

Mr. INHOFE. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 583) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

#### EXECUTIVE CALENDAR—Continued

Mr. INHOFE. I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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 I ask unanimous consent that the order for the quorum call be rescinded.

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

#### CORONAVIRUS

Mr. CORNYN. Madam President, President Eisenhower once said: "Farming looks mighty easy when your plow is a pencil, and you're a thousand miles [away] from the corn field." Those are wise words from a wise man.

If you are trying to get a view of what is happening across America, you certainly can't get a comprehensive picture staying here in Washington, DC, or even listening to the national media. That is why, whether working on a farm bill, a highway bill, or a coronavirus recovery bill, I look to my constituents for feedback. I know we all do the same.

Since we first learned that evacuees from China would be headed to Joint Base San Antonio for a 14-day quarantine, I have been in close contact with the folks in Texas—starting in San Antonio—about the coronavirus. I have joined dozens, if not 100 or more, videoconferences with groups covering every industry that have shared honest perspectives about how things are going, what is working, and what more is needed from Congress.

I have spoken with nurses and hospital administrators about the need for additional PPE to protect our healthcare heroes. I have spoken with researchers and scientists, even as recently as today, about the ongoing quest to develop vaccines and treatments and, of course, with farmers and ranchers and producers about their struggle to cope with a glut of supply and reduced demand.

I have spoken with small business owners about the impact of this virus on their businesses, their workforce, and their communities. Their feedback has been invaluable to the work of the Senate as we continue our mission to lead America through and eventually out of this crisis.

As States across the country begin to reopen their economies, the light at

the end of the tunnel is getting a little bit brighter, but there is still a whole lot of work that needs to be done. Yesterday, I spoke with some of my friends at Texans for Lawsuit Reform, the Texas Civil Justice League, and a number of other business stakeholders about the critical need for liability protection in our next piece of coronavirus legislation.

We are already seeing that, across America, there is a wave of COVID-19-related lawsuits rolling in. Without action on our part, there is genuine fear that these lawsuits could hurt the very people we need to be helping right now get through this weakened economy.

One of the Texans on the call talked about the vast challenges our healthcare workers have faced over the last several weeks. As hospital beds began filling up, the strain on healthcare workers became a serious problem.

Many States loosened restrictions to allow out-of-State or retired physicians to join the fight on the frontlines, and countless healthcare workers are being cross-trained or redeployed to help fill personnel shortages. You may see pediatricians caring for adults or anesthesiologists working in the ICU.

On top of that, these men and women are forced to make tough, almost impossible decisions every day. They may have half a dozen patients who desperately need a ventilator but only two machines available.

We should not put our healthcare workers in an impossible situation where we ask them to do everything they can to help, and then we punish them by subjecting them to litigation when somebody claims that they could or should have done better.

It is not just healthcare workers, though, who could emerge from this crisis only to be greeted by an avalanche of lawsuits. As our economy begins to reopen, businesses are dusting off their tables, barber chairs, gym equipment—whatever the case may be—and preparing to welcome customers back through their doors.

They are following the guidance from the State and the Centers for Disease Control and taking every precaution they recommend to protect both their employees and their customers. However, despite their best efforts, there is nothing stopping someone who contracts the virus from saying it happened at that particular business and then suing.

One of the people on our call yesterday said his business has faced many lawsuits before, and he knows that, even if you have done absolutely nothing wrong, defending these lawsuits can be a huge, huge expense. He pointed out that causation is of particular concern when you talk about a virus. We are still learning about it, but we know that the incubation period could last up to 14 days, making it nearly impossible to prove when and where the virus was contracted.

While ordinarily it would be the burden of the person bringing the suit to

prove causation, we know that, in jury trials, anything can happen and that this is not enough to stop opportunistic litigation from trying to either get a successful jury verdict and judgment or just a nuisance settlement because of the cost of defense.

Across the country, we are already seeing coronavirus lawsuits rolling in, targeting not only our healthcare workers and businesses but nursing homes, assisted living facilities, universities, governments—you name it.

Without action from Congress, the litigation epidemic will be a big one and will add insult to injury from this pandemic. We simply cannot allow this tidal wave of lawsuits to sweep away our healthcare workers, nonprofits, and businesses who followed the guidelines and acted in good faith. Congress needs to put in place commonsense reforms to protect those who have helped the American people get through this crisis and who will help lead us out of it.

I am working with my colleagues on a proposal that would achieve this goal through temporary and targeted protections related to COVID-19 lawsuits. That includes our healthcare workers who have been on the frontlines battling this pandemic, the businesses that are going to great lengths to safely reopen their doors, and the nonprofits helping their communities during a time of unprecedented need.

Despite what some of the folks on the left try to claim, this isn't a ban on lawsuits. Nobody is suggesting we have blanket immunity. No one wants to let bad actors get away with their bad behavior and to reward it. However, as my constituents told me yesterday, the fear of unrestrained litigation could be the boot on the neck of our economy and add insult to injury for our healthcare workers and others who, in good faith, did precisely what they were asked to do during this time of crisis.

We need to put commonsense safeguards in place to ensure that those operating in good faith and following all the relevant guidelines cannot be sued into oblivion because of a particular outcome when people are doing the best they know how to do during a time of crisis—in good faith—and doing exactly what the public health officials and their government officials are telling them to do.

This is going to be a critical aspect to our recovery, not only in Texas but in every State across the Nation. We have counted on all of these people, from our healthcare workers to local businesses, to help get us through this crisis. We can't let them down now.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Mrs. CAPITO. Madam President, I rise today to address the healthcare and economic crisis facing our Nation because of COVID-19. According to Johns Hopkins University, more than 1.5 million Americans have tested positive for COVID and more than 90,000 have died. And 1,509 West Virginians have tested positive for COVID, and 68 have died, according to our State's Department of Health and Human Services.

We mourn each one of those lost lives and remember the families who grieve for them now and the friends who have lost a loved one. All of us join together, and we thank all of the heroes who are on the frontline performing lifesaving and life-sustaining jobs during this pandemic.

The economic consequences of this pandemic have been devastating as well, but the health devastation is what really, I think, breaks all of our collective hearts.

On the economic front nationally, the unemployment rate is 14.7 percent, and 36.5 million Americans have filed for unemployment since mid-March—an incredible number.

In our small State of West Virginia, 164,000 unemployment claims have been processed since March, and the unemployment rate is over 15 percent. With these terrible facts and the urgency of them, it is right for Congress to come together to take bold action.

We have enacted four major pieces of bipartisan legislation to help ease this crisis. Most significant of those, of course, was the CARES Act, which passed this body 96 to 0. With bipartisan support, the CARES Act provided \$100 billion for our hospitals and medical providers to help them respond to this crisis.

Together, we created the Paycheck Protection Program—PPP, as everybody knows it—to save jobs and to keep our employers and employees connected but also to save jobs at small businesses and help those businesses survive.

As of this past weekend, 15,972 West Virginia small businesses had taken advantage of the PPP program.

The CARES Act provided direct relief for the American people through payments of up to \$1,200 apiece, and more than 780,000 payments totaling \$1.3 billion have been sent to my fellow West Virginians.

The CARES Act increased unemployment benefits to help meet the needs of those workers who lost their jobs due to the crisis, and we see the numbers. That has been a great benefit.

It provided significant resources for our State and local governments. Our State of West Virginia has received \$1.25 billion to help our State, city, and county governments.

After the CARES Act, despite some delays, we came together again and passed additional bipartisan legislation that provided more funding for the

PPP program and more resources for hospitals, more money for COVID testing. We just sent \$57 million to the State of West Virginia for more testing.

In a bipartisan way, Congress responded to the needs of our medical community, as we should. Our small businesses, our workers, our families, our State and local governments, and our heroes are essential workers. As our communities begin the process of carefully reopening, we know that more Federal resources and additional legislation will in all likelihood be necessary. We all hope that our economy, which only months ago was very strong, can rebuild quickly. But our small businesses and workers will need additional help. There is no question that will happen.

As we face the possibility of a second wave of infections later this year, we should continue to build our stockpile of medical supplies and aid our hospitals.

I have heard from our Governor, county commissioners, and our mayors across West Virginia about the lost State and local government revenues caused by COVID. Allowing the CARES Act funds to be used to replace these lost revenues will make sure that State and local governments can continue to meet the public safety and public health needs. This is critical.

I have joined Senator SULLIVAN and others in supporting bipartisan legislation that would do just that. We should enact meaningful liability reform to protect our hospitals, doctors, businesses, college, universities, and non-profits from lawsuit abuse. Those who do their best to treat patients, following government guidelines, and prevent the spread of the contagious virus should not be held liable when treatments fail or COVID spreads. Unless we act, lawsuit abuse could choke off our economic recovery. And we should hold China—China—accountable for hiding the true scope of the COVID pandemic, making the global spread of this disease much worse.

We should all work on all of these priorities going forward. It is appropriate that Congress should examine the effectiveness of the CARES Act—we have been doing that for the last several weeks; that is why I am glad we are here—as well as the ongoing need for resources before considering continuing new legislation to aid the Nation's response. But legislation passed in response to this crisis should be, as has been in the past—should be—bipartisan, and it should be tailored to respond to COVID and the economic problems that it has caused.

Speaker PELOSI's legislation that passed the House of Representatives on Friday night fails on both of these counts. To the extent there was bipartisanship on Friday night, it came from the 14 Democrats who voted against the Speaker's wish list. The bill was certainly not tailored to help Americans respond to the COVID cases.

There were things in there that did respond, but there was a whole lot more that I will talk about that I think was irrelevant.

Speaker PELOSI's bill took a massive step toward federalizing our elections. That is the beauty of our elections. They are all different in every single State, and our States have the decisions to make. These decisions should be made by State and local officials and not micromanaged here in Washington. By the way, I think it makes our elections safer that they are not federalized.

The bill prohibits States from requiring a photo ID to vote and requires States to allow same-day voter registration, something we do not do in the State of West Virginia. Aside from being bad policy, what does that have to do with COVID or helping small businesses and working families?

The word “cannabis,” as we might have heard already today, appears in Speaker PELOSI's bill 68 times. The bill requires a report to make sure that women and minorities are able to fully participate in the cannabis industry, and it makes sure that cannabis businesses are able to access the banking system. By the way, that is an issue that has been worked on since I was in Financial Services 10 years ago. But what does that and how does that relate to COVID?

By allowing stimulus payments to be sent to individuals without a verified Social Security number, Speaker PELOSI's bill would send taxpayer dollars to illegal immigrants, and the bill requires the Department of Homeland Security to review the files of every illegal immigrant in custody to determine if he or she should be released.

Speaker PELOSI also appropriates \$50 million for environmental justice grants. It sounds good—environmental justice. I am not sure what it has to do with COVID, but it sounds good. In reality, a lot of these funds, among other things, assist those who are working to stop industries that are very critical to my State, all the energy industries from coal and natural gas. That is exactly the opposite of promoting an economic recovery in the State I am from.

While working families continue to struggle, Speaker PELOSI's bill offers significant tax relief for rich taxpayers in high tax States. Coincidentally, that is not my State; we run our State on a balanced budget—and very well.

Overall, the House bill costs more than \$3 trillion while doing little to help our economy recover and get our laid-off workers back on the job. There is a bipartisan model out there for working together in response to this crisis. We have done it four times, as I mentioned. But that model is certainly not what the House passed last Friday night.

The Senate is continuing to hold hearings—we are having them today—to learn more about the current crisis and provide oversight. More importantly, we are listening to the people

in our States and their needs and their wants and their fears and their hopes and dreams. I am confident that we will take responsible action to build our economy together, that we will put people back to work together, and that we will help keep our families safe and healthy. Together we can do this.

Speaker PELOSI's legislation will not become law, and she already knew that when she passed it. But we will continue to press forward to respond as one Nation and one people for this unprecedented disaster.

I yield back.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

#### ORDER OF PROCEDURE

Mr. MCCONNELL. Mr. President, I ask unanimous consent that notwithstanding the provisions of rule XXII, the cloture votes with respect to the Manasco and Heil nominations occur at 11 a.m. and 12:30 p.m., respectively, tomorrow; I further ask that notwithstanding the provisions of rule XXII, if cloture is invoked on the nominations, the confirmation votes occur at 3 p.m. and 4:30 p.m. tomorrow, respectively; further, that following disposition of the Heil nomination, cloture ripen with respect to the Badalamenti nomination; finally, that if any of the nominations are confirmed, the motions to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

#### VOTE ON TRAINOR NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Trainor nomination?

Mr. CRAPO. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk proceeded to call 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 Arkansas (Mr. COTTON), and the Senator from South Dakota (Mr. ROUNDS).

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

Mr. DURBIN. I announce that the Senator from Ohio (Mr. BROWN), the Senator from Massachusetts (Mr. MARKEY), 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 result was announced—yeas 49, nays 43, as follows:

#### [Rollcall Vote No. 96 Ex.]

##### YEAS—49

Barrasso	Graham	Portman
Blackburn	Grassley	Risch
Blunt	Hawley	Roberts
Boozman	Hoeven	Romney
Braun	Hyde-Smith	Rubio
Capito	Inhofe	Sasse
Cassidy	Johnson	Scott (FL)
Collins	Kennedy	Scott (SC)
Cornyn	Lankford	Shelby
Cramer	Lee	Sullivan
Crapo	Loeffler	Thune
Cruz	McConnell	Tillis
Daines	McSally	Toomey
Enzi	Moran	Wicker
Ernst	Murkowski	Young
Fischer	Paul	
Gardner	Perdue	

##### NAYS—43

Baldwin	Hassan	Rosen
Bennet	Heinrich	Schatz
Blumenthal	Hirono	Schumer
Booker	Jones	Shaheen
Cantwell	Kaine	Sinema
Cardin	King	Smith
Carper	Klobuchar	Stabenow
Casey	Leahy	Tester
Coons	Manchin	Udall
Cortez Masto	Menendez	Van Hollen
Duckworth	Merkley	Warner
Durbin	Murphy	Warren
Feinstein	Murray	Wyden
Gillibrand	Peters	
Harris	Reed	

##### NOT VOTING—8

Alexander	Cotton	Sanders
Brown	Markey	Whitehouse
Burr	Rounds	

The nomination was confirmed.

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

The PRESIDING OFFICER. The majority leader.

#### 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.

##### TRIBUTE TO CHARLIE YODER

Mr. GRASSLEY. Mr. President, today I give tribute to a lifelong Iowan who has devoted his career in service to families who are mourning the loss of a loved one.

From an early age, Charles Yoder knew what he wanted to be when he grew up. He lived next door to the Powell Funeral Home in Wellman, IA. That is where Charlie's precocious path to his lifelong occupation first started.

Years later, he graduated from the Worsham College of Mortuary Science in Illinois. He returned home to Washington County, where he manages two funeral homes in Wellman and Kalona.

Like many small business people across my State, Charlie's leadership reaches deep into the community. His civic stewardship reflects a character of service to others. He is a member of the Rotary Club, Kalona Chamber of Commerce, Community Foundation of Washington County, and the Dayton Lodge. His public service includes time spent on the Mid-Prairie Community School District Foundation and the Kalona Library.

A member of the National Funeral Directors Association, Charlie participated in its leadership conference here in Washington, DC, for the past 3 years. Like so many other events, the national conference this year was cancelled due to COVID-19. That didn't stop Charlie from stepping up to lead and help his profession navigate these difficult times.

For the past 4 years as president-elect and president of the Iowa Funeral Directors Association, he developed strong relationships across its eight districts, traveling to each one across the State. Networking strengthened his efforts to update strategic plans and foster continuing education services.

This collaboration also helped Iowa funeral directors meet unprecedented challenges from the pandemic. Iowans are known to celebrate the lives of the deceased with large funeral gatherings, attended by many people in the community, who gather to pay their respects and help friends and family mourn the loss of a loved one. Obviously, COVID-19 limited large social gatherings, including graduations, weddings, and funerals.

Charlie developed guidelines to help Iowa funeral home directors adapt to the public health crisis and continue providing safe, compassionate, and personalized attention to the people and communities they serve.

As caretakers in their respective communities, Charlie did not let COVID-19 redefine their mission to serve with professionalism, empathy, and integrity. Working with the Centers for Disease Control and Prevention and the Iowa Department of Public Health, Charlie's leadership helped ensure the public welfare was protected and that grieving families and their loved ones remained in good hands.

I thank Charlie for service to his community and his vocation. As he steps down as president of the Iowa Funeral Directors Association, I am pleased to learn a member of the next generation plans to follow in her dad's footsteps. I congratulate him and his wife, Dorie, and wish their daughter Morgan all the best as she starts her studies and pursues her dream this fall.