

NOT VOTING—8

Alexander	Murkowski	Warren
Burr	Rounds	Whitehouse
Markey	Sanders	

The PRESIDING OFFICER. On this vote the yeas are 76, the nays are 16. The motion is agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of John F. Heil III, of Oklahoma, to be United States District Judge for the Northern, Eastern and Western Districts of Oklahoma.

The PRESIDING OFFICER. The Senator from Missouri is recognized.

CHINA

Mr. HAWLEY. Madam President, we have come to the middle hour of our struggle against this epidemic, against a disease unleashed on the world by the failures and falsehoods of a government in Beijing. This epidemic has brought devastation in its wake—lost jobs, lost lives, fear, and isolation. It is shaking old institutions and challenging old ways.

The international order, as we have known it for 30 years, is breaking. Now imperialist China seeks to remake the world in its own image and to bend the global economy to its own will, and we face a moment of truth. Will we acquiesce? Are we, in this Nation, willing to witness the slow undoing of the free world? Are we willing to watch our own way of life, our own liberties and livelihoods grow dependent on the policy of Beijing?

Already, we hear a chorus of voices telling us that America must accept a narrower future. We must live with slower economic growth. We must expect lower wages. We must accommodate ourselves to the rise of China. Well, I, for one, am not willing to settle for less. I am not willing to see blue collar workers go without work for months or years on end as their jobs are shipped overseas. I am not willing to watch wages flatline and fall. I am not willing to see families struggle for food and middle-class neighborhoods disappear, and neither are the American people.

The Nation that sent a man to the Moon and defeated German and Soviet oppression in the space of 50 years will not be content to take second place to the imperialists in Beijing. We will not be content with a small future. Now, as in times past, this Nation must again take control of our own destiny and lead the free world to a better day.

The free nations again confront a common threat. The Chinese Communist Party is a menace to all free peoples. It seeks nothing less than domination. It wants nothing less than word power. This is China's policy: to control Asia and to rule the Pacific. From there, the Chinese Government wants to spread its influence to Africa, to Europe, to South America—a master of home and abroad.

And they are well on their way. For decades now, China has bent and abused and broken the rules of the international economic system to its own benefit. They have stolen our intellectual property and forced our companies to transfer sensitive trade secrets and technology. They have manipulated their currency and cheated time and again on their trade commitments. They have been complicit in the trafficking of persons and relied on the forced labor of religious minorities.

America has suffered. Since Beijing won most favored nation status and joined the World Trade Organization in 2001, we have lost over 3 million jobs to China. During the past two decades, as we fought war after war in the Middle East, the Chinese Government systematically built its military on the backs of the American middle class. Oh, we were promised that things would be different. We were told that giving China access to our markets and allowing them power in the WTO would reform their behavior and it would make them more liberal. We were told it would be good for America and good for the world.

Well, the only nation it was good for was China, and we cannot afford inaction any longer. The threat of China to the free world grows by the day. If the coronavirus pandemic doesn't make that clear, nothing will. What should be equally clear is that the United States must now reform the global economy itself to rebuild our strength and prevent China's bid for domination.

The economy has become the principal arena for the great power contest in this new century. Economic policy is now security policy, and China understands that. China has integrated its economic and security strategies for the last two decades, systematically weaponizing the institutions and procedures of the global economy for its own benefit.

It is the United States that has been slow to respond. Now we must recognize that the economic system designed by Western policymakers at the end of the Cold War does not serve our purposes in this new era, and it does not meet our needs in this new day. And we should admit that multiple of its founding premises were in error.

The economic system over the last 30 years—it is nothing sacred. It is not inevitable. It was a choice, and now we have the power to choose again, to choose differently, and for the better.

You know, it didn't start out this way. Decades ago, in the aftermath of the Second World War, the United States and its allies created a series of economic partnerships and institutions that aimed to strengthen the free world and check Soviet expansion. These agreements encouraged partnership and trade among free nations as sovereign equals. Trade in commerce did increase and barriers did come down, but nations remained in control of their own economies and their own

destinies. Important sectors were protected, capital flows controlled, and workers had a place to rise.

But when the Soviet Union fell, ambitious policymakers in this country and other Western nations saw the opportunity to create something new, something in the spirit of Woodrow Wilson, a dream to remake the world. These Western leaders wanted a truly global economy, one that would include all nations, like-minded or not, to be governed by multilateral institutions rather than nation-states, to operate by a single set of rules, to promote the flow of goods and capital across borders. They wanted a single liberal market to support a single liberal international order, one that was supposed to bring peace in our time. Well, that peace never arrived. Instead, these new Wilsonians embroiled the United States in conflict after conflict, war after war for decades, and the new global market they championed flatlined the wages of American workers and shifted American industry overseas, all while multinational corporations reaped the gains.

One of the Wilsonians' new institutions particularly typified these trends. I am talking about the World Trade Organization. It was established in 1995 as a successor to the Cold War-era General Agreement on Tariffs and Trade. The idea was for the WTO to help harmonize trading rules the world over and have the teeth to enforce them.

The WTO would have its own court—I was part of the design—a dispute resolution body that would interpret trade agreements and settle the differences between nations over trade. The effect was to take trade disputes out of the hands of elected national leaders and commit them to the control of international lawyers in Geneva.

It worked in the sense that the WTO's court increasingly set trade policy for the world. The old system, the GATT, had allowed for national policy needs to come first—our workers and our industries—but the WTO reversed these priorities. Now global concerns reigned supreme, which meant the priorities of multinational corporations and global capital.

Not surprisingly, the WTO lawyers have not been kind to America. The WTO's dispute resolution process has systematically disfavored the United States—a complaint that Presidents of both parties have made for years. The United States has lost 90 percent of the cases brought against it, hurting industries across the Nation, from steelworkers in the Rust Belt to cotton farmers in States like mine.

Meanwhile, the WTO dispute resolution body has systematically expanded its own jurisdiction, going beyond the text of the actual trade agreements and citing itself as authority.

That is not all. The WTO permitted China to claim special status as a developing country from the moment

China entered the organization even though China was already the sixth richest nation in the world by GDP in the year 2000. China jealously guards that sweetheart deal even today, allowing it to defer its obligations, to skirt the rules we follow, and to continue to amass power at our expense.

I could go on.

The WTO places strict limits on the support we can provide our farmers and ranchers, even as other nations refuse to comply with WTO rulings in favor of our producers.

It is clear that the WTO is deeply flawed. The institution's design makes it nearly impossible to reform, as we saw during the failed go-around, and it remains completely ill-equipped to deal with forced technology transfer and intellectual property theft like we have seen from China for decades.

The American people get the idea. No trade regime can last when it no longer serves the people of the countries that are part of it. The truth is, our interests and those of the WTO diverged many years ago. The WTO is a symbol of an economic order whose Wilsonian ambitions have cost this country dearly, enabling and empowering the rise of an imperialist China.

Now, American leadership is required—it is essential—to chart a new course. This Nation has never been content to linger in the rear while others lead the way, and we will not begin now. We will lead. We will act.

I call on this body to do its part by taking a vote to withdraw from the WTO. The agreement by which we joined that organization expressly affords us this right. It commits to Congress—both Houses—the right to debate the WTO's workings and the right to vote to continue in the WTO or to withdraw. This is a right—it is our responsibility, really—that the Senate has never exercised since 1995, not one time. We are past due.

We should take up our responsibility and debate this issue critical to the future of our country, and we should vote to leave. To begin a new era, we must end the old. So let's vote, and let it be a new beginning. Let the work begin in earnest to forge a new way forward.

Thinking of that future, I offer two principles to guide our policy.

First, as a member of the world economy, we must never privilege the preferences of other nations or multilateral institutions over the needs of our own people and our own workers. As the leader of the free world, we must empower other countries to resist Chinese imperialism at every turn, whether on their own or standing together with us as a coalition.

To put these principles into action, we must leave the WTO and construct a new trade system that helps the United States grow strong. This new system should retain and deepen the principle of reciprocity. It should encourage cooperation and market access but without compromising nations' economic sovereignty and their internal control of their own economies.

We in America cannot compromise our sovereign right to protect the American people and their livelihoods, so we must replace an empire of lawyers with the confederation of truly mutual trade. Mutual trade will require a new approach to dispute resolution, one that will offer nations flexibility and choice, allow countries to litigate trade disputes like a private contract, through third-party arbitration chosen by the parties on a case-by-case basis, with ground rules agreed upon by both sides and subject to revisions as circumstances warrant, or allow countries to set up enforcement procedures within the trade agreements themselves, like we have done in our recent phase 1 negotiations with China. On either approach, choices over trade will be made and policies will be set, as they should be, by elected leaders who are accountable to the people, not by a court sitting in Geneva.

But reform should not stop at trade. We must also think seriously about what occurs upstream from trade, and that means global capital. There is a reason why Wall Street loves the status quo. There is a reason why they will object to leaving the WTO and resist major reforms to our global economic order. That is because they are on a gravy train of foreign capital flows that keep their checkbooks fat. But this foreign money pouring into our country has a distorting effect. We get asset bubbles that could spur recessions, and our exporters have trouble selling abroad. Our farmers and producers know this problem all too well.

So now we must work for new agreements and better managed capital markets to stop currency manipulators and to protect this Nation's producers. By moderating these flows of foreign money, we can help give a much needed boost to our producers at home and finally reverse our massive trade deficit with China and with the world.

Finally, actions at home are only part of the solution. Trade and current policy, after all, are not made in a vacuum. The world is changing, and if we are to halt China's bid for hegemony over the coming decades, we will need to work with our allies and partners to do it. So it is in America's interest to see that other free nations grow strong and that we are able to work together to deter and defeat Chinese economic coercion.

We benefit if countries that share our opposition to Chinese imperialism—countries like India, Japan, Vietnam, Australia, and Taiwan—are economically independent of China and standing shoulder to shoulder with us. So we should actively pursue new networks of mutual trade with key Asian and European partners, like the economic prosperity network recently mentioned by Secretary Pompeo.

We should offer partner nations new incentives to support the purchase of our products made here in America by American workers. A new system of export financing and loan guarantees

would serve as a powerful counterweight to China's expanding Belt and Road Initiative, and it would boost demand for our products, raising wages and creating good jobs along the way.

Here again, our aim must be to build networks of strong partners able to stand tall against Chinese aggression while strengthening our workers and fostering our industries.

A new departure is upon us whether we like it or not. The old order is giving way. The future need not be limited, however, not for this country. This moment is full of promise if we have the courage to lead.

We can build a future that looks beyond pandemic to prosperity—a prosperity shared by all Americans, from the rural towns of our country to the urban core.

We can build a future that looks past a failed consensus to meet the national security needs of this new century.

We can build a future that transcends the narrow thinking of the Washington beltway and that gives confidence to American workers and to the communities they call home.

With a global economy that better suits our interests, that better protects our people, we can find the strength and purpose to counter the gravest danger to American workers in a century and to unleash again the promise of our unique and marvelous way of life.

To my colleagues in the Senate, I say: It is time to lead.

Thank you.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa is recognized.

POLITICAL PRISONERS

Mr. GRASSLEY. Madam President, I rise for two reasons: one, for a very short comment on political prisoners in foreign lands, and the other one on how the CARES Act is developing and the reaction to it.

First of all, our country is now hopefully recovering from COVID-19, so I want to take this opportunity to address the plight of an extremely vulnerable population—political prisoners abroad.

In Turkey, Syria, China, and a lot of other countries, political prisoners remain locked away in crowded prisons without adequate medical care. The spread of COVID-19 among this population dramatically increases the risk of serious medical consequences or even death.

Authoritarian regimes only risk further destabilization of their countries by jailing the innocent. Political prisoners ought to be released, and they ought to be released now.

HEROES ACT

Madam President, at the beginning of March, we worked to get ahead of the COVID pandemic, and an amazing thing happened. Congress came together quickly and developed a broad package of measures to provide relief to families, workers, and businesses to weather the COVID-19 event and the crisis that it is.

Coronavirus aid, relief, and economic security—those words make up the CARES Act—included a broad range of tools: first, direct payments to individuals and families; second, it expanded unemployment insurance benefits for the unemployed; third, lending programs for businesses of all sizes; and fourth, targeted tax relief to help businesses continue operations and keep workers on the payroll.

Our objective for the tax provisions in the CARES Act was twofold: first, to help individuals, families, and businesses weather the storm caused by the stay-at-home governmental decisions, and second, lay as much of a foundation as possible for restarting the economy once businesses could start to reopen and Americans could get back to work.

The CARES Act came together through a bipartisan process, and that process took place over 8 short days and ultimately and amazingly passed the Senate 96 to 0 on March 25. The House passed it by a voice vote 2 days later, and President Trump signed it into law that same day.

As chairman of the Finance Committee, my approach for tax relief was to provide as much liquidity as possible and as quickly as possible. For individuals, that meant providing the Treasury Department with authority to issue nearly \$300 billion in economic impact payments to families across the Nation. This economic impact payment was \$1,200 for an individual, \$2,400 for a couple, and \$500 for each child. That went out in checks or direct deposit. It also meant giving individuals access to cash in retirement accounts, suspending required distributions from retirement accounts already hit by steep declines in the stock market, and giving employers more flexibility to help employees with student loan payments.

Many of these tools are similar to ones made available to help families recover from natural disasters in recent years. So we were not reinventing policy for this pandemic; we were making use of things we had already tried before. Each of these changes I just mentioned is a tool that can be implemented very quickly to help families access the care they need to get through these difficult times.

Going through the business tax relief measures, our approach was to modify existing provisions of the Tax Code, easing limits and restrictions so that businesses could apply for this help easily and quickly. The key was for businesses to keep cash on hand if they hadn't already filed or give refunds to give them the liquidity to keep the doors open, the machinery running, and most importantly, employees paid, at least to the greatest extent possible.

Most of these tax measures have been employed in previous economic crises and natural disasters. Again, these policies were not reinventing the wheel; we were taking advantage of things that had worked in the past.

Particularly, we expanded the ability of businesses to use net operating

losses—or, as we call them in tax jargon, NOLs—just like Congress did in 2002 after 9/11, in 2005 for taxpayers affected by Hurricane Katrina, and again in 2009 after the financial crisis.

Those were actually bipartisan relief efforts just like the CARES Act. These provisions are temporary. They are designed to terminate after the recovery is in full force.

While it seems longer, you have to remember the CARES Act was enacted just over 7 weeks ago. In that time, Treasury has distributed economic impact payments far faster than expected. Americans have received approximately 140 million economic impact payments worth \$249 billion. Over 4.3 million small businesses have been approved for more than \$500 billion of loans under the Paycheck Protection Program and businesses of all sizes have started to use the tax tools that we provided for their liquidity.

But in that time, the critics have also done what they do best: They criticize. The media has seized on an opportunity to perpetuate every negative story that critics can manufacture. You can imagine my surprise when Democrats criticized the net operating loss carryback provisions in the CARES Act. Oddly, Democrats previously supported the last three bills, where we expanded the net operating loss carrybacks in 2002, 2005, and even in 2009—in the last instance, with all-Democratic rule.

I don't recall, in any of those instances, any partisan attacks from Democrats about this previously bipartisan, anti-recessionary policy tools. So why now? Sadly, that irresponsibility has led our Democratic colleagues in the House to pass legislation that would take back important tax tools that we have provided in the CARES Act to the tune of \$254 billion, and that is a tax increase on the American businesses, and with more taxes, less employees.

It is hard to understand how the House Democrats think that this policy makes any sense. Imposing tax increases when you have a downturn—imposing a quarter of a trillion dollar retroactive tax increase on businesses in need of cash to restart their operations as States begin to lift shutdown orders—is a recipe for further disaster, as opposed to the disaster we are already in.

It makes one think that House Democrats don't want an economic recovery, at least until they can defeat President Trump. Imposing such a tax increase when the country is facing unemployment levels not seen since the Great Depression fails the common sense test.

It is even more disturbing to the extent that the House Democrats' proposal targets small businesses and other pass-through entities. Aren't these losses just as real as larger corporations and their need for liquidity possibly even greater?

According to the Tax Foundation, more than 90 percent of American busi-

nesses in recent years operate as pass-through entities. Pass-through businesses include some of those hardest hit by this pandemic we are in, like farmers, restaurants, manufacturers, retailers, and healthcare providers. They employ over half of America's workers. Yet the Democrats want to take them on.

It is critical that these businesses also survive this pandemic to ensure that Americans have jobs to return to as it becomes safe to go back to work. I have heard some critics even suggest that allowing small businesses and pass-throughs to use their net operating losses is kind of a tax gimmick or loophole. Apparently, they don't understand that these are real economic losses that businesses incur because there isn't enough income to cover payroll, rent, utilities, and other fixed expenses.

The whole goal of the CARES Act is to help businesses tap cash paid as taxes in prior years when times were very good, so that they can survive through this current crisis. When we drafted the CARES Act, we didn't pick winners and losers, and government shouldn't pick winners and losers. The tools generally apply to all types and sizes of businesses, from farmers and sole proprietorships to partnerships, to LLCs and S corporations, to the large corporations. They apply across all industries, since nearly every sector is bearing the burden of stay-at-home and shutdown orders across our entire Nation.

Most importantly, we didn't try to decide which jobs were more worthy of saving than other types of jobs. Our goal was to help preserve as many jobs as possible, regardless of whatever business they were in. Those objectives were the right ones.

This partisan tax increase also flies in the face of anti-recessionary fiscal policy 101. Find me a credible economist who says that we should raise taxes in a normal recession. It is just common sense not to. In a normal business cycle downturn, tax increases hurt, rather than help, the recovery. Why double down now, as the House is doing, in the greatest and sharpest economic contraction in modern history?

The House Democrats have reverted to partisan politics, as usual, in the middle of the worst pandemic in more than 100 years and the worst economic crisis in nearly that long. Maybe, they should think about former President Obama's support for this kind of anti-recessionary fiscal policy back in 2009. What former President Obama said then should apply now: Don't raise taxes in a recession.

Nevertheless, I am hopeful that we can maintain the bipartisan spirit of the CARES Act in the Senate as we chart the next steps to reopen the economy and get Americans back to work.

While some businesses will feel the impact of this pandemic more than others, none of these businesses are

doing well. They all deserve as many tools as we can provide to weather this storm. What is more, employers across the country who have been relying on the CARES Act shouldn't be deterred by the misguided tax hike proposed by the House Democrats. The messaging bill that the House just passed can't be allowed to undermine access to capital needed to reopen their businesses, bring back employees, and win back the customers that made them successful before the pandemic attack.

And to the Democratic critics, I say this: Let's put away the partisan attacks. Let's put away the political pandering. Let's keep working for the good of the country, so our families, businesses, and economy really can come out of these tough times on a strong footing and with the best shot at a rapid recovery.

I yield the floor.

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

Ms. ERNST. Mr. President, I ask unanimous consent to use my military rucksack in my speech.

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

MEMORIAL DAY

Ms. ERNST. Mr. President, on Monday we honor the fallen on Memorial Day. While we traditionally spend this day of remembrance with our family and friends, things will look a little bit different this year. Even though we will not have the same services and ceremonies that we typically take part in, it does not make this day any less important. Just like every year, on this Memorial Day, let's commemorate the servicemembers and families who have sacrificed in defense of our freedom.

The freedoms we cherish, which are so often taken for granted, did not come without a price. For generations, American patriots have secured our blessings of liberty by willingly laying down their lives in defense of our great Nation.

Every fallen soldier leaves behind a grieving parent, child, sibling, spouse, or friend. These family members and friends never forget that knock at the door, the sound of Taps, the loud thunder of the 21-gun salute, or the touch of a folded flag once laid on a casket.

As a combat veteran who served in Operation Iraqi Freedom, I know that the men and women in uniform who served bravely alongside the fallen never forget either. I think of Iowans, like Iraq War veteran Richard Miles, whose picture I proudly display on my desk; Iowa Army National Guardsman Brent Maher.

Iowa National Guardsman James Carney, whose family are dear friends, just 22 years old, was killed in Afghanistan. Army SGT James "Jamie" Skalberg, Jr, died in combat in Afghanistan at just 25 years old, leaving behind his beautiful son, who was not even a year old when he lost his father.

SGT Joseph Milledge was killed when a roadside bomb exploded near his unit,

as it searched for weapons in Baghdad, and he was just 23. It was the knock that I gave on his mother's door to tell her that her son would never be coming back home.

Command SMA Marilyn Gabbard, the first woman in the Iowa Army National Guard to be promoted to the rank of Command Sergeant Major, was killed in Iraq in a Blackhawk helicopter crash.

These stories and many, many more of these men and women of Iowa are heartbreaking and heroic and the very reason for Memorial Day.

For 23 years, I served alongside the best of our Nation, women and men who risked absolutely everything to preserve our great freedoms. One of the many ways I pay tribute is through a ruck march. Every couple of months—that is, until COVID-19—I would gather a group of people to go on a ruck march. I grab my rucksack, filled with nearly 35 pounds of weight, and march down around the Washington Monument and back. These marches offer time for us to remember and reflect on the service and sacrifice of those in our armed services.

A couple of years ago, I went on the Bataan Memorial Death March in White Sands, NM. This is 26 miles. It is a marathon in the desert, with a 46-pound rucksack—not my typical 35 pounds. Folks, let me tell you, it was exhausting. My feet were blistered. My legs were swollen and sore, and my back ached for days after. There were times during that march when I thought I couldn't keep walking and I was probably dehydrated, and I just simply wanted to quit. But every minute and every mile was worth it because we were honoring the lives of the fallen, those who were on that Bataan death march and others who had sacrificed family, comfort, health, and, in so many cases, their lives. The Bataan march really put the meaning behind Memorial Day into focus.

While this weekend is a time to reflect on the sacrifice and lives lost, this entire month is Military Appreciation Month. So I want to take just a minute to commend our servicemembers. During this pandemic, our men and women in uniform have fought tirelessly against this invisible enemy, and they have been doing an outstanding job.

For instance, our troops have stepped up to care for patients in hospitals and created deployable medical units, such as the Air Force expeditionary medical system, Army combat support hospitals and field hospitals, and Navy expeditionary medical facilities. Members of our U.S. Air Force have transported critical supplies around our Nation.

And the heroes who are near and dear to my heart, our National Guardsmen, have been working around the clock to disinfect public spaces, to hand out food, and to provide transportation and logistic support.

To all of our servicemembers at home and abroad, thank you. And to their

families and loved ones who also make tremendous sacrifices, we appreciate you and we support you. Because of the ongoing service of our military men and women, we will defeat this virus. Folks, on this Memorial Day and during Military Appreciation Month, I pray we take time out of our lives, we pause, and we remember all of those who have made the ultimate sacrifice, and the families and the friends and loved ones whom they left behind.

To all of our soldiers, airmen, marines, and sailors who never returned home, today we honor you.

May God bless our troops and their families.

I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BLUNT. Mr. President, let me join my other colleagues in appreciation for Senator ERNST and her service in Iraqi Freedom, her two decades of service, being ready and able to go whenever she was called to go, and her continued service here, and her appreciation for those who serve, which she feels in such a unique way.

She pointed out that this is a different Memorial Day. Communities across Missouri and across the country have traditional events that were long planned on Memorial Day. Every year, Memorial Day looks the same. It will not look the same in very many places this year. If you did have a parade or an event planned, it was probably canceled weeks ago. Even with the best of efforts, it was probably not put together for Monday.

But it doesn't mean that we still don't have an opportunity and an obligation, in fact, to remember those who served. Also, Memorial Day has long become a time, at least where I live, in the middle of the country—and it may be more southern and in southern Missouri than in other places. Memorial Day really became a day to remember all of those who have gone before us, those who passed along values to us, those who have done things that made life possible today.

When I was growing up, sometimes we called Memorial Day "Decoration Day," because it was the beginning of the tradition of Memorial Day, and people would go and decorate the graves of soldiers after the Civil War. That has continued. Memorial Day became a time when families would go to cemeteries, and you sort of had the genealogical lesson right there, as you walked from gravestone to gravestone, and it was explained to you how those people were related to you.

Many family members who were here last year aren't here today and will not be here on Monday. Clearly, the coronavirus pandemic has had a devastating impact on families. It has had a devastating impact on communities. It has had a devastating impact on lives.

As we support this Memorial Day, as we think about this Memorial Day, we will be remembering a unique Memorial Day, where so many have given

their lives in a war that was different than other wars, to an enemy that was not easily seen, to an enemy that turned out to be deadlier around the world than any would have predicted. And that is part of Memorial Day this year.

Part of Memorial Day is remembering the sacrifices that people have made, and we also on this day want to remember the sacrifices that people made to try to keep people alive with this virus—the sacrifices people have made to try to give care, to bring people out of the emergency room, to bring people off the ventilators, and to do those things.

It is, in fact, a unique Memorial Day. It is a Memorial Day where, 75 years ago, we were just finishing the incredibly devastating war of World War II. V-E Day ended the war in Europe on May 8. Seventy-five years ago right now, American soldiers were fighting the Battle of Okinawa. Just 2 weeks before that, our country and our allies fought the fierce Battle of Iwo Jima. These were really the two last major battles.

One of the people who died on Iwo Jima was an 18-year-old marine from Bates County, MO, named George Phillips. On the night of March 14, an enemy hand grenade was tossed into the area where his squad had sought shelter. Private Phillips shouted a warning and threw his body on top of the grenade, saving the lives of every other person there, but gave his life to save theirs.

For his actions that day, he was awarded the Medal of Honor. The citation was signed by another former soldier from Missouri—President Truman—honoring that bravery.

That kind of unhesitating bravery is a characteristic of American soldiers over centuries of understanding what it meant to defend your family, to defend your friends, to defend those serving with you, and, in the case of our country, to be willing to defend freedom, to be willing to jump on the grenade, to be willing to do what is necessary to protect others.

We have seen many examples of that in the last year. Some of those examples were in the military. Others were in those who protect us and in first responders and police and fire, and then many examples of people who risked their lives to save others with the virus that has attacked our country.

We have a lot to think about this Memorial Day, a lot to dedicate ourselves toward as we look to a future where people continue to help others, where people continue to give selflessly, and for those who have served in the military, to be willing to pay whatever price, and we stand in appreciation of that on this Memorial Day, as we approach this weekend.

The PRESIDING OFFICER. The Senator from West Virginia.

Mrs. CAPITO. Mr. President, it is an honor for me to be here with my fellow Senators. I was very moved by Senator

ERNST's recounting not only of her service but of the service of so many Iowans, and Senator BLUNT, as well, from Missouri, reminding me of what Memorial Day is for and how it is commemorated around the country for those brave soldiers from Missouri.

So we are getting ready to commemorate Memorial Day, and we will be doing it differently than we have in the past years. But it is still just as important for us to honor the brave men and women of the U.S. armed services. They have selflessly served our country by standing up to protect the freedoms that we hold so dear and going into the line of fire in many ways.

This Memorial Day is particularly momentous because 2020 marks the 75th anniversary of the conclusion of World War II. Earlier this month, on May 8, as Senator BLUNT mentioned, we recognized V-E Day, or Victory in Europe Day, marking the anniversary of the Nazi surrender and the end of the Allies' European campaign.

In a few months, on September 2, we will recognize the 75th anniversary of Japan's signing its surrender, subsequently ending the Pacific campaign and the war.

During World War II, the United States lost over 400,000 soldiers, who were fighting to uphold our values and defend the liberties of those abroad as well.

As the daughter of a proud World War II veteran myself, I had the chance to hear firsthand the acts of valor that my father, SGT Arch Moore, witnessed on the battlefield.

I also had the honor this past December to travel with several of my colleagues to Luxembourg and Belgium to commemorate the 75th anniversary of the Battle of the Bulge. My dad was wounded just weeks before the battle, where he was, but his company went on to fight in Belgium, and only 3 of the 36 men made it out alive. I think about those 33 men and their families on this Memorial Day.

Being able to attend those ceremonies and to honor all of the soldiers who fought during the Battle of the Bulge was a humbling experience that I will never forget, and those who returned to commemorate that occasion, most of them were in their nineties—mid to late nineties.

The efforts of our servicemembers in both the European and Pacific theaters were great.

A couple of months ago we marked the 75th anniversary of the Battle of Iwo Jima. I was hoping to go to commemorate that, as well, but the coronavirus got in the way. The U.S. Marine Corps and Navy were able to seize the island and to give America the stronghold needed to win the war months later.

While this year marks the 75th anniversary of the conclusion of World War II, we must also never forget all of the Americans who have lost their lives in battle, whether it be the Korean war,

the Vietnam war, the first Gulf war, or the ongoing fight against terrorism in the Middle East and in all of the conflicts that America has fought.

Many of our country's servicemembers have made the ultimate sacrifice to keep our liberties intact.

I recently read a book called "No Surrender," by Christopher Edmonds. You may have heard of it. It is the true story of his father, Roddie Edmonds, who risked his life during the final days of World War II to save others from the Nazis. His heroic duty saved, I think, thousands of lives. He was captured and sent to a POW camp in Germany. He risked his life to prevent hundreds of others from Nazi persecution and possible death, but at the same time he witnessed horrific acts and he also witnessed many, many of his fellow soldiers losing their lives in the name of freedom.

The members of the U.S. military have always put our country first and will continue to do so to keep our flag flying high, and Roddie Edmonds was a perfect example of this. West Virginians have always believed in putting our country and State first, and I am proud of all of the men and women in my State, of which we have a very high percentage—past and present—who have answered the call of duty.

It saddens me that we will not be able to come together in person, as we normally do as a nation, to honor the heroic efforts of the brave men and women in our country who have given the ultimate sacrifice in service, but I know we will come together in spirit. While we might not have the usual parade and barbecues that we have become accustomed to on Memorial Day, we can use this time to reflect upon the sacrifices made by our Armed Forces and their families.

Whether you are at home or with a small group of friends and family, I encourage everyone to take the time to remember those who lost their lives serving our country. Memorial Day is often considered the first unofficial day of the summer, but really it is a time to pay tribute to those who made America the great country that it is today. On Monday, take a moment to pray for those servicemembers who have lost their lives fighting for this country and for their families as well. For the children who are out of school, take time to learn more about the men and women who came before you and defended this country and its values.

I want to say thank you to all of those who have served and to all of those families who have lost loved ones. Your sacrifice has not gone unnoticed, and we are forever grateful.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. HOEVEN. Mr. President, I rise with my esteemed colleague from West Virginia and my colleague from Missouri and others to remember, to commemorate, and to honor those who have given their lives in service to our

country. Those who fought and died for our Nation have secured our freedoms, and we are forever indebted to them. That includes many North Dakotans who gave their lives serving in our Nation's Armed Forces. These fallen heroes served in World War I, World War II, Korea, Vietnam, Iraq, and Afghanistan.

While we set aside a day each year, Memorial Day, to honor those who have given their lives on behalf of our Nation, every day we are reminded of the dedication and sacrifice of those who serve to protect our freedoms and liberty.

We must never forget those who have made the ultimate sacrifice, as well as those who are missing in action. That is why in 2014 I supported legislation to create the Defense POW/MIA Accounting Agency. This DOD Agency seeks to locate the nearly 82,000 missing service personnel, so we can bring them home and provide answers to their families.

We also recognize that those who serve do not serve alone. The friends and family of those in the service of our country also serve, and those who have lost loved ones know well the cost of freedom. As fellow Americans, it is our duty to ensure that their survivors are taken care of and that these heroes are never forgotten.

We can better uphold our promise and honor those who made the ultimate sacrifice by providing their fellow servicemembers, veterans, and their survivors with the healthcare benefits and recognition that they have earned. That is why we continue to work with the Department of Veteran Affairs as they implement the VA MISSION Act, which gives our veterans more options to seek care in their home communities, and veterans are provided access to long-term and nursing home care closer to home.

Last fall, I also helped to dedicate the Fargo National Cemetery, the first VA national cemetery in North Dakota. We worked to secure the cemetery because its presence allows North Dakotans who have served to be laid to rest with honor, while being close enough to their homes for family and loved ones to visit and pay their respects to our heroes.

The new cemetery complements the North Dakota Veterans Cemetery in Mandan, which is operated by the State. To help support maintenance and operations of our State's veterans cemeteries, I am helping to introduce a bipartisan bill—the Veterans Cemetery Grants Improvement Act—with Senators TESTER, ROUNDS, and REED, so that State-operated veterans cemeteries receive the funding they need to ensure that all of our veterans can be laid to rest closer to their loved ones.

Our servicemembers and their families have given much in defense of our Nation and our way of life. The State of North Dakota especially has a rich tradition of military service.

With deepest appreciation and admiration, we look to the meaning of their

service, never forgetting to honor those who have passed, and we extend our gratitude to the families and loved ones left behind.

May God bless those who have gone before, those who continue to serve, and may He continue to bless this great country that they have served so very well.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, throughout America, we set aside Memorial Day to honor those who gave their all for all of us, but this Memorial Day will be very different from those we have celebrated in the past, as we honor our veterans. This Memorial Day, there will be no big parades and no formal ceremonies at State veterans cemeteries.

In Bangor, ME, where I live, each year there is a fabulous Memorial Day parade in which veterans from all conflicts and all eras march down Main Street, often with walking sticks that were provided by one of Maine's greatest veterans, Galen Cole, who passed away recently, a World War II veteran who made a pledge that he would always honor our veterans.

But despite the absence of big parades and big celebrations of fireworks this year, we should still take the time to honor those who have worn the uniform of our country.

From America's founding to our time, the men and women of our Armed Forces have written the history of our freedom. From generation to generation, they add new and inspiring chapters of valor, devotion to duty, and sacrifice. As we honor the fallen, we also honor those who served and returned home and those who serve today, joined together, as we grieve for their fallen comrades.

We also thank the families—the husbands, wives, sons and daughters, brothers and sisters, mothers and fathers—who endure the grief that is part of freedom's price.

It is significant that a day dedicated to the deepest of human emotions—grief, remembrance, and gratitude—began not by decree from any high authority but in the hearts of everyday people. As the Civil War ravaged the countryside and took on an ever greater and more ghastly toll, widows and grieving mothers on both sides of the conflict began placing wild flowers on the graves of the soldiers, regardless of uniform, who fell in their fields and forests.

From those humble beginnings, we have remained true to Memorial Day's original spirit. Memorial Day is a national observance. Yet it remains deeply personal for each of us.

For me, it brings back a cherished memory from my early childhood. My father was a World War II veteran who was wounded twice in the Battle of the Bulge. He taught me to honor our veterans and our flag, and each year, as I was growing up, he would take me to

the Memorial Day parade in our hometown of Caribou, ME. He would perch me high on his shoulders and there, from the best vantage point, I could see our veterans march by and our flag go by.

Memorial Day is all about remembrance. It is also about our resolve to uphold the values that inspire the sacrifice we honor today. This was best articulated in what many regard as the first and finest Memorial Day speech. It was not given on a warm May morning but on a chilly November afternoon, in a place called Gettysburg.

These are the words of President Abraham Lincoln: "That from these honored dead, we take increased devotion to that cause for which they gave the last full measure of devotion."

May those who have fallen rest in peace. May we always remember them this Memorial Day and forever, and may God bless the United States of America.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. YOUNG. Memorial Day. If you travel door to door in neighborhoods across this country, all Americans will agree that this day is special. It is a day to honor the men and women who made the ultimate sacrifice on behalf of our country. Thanks to their heroism, we have our freedom, our strong democracy, and our country's greatness. For their contributions, we owe them a debt we can never repay.

It was 152 years ago that our 16th President, Abraham Lincoln, enacted the first national Memorial Day. It was a day meant to honor the valiant soldiers who fought in the Civil War, and today we still heed Abraham Lincoln's timeless words:

Bind up the nation's wounds to care for him who shall have borne the battle, and for his widow, and his orphan.

To me, Memorial Day is a day to reflect—reflect on the Hoosiers and other great Americans we have lost to causes greater than their own.

This day honors Alec, LCpl Alec Terwiske of Dubois, IN, a fellow U.S. marine. Alec lost his life in the line of service in Afghanistan in 2012, and I proudly wear his memorial bracelet around my wrist as a reminder of that sacrifice.

This day honors James, CPL James Bethel Gresham from Evansville, IN. He is in the history books for being among the first American soldiers to give their lives in the line of duty during World War I.

This day honors Charles, SGT Charles G. Ruble of Parker City, IN, who was killed in Europe during World War II in 1944. His remains were recently identified and returned to the United States, and in March, he was buried with full military honors at Arlington National Cemetery.

This day honors Christopher. Just 2 weeks ago, we lost SGT Christopher Wesley Curry. Only 23 years old, this Hoosier soldier from Terre Haute, IN, was stationed in Iraq. Those who knew Christopher said:

Sgt. Curry's incessant optimism was the hallmark of his personality and often provided respite for others during times of stress. His honesty, lightheartedness, and wit will always be remembered by his brothers in arms.

To those who are not here today because they made the ultimate sacrifice for our Nation, we humbly say thank you. Their legacy lives on in the hearts of every American.

God bless America.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. ROBERTS. Mr. President, I thank Senator YOUNG and Senator COLLINS, who have just preceded me and set the tone, as only they can do, with regard to honoring Memorial Day.

It is truly an honor to stand on the floor of the Senate and speak about so many who have served and defended our Nation. As the son of a World War II veteran—a marine veteran, I might add—and a veteran myself, also a marine, it is a privilege to represent our men and women in uniform in the U.S. Senate and to be able to ensure they have all the tools they need to fulfill their missions, to ensure their families are supported here at home, and to ensure our veterans receive the care and services they deserve.

Just a word about my dad. He was 41 when the war started. He joined the Marines—he was in a non-combat role—at a recruiting station in Kansas City. They looked and looked and looked for a combat billet and finally found one that said that the top age was 39. They really needed people. He was 41. He lied about his age, and then went into that billet to see action in Guam, Okinawa, and, yes, Iwo Jima.

I went to Iwo Jima on the 15th anniversary—that was about 60 years ago. We now have the 75th. When standing on top of Mount Suribachi, you really stop and realize exactly the sacrifice my dad and others made. He survived those attacks, and thank you to President Truman for allowing my dad to get back.

Throughout our Nation's history, our service men and women have repeatedly answered the call of duty and stepped forward to defend the freedoms we hold dear. From the earliest days of struggle for our Republic to the current unprecedented threats from terrorism, to cyber attacks, to unpredictable regimes with missile capability to attack our shores, and, yes, to global pandemics, the principles set forth by our Founding Fathers have been defended by our brave men and women in uniform.

I stand here once again to commemorate those who have made the ultimate sacrifice for our freedoms. Hopefully they will continue to be remembered by those of us who enjoy the freedoms for which they fought and died.

Memorial Day is the day when a grateful nation recognizes those who have given so much out of love for their country, their family, and their fellow citizens.

Remembering service and sacrifice does not happen just on Memorial Day. One of the greatest honors to me is meeting the veterans who visit Washington, DC, through the incredible efforts of the Honor Flight Network. Having the opportunity to visit with members of the "greatest generation" who make the journey to Washington—often with high school students who are learning firsthand about their service and that history—so they can see their memorial is a humbling and uplifting experience for me and for all of us. To watch these men and women share their stories, many for the first time, is incredibly moving.

When meeting these members of the "greatest generation," you understand how befitting that label is for these humble men and women who stood in the face of tyranny and triumph. We see this same courage and resolve demonstrated daily by the good men and women currently serving in our Armed Forces throughout the world. We see acts of uncommon valor and great sacrifice for a cause and a deep belief in something bigger than just one person.

We honor all the American men and women who have given their lives for their country since our Nation's founding. SUSAN COLLINS just referred to that in her very fine speech. We honor the more than 300,000 living veterans, from those folks to the "greatest generation," and we honor the families of those who are here and are serving.

Speaking of the "greatest generation," I have the honor of being the chairman of the Eisenhower Memorial Commission, the memorial which pays tribute to Kansas's favorite son Ike's leadership both as Supreme Allied Commander, where he saved Western democracy, and the 34th President of the United States, where he gave us 8 years of peace and prosperity. This memorial will serve as a symbol for all generations of the promise of America and what our values make possible here and around the world.

We were supposed to dedicate this memorial this month, but, like everything else, the pandemic put those plans on hold. When we dedicate the memorial in September, we hope to have many World War II veterans attending, including Kansas's other favorite son, Senator Bob Dole.

While our debt to these heroes can never be repaid, I know that my fellow Kansans agree that these liberators and defenders of democracy deserve our utmost respect and gratitude.

I am going to quote from General Eisenhower when he was President and following that. "There is nothing wrong with America that the faith, love of freedom, intelligence, and energy of her citizens cannot cure." I hope those words by Ike at that particular time can ring true in this body and more especially, those of us who are privileged to serve in this body.

There is another quote I will repeat from Winston Churchill, who said: "Kites rise highest against the wind,

not with it." We have seen a lot of talk about the pandemic, and those winds have been a bit partisan, to say the least. I would hope that we would stop for a moment and honor Memorial Day in the true way we should do that.

I would close by saying, in the words of Ronald Reagan:

Freedom is never more than one generation away from extinction. It is not ours by inheritance. It must be fought for and defended constantly by each generation, for it comes only once to a people. Those who have known freedom and then lost it have never known it again.

I think President Reagan gives us a great deal of insight.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

UNITED STATES PARK POLICE

Mr. WARNER. Mr. President, I rise today concerning the tragic death of a young Virginian, Bijan Ghaisar, who was shot and killed by two U.S. Park Police officers over 2 years ago.

While this tragic incident occurred, as I mentioned, more than 2 years ago, many questions remain unanswered regarding the circumstances of Bijan's death. Unfortunately, the Department of the Interior has failed to answer many of the basic questions that I have asked about the night of Bijan's death and subsequent actions the National Park Service has taken following the shooting.

In November of last year, I wrote the Department and requested information about the U.S. Park Police's use of force and vehicle pursuit policies, as well as information about the Park Service's response in the aftermath of Bijan's shooting. Unfortunately, there has been no response.

The Department found time to do some PR work. They provided copies of the updated use of force and vehicle pursuit policies to the Washington Post earlier this year, but I still have not received a response to my letter that was sent over 6 months ago.

To this point, the Department has failed to answer many basic questions about this incident—questions that I have asked, as well as my friend, the senior Senator from Wyoming. They are questions about the incident, such as these: Did the Department open an internal affairs inquiry into the incident to see if any violations of Park Police policy occurred? What is the timeline for such an investigation? Is the U.S. Park Police conducting a thorough after-action review of the incident? What is the status of the Park Police officers involved in the incident? Are they on administrative leave, desk duty, or are they back on patrol?

These are basic questions. If the Department of the Interior had any interest in transparency, they could answer them today. The Ghaisar family deserves answers about what happened to Bijan. The pain they have experienced over the last 2 years is immeasurable. As if the premature death of their son wasn't bad enough, they have waited 2 years for answers from a Federal Government that has failed completely to adequately respond to this tragedy.

I am not going to rest until the Ghaisar family has the answers they deserve about what happened to Bijan that night. If the Department wants to ignore these basic questions I have asked and if they want to disregard legitimate congressional oversight, then there will be consequences until their action changes.

In February, I voted against Katharine MacGregor's nomination to be Deputy Secretary of the Interior. I said very clearly at that time that if the Department of the Interior continues to ignore my questions about the killing of Bijan Ghaisar, I would hold up future Interior nominees. For this reason, I am today placing a hold on the nomination of Lanny Erdos to serve as Director of the Office of Surface Mining Reclamation and Enforcement within the Department of the Interior.

If we don't get answers to legitimate questions that I and other Members of this body and Members of the House have raised about the shooting of Bijan Ghaisar, I am prepared to hold up even more nominees. This is not something I take lightly. Holding up nominees should always be a last resort. But I have been patient and Bijan's family has been patient, and still the Department of the Interior has been silent.

For Bijan's family, 2 years is too long to wait. They deserve answers about what happened the night their son was shot and killed. I urge the Department to swiftly provide substantive answers to my outstanding questions regarding the death of Bijan and the Department's response.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

VOTE ON MANASCO NOMINATION

The PRESIDING OFFICER. All time has expired.

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

Mr. INHOFE. 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 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 Alaska (Ms. MURKOWSKI), 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 Vermont (Mr. LEAHY), the Senator from Massachusetts (Mr. MARKEY), the Senator from Vermont (Mr. SANDERS), and the Senator from Rhode Island (Mr. WHITEHOUSE), are necessarily absent.

The result was announced—yeas 71, nays 21, as follows:

[Rollcall Vote No. 99 Ex.]

YEAS—71

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

NAYS—21

Bennet	Harris	Schatz
Blumenthal	Heinrich	Schumer
Booker	Hirono	Stabenow
Brown	Klobuchar	Udall
Cantwell	Menendez	Van Hollen
Coons	Merkley	Warren
Gillibrand	Murray	Wyden

NOT VOTING—8

Alexander	Markey	Sanders
Burr	Murkowski	Whitehouse
Leahy	Rounds	

The nomination was confirmed.

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

The Senator from Texas.

PRESIDENTIAL TRANSITION

Mr. CORNYN. Mr. President, the hallmark of American democracy, the single greatest feature that sets us apart from every other country in the world, is the peaceful transition of power that occurs every 4 or sometimes every 8 years on January 20. It is a legacy we inherited from our forefathers and one that generations of Americans have fought hard throughout our history to protect. It is a remarkable moment. The most powerful person in the world bows to the will of the people and sits only a few yards away as the next President takes the oath of office.

Think about the wars that have been fought throughout history over who

the next leader of a country would be. Yet, in America, dating back to 1797, when Washington willingly passed the torch to Adams, the peaceful transition of power has defined the American Presidency. But a growing body of evidence suggests that the January 20, 2017, inauguration of President Donald Trump was an exception to that hallowed tradition.

Since the FBI launched its Russia probe in July 2016, there has been no shortage of stories about what did or did not happen in the months leading up to that election. For the better part of 3 years, the speculation dominated headlines and news feeds, with even the smallest details consuming hours of airtime.

Beyond the Russian active measures campaign, which we know did happen, there was a lot of attention focused on the Trump campaign itself. Now, almost 4 years later, we know a lot about what happened and what didn't happen. For example, we know from the Mueller report that there was no crime of collusion or obstruction committed by the President or his campaign. But since the special counsel's report was completed more than a year ago, we have learned a lot more about the outsized role played by some very senior Obama administration officials in what can only be described as an insurgency campaign against the Trump Presidency.

To be blunt, these revelations have given the American people good reason to be concerned about the outgoing administration, which took aggressive, possibly unlawful steps to interfere with initially the Trump campaign and then to undermine the incoming Trump administration.

For starters, there was the Department of Justice inspector general report on the Crossfire Hurricane investigation, which was released in December of last year. The inspector general's findings provided evidence that the concerns were more than warranted.

Inspector General Horowitz detailed a series of errors and missteps made by the FBI throughout the investigation, including alarming abuse of the powers of the Foreign Intelligence Surveillance Act. This act confers extraordinary power on the FBI and the intelligence community.

In the FISA application for Carter Page, Inspector General Horowitz identified 7 errors in the initial application and 10 additional errors in 3 renewals. We are not talking about innocent typos or misspelled words. This was not just sloppiness. There were significant and material errors, plus the deliberate falsification of material information about Carter Page's past service to the U.S. Government, as well as the omission of important exculpatory information, which deceived and misled the FISA Court.

I would hope we could all agree that lying to a court is serious and completely unacceptable.

The meticulous requirements Congress mandated in the Foreign Intelligence Surveillance Act and the painstaking procedures of the FISA Court were created to help instill trust and confidence and accountability in the institutions charged with protecting our national security, while at the same time protecting our privacy and civil liberties. Sadly, much of that trust has been destroyed by these revelations uncovered by the inspector general of the Department of Justice, and sadly, another recent development has sown even more distrust and suspicion of the FBI and the Department of Justice during the previous administration, their motives, and the legality of their actions.

Last week, the Acting Director of National Intelligence, Richard Grenell, provided a declassified list of senior Obama administration officials who made requests to unmask the identity of Michael Flynn. Masking the name of a U.S. person in foreign surveillance is routinely done to minimize the intrusion into their privacy rights.

I know trying to keep up with the flood of facts about these incidents can be a challenge, so let's quickly recap.

General Flynn was a member of the Trump campaign, and at the beginning of the administration, he was named as the National Security Advisor. We know his tenure was short-lived. Only a few weeks after assuming the post, General Flynn resigned after a storm erupted when leaks were published about his conversations with Russian Ambassador Kislyak.

I am not here primarily to talk about General Flynn's case. That is in the hands of the courts. But the list of Obama-era officials provided by Acting Director Grenell gave us some unsettling details about the larger context of the whole Russia investigation. If an American citizen is intercepted in connection with foreign intelligence, the name of that person is masked when intelligence reports are disseminated in order to protect their identity and their privacy, but it is not unusual for intelligence officials to request that somebody be unmasked. It could be critical to a counterintelligence investigation or to understanding the nature or context of the intelligence.

Here, over the course of about 6 weeks between late November 2016 and January 2017, 39 separate Obama-era officials made unmasking requests—39. This list is very odd. It included a range of high-ranking officials at the Departments of Treasury and Energy and a number of Ambassadors and even NATO officials. It extended to the highest levels of the Obama administration—U.N. Ambassador Samantha Power, CIA Director John Brennan, FBI Director James Comey, the President's Chief of Staff Denis McDonough, and even Vice President Biden himself. It reads like a guest list for an Obama administration state dinner. It is not what you would expect to see for legitimate unmasking requests.

You have to wonder, why are these high-ranking officials, including the Vice President of the United States, unmasking the name of an American citizen in foreign intelligence on an eve of the inauguration of their successor? Then-U.N. Ambassador Power submitted seven separate requests. Director Clapper, then-Director of National Intelligence, submitted three. Director Brennan and Secretary Lew each submitted two.

Somehow—I know this sounds strange, working in Washington, DC—somehow, once General Flynn's name was unmasked in response to 39 separate requests from Obama-era officials, that information was leaked to the press. In the intelligence community, intelligence is shared based on the need to know. What I want to know is, what need did these 39 Obama-era officials have for this surveillance, which included the name of a U.S. citizen? I suspect it was done because—what naturally happens next? The more people who know, the more likely the information is to leak to the press in service of a narrative.

While unmasking can be legal if done by the rules, leaking that information is not. It is a crime. It is a felony punishable by up to 10 years in prison.

As I mentioned, when it comes to understanding this investigation, there is a lot of information to sort through. That is why I am glad that Chairman LINDSEY GRAHAM, chairman of the Judiciary Committee, plans to hold extensive hearings into this whole matter—something that the Presiding Officer and I will participate in as members of that committee. But I worry that in the process of leaning in, trying to connect the dots in a very complex situation, we could lose sight of the big picture.

It appears that high-ranking officials from a political party used their positions to gain and leak information on a political rival. We are not just talking about one or two rogue operators here; more than three-dozen senior officials released that information to the media only 8 days before the end of the Obama administration.

Add to this the rapidly growing list of wrongs we have learned about so far: the inspector general report on the foreign intelligence surveillance abuse, the infamous texts between Lisa Page and Peter Strzok, the first altered and now missing 302 for Michael Flynn, Susan Rice's inauguration day email to herself. Well, there is political intrigue and manipulation written all over this.

Here is the point. Our intelligence community and system of justice must not be manipulated for political purposes, and they certainly must not be used as a tool to disrupt the peaceful transition of power that is the very foundation of our democracy.

On Monday evening, Attorney General Barr was asked about the investigation, and he made a comment that I think appropriately sums up the entire issue. He said:

The proper investigative and prosecutorial standards of the Department of Justice were abused, in my view, in order to reach a particular result. We saw two different standards of justice emerge, one that applied to President Trump and his associates, and the other that applied to everyone else. We can't allow this ever to happen again.

I agree with the Attorney General.

This entire matter has been riddled with a combination of exploitation, abuse of power, and possible criminality. At the very best, it highlights dysfunction, but at worst, it looks like a coordinated effort by one administration to abuse its power, to sandbag and undermine its successor.

Despite the time and taxpayer dollars that have been funneled into the Russia-related probe, it has provided no evidence of collusion that we thought and were told was its object. Instead, it has highlighted men and women at the highest levels of government using their positions for political purposes. This is a far cry from the peaceful transition of power our forefathers wanted and provided for.

When exiting the Constitutional Convention in 1787, Benjamin Franklin was approached by a group of citizens who asked what type of government the delegates had created. He famously answered "a republic, if you can keep it."

In order to maintain this grand Republic, we must be able to trust our institutions, especially law enforcement and the intelligence community. We need to respect the choices of the American people in our elections, which provides those elected with legitimacy and authority. These are essential to a constitutional republic like ours.

These revelations about actions from Obama administration officials undermine that trust, and we must and will get to the bottom of it so we can ensure that it never ever happens again.

I yield the floor.

THE PRESIDING OFFICER (Mrs. BLACKBURN). The Senator from Maryland.

SMALL BUSINESS ADMINISTRATION

Mr. CARDIN. Madam President, I think each person in this body recognizes the importance of small business to our economy and to our way of life. Small businesses are called the job creator in our economy. They create more jobs than larger companies. They provide innovative ways in order to move forward on our economy. They can figure out better ways to do things more efficiently, meeting the needs of the people of our community.

They are also more vulnerable. They don't have access to the type of capital that larger companies have. They don't have the resiliency. So when COVID-19 struck, we recognized—those of us in the Senate and the House recognized that we had to take special effort to protect the economic viability of the small businesses in our country. They did not have the reserve capital and they did not have the resiliency to deal with this prolonged downturn in our economy.

Eight weeks ago, we came together, Democrats and Republicans, by a 96-to-0 vote and passed the CARES Act. I was proud that a significant part of the CARES Act responded to the needs of small businesses.

We had a working group, a bipartisan working group. Senator RUBIO, the chairman of the Small Business and Entrepreneurship Committee—I am the ranking Democrat—we were joined by Senator SHAHEEN and Senator COLLINS, and we worked in an expedited way in order to see what we could do to help small businesses get through COVID-19.

The CARES Act provides new opportunities for us to help small businesses during this unprecedented disaster. We passed the PPP program, the Paycheck Protection Program, and provided \$660 billion of help for America's small businesses.

I want to compliment the men and women at the Small Business Administration and at Treasury for putting this program together literally overnight, and today 4.3 million loans have been given under this program that didn't exist just 8 weeks ago.

There are \$513 billion in loans under the Paycheck Protection Program. That is quite an accomplishment, but there are challenges. There are challenges with any new program, but this program has major concerns. When we passed the program, we thought that 8 weeks later, our economy would be performing at a much higher level than it is today. We need to revisit that.

A second program that we modified and changed was the Economic Injury Disaster Loan Program. We provided an additional \$50 billion of funds for the EIDL loans so that the Small Business Administration, which makes direct loans, could provide \$360 billion of additional loans to small businesses.

The EIDL Program works with the PPP program. The PPP program covers payroll for 8 weeks, plus some additional expenses. The EIDL Program provides working capital so small businesses that have been impacted by COVID-19 can stay afloat.

Here, the results are nowhere near as promising. Only 252,000 loans have been issued under the EIDL loan program for under \$25 billion. As I pointed out earlier, they have the capacity for \$360 billion. It has been very slow at the SBA in issuing EIDL loans.

Then we provided for grants under the EIDL Program. Initially, we provided \$10 billion, and we increased that to \$20 billion. Yet the number of loans that have been issues or grants that have been issued under EIDL—a little over a million—a little over \$10 billion. But this program has not operated as we intended. We wanted these grants to be given within 3 days—we put that in the statute—and we certainly didn't expect that the average loan would be between \$4,000 and \$5,000 when we gave grants up to \$10,000. So challenges exist on both the loan and grant program under EIDL.

Then we provided debt relief for those who have micro-loans or 7(a) loans or 504 loans under the SBA—6 months of relief—and, quite frankly, we don't know a lot about how that program has been working. We don't have much information about it.

That is what we did 8 weeks ago and then supplemented it with some additional funds. What should we do now? The Senate has not finished its work as it relates to helping the small businesses of America. We still have work we need to do.

First and foremost, we need to have transparency and data related to how these programs are working. Expediency does not excuse transparency and accountability. Yes, we wanted to get the money out quickly, and we got the money out quickly under the PPP program. That was our desire. But we need to have transparency, and we need to have accountability.

We need to get the geographical information, including how many loans can be given in the traditionally underserved communities—minority businesses, women-owned businesses, veteran-owned businesses, the rural community, and the smaller of the small businesses. We need to get information by the size of the business, the number of employees they have, the industries, and the lender types. We need to get the numbers on how much has gone to the nonprofit community and to affiliates and those under the NIC code exception.

All that is information we need to have in order to carry out our responsibilities in the Senate. And, yes, we need to get information from the Small Business Administration and from Treasury so that we can properly prepare for additional resources that may be needed in order to fund these programs.

This is not a new request that I have made. On April 17, I joined with Senator SCHUMER, Senator SHAHEEN, and Senator WYDEN in a letter to Secretary Mnuchin and Administrator Carranza asking for this information to be made available on a regular basis. To date, we have still not gotten that detailed information.

So I filed legislation in order to mandate that that data be provided, much of that on a daily basis. We tried to get a UC on it, and we could not do that, but we had certain promises that information would be made available.

We are still not getting the granular information that is necessary for us to properly evaluate this program. We need to get that information. We need to have transparency. We have to have accountability. You have heard about the highly visible loans that were made that were given back by the pro-basketball team and by the larger public corporations. We need to see exactly how the money was allocated.

Then there is a second thing we need to do in addition to getting the data and having transparency. We need to have a hearing in the Small Business

and Entrepreneurship Committee with Administrator Carranza being there answering questions from the members of the authorizing committee as to how this program is working.

We have to have that public hearing, and, quite frankly, Senator RUBIO, the chairman of the committee, has been trying to get that for us, and he has been rebuffed by the SBA. That is not acceptable. We need to have a public hearing. I support Senator RUBIO's request that we schedule this hearing. It should have been scheduled by now. We should have already had this hearing, but we are scheduling it for the week we return, the week of June 1, and I hope Administrator Carranza will adhere to the request of both the chairman and ranking member to be here to answer questions about these programs.

We have a responsibility. We have appropriated over \$700 billion. We have a responsibility to conduct an adequate oversight hearing on how those funds are being used.

We need to do more than that. We also need to recognize what is going to be the next step and what is going to come next. I will tell you, there are certain things that can be done administratively. Some might require the action of Congress, but some things can be done administratively, and we need to get that done as quickly as possible.

One of the things we need to get done is to make sure that the underserved community gets adequate resources. When we reauthorized the extra \$310 billion for the PPP program, we allocated \$60 billion to smaller financial institutions, and that was a step in the right direction. I noticed that Secretary Mnuchin mentioned in a hearing this week that he was amenable to allocating additional monies to the CDFIs. We need to allocate at least \$10 billion to the CDFIs and the minority depository institutions in order for the resources to be targeted to the underserved and the underbanked community. But, quite frankly, I think we need to do even more than that.

I have introduced legislation with Senator BOOKER that will help to develop the financial institutions in the underserved, underbanked communities. It will strengthen the abilities of those communities to have institutions in place that can help deal with the credit gap in the underserved communities. Our legislation would also strengthen the SBA tools that serve the underserved communities. We believe all of this can be done to help strengthen our commitment, which was in the CARES Act, to make sure that all communities are fairly treated with the tools that we made available.

Another thing that we can do immediately is to get the data. That information can be made available now. I noticed that Secretary Mnuchin has tried to help us get certain data, but we are still not where we need to be. We need to get that information now.

Another thing we can do—and, quite frankly, I think there is bipartisan support and a willingness on behalf of the administration—is to deal with returning citizens who were denied any ability to participate in the PPP program. My goodness, for a person who has paid their debt to society, who has returned to the community, who is working a small business, should we say no, we are not going to help them survive? They have enough challenges out there. We certainly don't want to take away their ability to take advantage of tools that are available to all Americans in order to help their small businesses. I believe there is bipartisan support for this, and we hope that we will be able to get that done administratively. After all, the restrictions were imposed administratively. They can be removed administratively.

Then there is another issue that we need to deal with immediately, and that is the 8-week restriction that is in the PPP program. It was well intended when we passed it. It was based on the dollars that were available, and we thought that after 8 weeks, by June, we would see our economy back performing at a level in which small businesses could be expected to be able to do well. Well, that is clearly not the case. We now need to provide additional help to small businesses as it relates to the 8-week period.

We can do that. We recognize that. The monies have already been appropriated. This does not really require any additional funding, but it will allow us to give small businesses the opportunity to spend the money over a longer period of time. Why? Because their businesses aren't open. The 8 weeks started the day they got the loan. Yet today they are still not at full operation, and some are not at any operation.

So I was pleased to see that the House acted on this by extending this to 24 weeks. I hope that we could find common ground, because I think there is support on both sides of the aisle and with the administration to give greater discretion on that 8-week period so that it is a longer period of time and so that the small businesses have the opportunity to spend the funds that are under the loan in a way that they can get maximum forgiveness of that loan, which will also require us to extend the June 30 date for those businesses that need extra time in order to bring their workers back.

I think there is general agreement on this. I hope that we can act this week on that provision, because by the time we come back after recess, the very first loans that have been issued under the PPP program will have reached their 8-week period, where loan forgiveness applications are going to start to be processed. We need to act before that date. There is a sense of urgency. We need to get that done this week, if at all possible, and we should work to try to get that done.

Let me also point out that, even when we fix the problems with these

programs—and I hope that by oversight we can get the EIDL Program working properly and get those loans out there—we can increase the size of the EIDL grants, get more information about the loan forgiveness, and get the PPP program working in all communities, including the underserved communities, giving more flexibility to businesses on the 8-week period.

We are going to need additional help. Eight weeks of payroll help is not going to be enough for many small businesses. So as we start to consider the next round, I hope that we will look at a program that is targeted to the small businesses that need the help the most.

When we passed the bill 8 weeks ago, our objective was to get money out quickly, and we succeeded in doing that. It was successful. Now we need to look at those small businesses that have the greatest need. We need to target it to those that have had significant revenue losses. We need to target it to the underserved communities. We need to target it to the smaller of the small businesses. If we can target the program properly, the cost will be much less than the original cost, and we can save businesses that otherwise would have a hard time surviving.

The key to what we did is that we worked together. It was bipartisan from the beginning. We need to do that again. Our small businesses, our workers, and our economy depend upon our getting this right. I look forward to working with my colleagues in order to get this done.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. LANKFORD. Madam President, I ask unanimous consent to complete my remarks before the vote begins.

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

NOMINATION OF JOHN F. HEIL III

Mr. LANKFORD. Madam President, in a few minutes, the Senate will vote on the nomination of John Heil to serve as a district court judge for Oklahoma.

We have three areas in Oklahoma: the Northern District, Eastern district, and Western district. This judge position covers all three of those, and they move to wherever there is the greatest need, and we are in great need. This is a position that we have needed for a while, and I am proud that John Heil has gone through this process. He was overwhelmingly confirmed in his nomination process through committee. I expect him to have wide bipartisan support when it passes this floor in a few moments and look forward to him transitioning from being a great attorney in our State to being a great judge to serve the people of Oklahoma and the United States on the Federal bench. So I am looking forward to that vote being completed.

MEMORIAL DAY

Madam President, in the days ahead, we will celebrate Decoration Day.

Decoration Day was first declared locally in 1866, after the Civil War. It was a day to remember those who gave their lives in battle for our country by decorating the graves and remembering their sacrifice.

Now we call it Memorial Day. We remember all of those who have given their lives for our Nation. It is, unfortunately, not those who just gave their lives long past. Unfortunately, it is still in the painful present.

Last weekend, I sat in the agonizing funeral of TSgt Marshal Roberts, who was killed by rocket fire just 2½ months ago. He was in the process of getting others to safety when a rocket took his life. He is the first Oklahoman air guardsman to ever lose his life in battle. This Memorial Day will be very different for his wife, his daughter, their family, and the State of Oklahoma, because it is not just a day about sleeping in and sales on dishwashers and cars. It will evoke the memory of TSgt Marshal Roberts and the hundreds of thousands of others like him. They gave their everything for the sake of our liberty. Those men and women are not forgotten. They are our heroes, and this Memorial Day we will remember.

AGRICULTURE

Madam President, in this time, it is interesting to note that, with all that is going on, America is still eating, and America is still moving because there are essential workers who are still serving. They are healthcare workers. They are grocery store workers. They are truckers. They are folks at convenience stores, gas stations, sanitation workers, and in power generation. They are farmers and ranchers. They are the refineries. Yes, they are even in government—public safety and law enforcement.

While the news every day covers folks who are at home waiting to return to work, at times we forget the people who are working twice as hard right now to be able to make sure that is even possible. And we are grateful for what they are doing. We are grateful for the sacrifices of their families and of the hours they are putting in.

But I want to highlight a couple of different groups that are unique in this mix—some of the folks who are really and truly behind the scenes and whom we really don't see a lot, but we see the end result of their products.

Let me start with farmers and ranchers. They are folks who are on the farm and the ranch, and they are taking care of our food because, as we know well, food does not grow in a grocery store. It actually has to happen somewhere by folks putting in the workout in the Sun and getting the chance to be able to bring that crop in.

We are watching it happen across my State and across the country right now. In Oklahoma, wheat is coming in, and it looks beautiful. It is green still, but in the days ahead, as it comes in, it will be very important to us. But it will be interesting to see this crop, if it

is not taken out by the hail that is coming in this weekend. As it comes in, this crop will be very important to us. But this year the challenge will be that the H2A workers who typically come in literally from all over the world to do custom cutting are not able to come because of the coronavirus. And the challenge will be this: Will Americans step up when, literally, the harvest is plentiful, but the workers are few? Will Americans step up and say: I will not let that harvest go to waste; I will engage and bring the harvest in.

Folks who are in forestry—yes, forestry and logging is a crop in Oklahoma. For those of you who haven't been there, it is the eastern side of our State. It is incredibly important to us. We are seeing a boom in that area, thanks to things like a great need for boxes, for everyone who is getting all of their materials shipped to their house right now and this small commodity we call toilet paper, for which there seems to be a run on going on right now.

Cotton, corn, sorghum, beans—there are so many things that are so important and behind the scenes. If we lose sight of that fact, we will just miss it.

One of the things that has been in the news lately is livestock and the processing of the livestock. There has been news about how coronavirus has spread in some of those facilities. I have one of those facilities in my State. It is Seaboard. It is a tremendous operation, where folks have worked for decades in a tremendous place to be able to harvest those hogs and to turn them into fabulous things like bacon and pork chops.

In this location in Texas County, in Guymon, we have seen an outbreak. The folks at Seaboard Farms have stepped up to it. Ninety-five percent of their workers have now been tested, and they are in the process of actually doing an entirely different test all over again just to be able to track and to be able to find, even for the people who were negative, if they will show up positive the next time and to make sure they are staying on top of it. But they are running at 60 percent operation right now. That may not seem like a big deal to you, but that is about 7,000 hogs a day that are not being harvested. They are having to be—what is euphemistically called—depopulated. That is a tremendous loss to everybody in the entire country.

We are seeing major issues that are also happening with our beef production, as we have had enormous issues on trying to harvest those animals.

As we go through the process and all the challenges, it has become extremely personal to a lot of the folks in my State. In my State, this is not just a theory. In my State, this is actually happening to real people. It is Jim Howard, a fourth-generation rancher, who ranches in Jefferson County. His whole family—his brother, his wife, his grandson, his sons-in-law—everyone is

involved in the operation. They are ranching cows, calves, and stockers. They have a food lot operation. They have it all. But at this point, they are facing between 35 and 40 percent loss in the price of cattle. Literally, he loses money on every single cow.

It is Robert Frymire, from Custer County. He is a third-generation wheat and cattle farmer. Using today's wheat prices, even with the crop that is coming in, he will lose \$150,000 this year on his wheat crop, not to mention what is going to happen on the beef cattle.

There is a reason we are trying to put solutions in the CARES Act. There is a reason we put \$19 billion there to help our food supply, and \$3 billion dollars of that has gone toward providing for our food pantries and nonprofits and places to be able to get food out to people so that food doesn't go to waste. But there is direct aid that is going to farmers and ranchers to make sure we keep those operations alive long term, because we need them to exist at the end of this. We are grateful to be able to come alongside of them.

There are real challenges in the packing operations that are not new. They have been around for a while. We are pushing in a couple of areas to say: We have to solve a couple of these problems. Our small packing houses that are out there pay almost \$80 an hour for overtime fees. That is \$80 an hour for each inspector to do overtime. So if we have a location like Seaboard Farms that goes down, and they want to be able to go out to another location and to ramp up, they are actually financially punished from being able to do that, and they can't make the math work. We have to solve that so that we are not punishing small to medium-sized operations for ramping up in moments when we need them. And we need the small and medium-sized businesses to be able to ramp up and grow larger.

And we have to solve the issue of the CIS Program, which is allowing folks to be able to sell over State lines. Twenty-seven States, including my own, have State inspection programs that are equal to the USDA program. They have to be equal to it, but they are still not allowed to sell over State lines until they get the CIS Program done, and only three States have been able to complete that. This should be logical. We should be able to solve this.

Those two things would allow long-term fixes for the packing house operations. It is something we have complained about for a long time, and we should have solved this at this moment because it has become even more obvious.

The issues about energy continue to rise for us. As a nation, we are finally energy independent—finally. We choose to buy energy from places where we want to buy energy because we can produce it ourselves, but we cannot go backward to a time period when we were dependent on the Middle East again because of what has happened

with COVID-19. We have to pay attention to this. There are commonsense solutions, and I understand full well that there are some folks who don't like fossil fuels. I get it, but those same folks fly on planes and drive cars and trucks. And we like wearing clothes, and we like having paint. And as for all of those things that are disposable now, like PPE, guess what they are made of. Petroleum. There is this whole challenge about trying to get away from petroleum. It has been interesting to me how many people have suddenly gone from "let's reuse everything" to the last 2 months saying: No, actually, we want to have disposable everything now. Well, guess what. Those disposable items are made with petroleum products.

We do need this balance. We can do it clean, but we have to be able to keep this part of industry open and still functioning. And if the whole system collapses, we will not be able to do that.

Many of you know that my State is a production State. At times, we will have hundreds of wells for oil and gas running. Right now, in the entire State of Oklahoma, there are 12 rigs working—12. That is the collapse of thousands and thousands of jobs, and if those jobs and those companies go away and do not recover, then, we are suddenly dependent on the Middle East again. We cannot go there. We have to resolve that. That is why the Paycheck Protection Program was opened up to small businesses—and, yes, even energy companies—to help sustain them for a couple of months to be able to get through this. But it is going to be a very big challenge for them.

Quite frankly, there is something that is news to this body that I want to raise. In 2007, long before I was in Congress, Congress passed an act dealing with ethanol, mandating a certain number of gallons of ethanol to be used every year. Well, guess what. America wasn't driving in March and in April. That means we are not going to be close to the number of gallons of gasoline that we normally use, but we still have a requirement sitting out there for the number of gallons of ethanol that have to be used this year. We literally have an energy-ticking timebomb, based on a bad law that was written years ago dealing with ethanol, and if we are not careful, we are going to cause even bigger challenges in energy based on that ethanol law and the number of gallons that are required when there is literally no way, even if we poured it on the ground, that we can use the gallons required in that law.

That is going to be an issue for us, and it is one that we need to work cooperatively on and in a nonpartisan way to say: Let's have some common sense in this moment to solve how we deal with our energy, lest the prices of gasoline explode at the backside of this, not because of undersupply but because of ethanol regulations. We

should not allow that to occur. We should be able to not only solve that for this year but solve it long term.

I am grateful for the folks who are farmers and ranchers who are working, and in energy, the folks who work behind the scenes, who make America move, because in the days ahead, we will start moving.

My State has already reached phase 2 of reopening, and we continue to see a decline in the number of cases, but those folks who were working behind the scenes the whole time are making the difference for us.

ORDER OF PROCEDURE

Madam President, I ask unanimous consent that the Senate vote on confirmation of the Ratcliffe nomination at noon tomorrow. I further ask that, notwithstanding the provisions of rule XXII, the cloture vote with respect to the Badalamenti nomination occur at 1:30 p.m. tomorrow. Further, I ask that if cloture is invoked on the nomination, the postcloture time be deemed expired and the confirmation vote occur at 5:30 p.m. on Monday, June 1. Finally, I ask that if either 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 THE HEIL NOMINATION

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

Mr. CARDIN. 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 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 Alaska (Ms. MURKOWSKI), 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 Vermont (Mr. LEAHY), 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 (Mr. CRAMER). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 75, nays 17, as follows:

[Rollcall Vote No. 100 Ex.]

YEAS—75

Baldwin	Blackburn	Braun
Barrasso	Blunt	Capito
Bennet	Boozman	Cardin

Carper	Hawley	Reed
Casey	Heinrich	Risch
Cassidy	Hoeben	Roberts
Collins	Hyde-Smith	Romney
Coons	Inhofe	Rosen
Cornyn	Johnson	Rubio
Cortez Masto	Jones	Sasse
Cotton	Kaine	Scott (FL)
Cramer	Kennedy	Scott (SC)
Crapo	King	Shaheen
Cruz	Lankford	Shelby
Daines	Lee	Sinema
Duckworth	Loeffler	Smith
Durbin	Manchin	Sullivan
Enzi	McConnell	Tester
Ernst	McSally	Thune
Feinstein	Moran	Tillis
Fischer	Murphy	Toomey
Gardner	Paul	Udall
Graham	Perdue	Warner
Grassley	Peters	Wicker
Hassan	Portman	Young

NAYS—17

Blumenthal	Hirono	Schumer
Booker	Klobuchar	Stabenow
Brown	Menendez	Van Hollen
Canwell	Merkley	Warren
Gillibrand	Murray	Wyden
Harris	Schatz	

NOT VOTING—8

Alexander	Markey	Sanders
Burr	Murkowski	Whitehouse
Leahy	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 actions.

The Senator from Tennessee.

MORNING BUSINESS

Mrs. BLACKBURN. Mr. President, I ask unanimous consent that the Senate be in 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.

MEMORIAL DAY

Mrs. BLACKBURN. Mr. President, last week, I received the very sad news that the 5th Special Forces Group, which is stationed at Fort Campbell, which is in Tennessee, was going to have to forgo and cancel their annual Memorial Day Gold Star Ceremony. This is a tradition at the post. It is something that is so special to those Gold Star families, and we are disappointed with that but understand.

I have really been pleased that today Senator ERNST has organized a time for us to come to the floor to really come together to honor not only our fallen but also their loved ones, who have had to spend this year's remembrance separated from other Gold Star families, and we know that is a time they cherish, having that togetherness.

Although the formal ceremonies are canceled, please note that each of these families is in our prayers, they are in our thoughts, and that we grieve alongside them.

This Memorial Day, reflections are framed by a world that has really been made much smaller by our shared experiences with COVID-19. Even so, the

state of our world makes the battlefields we send our soldiers and sailors and airmen and marines to seem very far away because in their world, authoritarian regimes rule with an iron fist, and they violate human rights with impunity. Violence often replaces diplomacy as the preferred method of dispute resolution and freedom, when it is discussed at all. Many times, it feels like an impossibility. This is what they deal with on a daily basis.

The danger this creates is no secret to anyone. Like the rest of us, our soldiers read the news reports from the frontlines. They hear the enemy propaganda. They hear those who repeat the enemy propaganda. Many of them have experienced the ferocity of the enemy attacks against our forces and against our allies. They know what they are up against. They see it and they live it each and every day. Yet, in spite of the danger, they answer the call because they have something inside them that says that freedom is worth fighting for. It is their commitment to that cause of liberty to allow us to live in a free and open society, to allow us and our children to pursue those dreams, to dream those big dreams and to make them come true.

Whether we lost loved ones and friends on the battlefield or, later, lost them to the trauma of combat and loss, this weekend, we thank them for their sacrifice, we honor their memory, and we express our gratitude to their families, who this year will have to celebrate as a family and not with others.

I yield the floor.

The PRESIDING OFFICER. The Democratic whip.

FOR-PROFIT COLLEGES AND UNIVERSITIES

Mr. DURBIN. Mr. President, this week Congress submitted to the President the bipartisan Congressional Review Act resolution that overturned Education Secretary DeVos's borrower defense rule.

The rule that she came up with at the Department of Education makes it almost impossible for student loan borrowers, including many, many veterans, who have been defrauded by their schools—these are usually for-profit schools—to have Federal student debt discharged because of the fraud under the Higher Education Act's borrower defense provisions.

Ten Republicans joined with the Democrats in March to reject this rule in the Senate and pass this resolution. I thank those on the other side of the aisle who stood up for the veterans and for students who have been defrauded.

I urge President Trump to sign this bill without delay. More importantly than my urging, 30 different veteran organizations urged the President to sign our resolution. We are going to be giving a lot of speeches about veterans on the Senate floor and back home over Memorial Day weekend. Here is a chance for the President to stand up