ever passed in Congress. Fortunately, it will never become law.

Now, NANCY PELOSI must not realize that families all across America are having a hard time paying their bills, feeding their kids, paying the rent. She must not recognize that; otherwise, why would she put all of this money in all of these things—these priorities: payouts to sanctuary cities—how does that help us fight the coronavirus?—favorable financing to the marijuana industry, tens of millions of dollars for environmental justice.

Keep in mind, much of the money from the bipartisan CARES relief package that Congress already passed, money that has been appropriated, has not yet been spent. In March, Congress approved nearly \$3 trillion in combined coronavirus aid.

Lots of it has gone to States. My home State of Wyoming just had a special session of the legislature this past Friday-Saturday to see how we are going to go ahead spending the bil-

lions—\$1.25 billion—that have come to so many States. And Wyoming—while there are a number of other States smaller in size—got the lowest amount of money. They haven't spent it. They are having a special session to decide how to spend it. Some States may need more flexibility in spending it. But NANCY PELOSI is trying to send out another trillion dollars to States and to cities.

As a Republican, I would say, from the start, our focus has been on helping people through the health and economic crisis that is upon us. We want to help the American people weather the storm.

Now, when House Democrats say that NANCY PELOSI lays down a marker—as she says—for future bipartisan talks, in reality, Democrats are only weakening their position by betting big against the American economic recovery. That is what they are doing in the bill that they put together because the Pelosi bill includes specific what I believe are job-killing proposals—not things to help more Americans work but things making it harder for Americans to get back to work.

This bill would slow the recovery by keeping millions of Americans on the government payroll all the way into 2021. The Presiding Officer has been a leader in this fight about perverse incentives that we see in some of the legislation that has already passed.

This bill, this fantasy island that NANCY PELOSI is on, extends increased unemployment benefits so people could make more money by not working than by going back to work. Now, that means as much as half of the workforce could earn more by not working than by returning to work all the way into 2021.

So the Democratic socialists want the businesses that are trying to reopen and to rehire workers to compete with unemployment benefits until 2021, until April of next year. The Democrats are proposing that these American businesses—instead of hiring 36 million Americans who are out of work, they want to make it easier for them to hire illegal immigrants than the Americans who are currently out of work. That is what she has set up in her scheme.

The bill also raises taxes on struggling small businesses. It mandates paid family leave through the end of 2021 and removes a small business tax exemption.

It is as if Democrats don't want the economy to reopen and don't want people to return to work. That is what I see when I read through the 1,800 pages.

Before the pandemic hit, we had record job growth, record low unemployment, and record-high consumer confidence. Now, unemployment is approaching the level of the Great Depression.

The best way to help the 36 million people who are out of work is to reopen our communities and reopen our country. It is telling that House Democrats'

\$3 trillion bill includes no measures to help Americans get back to work, no added support for hard-hit small businesses, and no protections for American jobs.

Congress will be considering providing more virus aid in coming months and weeks. Any recovery legislation will have to be targeted, temporary, and tailored to address the coronavirus emergency.

COVID-19 legislation must include reasonable, responsible liability protections for healthcare providers and for employers, for the small businesses in our States, and it needs to promote economic jobs and growth.

Now, Senate Republicans are focused on reopening America. The American taxpayer can't be asked to pay for items on Speaker PELOSI's \$3 trillion socialist Christmas list. The American people need us to throw them a life preserver, not the anvil that NANCY PELOSI has thrown their way.

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

The PRESIDING OFFICER (Ms. ERNST). Without objection, it is so ordered.

CORONAVIRUS

Mr. CORNYN. Madam President, after every natural disaster, after every major emergency, there is always a period of response—that initial triage. Think about performing search and rescue operations, providing medical care, and setting up emergency shelters. You are moving quickly to complete these time-sensitive tasks to get everyone to safety and minimize the loss of life.

At some point, though, you begin to transition to recovery—clearing the debris, restoring power, rebuilding, and eventually trying to return to life as normal. As always, there will be a period of transition between those periods in which you continue to focus on the short-term response while you plan for the longer term recovery. While we face a much different type of crisis today, I believe the same principles apply.

Our heroic healthcare workers continue to respond to this virus on the frontlines. Our farmers, our ranchers, our truckers, our grocery store employees, and food banks are ensuring people have food on their tables. The mailmen, delivery drivers, waste collectors, and other workers in critical sectors are keeping the cogs of our society and our economy running, and slowly but surely, recovery is happening too.

In Texas and other States across the country, businesses are welcoming customers through their doors for the first time in a while. Parks are beginning to reopen, and schools are making plans

for the fall. Every day, the needle is moving in a positive direction, but I am worried that, without some protections for these workers, these businesses, these churches, and these food banks, we are going to reverse course or stop them dead in their tracks. We are already seeing lawsuits piling up that claim somebody did this or did that in a corona-related incident. Unfortunately, there is an economic incentive to use as a cash cow the virus that has infected some 1.5 million Texans, and we are setting up for what could be one of the biggest bonanzas in history in terms of litigation.

You had better believe that those who could find themselves on the receiving end of these lawsuits are taking notice. A recent survey by the National Federation of Independent Business found that nearly 70 percent of small business owners are concerned about liability claims and that hospitals are cautious about resuming procedures, like organ transplants or cancer biopsies, because they could get sued as well. Even if you have done everything the public health officials say you should do and even if you have accommodated every request that the President, the Governor, or the mayor has made, you could still be sued. Even if businesses and hospitals follow all of the relevant guidelines and act in good faith, they could end up fighting very long and very expensive lawsuits. They could end up winning those lawsuits, but they could also end up going bankrupt in the process because defending a lawsuit is not cheap. At a time when we want people to focus like a laser on reopening their businesses and refilling these jobs, we can't allow that incentive for a lawsuit lottery to bleed our health workers dry and deter our recovery.

Congress needs to take action to prevent these opportunistic lawyers from using this crisis to make money and to, at the same time, hurt our economy and hurt our recovery. Leader MCCONNELL and I and others are working on a proposal that would put commonsense reforms in place and protect those who act in good faith from being sued into oblivion. I want to be absolutely clear about the goals of this legislation. There is no effort to pass a blanket immunity. There is no effort to protect bad actors who willingly put their patients, their employees, or customers in danger. What we are talking about is temporary and targeted liability protection for those who act in good faith and follow all of the relevant public health guidelines and direction.

First, we must protect the healthcare workers who are on the frontline of this crisis. These men and women have made tremendous physical and mental sacrifices while serving during this unprecedented time, and we simply can't allow them to be taken to the cleaners by those who are looking for a payout.

More than a dozen States have already provided protections for healthcare workers by raising the

threshold for medical malpractice lawsuits. The Democratic Governor of New York, Andrew Cuomo, has issued an executive order granting healthcare workers immunity from civil liability. Let me make sure people get this. The Democratic Governor of New York has issued an executive order granting healthcare workers immunity from civil liability. Again, this is not a blanket immunity. There are exceptions for gross negligence and willful conduct.

If limiting liability makes sense in New York, then I think it certainly makes sense elsewhere. We need to provide the same level of protection for healthcare workers all across the United States so they can operate without fear of having to defend themselves in lawsuits when they are doing their very best, in a time of crisis, to, in good faith, follow all of the appropriate guidance. Yet we can't stop there. We have to provide similar protections for the workers, the businesses, the schools, the nonprofits, and other institutions that are critical to our recovery.

Think about small business owners—70 percent of whom I know are worried about liability lawsuits, which is according to the National Federation of Independent Business. Once they receive the green light to open their doors, they have to make a very important decision: Is it worth the risk?

Let's say that you are a restaurant owner who has gone through the CDC's newly released decision tree for restaurants and bars and that you are prepared to implement all of the recommended health and safety actions as well as to monitor your staff. There is nothing stopping the first person who walks through the door from suing you in a few weeks because one believes one contracted the virus at your restaurant. It is not just businesses that are facing these types of decisions. Any nonprofit organization or agency that serves the public is in a similar position, even if it has gone to great lengths to comply with public health recommendations.

As our public schools, colleges, and universities weigh decisions about reopening this fall, liability protections are going to play a major factor. Last week, the Committee on the Judiciary held a hearing on liability protections. One of the witnesses we heard from was Lee Tyner, who serves as the general counsel for Texas Christian University in Fort Worth, TX. In his testimony, Lee called this the "cliff problem." He said that this is what his University of Virginia law school professor used to describe as being an uncertain standard of care. A liability cliff is some sort of line that would be catastrophic to cross.

If you know where that cliff is, you are able to make good decisions about how far you are willing to go and what kind of risks you are willing to take, but if you do not know exactly where it is, then uncertainty will likely lead you to avoid the area altogether. In

this case, as Lee pointed out, our country needs our colleges and universities to walk toward the cliff but not to go over it, just as we need healthcare workers, businesses, nursing homes, and nonprofits to do the same. Yet we can't ask them to do it blindly or in the dark or without providing the needed clarity so that they can manage their risks.

I think what is so different about this pandemic is that people get so much contradictory and conflicting information from a variety of sources. Most of us know how to manage risk in our lives, but it is hard to manage uncertainty, and that is what we are asking the Senate and the Congress to do is to provide some certainty in the midst of this uncertainty. These workers and institutions are critical to helping our response and recovery move forward, and we can't ask for or expect them to make decisions without having some level of certainty. They need to know with confidence that, if they are operating in good faith and obeying the public health and other government guidelines, that they will not inadvertently step over the edge of the cliff and find themselves in free fall.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

SAFEGUARDING AMERICA'S FIRST RESPONDERS
ACT

Mr. GRASSLEY. Madam President, I come to the floor to discuss a piece of legislation that Senator BOOKER and I worked on to help public safety officers.

Since the COVID-19 pandemic began, over 100 first responders have lost their lives to this virus. Unlike the rest of us, these brave men and women, by the very nature of their work, haven't been able to stay home or social distance. In firehouses across the country, firefighters have had to continue sharing confined spaces and respond to emergencies in cramped trucks. Police officers have had to continue to respond to 911 calls and also interact with the public in very close quarters. While most of us are avoiding COVID at all costs, State and county EMT crews have been transporting the infected and others to hospitals for emergency care.

While I am inspired by the bravery of these first responders, I am not at all surprised by the actions they take to protect the people they serve. First responders always answer the calls to action, selflessly placing others before themselves. So, in recognition of the many sacrifices they make, Congress established the Public Safety Officers' Benefits Program a long time ago, in 1976. This law provides first responders with onetime payments if they die or are totally disabled on duty.

Let me be very clear. Nothing can ever put a family back together who has lost a loved one, but the Public Safety Officers' Benefits Program provides some economic relief to grieving

families and gives peace of mind to the first responders themselves in their knowing that their families will not be left destitute if tragedy is to befall them.

Unfortunately, the Public Safety Officers' Benefits Program wasn't designed to deal with a global pandemic of this type or magnitude that we were made aware of in the United States in late January. Under the existing statute then, to be awarded benefits, first responders had to be able to prove that they contracted COVID on duty. From the reports we get, it is kind of hard to tell where one comes in contact with it. So the last thing a grieving family needs to be worried about then, after experiencing the loss of a loved one, is whether the family will be able to successfully prove that its loved one contracted COVID in the line of duty and that it qualifies for the loss of life under the 1976 law.

Almost as soon as the nationwide stay-at-home order was instituted, I began working with Senator BOOKER to craft language to create a presumption that would allow families to receive benefits without having to prove that their loved ones contracted a deadly virus on duty. Senator BOOKER and I were determined to get this done as soon as possible because we understood that families who have lost loved ones will soon begin filing for benefits. We know that the number is about 100 at this point.

Our bill is entitled "Safeguarding America's First Responders Act," or SAFR, pronounced "safer" for short. The bill was introduced on May 5, which was 1 day after the Senate returned to session.

This bill is the product of several weeks of friendly negotiations and input from fire groups and police groups. The bill garnered a total of 22 bipartisan cosponsors, including the entire New York and New Jersey delegations. Last Thursday, the Senate unanimously passed our bill. It now is in the House, where we hope it will receive immediate consideration. I know our colleagues in the House are deeply concerned about our first responders, and I would expect this to have a successful effort over there. I have been working with Congressman PASCRELL and others on several other reforms for the Public Safety Officers' Benefits Program, so I think it has been well received over there by some outstanding people who can carry it to victory.

There is no excuse for this bill not to receive a vote as soon as possible. It is the only bill of its kind that has the support of the International Association of Firefighters, of the International Association of Fire Chiefs, and of several State and Federal police groups. It was coauthored by Senator BOOKER and features the support of 11 Democrats and 10 Republican Senators as original cosponsors, including the Senate minority leader. SAFR, this bill, also has the support of the Department of Justice, which stands ready to

pay out benefits to grieving families but is limited by statute as to what it can do under existing law—hence, the importance of this legislation.

Simply put, this bill is a no-brainer. I urge Speaker PELOSI to schedule a vote on SAFR as soon as the House returns to session.

It is now my privilege to thank Senator BOOKER and to yield to my colleague from New Jersey, who worked so hard to get this done as well.

Mr. BOOKER. Madam President, let me just say, right at the top, how grateful I am to stand on the Senate floor again with Senator CHUCK GRASSLEY. He has been one of the great partners I have had in my short time in the Senate, and I am honored to have gotten a lot of good work done and good law passed. I thank him and his entire staff. They were all tremendous to work with and went above and beyond for us to get this done at a very quick pace. I thank our colleagues for acting with the urgency that this issue demands.

I am excited that this bill was able to pass, for it will ensure that the families of first responders who lose their lives to the coronavirus will be taken care of under the Public Safety Officers' Benefits Program. We expect now that over 100 of these death benefit claims will be submitted to the Department of Justice in the coming days and weeks, and we cannot leave these grieving families to fight alone for the benefits they need and deserve. As Senator GRASSLEY very pointedly put it, we hope that the House of Representatives will pick up this legislation for immediate consideration.

While COVID-19 has changed daily life across this country, for so many of us, I am grateful that my colleague and so many of my colleagues understand that our firefighters, our EMTs, our police officers, and our other emergency service personnel continue to put their lives on the line to protect our communities and have done so at significant and increased risk to themselves and their families.

In hard-hit areas across our Nation, we see first responders stepping up to enormous risk. Being a first responder during this pandemic is not a job; it is an all-consuming mission and, unfortunately, a tremendous sacrifice. It is responding to a call and knowing that, just by stepping inside someone's home, you are running a high risk of exposing yourself to the virus. It is wondering whether your personal protective gear—or PPE—that you have on is enough. In many cases, it is wondering whether your PPE is even real, with there being so many of our first responders, unfortunately, using whatever they can scrounge up. Whether it is the buying of foreign masks that are not designed for use in the United States or the buying of them from unknown vendors, they are doing what they can to protect themselves as they go about their urgent mission.

When they remove their PPE, there is a concern with their gloves or goggles or gown as they take them off piece by piece. They strain to remember what they touched, washing their hands repeatedly but wondering and worrying if it is enough. When performing lifesaving procedures like CPR, which may aerosolize the virus, you hope that the PPE you are wearing is enough to protect you. These are the daily, hourly, moment-by-moment concerns our first responders have.

Senator GRASSLEY has worked with first responders in so many ways, and he knows the challenges this brings, from having to meticulously clean every surface of an ambulance, cleaning the squad houses, police stations, knowing that the virus could be lingering there, and when they are going home, undressing in the basement, garage, or even outside their homes, heading straight into the house for a shower but still worrying if it is enough to protect their family.

We know that many of these first responders aren't actually going home to their families. They are separating themselves for periods of time because they live in fear of spreading the disease to a spouse, child, or parent. There is emotional stress and strain when responding to a call, doing everything they can to save someone from this virus. But we know our first responders are often seeing death in areas of the country at a rate and at levels that they have never experienced before. This all adds to the fear and anxiety, the worry about their families, and the worry about their communities.

Our first responders are doing what very few of us will ever have to do. They put their lives, their health, and often the health of their families on the line to protect their communities. They have always helped, but now, in the time of coronavirus, their sacrifices are intensified.

The very least we can do is to ensure that they don't have to worry about what will happen to their loved ones if something should happen to them. The Public Safety Officers' Benefits Program that Senator GRASSLEY mentioned was created to provide death and disability benefits to families of law enforcement officers, firefighters, EMS, and other first responders who are killed in the line of duty. Their benefits come in the form of financial support, as well as educational scholarships, for surviving spouses and children.

As Senator GRASSLEY said, it cannot replace the life that is lost, but it is something that could give comfort to those families and even to the first responders who themselves are being put in grave danger.

Infectious disease is currently covered under the program, though the officer's family or department is required to provide evidence that the disease they contracted occurred while on duty. Providing that evidence can be

straightforward, when the first responder came into contact with a dirty needle, for example, and then was infected by something that caused their death.

The problem with COVID-19 is that it presents an entirely different challenge. While the Department of Justice works to ensure that families who have members who are killed by COVID-19 are covered, we must eliminate the instances when families are asked to prove what is unprovable, to prove that somehow they caught this while they were in the hours of their duties. This is why our bill makes urgently needed changes to the PSOB program to reflect the unique threat that COVID-19 poses to first responders in putting their lives on the line in this crisis.

Many first responders have already made the ultimate sacrifice. I am so grateful that Senator GRASSLEY mentioned that. In New Jersey alone, 29 first responders have lost their lives to coronavirus just in the past 7 weeks. We know this crisis is ongoing in our country.

The bill that CHUCK GRASSLEY and our team wrote creates a presumption that, if a first responder contracts COVID-19 during this pandemic and tragically dies, their death will be treated as a line-of-duty death without the need to affirmatively prove their illness was contracted while on the job. When this bill is passed by the House and signed by the President, this presumption will be retroactive to January 1, 2020. It will last until the end of 2021. The bill ensures that the families of first responders have the support they need and deserve when they face unimaginable loss.

Twenty-seven years ago, New Jerseyan John Careccia watched as two EMTs saved his son's life. That same year, he became a volunteer EMT so that he could pay it forward. Since then, he has worked as an EMT and served as the chief and training director at the Woodbridge Township Ambulance and Rescue Squad in Woodbridge, NJ.

John passed away on April 17, after contracting COVID-19. He is survived by his children, Toni, Roseanne, and John, and his 10 grandchildren.

John's loved ones shared in his obituary that he "will be remembered for his contagious laugh, big heart and greeting you with 'hey guy.' He loved to spend time with his family and always had a story to tell. His favorite place to eat was the Reo Diner. He always chose to bring a chocolate cream pie for his dessert contribution to any family gathering."

His family asked that in lieu of flowers being sent, "John would hope that you will perform an unexpected act of kindness for someone in his name."

Charles "Rob" Roberts joined the Glen Ridge, NJ, Police Department in 2000. He lived in Glen Ridge with his wife, Alice. Together they raised their three children, Shea, Natalie, and Gavin, right there in Glen Ridge.

Officer Roberts contracted COVID-19 in the line of duty in April and was rushed to Mountainside Medical Center after being resuscitated in his home by his fellow officers and members of the volunteer ambulance squad. On May 11, Officer Roberts passed away at the age of 45.

Last week, hundreds of residents of his town of Glen Ridge stood on their front lawns and sidewalks to pay tribute to Officer Roberts' life, his service, his love of community and family.

In a New York Times article published after his passing, many of Officer Roberts' colleagues and neighbors shared stories about his kindness and his calm demeanor in the face of challenges. Quoting from the article:

There was the couple who remembered how calm he was when he helped deliver their baby in their kitchen.

There was the older woman, forever grateful for the gentle way he held her hand when she broke her hip and they waited for an ambulance. And there was the father who struggled with a difficult son and remembered how Mr. Roberts looked him in the eye and reassured him that his boy was a good kid.

Officer Roberts' father shared at his memorial that he "wanted to make others happy."

Israel "Izzy" Tolentino served in the U.S. Marine Corps before becoming a volunteer EMT and then a firefighter for the City of Passaic, NJ. Izzy contracted COVID-19 in the line of duty and on March 31 passed away at the age of 33, the first New Jersey firefighter to be killed by the virus.

Israel is survived by his wife, Maria, and their two children, daughter Ailani, age 9, whom he called his princess and his son Israel, age 7, whom he called his best friend.

I would like to share a few words from an NJ.com article published in the wake of Izzy's passing.

Israel Tolentino was born to be a firefighter.

It wasn't out of love of the uniform, though Tolentino beamed with pride everyday he walked out wearing the Passaic Fire Department emblem. It wasn't even out of a mountain of bravery or a penchant for running towards the flames.

It was, his wife Maria Vasquez said, because he couldn't help but be selfless.

"It fulfilled his urge to serve others," said Vasquez, his wife of more than 10 years. "He was so selfless. It drew me closer to him. It drew everyone closer to him."

These are only 3 among the 29 heroes just from New Jersey. There are countless more first responders across the country who lost their lives in responding to this crisis. Some of their names we know, and some we will learn in the weeks and months to come. What we do know is, we owe it, as a nation, to their families and to the departments they served to be there for those families and to be there for those children. Their families and the families of all first responders across the country who have lost loved ones to this virus deserve to be taken care of. For their sake, I hope the House of Representatives will act quickly to pass this legislation and that the President will sign it into law.

Our first responders in this unprecedented global pandemic did not hesitate or equivocate. They did their duty. They stood up and faced danger. They answered the call. We now must answer the call, and we must have their backs just as they had ours.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

KLAMATH AREA DROUGHT

Mr. MERKLEY. Madam President, at this moment, Americans everywhere are confronting unprecedented challenges and uncertainties as we continue to grapple with the coronavirus pandemic and the associated economic implosion.

That is not all that is going on across the country. Although some of the challenges we face are quite severe, they are just getting drowned out by the daily news about the pandemic. But imagine being a family farmer in the midst of this crisis. You have already faced any number of challenges in recent years—low commodity prices, tariff wars—only to face the greatest health and economic disaster any of us have experienced in our lifetime. Then, when you thought nothing else could go wrong, something else does go wrong. You have to face a severe drought. Twelve hundred farms in the Klamath Basin in Oregon and California don't have to imagine this situation because they are living through it as we speak.

The Klamath Basin is sometimes referred to as the "Western Everglades," an area rich with agricultural resources and exceptional populations of wildlife. This basin attracts 80 percent of the Pacific Flyway's waterfowl and supports the largest overwintering population of bald eagles anywhere in the lower 48 States and is home to some of the country's most productive salmon river systems in the country.

It is also home to 1,200 family-owned farms of different sizes, encompassing some 200,000 acres of farmland. That farmland is irrigated with water from both the tributaries of the Klamath River and Klamath Lake. Those who are familiar with the basin will know that the water is essential to the health of the river, the health of the lake, the wildlife in the refuge, and the economic success of the ranchers and farmers.

In many years, there is enough water to address all of these needs, but in other years, such as this year, 2020, there isn't enough water to go around. So when there is a dry year with less water in the lake and river, it is bad for everyone—bad for the refuge, the river, the lake, and it is a horrific challenge for our ranchers and for our farmers.

This year, 2020, isn't just a dry year; it is "as difficult a year as anyone could have imagined," according to Jeff Nettleton, Area Manager of the Bureau of Reclamation, Klamath Basin area office.

As Governor Kate Brown put it back in March, "Drought conditions arrived

early and have persisted, including reduced snowpack, precipitation, and minimal streamflow." In other words, this is a perfect storm of challenges.

The Governor went on to say that "the long-term forecast for the region continues for warmer than normal temperatures and lower than normal precipitation." There has been nothing in the 2 months since she said that which has reversed that course.

As of last Friday, the snowpack in the Klamath region, the natural reservoir that replenishes the lakes and streams providing water for the irrigation system for the summer, was just 28 percent of normal.

You can get some sense of how bad the drought is this year by looking at the historic numbers on this chart. This is one way of presenting it. We can see deliveries that are coming to the Upper Klamath Lake project, and the blue lines are the more normal years. Then we have the worst ever drought of 2001. Then we have the terrible drought of 2010, and here we are with this year's drought deliveries forecast to be essentially the same as 2001.

In 2001 there was a water war in Oregon. Some of you may remember that there was a bucket brigade to take water out of a canal ditch or to put water into the canal ditch. There were protests. There was great anger and frustration. Since then, in 2010, though, we had worked out partnerships between the competing constituencies. They worked together to try to develop a plan for the region so that when crisis hit, they could be in partnership rather than in conflict.

So 2010 didn't end up to be national news like 2001. Well, I am here tonight to say that part of that partnership was working with the Federal Government intensely to provide assistance, to provide assistance in funding that would help retire or disconnect the use of water rights for a given year and to pump water out of the ground—use groundwater—which is very expensive.

The Klamath Water Users Association says that, typically, 350,000 acre-feet of water is needed to fully irrigate the basin. Now, at the beginning of this season, farmers were told they would get a fraction of that, maybe 140,000 acre-feet of water.

So they went to work with that in mind. They have to charge the canals, get initial water into the canals to prepare for planting, prepare for the water that would come with summer. And they used about 25,000 of that 140,000 acre-feet.

But there was less water even than anticipated, unexpectedly low inflows from the snow pack—not enough snow, and it melted too fast.

So, now, it is not 140,000 acre-feet; it is 80,000, again, putting it on par with 2001 that generated so much tension and conflict and anxiety. That means that just 55,000 acre-feet remain. Compare that to the typical 350,000 needed to fully irrigate the basin.

So farmers are going to be cut off. Ranchers are going to be cut off. We need, here in Congress, to come to their aid. The basin and its 1,200 farmers are in deep trouble.

The impacts don't just stop with them. It will be felt up and down the economy. With no crops to harvest, our food chain takes a big hit. The workers who usually harvest these crops aren't going to have jobs to go to. Local businesses that supply things like seed and fertilizer and farm equipment, well, they are hit hard too.

So the farmers and the community—the economic community—need our help, and they need it now. The worst thing we can do is stand by and say that, in these times of trouble, we aren't here to help.

That is why, tomorrow, I will be introducing a bill that will give the Bureau of Reclamation flexibility and authority to utilize the \$10 million a year that has been previously authorized and appropriated to work with the farmers and the basin's ranching community.

Now, this money, as I mentioned, has already been authorized. It has already been appropriated. So why should I need to introduce a bill? Well, the answer is, a lot of bureaucratic redtape.

In 2018, Senator WYDEN and I worked here and GREG WALDEN worked on the House side—the congressman who represents this district—and we got a concept into the Water Resources Development Act, the WRDA bill, and it passed. That bill passed.

It went to the Oval Office. It had President Trump's support. But, after the bill was enacted, the lawyers at the Bureau of Reclamation said: We are sorry. The language we gave you isn't quite right, on further examination, and we can't release these funds.

So, last year, Senator WYDEN and I were able to work again in partnership with Congressman WALDEN, and in July 2019 we passed language here in the Senate to fix this.

Well, OK. That is great, except that bill didn't make it through the House. That technical corrections bill never made it to the Oval Office.

So there is \$10 million out there—authorized, previously appropriated—that needs a technical fix to be able to help out our farmers and ranchers right now. Now, I am not saying to all of you that this will be enough help in this incredibly horrific drought year. We may well need significantly more, but at least this first step should be taken right away.

That is the bill I will be introducing tomorrow with the full support, again, of my partners in this effort: Congressman WALDEN and Senator WYDEN.

Farmers and ranchers need help, and they need it now. This is not a silver bullet, but it is something easily within our reach. Let's do these simple things that are within our reach: Money that has been authorized, money that has been appropriated, money that hit a technical glitch at

the Bureau of Reclamation—let's fix it and get help right now to idle land and to pump water to provide assistance.

I thank all my colleagues who helped so much in 2010 when I came to this floor under similar circumstances and we gave unanimous consent for this bill. Congressman WALDEN came down the hallway to vouch for the issues we were facing, so we were hearing bipartisan representation of the challenges and addressing the challenges that our ranchers and farmers in Klamath Basin faced.

That is all we are doing again. I ask for each and every Member's support that we get this done and we get it done quickly.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BOOZMAN). The clerk will call the roll. The senior assistant legislative clerk proceeded to call the roll.

Mrs. BLACKBURN. I ask unanimous consent that the order for the quorum call be rescinded.

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

CORONAVIRUS

Mrs. BLACKBURN. Mr. President, I have just returned from being in Tennessee this weekend and lots of phone calls, seeing a lot of people out and about. I will tell you, this COVID-19 has changed a lot about how we go about our daily lives, but it has not changed the way Congress works out its differences. We are still arguing about spending and debt. We are still debating the importance of federalism and how the Constitution can help us determine what we can and should do on a Federal level to help our communities back at home.

Now, in Tennessee, our cities all across the State, from one corner to another, are getting back to that daily routine. Many of those businesses were able to improvise their way through the early weeks of lockdown, and now they are finding what they are calling their new normal, their new processes.

Some of them received emergency loans from the SBA. Others became one of the more than 80,000 small businesses and self-employed workers who were able to take advantage of the Paycheck Protection Program.

But no matter how hard they work or how smart their plans are, we know that, in the end, we are going to lose a lot of our favorite neighborhood stops. It is tough. It is really tough out there. Some of those businesses are already gone. And that is going to happen in spite of the unprecedented investment that the Federal Government, working with our State and local governments, has made into our business and our healthcare sectors, making certain people are able to stay afloat and bridging from that rescue to a business restart and bridging on to recovery.

Well, as we saw this week, the more Washington spends, the more Washington's focus drifts away from emergency measures and that rescue, and it

doesn't go to a restart or a recovery. What does it do? It goes to, How can we use this crisis to grow government? How can we use this crisis to take away a little bit more of your freedom?

Last week, House Democrats passed a \$3 trillion spending package that they used as a vehicle for a lot of their pet projects. We have all heard about it: pension bailouts, unsustainable environmental mandates, fundamental changes to tax policy, all of these line items that have no business being slapped on the coattails of a bill that was sold as being a safety net for panicked Americans.

You will be relieved to know that that bill will never see the light of day here in the Senate. But, you know, it might not be a bad idea just to put it on the floor and see if our friends across the aisle want to vote for it—\$3 trillion, \$3 trillion.

It is disrespectful to people who are hurting. It is disrespectful to small businesses that they have become a bargaining chip for the Democratic, left-leaning socialist wish list. That is what they think of you. When you walk down Main Street and you see shuttered businesses, I want you to remember that. That is what they think of you: They can use you to get what they want.

In fact, I will say this. We have been pretty busy focusing on bipartisan efforts that will help in the short term and will help with a postpandemic future, something that will really bring relief and clarity to the American people—not things like a liberal wish list.

SECURING AMERICA'S MEDICINE CABINET ACT

Mr. President, here is one I have heard a lot about, especially this weekend, for all the moms and dads out there who are wondering about how safe their child's image and their child's data are in the virtual classroom. Well, this is something that I had lots of questions about also. How do you protect your virtual you?

Last week, I led a bipartisan group of my colleagues and asked the FTC to do a deep dive into how the tech industry collects and stores your child's data and to use that information to make children's online privacy protections stronger.

Let's make certain you can protect them in the virtual space the same as you can in the physical space. My bipartisan SAM-C bill, which Senator MENENDEZ and I have introduced, would offer incentives to American pharmaceutical companies to bring those operations back home.

Let's make that in America. This would create thousands of jobs, and it would help secure our pharmaceutical supply chain.

We are focusing on these things because recovery is going to require more than a blank check. If we want to be successful, we have to learn to recognize the practical damage this disease has inflicted on our economy and then do something to address the many root causes of it.

Every day, we witness local, State, and Federal Government officials struggling to balance the provision of community health with the needs of a struggling economy. Often, regulatory constraints prevent them from implementing the more agile policies so desperately needed by local businesses and service providers.

Last week, I and a number of my colleagues asked Majority Leader McCONNELL and Minority Leader SCHUMER to include statutory changes in the next round of relief legislation that would reduce the redtape, the paperwork, and the other requirements that could and will inevitably get in the way of economic recovery.

If we take a hard look at these regulations and strip away those that serve no real purpose, we will save businesses an estimated—get this—\$1.9 trillion, promote competition, and encourage investment. That is \$1.9 trillion. That is what the regulatory state costs American businesses.

To survive the pandemic, each and every one of us is going to have to re-examine our approach. We need to ask ourselves: What is the purpose of all the regulations? Do they help? Do they hurt? If we didn't need it in COVID-19, why do we need it now? What is the actual cost to businesses, to communities, to local governments of these regulations? As companies go through the restart, is this something that is going to speed the process or is it something that is going to slow the process, or is it something that is going to be so cost-prohibitive that that small business manufacturing company will just throw their hands up and say: "I give up. I give up"? That is not what we want. That is not recovery. That is not optimism. That would be defeat. I encourage us all to join in this effort to create an environment that will support a full economic recovery.

I yield 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 legislative 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 Scott H. Rash, of Arizona, to be United States District Judge for the District of Arizona.

Mitch McConnell, Chuck Grassley, Joni Ernst, John Barrasso, Deb Fischer, John Cornyn, Roger F. Wicker, Roy Blunt, John Thune, Rob Portman, Shelley Moore Capito, Steve Daines, Lindsey Graham, Pat Roberts, Cindy Hyde-Smith, Richard Burr, Mike Crapo.

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

The question is, Is it the sense of the Senate that the nomination of Scott H. Rash, of Arizona, to be United States District Judge for the District of Arizona, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from North Carolina (Mr. BURR), the Senator from Kansas (Mr. MORAN), the Senator from South Dakota (Mr. ROUNDS), and the Senator from Florida (Mr. RUBIO).

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

Mr. DURBIN. I announce that the Senator from Ohio (Mr. BROWN), the Senator from Maryland (Mr. CARDIN), the Senator from Vermont (Mr. LEAHY), the Senator from Massachusetts (Mr. MARKEY), the Senator from Michigan (Mr. PETERS), the Senator from Vermont (Mr. SANDERS), 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 yeas and nays resulted—yeas 67, nays 21, as follows:

[Rollcall Vote No. 93 Ex.]

YEAS—67

Baldwin	Fischer	Perdue
Barrasso	Gardner	Portman
Bennet	Graham	Risch
Blackburn	Grassley	Roberts
Blunt	Hassan	Romney
Boozman	Hawley	Rosen
Braun	Hoeven	Sasse
Capito	Hyde-Smith	Scott (FL)
Carper	Inhofe	Scott (SC)
Cassidy	Johnson	Shaheen
Collins	Jones	Shelby
Coons	Kaine	Sinema
Cornyn	Kennedy	Smith
Cortez Masto	King	Sullivan
Cotton	Lankford	Tester
Cramer	Lee	Thune
Crapo	Loeffler	Tillis
Cruz	Manchin	Toomey
Daines	McConnell	Warner
Duckworth	McSally	Wicker
Enzi	Murkowski	Young
Ernst	Murphy	
Feinstein	Paul	

NAYS—21

Blumenthal	Heinrich	Schatz
Booker	Hirono	Schumer
Cantwell	Klobuchar	Stabenow
Casey	Menendez	Udall
Durbin	Merkley	Van Hollen
Gillibrand	Murray	Warren
Harris	Reed	Wyden

NOT VOTING—12

Alexander	Leahy	Rounds
Brown	Markey	Rubio
Burr	Moran	Sanders
Cardin	Peters	Whitehouse

The PRESIDING OFFICER. On this vote, the yeas are 67, the nays are 21.

The motion is agreed to.

The Senator from Iowa is recognized.

REMEMBERING TOM COBURN

Ms. ERNST. Mr. President, in March, our country lost a great statesman and my fellow "squealer," former Senator Tom Coburn of Oklahoma. A family physician who delivered more than 4,000 babies, he was known as "Dr.

Tom" in Oklahoma, but in Washington he was called "Dr. No" because of his fierce opposition to adding more red ink to the national debt.

Having served just 10 years in the Senate before retiring in 2019, the year I was elected, I never had the honor to serve alongside Dr. Coburn. Nonetheless, his leadership and his efforts to eliminate government waste and overreach continues to be an inspiration to me and to many others.

"If you cannot find waste in any part of the Federal budget," he once commented, "it can only be for one reason—you haven't looked." Many of the outlandish examples he exposed are now what I call legendary. Take, for example, the shrimp on a treadmill, and of course there was the "bridge to nowhere."

Every Federal agency in Washington feared the notoriety of being called out in Dr. Coburn's annual report of government excess known as the waste book. He led the fight that ended congressional earmarks that were known as pork projects. While others got credit for creating new government programs, Dr. Coburn took on the thankless job of trying to unravel the maze of duplicative, overlapping programs and redundant and inefficient bureaucracy.

The law he authored requiring the Government Accountability Office, or GAO, to identify duplication within Federal programs has saved our taxpayers more than \$260 billion to date. I think the head of GAO said it best; that this law is "the gift that keeps on giving, and it will for a long time." This effort is not just saving money; it is making government more efficient in other important ways.

An egregious example found that as a result of Coburn's duplication law, there are 10 different agencies with 23 different overlapping and fragmented definitions for sexual violence. If we can't even define the problem, how are we going to stop it, folks? That is why I am proud to say that I have joined Senator RON JOHNSON's efforts to clarify the definition of sexual violence and improve data collection so that we can address this issue head on.

Another law Coburn authored with none other than then-Senator Barack Obama put all Federal expenditures online so that taxpayers could simply Google to find out how their tax dollars are being spent. Hailed as the greatest government transparency reform since the Freedom of Information Act, the public website, USAspending.gov is helping to keep Washington accountable for how every cent is spent. If you go on the website today you can find ridiculous examples of binge-buying bureaucrats who are ringing up tens of billions of dollars of last-minute, unnecessary purchases at the end of a fiscal year, splurging on unnecessary things like tons of Tater Tots, \$4.6 million on crab legs and lobster, and even a foosball table. When I heard of this outlandish spending, I

embraced my inner Tom Coburn and took action, putting forward a bill to end Washington's year-end, use-it-or-lose-it spending spree.

Folks, Tom Coburn was not afraid to work across the aisle to find compromise without compromising his principles or values. There is no better example than the friendship he struck up with President Obama. The two were elected to the Senate the same year, and they were on opposite sides of nearly every major issue during their time in Washington. Yet Dr. Coburn would regularly call to offer encouragement to President Obama and pray for him and his family. The two of them could even be spotted hugging and laughing together at the State of the Union Address.

At a time when the focus too often is on what separates rather than unites us, these are relationship goals we should all aspire to achieve with one another if we hope to tackle the unprecedented problems now facing our Nation.

Our hearts and prayers are with Dr. Coburn's wife Carolyn and his daughters and grandchildren as they grieve his loss. While he can never be replaced, we can all take comfort knowing Tom Coburn has made this world a better place and that the legacy he left behind endures through many of his staff members as well, such as Roland Foster, who is now on my staff. The legacy he left behind endures and the crusade he championed continues.

Mr. President, I yield the floor to my colleague from Indiana.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. BRAUN. Mr. President, I thank Senator ERNST for that beautiful testimony to Senator Tom Coburn.

While I was running for Senate, I was often asked who my heroes were in the U.S. Senate. The first name that always came to mind was Dr. Tom Coburn.

As a legislator, Dr. Coburn was a force of nature. As a conservative stalwart who stood by his principles—no matter the pressure—and with whom ever would stand with him, regardless of party, Dr. Coburn's entire career was a profile in courage. He believed so strongly that America's best wisdom wasn't held on Wall Street or Pennsylvania Avenue but on Main Street, among the small business owners, doctors, families, and workers who really keep our country going.

Dr. Coburn blasted a path for conservative outsiders to take on Washington orthodoxy on everything from national debt to term limits, to our broken healthcare system, and his career was an inspiration for me to leave my business and run for the Senate.

His bedside manner was often brusque, but on the tough issues, like any good doctor, Tom Coburn told people what they needed to hear, not what they wanted to hear.

To Dr. Tom Coburn, our towering national debt was not just a thorn in

America's side; it was a supreme moral failing. As one of the few true fiscal hawks in recent decades, Senator Coburn wore the nickname "Dr. No" as a badge of courage, understanding that there is nothing commendable about spending our grandchildren's money just because we will not be at the table when the bill comes due.

If there is one thing that could fix Washington more than any other, it is strict term limits and more accountability for Congress. Inspired by Dr. Coburn, I made my pledge to only serve two terms a fixture of my campaign and am following his example by refusing to accept a congressional pension when I leave.

Last year, my bill to make pensions for Congress optional passed the Senate, putting us one step closer to getting rid of this outdated, taxpayer-funded perk altogether.

No Budget, No Pay, a bill Dr. Coburn championed in the Senate, was the first bill I introduced after taking office. It is a simple measure: Congress doesn't need a paycheck until they pass a budget. I am proud to say it has now cleared committee thanks to the work from fellow conservative outsiders like Senator RICK SCOTT and DAVID PERDUE.

As a family physician who continued to see patients even as he served in Congress, Dr. Coburn always had a special passion for fixing our broken healthcare system. He understood better than anyone that our healthcare woes began at a fundamentally broken system in need of transparency, more choice for patients, and market-driven reforms to put decision-making back into the hands of Americans and their care providers.

My bills to lower prescription drug prices and ensure every patient knows what they have to pay before they pay it were introduced with invaluable input from Dr. Coburn. As we all should, he recognized that, no matter how vast the distance between our positions seems to be, healthcare is and always should be a bipartisan issue where compromise is necessary to help patients.

In the summer of 2018, I was honored that Dr. Coburn came to Indiana to campaign with me. I will never forget what he said to a young man from the crowd at one of our events.

"What can I do now if I want to be a Senator someday?"

Dr. Coburn didn't tell him to go to law school. He didn't tell him to run for office or intern in a congressional office.

"Go work really hard at something for 40 years so you have something to say when you get there."

I loved it. Dr. Coburn ushered in the era of the outsider in Washington, the effects of which are only just now beginning to be realized. I think we could get a much better product out of DC with more people like him whose beliefs come from a deep well of real-world experience.

He was more than just an inspiration for me and other conservatives to leave the private sector and shake up business as usual in DC. He was one of the greatest Senators, most effective problem-solvers, and most important conservative voices of our time—the great outsider.

I yield the floor.

The PRESIDING OFFICER (Mr. SULLIVAN). The majority leader.

ORDER OF PROCEDURE

Mr. MCCONNELL. Mr. President, I ask unanimous consent that notwithstanding the provisions of rule XXII, the postclosure time on the Rash nomination expire at 11:45 a.m. tomorrow; I further ask unanimous consent that notwithstanding the provisions of rule XXII, the cloture vote on the Trainor nomination occur at 2:30 p.m. tomorrow; further, I ask unanimous consent that if cloture is invoked on the Trainor nomination, the postclosure time expire at 4:30 p.m.; finally, if any of the nominations are confirmed, I ask unanimous consent that the motions to reconsider be considered made and laid upon the table and that the President be immediately notified of the Senate's action.

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

NOMINATION DISCHARGED

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be discharged from further consideration of the following nomination, PN1715, and that it be placed on the Calendar.

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

The nomination is placed on the Calendar.

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. MCCONNELL. 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.

VOTE EXPLANATION

Mrs. MURRAY. Mr. President, I was necessarily absent for rollcall vote No. 89, adoption of amendment No. 1583, to remove internet website browsing information and search history from scope of authority to access certain business records for foreign intelligence and international terrorism investigations. On vote No. 89, had I been present, I would have voted yea.

I was also necessarily absent for rollcall vote No. 90, adoption of amendment No. 1584, to improve the amicus

provisions and require the disclosure of relevant information. On vote No. 90, had I been present, I would have voted yea.

NATIONAL FOSTER CARE MONTH

Mr. WYDEN. Mr. President, each year, I look forward to National Foster Care Month as an opportunity to honor the more than 440,000 children and youth in foster care nationwide. It is also an opportunity to honor the foster and kinship families and child welfare workers who support them.

This year, in particular, the importance of supporting the children, youth, families and skilled workers in the foster care system has been underscored by the devastation of the COVID-19 pandemic. It is essential that Congress not only honor those who give and receive care as part of this system, but also those who take meaningful action to protect families, children, youth, and workers from the spread of the virus.

In my home State of Oregon, more than 11,000 children and youth enter foster care in a given year, and about 7,900 children and youth are living in out-of-home placements on any given day. Oregon provides transition services to about 1,350 young adults, but many continue to struggle to find work, go to college, or complete technical training. The COVID-19 virus has hit these older youth particularly hard.

As we consider actions to help the nation weather this pandemic, I would like to recognize a nonprofit organization in my State that represents a critical part of the response to COVID-19 for children and youth in the foster care system and those who have aged out of the system without finding a home to call their own. FosterClub is based in a beautiful town on the Oregon coast, Seaside. FosterClub is marking its 20th anniversary working to improve the lives of children and youth in foster care by connecting them to resources, teaching them how to become self advocates, and helping elevate their lived experiences and voices to members of Congress. By doing so, they are able to inform positive changes in our federal foster care system.

And that is what this month is about: honoring the strength of those currently in and those who have exited the foster care system. It is about listening to their experiences and their needs.

Over the years, I have been proud to work with my colleagues on a bipartisan basis to craft and get across the finish line legislation to strengthen and improve the foster care policies in Oregon and around the country. Not too long ago, then-Chairman Orrin Hatch and I were able to come together and pass into law the landmark Family First Prevention Services Act, commonly known as Family First.

Family First was Children Defense Fund Founder Marion Wright Edelman's vision for a better Federal

foster care system focused on helping families stay together. This bipartisan legislation transformed the child welfare system to provide parents the help they need to prevent the trauma that occurs when children and youth are removed unnecessarily from their homes and placed in foster care. I remain committed to responding to the needs of children and youth in foster care and am dedicated to pursuing bipartisan ways to address the challenges faced by children, youth, families, and workers in the foster care system and especially now during the COVID-19 public health emergency.

I call on my colleagues, especially those across the aisle, to remember our Nation's foster care recipients and acknowledge the strain our Nation's most vulnerable are facing during the COVID-19 pandemic. As we work towards future ways to address the COVID-19 pandemic, we must act swiftly to provide support for the children, youth, families, and workforce involved in the foster care system and especially the young adults who have aged out of the system without finding a forever home.

I encourage my colleagues to listen carefully to the voices of children and youth impacted by the foster care system, act quickly to support these young people through this pandemic and help them transition to adulthood successfully. They deserve nothing less from their representatives in Congress.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. GRASSLEY (for himself, Ms. HASSAN, Mr. CRAPO, Ms. ERNST, and Mr. BOOKER):

S. 3751. A bill to amend the CARES Act to provide the Special Inspector General for Pandemic Recovery with additional personnel authorities, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. MENENDEZ (for himself, Mr. CASSIDY, Mrs. HYDE-SMITH, Ms. COLLINS, Mr. MANCHIN, and Mr. BOOKER):

S. 3752. A bill to amend title VI of the Social Security Act to establish a Coronavirus Local Community Stabilization Fund; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. BRAUN (for himself and Mr. YOUNG):

S. 3753. A bill to direct the Secretary of Veterans Affairs to ensure that certain medical facilities of the Department of Veterans Affairs have physical locations for the disposal of controlled substances medications; to the Committee on Veterans' Affairs.

By Ms. CORTEZ MASTO (for herself and Mr. CRAPO):

S. 3754. A bill to amend the Omnibus Public Land Management Act of 2009 to make a technical correction to the water rights settlement for the Shoshone-Paiute Tribes of the Duck Valley Reservation, and for other purposes; to the Committee on Indian Affairs.

By Ms. DUCKWORTH (for herself, Mr. MARKEY, Mr. BLUMENTHAL, Mrs. GILLIBRAND, and Mr. KAINE):

S. 3755. A bill to provide for the establishment of a COVID-19 Compensation Fund, and for other purposes; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 945

At the request of Mr. KENNEDY, the name of the Senator from North Dakota (Mr. CRAMER) was added as a cosponsor of S. 945, a bill to amend the Sarbanes-Oxley Act of 2002 to require certain issuers to disclose to the Securities and Exchange Commission information regarding foreign jurisdictions that prevent the Public Company Accounting Oversight Board from performing inspections under that Act, and for other purposes.

S. 2417

At the request of Mr. KENNEDY, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 2417, a bill to provide for payment of proceeds from savings bonds to a State with title to such bonds pursuant to the judgment of a court.

S. 2815

At the request of Mr. SCHUMER, the name of the Senator from Alabama (Mr. JONES) was added as a cosponsor of S. 2815, a bill to require the Secretary of the Treasury to mint coins in commemoration of the National Purple Heart Honor Mission.

S. 3067

At the request of Mrs. CAPITO, the name of the Senator from Nevada (Ms. ROSEN) was added as a cosponsor of S. 3067, a bill to amend title XVIII of the Social Security Act to combat the opioid crisis by promoting access to non-opioid treatments in the hospital outpatient setting.

S. 3419

At the request of Mr. INHOFE, the name of the Senator from Nebraska (Mrs. FISCHER) was added as a cosponsor of S. 3419, a bill to amend the Packers and Stockyards Act, 1921, to provide for the establishment of a trust for the benefit of all unpaid cash sellers of livestock, and for other purposes.

S. 3475

At the request of Ms. DUCKWORTH, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 3475, a bill to direct the Secretary of Labor to issue an emergency temporary standard that requires certain employers to develop and implement a comprehensive infectious disease exposure control plan to protect employees in the health care sectors and other employees at elevated risk from exposure to SARS-CoV-2, and for other purposes.

S. 3608

At the request of Mr. KENNEDY, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 3608, a bill to amend the CARES Act to provide flexibility in use of funds by States, Indian Tribes, and municipalities.

S. 3628

At the request of Ms. ERNST, the name of the Senator from South Da-

kota (Mr. ROUNDS) was added as a cosponsor of S. 3628, a bill to prohibit the use of Federal funds for purchasing dogs and cats from wet markets in China, and for other purposes.

S. 3679

At the request of Ms. DUCKWORTH, the name of the Senator from Colorado (Mr. GARDNER) was added as a cosponsor of S. 3679, a bill to require the Internal Revenue Service to establish a procedure by which parents may immediately claim the recovery rebate amount for children born in 2020.

S. 3730

At the request of Mr. SULLIVAN, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 3730, a bill to amend title 49, United States Code, to authorize and modernize the registered traveler program of the Transportation Security Administration, and for other purposes.

S. 3749

At the request of Mr. BLUMENTHAL, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 3749, a bill to protect the privacy of health information during a national health emergency.

ORDERS FOR TUESDAY, MAY 19, 2020

Mr. McCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Tuesday, May 19; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time of the two leaders be reserved for their use later in the day, and morning business be closed; further, that following leader remarks, the Senate proceed to executive session to resume consideration of the Rash nomination under the previous order; finally, following disposition of the Rash nomination, the Senate stand in recess until 2:15 p.m.

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

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. McCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:44 p.m., stands adjourned until 10 a.m. tomorrow.

DISCHARGED NOMINATION

The Senate Committee on Homeland Security and Governmental Affairs was discharged from further consideration of the following nomination by unanimous consent and the nomination was placed on the Executive Calendar:

BRIAN D. MILLER, OF VIRGINIA, TO BE SPECIAL INSPECTOR GENERAL FOR PANDEMIC RECOVERY.