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## House of Representatives

The House was not in session today. Its next meeting will be held on Friday, May 22, 2020, at 11 a.m.

## Senate

WEDNESDAY, MAY 20, 2020

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. GRASSLEY).

### PRAYER

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

Let us pray.

Heavenly Father, today, restore in our lawmakers faith in the ultimate triumph of Your plan for our Nation and world. Help them to realize that the power of Your providence will enable them to navigate every challenge and tragedy. Trusting in Your might, may they embrace Your promise to do more for them than they can ask or imagine.

Lord, in spite of difficulties, disappointments, and despair, reassure them that You are still in control. Remind us all that in everything You are working for the good of those who love You, who are called according to Your purposes.

We pray in Your loving Name. Amen.

### PLEDGE OF ALLEGIANCE

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

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

The PRESIDING OFFICER (Mrs. LOEFFLER). The Senator from Iowa.

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

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

### RECOGNIZING THE DAILY IOWAN

Mr. GRASSLEY. Journalists, as we all know, serve as the watchdog for accountability, particularly to keep government responsible. These journalists inform and investigate issues important to their readers, from human interests to public interests. Right now, a lot of focus is upon the COVID-19 pandemic.

The University of Iowa's independent newspaper, the Daily Iowan, has been named the "Best All-Around Daily Student Newspaper" by the Society of Professional Journalists. This prestigious honor follows its recognition as the 2020 "Newspaper of the Year" by the Iowa Newspaper Association.

I come to the floor to commend the team of collegiate journalists in the student-run newsroom at the Daily Iowan. These awards show that the staff's hard work and commitment to their craft rise above the rest.

You are the cream of the crop. Congratulations and keep up the good work.

I yield the floor.

### RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

### BUSINESS BEFORE THE SENATE

Mr. MCCONNELL. Madam President, week after week, this Capitol has been a study in contrasts. Call it the tale of two Chambers. Over here in the Senate, the lights are on, the doors are open,

and we are working for the American people. All month, we have been in session, passing national security legislation, confirming key nominees, and holding hearings on the coronavirus crisis and the effectiveness of the historic rescue package the Senate wrote and the Senate passed.

We are heeding medical guidance and taking new precautions, but we are showing up and getting things done.

Over across the Rotunda, in the House, crickets—their lights are off. The doors are locked. The people's House has shown up for a grand total of 2 legislative session days since March. Well, 2 days in 8 weeks is a blistering pace.

Last week, they flew into town to pass Speaker PELOSI's latest 1,800-page liberal wish list. Diversity and inclusion in the marijuana industry wasn't going to study itself, after all. That had to be an A-1 priority during this crisis. The Speaker's proposal was so unserious and so far left that it could not even unite her own conference. Even after a 2-month sabbatical, House Democrats could not contribute anything serious.

Yet they did find the time to keep fishing for another impeachment. More than a year after the Mueller report thoroughly debunked the collusion conspiracy theory, Democrats are still pursuing the administration in court over that document. In a new Supreme Court brief the day before yesterday, House Democrats said they have the right to continue because—listen to this—the President's impeachment did not actually end with his acquittal.

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



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The House Democrats are now claiming the impeachment that ended in February is not really over. Their brief says they are weighing “whether to recommend new articles of impeachment.” And referring to Chairman NADLER’s Judiciary Committee, “the Committee’s investigation did not cease with the conclusion of the impeachment trial.” That is Chairman NADLER’s argument in a court case.

Perpetual investigation and perpetual impeachment—if only someone could have predicted this. If only anyone had warned that House Democrats’ opening the Pandora’s box of weak impeachments would affect our country into the future. Of course, Senate and House Republicans warned precisely that, and here we are.

It is a suitable complement to the other ongoing incident, where a Federal judge has taken it upon himself to prolong a case that the actual prosecutors want to drop.

These are fascinating legal standards. Investigations no longer end when a jury acquits someone and prosecutions no longer end when charges are dropped. The House Democrats would rather spend a fourth consecutive year trying to cram their politics into the legal system than actually govern the country during a pandemic.

Fortunately, as I laid out, the Senate is up to the job. Every single day, the historic CARES Act that we wrote and passed to fight this pandemic continues to come online. Direct payments hit families’ accounts. Support for major industries helps to prevent mass layoffs. Resources for doctors, nurses, hospitals, and healthcare providers help to stabilize the system from coast to coast.

The Paycheck Protection Program has saved tens of millions of jobs for American workers. From big cities to small towns, to industrial suburbs, to farm country, Senate Republicans’ bold program is turning potential pink slips into paychecks every single day.

To be sure, the program is imperfect. That was guaranteed when banks had to cram multiple years’ worth of lending into a few weeks. Yesterday, we saw a glaring example of that imperfection. The legislation we passed contains specific eligibility requirements. One rule said affiliates of national nonprofits could not pose as small nonprofits and ask for money. But because time was and is of the essence, the legislation set up a process of initial self-certification with review to follow, rather than lengthy vetting upfront that would have slowed the emergency money for rightful recipients.

We learned yesterday that the Nation’s largest abortion provider, Planned Parenthood, abused this emergency process and grabbed tens of millions of dollars of taxpayer money for which they were completely ineligible. This is the organization that fired its new president last year because she was too focused on broader health issues and not sufficiently fixated on

abortion above all else. Disrespecting human life is their central mission, and they just took advantage of a national crisis and helped themselves to tens of millions of taxpayer dollars they were clearly forbidden from taking.

It goes without saying that the money must be sent back immediately—right now. As we shine a light on Planned Parenthood’s misrepresentations, we cannot let their actions jeopardize this important program with the tens of millions of Americans who are benefitting from it rightly.

Remember, the PPP has pushed \$500 billion into the economy across more than 4 million loans. The average loan size is just \$118,000, giving paychecks instead of pink slips for tens of millions of Americans.

My hometown of Louisville, KY, is home to the baseball bat factory that makes the world-famous Louisville Slugger. For a few months, the bat factory was a temporary casualty of COVID-19. This month, the manufacturer secured a PPP loan, and 171 employees were pulled off furlough and put right back on the payroll. So 171 family stories went from pain and chaos back to stability because of this program. That is just one business in one city in one State.

There is also an automotive parts supplier and a hoagie shop in Michigan, a fresh flower shop in Arizona, a burger joint and a community nonprofit in North Carolina, and on and on and on. Four million loans across all 50 States and new loans are still being issued as we speak. This is what serious legislation looks like. This is what serious solutions can accomplish.

Every day, the Senate’s work is paying dividends to working families all across our country.

The pandemic is not all we are working on. The Senate is also staying on top of foreign relations, national security, and the personnel business.

Yesterday, the Intelligence Committee reported out the nomination of the next Director of the National Intelligence. The Armed Services Committee reported out nominations for Secretary of the Navy, Chief of Staff of the Air Force, and Deputy Under Secretary of Defense for Policy.

I hope our Democratic colleagues will not block the Senate from filling these key national security vacancies before we adjourn later this week.

#### TRIBUTE TO DR. BRIAN MONAHAN

Mr. MCCONNELL. Madam President, throughout this health crisis, the Senate, its Members, and our staffs have been lucky to have the steady leadership of Dr. Brian Monahan in our corner. Our Attending Physician has responded with the same ability and professionalism that have benefited Congress and the Supreme Court for more than a decade. His continued guidance is making it possible for the Senate to smartly and safely fulfill our constitutional duty to the American people.

The last time our Nation faced a pandemic on this scale, the 1918 Spanish flu, the Attending Physician’s office was still more than a decade away from even existing. Dr. Monahan has had to break unprecedented ground in his crucial role on multiple levels, but, true to form, he has adapted on the fly to serve his country.

Dr. Monahan has developed detailed advice for Members and committees. His team is working around the clock to answer questions and to keep us healthy. Expertise and attention to detail are nothing new from our Attending Physician, who has spent a proud career in military service. The Senate is lucky that the public service of this decorated rear admiral and celebrated instructor has brought him to us. We certainly are grateful to him and his entire team.

I am happy to report that we aren’t the only ones taking notice.

Mr. President, as a measure of our collective gratitude, I ask unanimous consent that this recent New York Times feature profile of Dr. Monahan be printed in the RECORD.

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

[From the New York Times, May 16, 2020]

DOCTOR TO CONGRESS AND SUPREME COURT  
TOILS TO SIDESTEP POLITICS AMID PANDEMIC  
(By Emily Cochrane)

WASHINGTON—When Senator John Barrasso, Republican of Wyoming, sought guidance on how to protect his family, including his 94-year-old father-in-law, when he returned home from the nation’s capital amid the coronavirus pandemic, a doctor offered him some blunt advice.

Don’t go home just yet, Dr. Brian P. Monahan, the attending physician of Congress, told Mr. Barrasso, directing him to quarantine for 14 days before rejoining his family. “You’re a visitor,” Dr. Monahan said.

But when House Democratic leaders wanted counsel on whether they could safely reconvene in the Capitol with Covid-19 still spreading—a debate with political dimensions as a partisan divide was emerging across the country over how quickly to reopen—Dr. Monahan was less absolute. Returning to Washington carried health risks he would not recommend taking, he told Speaker Nancy Pelosi of California and Representative Steny H. Hoyer of Maryland, the majority leader. But it was up to them to decide what to do.

They opted to delay their return, and on Friday, partly because of Dr. Monahan’s warnings, moved forward with plans to institute remote voting in the future.

It was typical of Dr. Monahan, the 59-year-old Navy rear admiral who is known in the halls of the Capitol as much for his meticulous attention to medical detail as he is for his efforts to stay completely out of politics.

“He is both an executive with lots of health care responsibilities—particularly now—and also has the unique relationship with members that a small-town doctor would have with the patients he knows and sees,” said Senator Roy Blunt, Republican of Missouri and chairman of the Senate Rules Committee. “He’s in a unique role at a unique time.”

As government doctors have emerged as trusted public voices and political figures in the face of a fearsome pandemic—appearing

in White House news conferences and as witnesses at marquee hearings—Dr. Monahan has maintained an uncommonly low profile.

He never issued a public statement offering his opinion on whether Congress should reconvene, although he shared his warnings with House leaders and privately told senior Republican officials that his office did not have the capacity to screen all 100 senators for the coronavirus when they returned to work. When Alex M. Azar II, the health secretary, said he would send 1,000 tests to Capitol Hill to accommodate them, Ms. Pelosi and Senator Mitch McConnell, Republican of Kentucky and the majority leader, turned down the offer, wary of the optics of receiving special treatment at a time when testing was scarce—and prompting President Trump to suggest on Twitter that “maybe you need a new Doctor over there.”

Dr. Monahan, who declined to be interviewed, has been a calm and professional voice of reason during the pandemic, according to interviews with more than two dozen lawmakers, Capitol officials and medical professionals who know him. They say he has taken a personal interest in his influential clientele, which also includes the nine Supreme Court justices, even as he fields politically charged questions about reopening, testing and precautionary measures.

Operating out of a nondescript clinic tucked away in the heart of the Capitol, Dr. Monahan and a small staff have been exceedingly busy since the pandemic took hold, consulting with lawmakers who have contracted Covid-19 or exposed to someone infected with it, doling out health recommendations in detailed memos ahead of votes, and producing a series of videos released on an internal website to educate lawmakers and their staff on how to protect themselves.

Dr. Monahan has filmed and produced the videos by himself in his office, often seated next to an elaborate bouquet of white flowers and a tiny plastic model of a pangolin, the scaly mammal that may have been an intermediary carrier of the virus.

In the videos, he typically walks through the most recent recommendations offered by the Centers for Disease Control and Prevention and demonstrates medical equipment, such as a thermometer and a variety of masks (including one made by his wife, using a black shopping bag and a sewing machine).

“He has a big job—two houses of Congress, two parties to deal with—but he’s not political in any way,” Ms. Pelosi said. “He treats us all with respect, and we respect his judgment in return.”

Dr. Monahan in 2009 became the seventh man to serve as attending physician, taking up a position that has always been held by a Navy doctor. The House first approved a Navy officer to work out of the Democratic cloakroom in 1928 after one lawmaker died and two collapsed, with several hours passing before a doctor could arrive in each case. Two years later, the Senate extended that doctor’s jurisdiction to include its own members, leading to the establishment of the Office of the Attending Physician.

The office provides care to lawmakers for a fee, as well as offering some services and emergency care to staff and tourists. The first physician, Dr. George W. Calver, who began his work just before the start of the Great Depression, displayed placards in cloakrooms and elevators across the Capitol with his nine “Commandments of Health,” including “Accept Inevitables (don’t worry)” and “Relax Completely.”

Dr. Monahan was born in Connecticut, the son of Irish immigrants who came to the United States in the 1950s. His mother grew up in Kilkee, while his father grew up in a house with a thatched roof without running

water or electricity in Lissycasey. The first in his family to attend college, he worked full-time at a supermarket while commuting in a yellow Volkswagen Beetle to Fairfield University, a Jesuit college—an education, he would tell graduates in 2011, that meant, “you are called to be ‘men and women for others.’”

He studied biology and chemistry, and after graduating, joined the Navy through its Health Professions Scholarship Program, enticed in part by the offer of free tuition and a living allowance in exchange for a commitment to three years of service.

“Brian was always the smartest kid in the class,” said Dr. William Dahut, a medical oncologist who spent time with him in both medical school and the Navy. “If there was a publication or data, Brian knew that data and knew that well.”

In 1989, as a resident in the cardiology ward in what was then the National Naval Medical Center in Bethesda, Md., he treated a 39-year-old woman for potentially fatal cardiac arrhythmias. The patient had taken the popular antihistamine Seldane, and his contribution to research on that medicine—and its connection to the arrhythmias—later helped lead to its removal from the market.

Dr. Monahan rose through the ranks of the Navy, becoming a professor of medicine and pathology at the Uniformed Services University of the Health Sciences in Maryland, as well as participating in a number of national organizations related to cancer, oncology and hematology.

While serving as the Chairman of the Department of Medicine at the university, he received a call for a meeting in which officials with congressional leadership asked him to become the attending physician on Capitol Hill when his predecessor retired.

He has since become a fixture on Capitol Hill, participating in congressional trips and functions and releasing health assessments for presidential and vice-presidential contenders, including Senators Bernie Sanders, the Vermont independent, and Tim Kaine, Democrat of Virginia. (Mr. Kaine also asked him for “a tuneup” before hiking the Virginia section of the Appalachian Trail.)

In 2016, it was Dr. Monahan’s assessment of Justice Antonin Scalia’s health at the time of his death—including sleep apnea, coronary artery disease, obesity and diabetes—that influenced the decision to decline an autopsy of the justice, The Associated Press reported at the time.

“He was the one who advised me to go to the hospital,” said Representative Ben McAdams, Democrat of Utah and one of the first lawmakers to contract the virus, said of Dr. Monahan. “He was clear: ‘I strongly recommend you go to the hospital—this is serious.’”

The congressman has spoken with the doctor at least a dozen times since, he said in an interview on Thursday—but had yet to meet Dr. Monahan in person.

An avid photographer, Dr. Monahan’s photos are present in offices around the Capitol—and he has been known to offer advice on how to best capture a scenic landmark or vista on trips overseas.

He checks in with his powerful patients frequently, including long after they have recovered.

“I’ve been around for a long period of time, and he just takes more of a personal interest than anyone else I’ve ever known in that position,” said Senator James M. Inhofe, Republican of Oklahoma and chairman of the Senate Armed Services Committee, who has been on Capitol Hill for more than three decades. “He just seems to be genuinely interested in me—and he’s that way with everybody.”

Mr. McCONNELL. Madam President, we thank the good doctor for all he

does for this institution and for his country.

#### RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

#### EXECUTIVE SESSION

##### EXECUTIVE CALENDAR

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

The senior assistant legislative clerk read the nomination of Anna M. Manasco, of Alabama, to be United States District Judge for the Northern District of Alabama.

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

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

##### CORONAVIRUS

Mr. DURBIN. Madam President, we are going to complete 3 weeks of Senate activity, called together by Senator McCONNELL at a time when the House of Representatives, under the guidance of Dr. Monahan, who was just praised—and I join in that praise—was not in session when the Senate came to session.

I said at the time that it was our responsibility to be here. That is why we ran for office. Important things need to be decided, and we need to be part of it for the good of the Nation.

We are about to complete 3 straight weeks without one measure on the floor of the Senate relating to the national public health emergency—not one. There have been hearings in some committees, yes, but activity on the floor of the Senate, no. No bill was brought to the floor.

In fact, there was an attempt yesterday to bring a resolution that said the United States should be involved in the global international effort to find a vaccine. It was objected to on the Republican side. The reason the Senator objected to it—the chairman of the Senate Foreign Relations Committee—is that he wants to take up the measure in his committee at some later date. I encourage that Senator to do it quickly.

I think there is a sense of urgency across America in terms of this national health emergency that we face.

Yet there is not a sense of urgency on the Republican side of the aisle, despite the fact that for 3 weeks we have not considered one measure on the floor related to this COVID-19 virus, which is unexplainable and indefensible.

Senator MCCONNELL, of Kentucky, has told us that he doesn't sense the urgency for us to take up the measure passed last week by the House of Representatives. This was a bipartisan measure that was brought to the floor of the House of Representatives, which attempted to move us forward from the original CARES Act, the \$3 trillion of cumulative spending that we have focused on the economy and the public health challenge facing our Nation.

Is there any urgency to it? Well, I sense that urgency every time I pick up the phone or read the newspaper in my State of Illinois. I am on conference call after conference call with groups across our State that are concerned about economic issues, as well as public health issues. There is truly a sense of urgency where I live. I cannot believe that Senator MCCONNELL doesn't sense it in his own State of Kentucky.

Kentucky hospitals and healthcare providers have received \$900 million in CARES Act funding. I don't question whether they were deserving or needed it; we received funds, as well, in the State of Illinois. But the Kentucky Hospital Association tells us that the hospitals in Kentucky are expected to lose \$1.3 billion in March and April alone.

You know, we are next door to Kentucky, and my hospitals in downstate southern Illinois, right next to Kentucky, have told me the same thing. They are losing money right and left. Do they think this is an urgent problem in Illinois? You bet they do, and I will bet the hospitals in Kentucky do as well.

This is what the vice president of the Kentucky Hospital Association, Carl Herde, said: "Since there is no clear path to recoup these losses, the hospitals are left with no choice but to look at their own operations to cut as much cost as they possibly can."

The University of Kentucky is projecting a \$160 million loss for its healthcare system. It has furloughed 1,500 employees. Jenny Stuart Health in Hopkinsville, KY, has furloughed 248 staff members. Appalachian Regional Health in Lexington will furlough 500 employees. St. Claire Health in Morehead is furloughing 300. Pikeville Medical Center has furloughed 200.

Is there a sense of urgency in these communities, when many of these hospitals are the largest employers in town and hundreds of people are being furloughed because of the COVID virus, because of the fact that they cannot resume ordinary hospital operations with this shadow of infection hanging over them?

The bill that passed the House of Representatives last week, which we

did not consider or even discuss, to my knowledge, in the Senate this week, the HEROES Act, called for more than \$100 billion more in relief to hospitals. How important is that?

I know how important it is in Illinois; I can tell you flat-out. As a downstater, when you take a look at the rural and smalltown hospitals in my State, they are struggling.

One hospital administrator told me that she had scheduled four elective surgeries last Monday, a week ago, and only one patient showed up. The other three called in and said they were too frightened to go to the hospital and run the risk of being exposed to the COVID virus. I cannot imagine there is not the same situation going on in Kentucky.

Isn't there a sense of urgency in Kentucky, as in Illinois, for us to move and move quickly to help these hospitals before they furlough more people and ultimately face closure—a disaster in any community that we want to urgently avoid?

State and local governments are struggling now to pay teachers, first responders, and healthcare workers as they face record revenue losses and increased costs of fighting the virus. The measure that passed the House of Representatives last week had almost \$1 trillion to help these State and local governments—not just in Illinois but in every State, including the Commonwealth of Kentucky.

In States around the country, red and blue—the Center for Budget and Policy Priorities estimates that States will lose \$650 billion in revenues by next summer. By the end of the year, Kentucky is expected to lose between 10 and 17 percent of its annual revenues. Without help from the Federal Government, Kentucky's Governor announced that Kentucky's "recession will be longer or unemployment will be greater."

Congress appropriated \$150 billion in funding for State and local governments in the original CARES Act, but that funding is not enough to make up for the enormous losses that are being faced by State and local governments across the United States. These Governors, these mayors, these leaders have a sense of urgency in making up this revenue. They face the reality of cutbacks in police, firefighters, first responders, paramedics, nurses, doctors, and teachers.

The HEROES Act which passed the House of Representatives last week and which has not been considered this week in the Senate included \$875 billion in fiscal relief for State and localities to help cover the shortfall to make sure communities can continue to pay frontline essential workers.

Understand the deadlines that were built into the CARES Act. The first deadline is June 8. That is the date by which small businesses that borrowed money under the payroll protection part of that act need to have spent the money in order to have the loan forgiven—June 8.

Who among us believes that small businesses will be in a position to recover and get back to business as usual by June? I pray that is the case, but I know better in my home State and I will bet you in the State of Kentucky as well.

How about unemployment? We came through in the CARES Act and did something dramatic and unprecedented. We said that we were going to give an extra payment, a Federal payment, to those who were unemployed so that they could weather this storm as their families try to adjust to no breadwinner in the house—\$600 a week on top of whatever the State benefit of unemployment might be. For some families, it was just enough to get by.

Understand, though, that benefit—that unemployment benefit of \$600 from the Federal Government each week—is going to end at the end of July. That is not that far way. We are talking about 10 weeks at the most. Do we honestly believe the unemployment crisis, with 36 million unemployed Americans, will be behind us by the end of July? I wish that were the case, but we know better. In my State of Illinois, I know better.

We are hoping to start reopening the economy in a safe, responsible, careful way and to give these small businesses a fighting chance to open their doors again and survive, but it is going to be a struggle, and many of them won't make it.

Earlier this month, 69,000 people filed new unemployment claims in Kentucky—a 4,000-percent increase from last year. Do those families who are now unemployed feel that this response, this Federal assistance in unemployment benefits, is urgent? Well, you bet it is. How many of those in Illinois or Kentucky believe they won't need this help after the end of July this year? July—the same month the \$600-per-week unemployment benefits expire—the unemployment rate in Kentucky has been projected to be 16.3 percent—the 10th highest in the Nation. Yet the Republican leader says there is no sense of urgency in moving on this measure that was considered by the House of Representatives and passed last week.

The IRS has sent out almost 2 million economic impact payments to that State of Kentucky, worth more than \$3 billion, helping families put food on the table and pay their rent and their mortgage.

When you take a look at that economic impact payment, understand that the measure that passed the House, which we did not bring to the floor this week in the U.S. Senate, calls for \$1,200 more for each adult and \$1,200 for each child. Do families need it in Illinois? You bet they do.

Even though it was originally proposed by President Trump, politics had nothing to do with the support that it received from both political parties—the support that this measure that just passed the House should receive from

both parties here in the Senate as well. There is a sense of urgency when it comes to these cash payments to people who are struggling to make ends meet. The bill that passed the House includes a second round of these critical payments and makes sure that we extend the unemployment benefits beyond the end of July.

According to the Kentucky Center for Economic Policy, tens of thousands of Kentuckians have lost their health insurance as a result of this pandemic. What a moment in life to lose your health insurance—in the midst of a pandemic, with people facing hospitalizations, treatment in and out of the hospital and in some cases ICUs, to think that you would be without health insurance?

The measure that passed the House of Representatives last week, which was not brought to the floor by the Republicans this week in the Senate, includes a provision to ensure that people who have lost their health insurance as a result of becoming unemployed can remain on their employer healthcare plan without paying any premiums. In other words, we want to make sure that people have health insurance rather than lose it. Was that brought up this week for debate and consideration in the Senate? No. No, it wasn't. Is it a matter of urgency if you are facing the loss of health insurance in the middle of this coronavirus epidemic? Of course it is.

The Paycheck Protection Program still has funding left in it to provide some loans, but businesses have to spend the money within 8 weeks of receiving the loan or it won't be forgiven. Many small business owners across the United States are facing a June 8 deadline, struggling to spend the money due to the fact that they still haven't been able to open their doors.

The HEROES Act, which passed the House of Representatives and was not brought up for consideration in the Senate this week, which it could have been, would extend the deadline an additional 16 weeks, providing small businesses 24 weeks to spend the money they were loaned by the SBA, and it would authorize the Paycheck Protection Program through the end of the year to ensure that we can continue to help small businesses through this difficult time.

Is there a sense of urgency in small businesses in my State to extend this period that you can spend the money as a small business and have your loan forgiven? Of course there is a sense of urgency in Illinois, in North Carolina, in Georgia, and in Kentucky—across the United States. Why the Senate Republican leader does not feel a sense of urgency on this measure, which ultimately ends on June 30, is beyond me.

I have heard from farmers across my State who are struggling to survive, asking for help. I have heard from the Census Bureau about the need to push back its response deadline to October 31—measures also included in the HE-

ROES Act that passed the House of Representatives.

Three weeks have ended here on the floor of the Senate, and, but for a few speeches on this floor, if you read the record of legislative activity, you would wonder if the leaders in the Senate even realize we are facing a pandemic. We have spent our time on nomination after nomination. We have spent our time in hearings on friends and those who pass political muster who want lifetime appointments to the Federal court. But somehow we have managed to miss the biggest story in America—the pandemic.

I would say to Senator MCCONNELL and the Republican leadership: We have wasted an opportunity—a 3-week opportunity—to move forward, and we have particularly wasted this week when we could have taken up the measure that passed the House of Representatives last week.

Are we prepared to negotiate a compromise? Of course we are. We have done that every time we have brought up a measure related to the pandemic. It should be bipartisan in the end. But to say it is “dead on arrival” and there is no sense of urgency among the Republicans in the Senate to take up this measure is to ignore the obvious. Whether it is \$1,200 payments to American citizens who are struggling to get by, whether it is an increased period of time for qualification to receive unemployment insurance, whether it is loans to small businesses so they can survive, these are the urgent needs of America.

When we have hospitals furloughing employees in Illinois, in Kentucky, and around the Nation, we run the risk of losing these great hospitals that are needed for the future.

Is it urgent that we take up this matter? Of course it is. Yet this week we have done nothing, zero, when it comes to this measure.

We are going to leave now for the Memorial Day week, which means it will be about 2 weeks before we return. I can just about guarantee that the sense of urgency across America will be palpable at that time. The question is whether there will be a sense of urgency felt by the Republican leader from the State of Kentucky.

The other day, my friend and colleague from Texas, Senator CORNYN, came to the floor, as he has before, to discuss the issue of liability and immunity as part of the conversation on the next measure of relief and rescue for our economy.

For weeks, Senator MCCONNELL and Senator CORNYN have said that unless Congress gives broad legal immunity to corporations, they would block emergency aid to help States and local governments avoid massive layoffs of policemen, firefighters, and teachers. The logic behind this position is hard to fathom.

There has been no flood of COVID-19 lawsuits. There is a website maintained by the law firm Hunton Andrews Kurth

that tracks all the lawsuits filed in America based on COVID-19. Senator MCCONNELL has cited this tracking. That tracker updated its numbers as of yesterday. It reported that out of 1.5 million confirmed COVID-19 cases and 90,000 deaths, there have been 2—2—COVID-19 medical malpractice cases filed in the United States in over 1,000 complaints that have been filed and 26 cases alleging workplace exposure to COVID-19. The Senator from Kentucky has called this a tidal wave of lawsuits, a windfall for trial lawyers—2 cases of medical malpractice and 26 cases for workplace exposure?

The other cases that mention COVID-19 relate to prisoners in prisons and jails, who are questioning whether their rights are being violated because of the health circumstances in the prisons. There are lawsuits against insurance companies as to whether the policy covers a business that has suffered losses because of the COVID virus. There have been lawsuits as well between businesses as to responsibility for it. But this notion of a tidal wave of lawsuits being filed—2 medical malpractice cases across the United States of America and 26 workplace exposure cases.

Keep in mind that if you do get sick and you want to file a lawsuit, a good lawyer will advise you: Be careful. Proving where you were infected is not an easy thing. And they also look at the standard of conduct of the business or individual who could be the defendant. Did they act reasonably?

We had a hearing in the Senate Judiciary Committee last week on liability during the COVID-19 pandemic. I have quoted this before, but it is worth repeating. One of the witnesses called by the Republicans was a very good man, very thoughtful. His name is Kevin Smartt, and he is the chief executive officer and president of Kwik Chek Foods in Bonham, TX. He went through a litany of things that he had done in his workplace to make it safer, not just for his employees but also for the customers who came in. It was impressive. If the statements he made to us were accurate—and I believe they were—he is doing his part to try to make his workplace safer.

Here is what he said:

This was a challenge because the guidance provided by the CDC, the Occupational Safety and Health Administration, as well as state and local governments, often conflicted with one another in addition to being vague and difficult to follow. Yet, despite many uncertainties, including the constantly fluctuating public health guidelines, we began to adjust to the pandemic.

The point I am making—and I see our Democratic leader on the floor; I am going to wrap it up quickly—the point I am making is this: We should establish reasonable standards through the Centers for Disease Control and OSHA so that conscientious businesses can in good faith know what needs to be done to protect their employees and their customers. When they follow those guidelines, I believe they have absolved

themselves of liability. They certainly have a valid defense to any claims of wrongdoing. But this notion that comes before us on the floor from the Republican side goes to an extreme—asking for government immunity from the conduct of businesses in the midst of this pandemic without holding them to any standards. We are still waiting for an explanation. Why would we allow the workplace to be more dangerous for employees? Why would we allow the business place to be more dangerous for customers?

If the owner is willing to live up to reasonable standards established based on science and health, in my mind, that is a good defense, and that is the way it should be. To do otherwise is to give a green light to businesses that don't follow standards, endangering their workers, their employees. It means more people are going to get infected and sick in America—the last thing we need.

I yield the floor.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

CORONAVIRUS

Mr. SCHUMER. Madam President, first I want to thank my friend and colleague, the senior Senator from the State of Illinois. He is always on the money, pushing this country to do what its better angels recommend, and I hope America listens to his floor speech today and every day because what he is doing would make America a better, stronger, more unified, more humane, and more compassionate place.

As the COVID-19 pandemic continues to inflict our country, businesses are suffering, families are struggling to pay the rent, millions of Americans are filing for unemployment every single week, and tens of thousands of Americans are dying.

Every aspect of American society has been changed by this crisis—except, perhaps, the Republican Senate. Here it is business as usual.

Leader MCCONNELL has spent 3 weeks of the Senate's time largely on nominations, only one of whom is directly related to COVID-19. There is not one bill on the floor of the Senate having to do with COVID in the entire month of May. The leader has put none on the floor.

Democrats have had to relentlessly pressure our colleagues to hold even the most routine and needed oversight hearings on the coronavirus. Coronavirus is raging, and people are upset about how the administration is implementing it. We don't have hearings until we push, push, push for them, and then they happen few, far between, and too late.

It would be one thing if the Republican majority were doing this other business while negotiating with Democrats on the next phase of emergency relief, but Republicans are not negotiating about the next phase of emergency relief. Many of my colleagues on

the other side have said that more relief just isn't necessary.

The Republican leader rejected legislation from the House of Representatives before the bill was even drafted—a knee-jerk partisan response at a time when we should be working together to help our suffering constituents. For the life of me, I don't know why it has been so difficult to get our friends on the other side to focus on the ongoing national crisis, and it appears that the lack of focus, the lack of urgency, and the lack of compassion from the Republican majority are about to get even worse.

Today, in the Homeland Security Committee, the Republican chairman has convened a hearing that slanders the family of the President's political opponent. Believe it or not, this powerful Senate committee, with broad jurisdiction over so many aspects of the government's response to the ongoing pandemic, is prioritizing yet another attempt to smear Vice President Biden. The committee could be holding a hearing today with the FEMA Administrator to discuss disaster assistance. But, no, the highest priority of Senate Republicans lies in promoting conspiracy theories that have already been discredited on numerous occasions—conspiracy theories, which, by the way, are known to be part of Russian disinformation campaigns. Our Republican majority is using Russian propaganda to try to damage a political opponent. Is that a disgrace? Is that a disgrace?

The Republican chairman is pressing forward, without Members even receiving a briefing from the intelligence community. Even more shameful, the company my colleague from Wisconsin wants to subpoena is cooperating with the committee in providing documents. It appears this subpoena is just for show—a way to create the false impression of wrongdoing. It is like in a Third World dictatorship, a show trial with no basis in fact, with no due process, and with no reality.

Not to be outdone, the Republican chairman of the Judiciary Committee has asked members of his committee to consider subpoenas related to yet another conspiracy theory pushed by President Trump—a theory that attempts to rewrite the history of Russian interference in the 2016 election to match the fiction in President Trump's head. It seems Republicans want to dive into the deepest muck of right-wing conspiracy to invent scapegoats for the President to use in his reelection campaign.

The conspiracy caucus is back. It reared its ugly head in December and has been on a simmer ever since. Now it is boiling over once again, shamefully, in the middle of a public health crisis and an economic disaster that require all of us to focus on the problems at hand.

Senate Republicans aren't drafting legislation to help the unemployed. They are holding sham hearings about

the family of the President's political rival. Senate Republicans aren't debating measures to increase testing. They are turning Senate committee rooms into the studio of "FOX & Friends." Senate Republicans are not just ignoring the coronavirus. They are practically sprinting toward a partisan election, making this Chamber part of a reelection campaign—not what it was ever intended to be by the Founding Fathers or anyone else, until this fever to bow down to President Trump's wild conspiracy theories that has overtaken just about every Senate Republican.

Here is what Chairman GRAHAM said about his "investigation" yesterday. Here is what he said:

I want to get all the information out there. I want to do it before the election.

Well, there is a Republican intention right there—"do it before the election."

Leader MCCONNELL says that Republicans have not felt the urgency yet to act on the coronavirus, but it sure sounds like there is some urgency to get these phony investigations going before November. A fever is raging in the conspiracy caucus. They are worried about the outcome of the election. They are worried that President Trump—they know—has done a very poor job in dealing with this crisis. So they turn to wild conspiracy theories and turn the Senate, which should be debating and discussing coronavirus relief, into sort of a partisan sham Chamber. It is disgraceful.

Now, Leader MCCONNELL gave a lengthy speech on the floor of the Senate yesterday giving cover to many of the President's crackpot theories about what transpired in 2016. I will just say this: Leader MCCONNELL reportedly watered down a bipartisan warning about Russian interference in the fall of 2016. He stalled for years on election security funding, and still, to this day, is blocking election security funding. If Leader MCCONNELL wants to look back at the history of Russian interference in the 2016 election, he should look in the mirror. He might not like the way his own role is viewed.

The American people should be just furious with Washington Republicans, and so many are—more and more every day. Americans are waiting in modern-day breadlines, jammed into municipal buildings, and cars snaked around parking lots and city blocks. It is so sad to look at these pictures. Doctors and nurses and other caregivers have been working nonstop to save American lives, often without the proper equipment. Millions of American workers are sitting at home, having lost their jobs, through no fault of their own, dreading the day the next rent payment comes due. Here in Washington, Senate Republicans feel no urgency to help these Americans. They are too busy touting conspiracy theories and electioneering for the President.

Speaking of the President, he was here yesterday on the Capitol to have



lunch with Senate Republicans. They had a giant pep rally. They got all fired up to do nothing. That was the conclusion. On the way out of the Capitol, the President was asked about the fact that the United States leads the world in confirmed cases of coronavirus, and here is what President Trump said—amazingly. Listen to this. Asked about leading the world in confirmed cases of coronavirus, the President said:

I don't look at that as a bad thing. I look at that in a certain respect as being a good thing because it means our testing is much better. . . . So I view it as a badge of honor.

Really? First of all, our testing is not much better. States are struggling to get people tested due to confusion and a lack of national leadership. Many experts believe we are far short on what we need on testing. None of these experts, who actually understands the testing and this virus, would say the President deserves a badge of honor for his work. But even more galling is the idea that lots of cases of coronavirus is "a good thing." That is what the President said: Having lots of cases of coronavirus is "a good thing."

A lot of cases is not "a good thing," Mr. President. It means people are sick and people are dying. A lot of cases means more Americans are in the hospital, more Americans in ICU struggling to breathe on ventilators. A lot of cases means Americans will die as a result of the virus that has already claimed the lives of nearly 100,000. A lot of cases means a lot more Americans are seriously ill. Mr. President, that is not "a good thing." Even your mind, which seems so warped at times, cannot really believe that.

There is no "honor" in leading the world in the number of people infected with coronavirus. For the United States to have 1.5 million cases is nothing to celebrate. It is something to be ashamed of. Calling it a "badge of honor" isn't just wrong, it is sick, and it is an insult to every American family who loses a loved one to this evil disease.

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. THUNE. Madam President, I ask unanimous consent that the order for the quorum call be rescinded, and I ask unanimous consent that I be able to conclude my remarks before the 11 o'clock vote.

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

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Mr. THUNE. Madam President, the internet has been a part of our daily lives for quite a while now: Netflix, Twitter, and Amazon. The internet has taken on new importance during the coronavirus pandemic. It has become the main source of connection with friends and family. It has enabled many people to work from home to help reduce the spread of the virus. It

is the main reason that schools and colleges have been able to continue teaching students.

It has drastically expanded nascent services, like telehealth, which has allowed doctors and other medical professionals to provide patient care remotely.

With all of this new internet traffic, of course, has come a much greater load on networks. Not all countries' networks have held up to the strain. In Europe, networks have had to slow streaming and ask providers like Netflix to diminish the quality of their videos.

Here in the United States, our networks have faced very few problems, and there is a reason for that. Europe and the United States have very different regulatory regimes for the internet. In Europe, the internet has been regulated using outdated communications rules designed for telephone monopolies. This has resulted in heavy-handed regulation, which has discouraged companies from investing in communications infrastructure and broadband expansion.

The resulting lack of reliable infrastructure is the primary reason internet performance in Europe has suffered during the pandemic. The regulatory situation in the United States, on the other hand, has been much different. With a few exceptions, like the brief imposition of so-called net neutrality regulations in 2015, our country has taken a light-touch approach to internet regulation.

This has encouraged companies to invest in the latest communications infrastructure and new technologies to make more efficient use of spectrum. Thanks to that investment, when coronavirus hit and internet usage soared, American networks were ready. Despite the additional burden on networks during the pandemic, Americans have been able to enjoy the same high speeds and streaming quality that they typically enjoy. Right now, most Americans are using 4G networks.

The next generation of internet, 5G, is here. 5G networks are starting to be deployed, including in my home State of South Dakota. If we want the United States to handle 5G the way that we handled 4G and if we want our 5G networks to be as successful as our 4G networks, we still have some work to do.

One thing that is absolutely essential is maintaining the light-touch regulatory approach that has produced so much U.S. investment and innovation. Despite the success of light-touch regulation, there is always a segment of the Democratic Party pushing for greater government regulation of the internet, and that would chill American broadband investment.

When Democrats briefly succeeded in forcing through heavier government regulations in the latter part of the Obama Presidency, broadband infrastructure investment by U.S. companies dropped significantly, and it only rebounded when the Federal Commu-

nications Commission, under Chairman Pai, rolled back these heavyhanded regulations.

Second, the United States still has more work to do to deploy the infrastructure necessary for 5G. While 4G relies on traditional cell phone towers, 5G technology will also require small antennas called "small cells" that can often be attached to existing infrastructure, like utility poles or buildings.

Last year, I introduced legislation, the STREAMLINE Act, to make it easier for companies to deploy these small cells so that we can get the infrastructure in place for 5G technology. We also need to update Federal regulations to ensure that it doesn't take months or years to get permits for wireless infrastructure.

Infrastructure is a key part of the 5G equation. The other key part is spectrum. Like all internet technology, 5G relies on radio spectrum—what we commonly call the airwaves. Radio spectrum is divided into bands—low band, mid band, and high band. 5G will rely upon all three.

The United States has done a good job freeing up high-band spectrum for 5G, but we still need to free up more mid-band spectrum to see full-scale 5G deployment.

In 2018, Congress passed my MOBILE NOW Act, which helped lay the groundwork for freeing up more mid-band spectrum.

This past November, Senator WICKER and I introduced the 5G Spectrum Act to require the Federal Communications Commission to free up a critical portion of mid-band spectrum, commonly referred to as the C-band for 5G use.

While Congress did not enact our legislation at the end of February, the Federal Communications Commission announced that it would adopt a framework similar to that outlined in our bill to make 280 megahertz of C-band spectrum available for 5G.

Finally, we need to ensure that we have the workforce in place to handle the demands of installing and maintaining 5G technology. It is estimated that deploying the necessary infrastructure for 5G will create approximately 50,000 new construction jobs each year over the build-out period, and that is just for construction.

Right now, there simply aren't enough workers with the necessary training to meet the needs of nationwide 5G. Earlier this year, I introduced the Telecommunications Skilled Workforce Act. My bill would help to increase the number of workers enrolled in 5G training programs and identify ways to grow the telecommunications workforce to meet the demands of 5G.

The coronavirus has shown us the result of robust investment in 4G infrastructure and spectrum—strong networks that can handle steep surge in internet traffic. We need to make sure that we are putting in the necessary work and investment to ensure that our 5G networks are just as strong.

The 5G future is here. Let's make sure that the United States is ready.

## CORONAVIRUS

Madam President, before we vote here in just a few minutes, I want to just make a couple of remarks with respect to coronavirus legislation. We have heard some of our colleagues on the Democrat side come down here and attack Republicans for not wanting to do more legislation and more spending, which is, as they know, completely not accurate. Republicans are prepared to do whatever it takes to help America recover from the coronavirus effects and to deal with the health emergency, which is why we have invested tens of billions of dollars in vaccines and antiviral therapeutics and testing—all the things that are necessary to get this healthcare crisis dealt with in a way that would allow Americans the confidence to get back out in the economy.

Secondly, dealing with the economic impacts, which have been many, the bills that we passed so far—we passed four—and the combined amount of the spending in those four bills are almost \$3 trillion. It is focused on families, getting direct assistance into the hands of American families. It is focused on workers, keeping workers employed. This Paycheck Protection Program has clearly been one that has allowed a lot of small businesses to continue to operate and to continue to keep their workers employed. It is focused on those who, through no fault of their own, have lost jobs, with a significant plus-up in unemployment insurance accounts, supported at the State level but significantly increased in terms of funding from the Federal Government.

Of course, as I said earlier, it is focused very directly on those healthcare professionals or healthcare workers on the frontlines, to make sure that they have PPE and ventilators, all the things not only to protect themselves but to care for the patients whom they are entrusted to care for. As I said before, investing heavily in those things will help us fight and win and beat the coronavirus—the vaccines, the antiviral therapeutics, and the testing. Those are all things that we have done already.

Now, what you saw last week was the House of Representatives blow into town for a 24-hour period to pass a massive \$3 trillion bill filled up with all kinds of goodies in a gift bag for special interest groups that they care about but that have little to do with addressing the fundamental challenges facing this country with respect to the coronavirus.

I would argue that not only do they not know what the need is but that many of the dollars we have already pushed out are still in the pipeline and haven't been used. We don't know what our State and local governments need in terms of revenue replacement, and we have lots of dollars that are still going out to hospitals, healthcare pro-

viders, and nursing homes, much of which hasn't been spent yet. Of course we have the Paycheck Protection Program, which we are burning through fairly quickly but hasn't run out of funding yet either. As I said, those are all the things—the almost \$3 trillion—that have been disbursed and distributed already to address this crisis.

What Democrats did last week in the House of Representatives is that they came in with a philosophical, ideological wish list—a fantasy, if you will—of all of the things they would like to get done, very few of which actually deal with the crisis at hand, so much so that their bill—1,800 pages long, \$3 trillion in new spending, again, without knowing what the effect is of dollars already spent or what the need is out there for additional spending—included things like funding for studies on diversity and inclusion in the marketing of cannabis. Is that really something that is relevant to fighting and battling the coronavirus? They included in there tax increases for small businesses. The one tax cut they included in their bill dramatically cuts taxes for millionaires and billionaires. In fact, 56 percent of that tax cut would go to the top 1 percent of wage earners in this country. Those are the types of things that were included in that bill. It really was an ideological wish list—nothing more, nothing less, and nothing else.

So for Democratic leaders to come down here and suggest for a minute that what the House did somehow ought to be something that the Senate contemplates or considers doing here is just completely missing the point of what the American people need in this crisis, and that is certainty. They need to know that we are dealing with the health emergency. They need to know that there is going to be support there for our small businesses, for our workers, for people who are unemployed, and for our families. They need to know that we are committed to seeing that we have the vaccines in place, the therapeutics in place that will enable us to fight and win this battle against the coronavirus. That is what we ought to be focused on, not this crazy wish list of things that the House, in a short amount of time—24 hours—came in here to vote on and, as I said earlier, much of which was focused on an agenda—a more permanent agenda—rather than the task at hand, which is addressing the crisis in front of us.

I hope my Democratic colleagues will work with us in a constructive way and in a bipartisan way to deal with the very real challenges that are being faced by the American people and not continue to come down here and advocate for an ideological wish list that, one, can't become law, and two, doesn't deal with the task at hand.

I yield the floor.

## CLOTURE MOTION

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

The legislative clerk read as follows:

## CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Anna M. Manasco, of Alabama, to be United States District Judge for the Northern District of Alabama.

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

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

The question is, Is it the sense of the Senate that debate on the nomination of Anna M. Manasco, of Alabama, to be United States District Judge for the Northern District of Alabama, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from North Carolina (Mr. BURR), the Senator from 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 Ohio (Mr. BROWN), the Senator from Massachusetts (Mr. MARKEY), the Senator from Vermont (Mr. SANDERS), and the Senator from Rhode Island (Mr. WHITEHOUSE) are necessarily absent.

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

The yeas and nays resulted—yeas 72, nays 20, as follows:

[Rollcall Vote No. 97 Ex.]

## YEAS—72

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

## NAYS—20

Bennet	Coons	Hirono
Blumenthal	Gillibrand	Klobuchar
Booker	Harris	Menendez
Cantwell	Heinrich	Merkley



Murray  
Schatz  
Schumer

Stabenow  
Udall  
Van Hollen

Warren  
Wyden

NOT VOTING—8

Alexander  
Brown  
Burr

Markey  
Murkowski  
Rounds

Sanders  
Whitehouse

The PRESIDING OFFICER. On this vote, the yeas are 72, the nays 20.

The motion is agreed to.

The PRESIDING OFFICER. The Senator from Louisiana.

HOLDING FOREIGN COMPANIES ACCOUNTABLE ACT

Mr. KENNEDY. Mr. President, I would like to talk for a few minutes about China.

China, as you know, is a wonderful country. It has about 1.4, 1.5 billion people. A lot of times, you see reported that there are only 1.2 billion, but they are a lot bigger than that. America only has about 320, 330 million folks. By land size, it is about the same size as the United States. A lot of people think they are the biggest country by land in the world, but actually Russia is. Canada is No. 2, and China is probably No. 3 by land size, but we are both close.

I love visiting China. The few times I have been there, the people of China were just wonderful people—very interesting, very smart, very hard-working, very aspirational. I say this because when I talk today about China, I want you and my colleagues in the Senate to understand that I am not talking about the people of China. The people of China are good people; the Chinese Communist Party, not so much.

I really regret having to say this. I would not turn my back on the Chinese Communist Party if they were 2 days dead. I don't want to have a Cold War with China. I would rather see us work together for the common good of the planet Earth, and we have tried, but that hasn't worked out real well.

We admitted China to the World Trade Organization on December 11, 2001. It wasn't just our decision, but you know better than I do that China wouldn't have been admitted to the WTO without our support. So we agreed—December 11, 2001. China started cheating December 12. They steal our intellectual property—not just ours but everyone else's in the world. They steal the world's intellectual property. They substantially subsidize their state-owned companies, so other companies throughout the world that don't get state subsidies can't compete with them. For years, they manipulated their currency. They are trying to control the sea lanes of the world. They started in the South China Sea. They are seizing islands that don't belong to them. The next step is, they will try to militarize space. They have used their economic power as a weapon.

Our friends and allies in Australia have asked some very reasonable questions about the origins of the

coronavirus and the COVID-19. China has responded by saying: We refuse to buy any more of your products. Those are just the facts.

Now, the managerial elites told us—by that, I mean a lot of the entrenched politicians, the deep thinkers of the world, the academics, many members of the media, the bureaucrats, a lot of the corporate phonies, the ones who think they are smarter, more virtuous than the rest of us in America. They told us: Oh, you are wrong about China. Be patient with China. Be patient with them. Free enterprise will change China.

China has changed free enterprise, and China is on a glidepath to dominance. And do you know what the Congress has done about it? Nothing. Zero. Zilch. Nada.

Let me say it again. I love the people of China. I am talking about the Chinese Communist Party. And I do not—I do not want to get into a new Cold War. All I want and I think all the rest of us want is for China to play by the rules.

Let me give an example. Every company in the world that goes public would like to list on U.S. stock exchanges—the over-the-counter market, the S&P, the New York Stock Exchange. We are very efficient. We are excruciatingly transparent. We like investors throughout the world to know what they are buying. We require companies to disclose. And I think our SEC does an extraordinarily able job. I think Chairman Jay Clayton has just been a rock star.

We have a rule that if you list on our exchanges, you have to file periodic reports. Once again, we want investors to understand what they are investing in. And those reports have to be accurate, or you get in a lot of trouble. One of the things, for example, in one of these reports that companies have to file is an annual audit, but we take it a step further in the United States. There is a Board within the SEC called the Public Company Accounting Oversight Board, PCAOB. Really, all that Board does—I say “all”; it is important—that Board inspects the audits that the companies file, not because they think the companies are cheating, although some do. But it is like when we play poker with friends. I play poker with friends. They are my friends, but I cut the cards every single time. And that is what our SEC does through this Board. They say: We are going to double check your audits. Everybody has to comply with that rule—American companies, British companies, Malaysian companies, Turkmenistan companies—except one: Chinese companies. They just say: No. They just say: No, we are not going to do it. And you know what we do about it? Nothing. Zero. Zilch. Nada.

This is not a 2- or 3-month phenomenon. This has gone on for years and years and years, and all of us in the executive branch and, yes, in Congress, we huff and we puff and we strut around and we hold hearings and we

issue press releases, and then we do nothing. And where I come from, what you allow is what will continue.

I have a bill. It is very simple. It says to all the companies out there in the world, including but not limited to China: If you want to list on an American exchange, you have to submit an audit. SEC has the right to look at that audit and audit the audit, and if you refuse not once, not twice, but three times—if over a 3-year period, each of those 3 years, the company says “You cannot audit my audit,” then they can no longer be listed on the American exchanges. It is very, very simple.

Once again, I tried to be very fair in this bill, as did my coauthor, Senator CHRIS VAN HOLLEN. We spent a lot of time on this. We don't want to be unfair to Chinese companies. We are not changing the rules; they have just been ignoring the rules. We are saying: Look, we are not going to give you just one chance; we are going to give you three chances.

If a Chinese company or any other company ignores the SEC request, what they can do to all the other companies in the world—that is, audit their audits—if you ignore the SEC for 3 years, then you have to take your business somewhere else.

Do you know whom that is going to help the most? The investors of America and the investors of the world.

Most of the companies that are public companies I believe tell the truth, but some of them don't, and this is hard-earned money that people are investing.

The name of our bill—Senator CHRIS VAN HOLLEN is the coauthor—is the Holding Foreign Companies Accountable Act, and, as I just explained, it is very simple.

Mr. President, as in legislative session, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be discharged from further consideration of S. 945 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. The clerk will report the bill by title.

The bill clerk read as follows:

A bill (S. 945) to amend the Sarbanes-Oxley Act of 2002 to require certain issuers to disclose to the Securities and Exchange Commission information regarding foreign jurisdictions that prevent the Public Company Accounting Oversight Board from performing inspections under that Act, and for other purposes.

There being no objection, the committee was discharged, and the Senate proceeded to consider the bill.

Mr. KENNEDY. Mr. President, I ask unanimous consent that the Kennedy substitute amendment at the desk be considered and agreed to; the bill, as amended, be considered read a third time and passed; and that the motion to reconsider be considered made and laid upon the table.

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

The amendment (No. 1589) was agreed to as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Holding Foreign Companies Accountable Act”.

**SEC. 2. DISCLOSURE REQUIREMENT.**

Section 104 of the Sarbanes-Oxley Act of 2002 (15 U.S.C. 7214) is amended by adding at the end the following:

“(i) DISCLOSURE REGARDING FOREIGN JURISDICTIONS THAT PREVENT INSPECTIONS.—

“(1) DEFINITIONS.—In this subsection—

“(A) the term ‘covered issuer’ means an issuer that is required to file reports under section 13 or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m, 78o(d)); and

“(B) the term ‘non-inspection year’ means, with respect to a covered issuer, a year—

“(i) during which the Commission identifies the covered issuer under paragraph (2)(A) with respect to every report described in subparagraph (A) filed by the covered issuer during that year; and

“(ii) that begins after the date of enactment of this subsection.

“(2) DISCLOSURE TO COMMISSION.—The Commission shall—

“(A) identify each covered issuer that, with respect to the preparation of the audit report on the financial statement of the covered issuer that is included in a report described in paragraph (1)(A) filed by the covered issuer, retains a registered public accounting firm that has a branch or office that—

“(i) is located in a foreign jurisdiction; and

“(ii) the Board is unable to inspect or investigate completely because of a position taken by an authority in the foreign jurisdiction described in clause (i), as determined by the Board; and

“(B) require each covered issuer identified under subparagraph (A) to, in accordance with the rules issued by the Commission under paragraph (4), submit to the Commission documentation that establishes that the covered issuer is not owned or controlled by a governmental entity in the foreign jurisdiction described in subparagraph (A)(i).

“(3) TRADING PROHIBITION AFTER 3 YEARS OF NON-INSPECTIONS.—

“(A) IN GENERAL.—If the Commission determines that a covered issuer has 3 consecutive non-inspection years, the Commission shall prohibit the securities of the covered issuer from being traded—

“(i) on a national securities exchange; or

“(ii) through any other method that is within the jurisdiction of the Commission to regulate, including through the method of trading that is commonly referred to as the ‘over-the-counter’ trading of securities.

“(B) REMOVAL OF INITIAL PROHIBITION.—If, after the Commission imposes a prohibition on a covered issuer under subparagraph (A), the covered issuer certifies to the Commission that the covered issuer has retained a registered public accounting firm that the Board has inspected under this section to the satisfaction of the Commission, the Commission shall end that prohibition.

“(C) RECURRENCE OF NON-INSPECTION YEARS.—If, after the Commission ends a prohibition under subparagraph (B) or (D) with respect to a covered issuer, the Commission determines that the covered issuer has a non-inspection year, the Commission shall prohibit the securities of the covered issuer from being traded—

“(i) on a national securities exchange; or

“(ii) through any other method that is within the jurisdiction of the Commission to regulate, including through the method of

trading that is commonly referred to as the ‘over-the-counter’ trading of securities.

“(D) REMOVAL OF SUBSEQUENT PROHIBITION.—If, after the end of the 5-year period beginning on the date on which the Commission imposes a prohibition on a covered issuer under subparagraph (C), the covered issuer certifies to the Commission that the covered issuer will retain a registered public accounting firm that the Board is able to inspect under this section, the Commission shall end that prohibition.

“(4) RULES.—Not later than 90 days after the date of enactment of this subsection, the Commission shall issue rules that establish the manner and form in which a covered issuer shall make a submission required under paragraph (2)(B).”.

**SEC. 3. ADDITIONAL DISCLOSURE.**

(a) DEFINITIONS.—In this section—

(1) the term “audit report” has the meaning given the term in section 2(a) of the Sarbanes-Oxley Act of 2002 (15 U.S.C. 7201(a));

(2) the term “Commission” means the Securities and Exchange Commission;

(3) the term “covered form”—

(A) means—

(i) the form described in section 249.310 of title 17, Code of Federal Regulations, or any successor regulation; and

(ii) the form described in section 249.220f of title 17, Code of Federal Regulations, or any successor regulation; and

(B) includes a form that—

(i) is the equivalent of, or substantially similar to, the form described in clause (i) or (ii) of subparagraph (A); and

(ii) a foreign issuer files with the Commission under the Securities Exchange Act of 1934 (15 U.S.C. 78a et seq.) or rules issued under that Act;

(4) the terms “covered issuer” and “non-inspection year” have the meanings given the terms in subsection (i)(1) of section 104 of the Sarbanes-Oxley Act of 2002 (15 U.S.C. 7214), as added by section 2 of this Act; and

(5) the term “foreign issuer” has the meaning given the term in section 240.3b-4 of title 17, Code of Federal Regulations, or any successor regulation.

(b) REQUIREMENT.—Each covered issuer that is a foreign issuer and for which, during a non-inspection year with respect to the covered issuer, a registered public accounting firm described in subsection (i)(2)(A) of section 104 of the Sarbanes-Oxley Act of 2002 (15 U.S.C. 7214), as added by section 2 of this Act, has prepared an audit report shall disclose in each covered form filed by that issuer that covers such a non-inspection year—

(1) that, during the period covered by the covered form, such a registered public accounting firm has prepared an audit report for the issuer;

(2) the percentage of the shares of the issuer owned by governmental entities in the foreign jurisdiction in which the issuer is incorporated or otherwise organized;

(3) whether governmental entities in the applicable foreign jurisdiction with respect to that registered public accounting firm have a controlling financial interest with respect to the issuer;

(4) the name of each official of the Chinese Communist Party who is a member of the board of directors of—

(A) the issuer; or

(B) the operating entity with respect to the issuer; and

(5) whether the articles of incorporation of the issuer (or equivalent organizing document) contains any charter of the Chinese Communist Party, including the text of any such charter.

The bill (S. 945), as amended, was ordered to be engrossed for a third read-

ing, was read the third time, and passed.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

EXECUTIVE CALENDAR—Continued

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

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

CHINA

Mr. SASSE. Mr. President, I had not planned to make a floor speech right now, but I wanted to commend you on both your legislation and on an important point that I think you enumerated both for this body and for the Americans watching.

First of all, good piece of legislation. I supported it. I wanted it to move out of the Banking Committee and get to the floor. It is important legislation. Congratulations, and thanks for your leadership.

Second of all, as you began your speech, you distinguished between the Chinese people and the Chinese Communist Party. I think many of us are worried that the No. 1 long-term national security threat this country faces is the technology race with the Chinese Communist Party and the way that they use fake private sector companies to steal from U.S. public and private sector entities.

When we talk about the problems—those of us who would consider ourselves China hawks—we regularly end up using a shorthand, “China,” when we have all spent a lot of time in the SCIF and in private, and we know we mean the Chinese Communist Party, but we don’t always adequately qualify that for people who may be entering the debate or new to the debate or looking to politicize the debate.

So I think it was very important, the points that you made that our enemy here is not the 1.4 billion Chinese people; our opponent here is the Chinese Communist Party, which is only about 90 million people—6 or 7 percent of the population—and even a lot of those people don’t actually believe Communist propaganda and nonsense about the fact that so many of their people and people beyond their borders are not perceived by the Chinese Communist Party as actually having dignity. Some people just join the party because they need to for local reasons—to get ahead or to maintain their property or their entities.

So the Chinese Communist Party is a tiny subset of what is happening in China, and our battle, our fight, our problems are not with the Chinese people; they are with the Chinese Communist Party.

One of the ways I learned this lesson was by having used a shorthand for

Vladimir Putin a few times in the past, and I said “Russia” when I meant “Vladimir Putin.”

I think the American people stand interested not just in the future of the Chinese people but also of the Russian people, and both these countries are led by some really bad actors.

One time I made a speech here on the floor about some of the terrible things Vladimir Putin was doing to oppress his people and to meddle in our election and other elections.

After the speech, which I thought covered the points I needed to cover, Gary Kasparov, the former world chess champion, came and said: Can I talk to you?

We went to lunch, and he said: If you actually want to fight against Vladimir Putin—because freedom-loving people in the United States and in Russia should be opposed to Vladimir Putin—it would be helpful that you not, in disparaging Vladimir Putin, say a whole bunch of bad stuff about the word “Russia” and you accidentally—he said to me—referred to our problem as “Russia” when you meant “Putin.”

I think I have learned that lesson with regard to Russia, but I think a lot of us around here don’t always sufficiently distinguish between China and the Chinese Communist Party.

So I just wanted to affirm and underscore your message—not just good legislation that is good for Americans, is good for investors in the United States and abroad, is good for a level playing field, but as we oppose the bad actions of the Chinese Communist Party—their intellectual property theft and their manipulation of currency and numbers and public health data and on and on and on—our opponent is not the Chinese people, and we should say that both so the American people understand it and so that the Chinese people understand it. So I commend you on the way you introduced your legislation today.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Ms. MCSALLY). The clerk will call the roll. The bill clerk proceeded to call the roll.

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

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

Mr. MENENDEZ. Madam President, I rise today to engage in a colloquy with Senators CASSIDY, COLLINS, and my fellow Senator from New Jersey, Senator BOOKER, and I ask unanimous consent that they be acknowledged in that order and that they be allowed to complete their remarks.

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

#### SMART ACT

Mr. MENENDEZ. Madam President, as our Nation grapples with the COVID-19 pandemic, our State, county, and municipal governments have been on the frontlines taking a leading role in responding to this crisis. As a result,

they have been squeezed on both sides of the ledger, spending billions of dollars in unforeseen costs on emergency response while watching as revenues dry up due to necessary stay-at-home orders and the closure of non-essential businesses.

The emergency protective measures have been effective at flattening the curve and have no doubt saved thousands of lives, but they also came with a cost. All revenue sources are down. Sales tax revenue has plummeted with businesses closed. Highway trust funds won’t have the resources to do basic road maintenance. Downtown parking meters are going empty due to people observing social distancing. Building permits and municipal court fees have fallen.

Unless we act soon, we will see mass layoffs, devastating tax increases, and a breakdown in public safety and essential services. Already, the Bureau of Labor Statistics reported that State and local governments laid off 1 million public employees in April. This challenge is true for every State, county, city, and town in the country.

The State Municipal Assistance for Response and Transition, or SMART Act, is the bold, bipartisan, and commonsense solution we need to give our communities a fighting chance and stop the economy from free-falling. It provides \$500 billion in flexible Federal dollars that will help our communities dramatically expand the testing capacity and contact tracing we need to contain the virus—a necessary step in restoring consumer confidence and to restart the economy. It will help stave off massive layoffs, tax hikes, and deep, painful cuts to essential services. It will keep our police officers, firefighters, public health workers, teachers, and other essential employees on the job during this critical time, because it is not just about defeating COVID-19; we still need to keep our streets safe, our children learning, the trash picked up, the roads maintained, and the buses and trains running on time.

I hear some of my colleagues speak from this floor, calling not for unity but for division. They callously ignore the pleas for help from their fellow Americans, comforted by the selfish but mistaken belief that their communities are immune to the fiscal Armageddon facing our communities. Let me be clear. When your revenues drop 30 percent overnight, it really doesn’t matter how fiscally responsible or conservative your State budget is; no one can prepare for that.

Moody’s just reported that States like Ohio and Arizona are facing the fiscal shock of losing 20 percent of their entire budget, and West Virginia, 40 percent. This is not a red State or blue State issue; this is a red, white, and blue issue. It is an American priority.

In December of 1862, during the height of the Civil War, President Lincoln wrote the following message to

Congress: “In times like the present, men should utter nothing for which they would not willingly be responsible through time and eternity.”

I believe that history will look kindly upon those who stood for unity and compromise over demagoguery, those who put the well-being of the country over scoring partisan points, those who stuck out their necks and took a political risk for no other reason than it was the right thing to do.

I am proud of the bipartisan coalition we have built, and I want to thank each of my colleagues for their work and their commitment to rebuilding our communities—Senator CASSIDY, who has led this effort with me, Senator HYDE-SMITH; Senator MANCHIN, Senator COLLINS, and my partner in New Jersey, Senator BOOKER.

With that, I turn to my friend from Louisiana, the distinguished Senator who exemplifies these qualities and has been an incredible partner in crafting this legislation and building this coalition over the past month.

Mr. CASSIDY. Madam President, I thank Senator MENENDEZ and return the compliment. We have worked through a lot of issues to find a bill that meets a valid, public purpose that can pass on a bipartisan basis in both Chambers. I thank Senator MENENDEZ for working with me on that.

The title of this bill is the “SMART Act,” but in retrospect, I wish we had renamed it “the Thin Blue Line Act” because this is about helping cities and States preserve essential services such as police, fire, and education for the reopening of our economy.

Let’s just kind of review. The Federal Government asked that State and local governments shut down their economy in order to control the coronavirus, and just like those small businesses closed at the behest of the government authority, so did State and local governments close, if you will, at the behest of the Federal authority. But what that did is it devastated the tax base.

Moody’s, which Senator MENENDEZ already alluded to, the independent agency that looks at the finances of cities and States, has said that if your State is dependent upon income tax, upon sales tax, upon tourism, and upon proceeds from energy, you have been hammered. Your tax base has fallen dramatically, and with the dramatic fall of that tax base comes a dramatic fall in the ability to support the thin blue line—the educators, the firefighters, the you name it, the essential services that are essential to the reopening of our economy when we come out the backside of this epidemic.

Now, it has already happened. Moody’s predicts that 3 million of these essential workers will be laid off. I am told that 1 million already have been. You can read about universities laying people off, but let’s go back to the thin blue line.

The city of Shreveport, LA, just put out a budget in which there is a \$20

million hit to their city budget overall, and \$3.9 million was, unfortunately, laid upon law enforcement and 54 positions eliminated.

Now, I am told that some Federal dollars came through and allowed the restoration of some of those positions, which, if you will, is a proof in concept that if there is help from the Federal taxpayer to the State and local taxpayer—because they are one in the same—then, these essential services can be preserved. And we know that if those police positions are preserved, then, that downtown in Shreveport is more likely to safely reopen for commerce.

Now, we talked about Moody's predicting loss of revenue. Louisiana is predicted to lose 45 percent of its revenue, but there are other States affected. New Jersey, Maine, Florida, Oklahoma, Michigan, Idaho, Alaska, Arizona, and Illinois are all predicted to lose large sums of tax revenue.

So let me speak specifically about the SMART Act, or, again, as I call it, the "Thin Blue Line" bill. It is a reasonable, bipartisan, "this is how we go forward" bill in both Chambers. We picked \$500 billion. Some would say: Well, that is too much. Actually, that was the amount of money that Moody's predicts State and local governments will lack over the next year and a half. So we actually kind of nail where the independent agency puts the need for our State and our local government, and it is targeted.

One, there has been a lot of concern that this would be used to "bail out States," that those who have accumulated a large, unfunded accrued liability in their pension funds would use that money to support those pension funds. We specifically do not allow that. So if that is somebody's political concern, that has been addressed.

What do we do? Well, first, a third of the dollars can go out now because it is based upon population. This recognizes that if California has 31 million people and Wyoming has 500,000, there needs to be some accommodation for just the population size because, inevitably, that is going to influence the total need.

The next third will go out at the end of June, based upon how hard a State was hit in terms of health from the coronavirus. So if your State was slammed from coronavirus—Louisiana was, New Jersey was, and other States have been—then, that is where you get the help.

Frankly, it is unfortunate that you are getting the help. It would be a lot better if your State had not been impacted, but if it has been impacted, it is there to support your State through the health aspect of this crisis.

The last third will go out at end of this calendar year. That is based upon the financial hit that your State has taken. So if your State's tax base has been decreased by 45 percent, then, you would get additional dollars in the third tranche of money, which comes

out at the end of the calendar year. Obviously, at the end of this calendar year is almost beyond the fiscal year for most States, and so that would place the dollars at the State's disposal for the next fiscal year. In that way, we cover this prolonged period that Moody's says that State and local governments will be out.

There is one more concern, and that is whether or not all this money will go to a Governor's office and none will go to counties or parishes or municipalities in Louisiana. One-third of the dollars will go directly to municipalities and counties—those local governments that are on the forefront of providing services to those who are being affected by the coronavirus epidemic.

We think we have something which balances the needs of stakeholders—the most important stakeholder being the American citizen—that both addresses the need for fiscal accountability and the need to preserve those essential government services to get our economy going once more.

Again, I am going to ask all of my colleagues to support the "Thin Blue Line" bill, otherwise known as the SMART Act. I think it is a smart way to go forward to make sure we don't slip into a recession, but we return with as robust an economy from this crisis as when we entered the crisis.

With that, I will yield to my colleague from Maine.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Madam President, I am pleased to be a cosponsor of the SMART Act, and I want to commend Senator MENENDEZ and Senator CASSIDY for their tremendous leadership. Our bill would help offset the collapse of State and local revenues resulting from the COVID-19 pandemic.

The coronavirus has already claimed the lives of more than 90,000 Americans. As the virus damages our health and deprives us of our loved ones, it has also devastated our communities and our economy.

As of last week, nearly 20 percent of Maine's total civilian workforce had filed for unemployment. The tourism sector has been particularly hard hit, and this is so important to my State. But the fact is that no industrial sector has been immune from this disease.

Restaurants and hotels in southern Maine face uncertainty, not knowing when or even if they will ever reopen. As a result of having to cancel non-essential surgeries, many hospitals are struggling to stay open. Lobstermen and fishermen have lost major markets. Potato farmers may be unable to sell more than \$22 million worth of their 2019 crop. The motor coach industry has been devastated. In short, working families and communities across the State of Maine have been hit hard.

Moody's forecasts that Maine may face one of the worst impacts in the entire country in terms of lost revenues. Eighty-five percent of Maine's State

revenues are from income and sales taxes. They have plummeted. Gas tax revenues have tanked. These projected shortfalls threaten vital State and local services.

One in six Mainers is employed in the public sector. These are the individuals who keep our communities and our citizens safe: the police officers, the firefighters, the EMS personnel. They provide healthcare and education. They maintain our roads and our bridges.

When I visited the Orono Fire Department recently to deliver some much needed masks, the town manager told me that the decline in excise taxes has been devastating for this town.

Maine communities tell me that they will have no choice but to either increase property taxes, at the worst possible time for working families, or eliminate first responder jobs and slash education funding if they do not receive help.

The SMART Act would help to avoid the worst of these consequences by providing \$500 billion in Federal relief to State, local, and Tribal governments. Unlike the CARES Act, where only big cities were eligible for assistance, under our bill every county and every community would be eligible for funding. Maine would receive at least \$2 billion, including about \$330 million for counties and \$330 million for communities. And the \$1.25 billion that we already appropriated for assistance to State governments under the CARES Act would be made much more flexible so it could be used to offset these dramatic revenue shortfalls.

The fallout from the coronavirus is unprecedented. Congress has a tremendous responsibility to help mitigate the impact of this crisis on our States and our local communities and on the families they serve. We must not wait. We should act now.

Thank you.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. BOOKER. Madam President, I thank Senators CASSIDY and MENENDEZ for leading on this extraordinary bill and the broad bipartisan support that it has.

I know Senator MENENDEZ and I have both been mayors in our communities, and when there is no crisis, we know intimately the challenges that so many of our public servants face. In times when we do not see pandemics, our firefighters put their lives on the line, our police officers put their lives on the line, and our teachers extraordinarily work above and beyond the call of duty. Indeed, our communities are strong because of these dedicated public workers.

At a time of crisis, we see that our teachers are rising to the challenge, working to keep their students engaged, even though they are now miles apart. I hear stories of teachers riding around, going out to visit students, keeping their distance but ensuring that the students get the support they need.

Our firefighters are out there now, putting their lives even more at a risk, putting themselves on the line to help their communities.

Police officers are answering calls without hesitation, despite the great risk that puts on them and their families when they go home.

So many of our other public servants are working diligently to keep our communities running, to keep our States strong to meet a crisis, and to try to help folks stay healthy and stay safe. Without hesitation, across New Jersey—across all of our 50 States—we are seeing more clearly the heroic actions of people who are leading in a time of crisis.

But as was said by my colleagues, across the country, States are being hit by significantly declining revenues and extraordinarily increasing costs. We are already seeing early projections, as discussed by my colleagues. Even independent rating agencies like Moody's are talking about hundreds of billions of dollars in deficits for our State and local governments.

My own Governor has estimated New Jersey's protracted gap caused by those declining revenues—those extremely rising costs—to be somewhere between \$20 and \$30 billion.

Due to these shortfalls, without immediate action from Congress, State and local governments will be forced to make deep cuts to public services, including laying off folks who are not just essential in word but who often make the difference between life and death, safety or crisis in our communities. These would be the workers who would be laid off at a time when we need them the most.

Not only do we need these vital public servants on the job, protecting our communities, educating our kids, and supporting our neighbors, but cuts like these actually will aggravate and deepen the overall economic crisis facing our country. Independent rating agencies and others say that cuts like these will actually prolong our economic crisis and the time needed for recovery. This is not the time for half measures. This is the time to act at the scale that the crisis demands.

The Federal Government needs to be providing a robust, accurately tailored response to this crisis by funding our State and local governments in a way that prioritizes those areas that have been hit the hardest. The SMART Act does exactly that. It is a bipartisan bill. It is thoughtful. It is tailored narrowly to fit this crisis.

The SMART Act is a commonsense approach that will make sure that the help is going to where it is needed most—to our hardest hit communities and States—and to help ensure that those workers whom we hail with our words—firefighters, police officers, and teachers—we support with our actions, as well, for they are out there right now supporting us.

No State should go bankrupt fighting this virus, because of this virus. No

State should go bankrupt because we in the Federal Government refuse to support them. No essential public worker should lose their job because of this crisis and because Congress was not stepping up to lead through it.

There is no time to waste. As was said by my colleague, we have folks in my State who are putting together their budgets right now. As we heard from my colleague from Louisiana, they are already accounting for the need to make cuts. We have already seen hundreds of thousands of public workers being laid off. The delay has costs, and when you are talking about first responders, the delays can have costs that are hard to imagine.

I encourage my colleagues to see this as what it is. It is an accurately tailored response. It is a bipartisan bill. It is what our Nation needs right now. I encourage my colleagues in the Senate to work to get this to the floor so that we can vote on it, pass it, and get it through Congress to the President's desk, so we can avoid the storm that we are in and, ultimately, overcome the severity of its ravages.

The PRESIDING OFFICER. The Senator from Georgia.

Mrs. LOEFFLER. Madam President, I ask unanimous consent to complete my remarks before the 12:30 p.m. vote.

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

#### U.S.A. RISE

Mrs. LOEFFLER. Madam President, 8 weeks ago today, the Senate passed the CARES Act, an unprecedented \$2.2 trillion package of legislation aimed at providing relief as our country took steps to respond to the threat of COVID-19.

Previously, we passed legislation to expand free access to testing and paid leave, accelerate vaccines and treatments, and to support the Federal agencies leading our pandemic response.

The CARES Act was designed to support the health of our citizens and the economy. It included direct payments to American families, grants to hospitals, and the Paycheck Protection Program—forgivable loans to small businesses to keep their employees on the payroll. The program was so successful that a month later, Congress approved the additional \$310 billion for PPP loans, \$75 billion for hospitals, and \$25 billion for testing.

Georgia hospitals have received over \$1.7 billion, including at least \$328 million for our rural businesses under the CARES Act.

I worked to include provisions in the CARES Act to expand rural health and telehealth program. Our State has received more than \$800,000 from these programs. They are helping Georgians across our State stay connected with their doctors from the safety of their own homes.

In addition, our State and local governments have received \$5.8 billion to help schools adjust to online learning, to provide assistance for those who lost

their jobs or homes, to keep our airports running, and to help our communities respond and serve in this challenging moment.

The action Congress took has helped to meet immediate challenges, but it is clear the pandemic has caused significant human suffering and staggering economic losses.

In the last 2 months, I have heard from hundreds suffering the effects of this outbreak and the response: first responders, doctors, and nurses on the frontline, small business owners and farmers who have seen the viability of their businesses threatened, families who have suffered job losses, children who are out of school, and food banks that have seen an unprecedented surge in demand.

Before this pandemic, Americans were enjoying a thriving economy, with the lowest unemployment rate in 50 years. Under the leadership of the Trump administration, more families were on their way to living the American dream. Then, in late March, the day after the Senate passed the CARES Act, we learned that a record 3.3 million workers had applied for initial unemployment benefits in a single week. The total is now a staggering 36.5 million Americans who filed initial jobless claims. This is more than the combined populations of Georgia, Pennsylvania, and Ohio.

In my State, more than one in three Georgians have lost their jobs. Watching this unfold, despite the relief of the CARES Act, I recognize that it is time to look beyond the immediate response and to focus on our recovery. As a member of the President's Opening Up America Again Congressional Group, I am putting my nearly three decades of experience in building companies and creating jobs and opportunities to work for Georgians. With my experience and the conversations I have had with Georgians, I developed a U.S.A. Restoring and Igniting the Strength of Our Economy plan—or U.S.A. Rise—to bring back our thriving economy. The four pillars of the plan are Made in the U.S.A., Grown in the U.S.A., Hiring in the U.S.A., and Families in the U.S.A. I started to introduce legislative proposals based on this four-pillar framework that incentivize companies to invest in America, to grow jobs, and to help families.

I would like to highlight one of those pillars today, Families in the U.S.A.

First, we mourn the loss of those to COVID-19. The toll of this has devastated thousands of families. It is also clear that with economic damage comes societal damage. Our country needed to take dramatic actions to flatten the curve, but those steps meant most Americans were confined to their homes. This meant work from home, school from home, but also, in too many instances, lost jobs, isolation, depression, suicide, and domestic, substance, and child abuse.

It is timely that May is Mental Health Awareness Month. In a recent

Atlanta Journal-Constitution op-ed, Eve Byrd and Jennifer Olsen of the Cardinal Center wrote: "Isolation is one of the cruelest components of the outbreak."

Last week, I spoke with the head of a mental health treatment facility in Georgia. They are seeing a significant spike in those reaching out for help. The waitlist is growing, and the demand for help is rising rapidly. An emergency hotline run by the Substance Abuse and Mental Services Administration in HHS saw a 1,000-percent increase in calls in just 1 month. That was this April compared to last April.

I have spoken with local law enforcement officials who have seen a serious spike in domestic abuse calls. The nationwide Crisis Text Line has seen a 78-percent increase in texts related to domestic violence across our country.

The millions of Americans who have lost their jobs or their businesses are suffering.

Tiffany, a mother of three from College Park, GA, was furloughed from her steady job stocking store shelves. She said: "It is very overwhelming when you have rent, when you have children to take care of." When a parent loses their job, they lose much more. They lose their ability to put food on the table, to pay rent, and the uncertainty grows for children. It is vital to help families weather this crisis.

We know that Americans who have a steady paycheck are more likely to have stable, secure families, and children from stable families are more likely to do well in school. That is why I have designed the USA RISE Plan as an economic framework that takes the human cost of the coronavirus into account. Helping families and job creation today will allow parents to get back to work and reduce the fallout from this pandemic from permanently impacting an entire generation.

Importantly, this does not mean we should expand the grip of the Federal Government. An American Enterprise Institute report on achieving the American dream, released just a few weeks ago, states:

The power of community has become all the more poignant as we retreated more to isolated lives required by social distancing. Oftentimes, local institutions and neighborhoods have a greater influence on economic outcomes than what is occurring at the Federal level.

Being in Washington working on behalf of our State, I see that local impact firsthand. Often, these organizations are at the heart of our communities. It is where people turn for help, for a sense of belonging.

Churches and other nonprofits are doing amazing work during this very difficult time. They have been providing childcare, meals, and other support for family and children. For example, YMCAs are the largest provider of childcare in Georgia. Many have stepped up to provide childcare for essential workers. They are providing

thousands of meals each week to help out needy families.

That is why last week I introduced legislation, the Limiting Infant Fatality and Empowering Nonprofit Organization Workforces Act, or LIFE NOW Act. It allows larger nonprofits access to the Paycheck Protection Program loans. These loans will help them keep their doors open and continue to serve their communities while ensuring that no taxpayer dollars go to abortion providers.

Yesterday, I introduced the Working Families Childcare Access Act. This will give more working families more flexibility by allowing parents to contribute more to their employer-sponsored dependent care cafeteria flexible spending account, or FSA. If a family doesn't use all their funds in 1 year, any leftover funds can be rolled over to the following year. This will help families make plans for childcare as they begin to go back to work.

I am continuing to work on additional legislation to provide families with targeted relief—for example, a bill to codify the Trump administration regulations to help Americans who recently lost their jobs and their health insurance. The Trump administration expanded short-term, limited-duration health insurance plans after President Obama substantially restricted those plans just 2 months before he left office. These plans had previously been available for nearly 20 years. They are an affordable option for Americans who are in between jobs or who have been laid off.

The dramatic economic numbers alone do not convey the full cost of this pandemic—the futures impacted, the isolation, domestic abuse, substance abuse, and suicide. As our country begins to look forward amid the coronavirus pandemic, we must support job growth and families to build strong futures.

In the coming weeks, I will introduce additional bills as part of the USA RISE Plan aimed at incentivizing manufacturing in the United States, helping our farmers and small business owners, and to ensure that America is the best place in the world to do business.

While I continue to do all I can to fight COVID-19, I will also continue to do all I can to help Georgia families and employers recover and prosper.

I yield the floor.

#### CLOTURE MOTION

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

The senior assistant legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of John F. Heil III, of Oklahoma, to

be United States District Judge for the Northern, Eastern and Western Districts of Oklahoma.

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

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

The question is, Is it the sense of the Senate that debate on the nomination of John F. Heil III, of Oklahoma, to be United States District Judge for the Northern, Eastern and Western Districts of Oklahoma, shall be brought to close?

The yeas and nays are mandatory under the rule.

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

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

The yeas and nays resulted—yeas 76, nays 16, as follows:

[Rollcall Vote No. 98 Ex.]

#### YEAS—76

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

#### NAYS—16

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



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	Hoeben	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

for the veterans on Memorial Day weekend.

In a March 13 letter to President Trump, these veterans asked him to ensure “that the men and women who served their country honorably are not burdened with student loans that result from fraud.”

I ask unanimous consent that the March 13 letter to President Trump be printed in the RECORD.

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

MARCH 13, 2020.

Hon. DONALD J. TRUMP,  
The White House,  
Washington, DC.

DEAR PRESIDENT TRUMP: In August 2019, you stood with veterans in directing the Education Department to ensure that all totally and permanently disabled veterans would have their student loans forgiven. We were so grateful to you then. We write now to ask that you please stand with servicemembers, veterans, their families, and survivors again in supporting a bipartisan resolution, H.J. Res 76, which would help veterans and military-connected students get relief from student loans they incurred as a result of fraud.

With a bipartisan vote in both the Senate and the House of Representatives, it is clear the support of Congress for veterans, servicemembers, and their families and survivors stands above partisan politics.

Please join us in ensuring that the men and women who have served their country honorably are not burdened with student loans that result from fraud. This has been an important priority for veterans organizations as reflected in a letter from 27 veterans organizations to the Education Department and a letter from 37 veterans organizations to Congress.

We appreciate your support.

Sincerely,

Air Force Sergeants Association; Army Aviation Association of America; Association of the United States Navy; AMSUS, the Society of Federal Health Professionals; Blue Star Families; Chief Warrant & Warrant Officers Association, U.S. Coast Guard; Code of Support Foundation; Fleet Reserve Association; High Ground Veterans Advocacy; Iraq and Afghanistan Veterans of America; Ivy League Veterans Council; Norman Rosenshein, Jewish War Veterans of the USA.

The Military Chaplains Assn. of the USA; John Ballantyne, Senior Vice President and Chief Operating Officer, Military Child Education Coalition; Dana T. Atkins, Military Officers Association of America; Douglas J. Greenlaw, Military Order of the Purple Heart; National Military Family Association; Non Commissioned Officers Assn. of the United States of America; Service to School; Service Women's Action Network; Student Veterans of America; Swords to Plowshares; Laura L'Esperance, The Mission Continues.

Kenneth Greenberg, The Retired Enlisted Association; Tragedy Assistance Program for Survivors; Randy Reid, U.S. Coast Guard Chief Petty Officers Association & Enlisted Association; Veterans Education Success; Danielle Applegate, Vets First; Veterans for Common Sense; Robert F. Muth, Veterans Legal Clinic, University of San Diego School of Law; Veterans Student Loan Relief Fund; Vietnam Veterans of America.

Mr. DURBIN. President Trump has the opportunity to be the one who rescues these defrauded veterans from a rule that the American Legion has en-

titled “fundamentally rigged against defrauded borrowers” and give these Americans who served our country not just a pat on the back but a chance to get back in the game in their lives.

American voters are behind us, overwhelmingly, from both political parties. New polling by Third Way finds that voters in key red and swing States believe that the Federal Government should not make students who took out loans to attend fraudulent or misleading institutions of higher education pay back those loans.

In Ohio, 73 percent of voters believed this, 68 percent in Indiana, 64 percent in Colorado, 63 percent Pennsylvania, 61 percent Missouri and North Carolina, and 60 percent South Carolina. When asked if schools that mislead student borrowers should be held accountable, the numbers are dramatically higher, and 95 percent of Republicans in North Carolina agree and 91 percent of Republicans in South Carolina. The list goes on.

The DeVos borrower defense rule would make it impossible for defrauded borrowers to get the relief that the American people and I believe they deserve. It will lessen accountability for the schools that defrauded these borrowers. They are just going to do it again. God forbid we loan these defrauding schools money in the current economic crisis so they can continue to defraud veterans and other students.

This isn't a controversial issue among the American people, just among politicians. By signing this resolution, President Trump will be supporting America's veterans, Democratic and Republican voters. I hope he listens.

#### IMMIGRANT HEALTHCARE HEROES

Mr. DURBIN. Mr. President, Americans owe a great deal of gratitude to healthcare workers on the frontlines of the fight against the COVID-19 pandemic. I can't tell you how many heartbreaking stories I have read of these healthcare workers who are so depressed over the number of infections, the suffering that people are going through, and, of course, those whose lives have been taken by this coronavirus. I can't imagine what it is like physically and mentally, what they go through. Bless them. Bless them for caring enough for us and for our families to risk their own lives and go to work every single day.

I want to spend a minute talking about a special group of these healthcare workers—immigrants. That is right—immigrants. Consider this: 1 in 6 healthcare and social service workers is an immigrant; 3.1 million out of 18.7 million. Over 3 million immigrants.

These immigrants are playing a crucial role in the battle against the pandemic. Yet, the President continues to disparage them falsely, claiming they are a drain on society. He wishes they would leave. I hope they never do.

I have come to the floor to tell the story of one. I will continue to highlight these stories because we need to put faces on this issue. You need to understand who these people are, these people who are immigrants to this country and willing to risk their lives to save ours. I invite my colleagues to do the same. Tell the stories in your own States. I can guarantee you, wherever you are from, there are immigrant health heroes.

Not to take anything away from those who are not new immigrants, but these people need special attention at a time when there is so much criticism of immigration to this country of immigrants. Many of these healthcare workers are young immigrants who came here as children. They are known as Dreamers. I know because 20 years ago, I introduced the DREAM Act so that these young people, brought to this country as toddlers, infants, and little kids, could have a chance to be part of a future. They are American in every way except their immigration status.

I joined with Republican Dick Lugar years ago on a bipartisan basis, calling on the President to use his authority to protect these Dreamers from being deported. President Obama responded. He created the DACA Program. DACA provided temporary protection from deportation to Dreamers if they registered with the government, paid a \$500 filing fee, went through a criminal background check, and had no serious problems. They were allowed to stay 2 years at a time, not be deported, and legally work in America.

More than 800,000 Dreamers came forward and received DACA protection, and let me tell you what they did. They turned around and became teachers, nurses, soldiers, small business owners, and 100 other things important to America.

Listen to this: More than 200,000 DACA recipients are essential critical infrastructure workers. I didn't make that up; that number came out of President Trump's own Department of Homeland Security. Among these essential workers are 41,700 DACA recipients in the healthcare industry. These include doctors, intensive care nurses, paramedics, and respiratory therapists. Understand this: These are undocumented people in America, brought here as children, grew up here, went to school here, got an education, developed skills and training, and now we need them in this pandemic—41,700 of them.

On September 5, 2017, President Trump repealed DACA. Hundreds of thousands of Dreamers faced losing their work permits and being deported from this country to places that many of them barely remember. Thank goodness the court stepped in to stop the President's action, but the President decided to appeal the case, and now, across the street in the Supreme Court, they are sitting on a case that will decide the fate of 800,000 of these DACA

protectees, many of them—thousands of them healthcare workers who are doing essential work every day. We can get a decision from the Court any day.

Will we be better off if 41,000 of these DACA healthcare professionals are deported from this country in the midst of this pandemic? No sensible person believes we would be. If the Court rules in favor of President Trump, up to 200,000 essential workers in America would be sidelined in the middle of this national emergency. Many of them face deportation.

I sent a letter to the President, with 37 of my Senate colleagues last month, urging him to extend the work authorization for DACA recipients to the end of the year. It is not too much to ask. They have lived in this country for years, and they passed a criminal background check.

For goodness' sake, Mr. President, don't get tough on these people when we need them the most.

But if you consider what the President said about immigrants over and over again, I know it is unlikely that he is going to have a moment of caring when it comes to their future, so Congress has to step in.

The HEROES Act, which the House of Representatives passed last week and which we did not even consider this week in the U.S. Senate, includes a provision to automatically extend work authorizations for DACA recipients. This is what they are talking about when critics of that House action come to the floor and talk about all the benefits for undocumented people living in this country—the extension of DACA protection for thousands of essential workers in this country who are protected by DACA.

They say: Oh, it sounds like they are opening the doors for illegal people to come in here and get royal treatment in America.

The opposite is true. These are people who are risking their lives providing healthcare and essential services across America. The HEROES Act that passed in the House of Representatives simply said we are not going to deport them. What a radical suggestion, that we could use their help and we need their help through the rest of the year. We certainly do. Those who come and mock this provision by saying it is just a giveaway to illegal immigrants are really doing a disservice to these people and the sacrifice they are making.

Ultimately, we need to give these Dreamers a chance to become citizens. I believe it now, and I have believed it for 20 years. It has been that long since I introduced the DREAM Act, a bipartisan bill, which would accomplish that.

Last year, the Congress passed the Dream and Promise Act, which would have solved this problem based on the DREAM Act. The vote was 237 to 187 in the House. Leader McCONNELL has refused to even consider calling that measure for consideration in the Senate. And it isn't because we are over-

worked; just take a look at this empty Chamber.

Over the years, I have come to the floor of the Senate more than 100 times to tell the stories of Dreamers. I want you to know who they are. These stories show what is at stake when we consider the future of DACA.

Today, I want to tell you about Javier Quiroz Castro. Here is Javier dressed for work. He is the 121st Dreamer whose story I have told on the Senate floor.

Javier's parents brought him to the United States when he was 3 years old. He grew up in Nashville, TN. His father worked in construction as a bricklayer. His mother cleaned homes and office buildings. As the oldest child and the best English speaker, Javier took care of his three younger siblings and helped his family navigate the challenges of being in America.

Javier went to a private Christian college in Nashville, Lipscomb University. At Lipscomb, he discovered his love of nursing. He enrolled in the school of nursing and did his clinical training at Vanderbilt Medical Center. Javier graduated in May 2013 with his bachelor's in science of nursing. Javier received the Spirit of Nursing Award, which each year is given to only one nursing student who has best delivered quality care.

Because President Obama established DACA in 2012, Javier had a chance. Before that, he had no chance to become a registered nurse in this country. But he had a chance, and he took advantage of it.

Javier now lives in Houston, TX, and works at Houston Methodist Hospital. He is part of the team taking care of patients with COVID-19. This is what he wears to work.

Javier wrote me a letter. Here is what he said:

Thanks to DACA, I have been able to save a lot of lives. I have been able to be there with patients at their final moments of life. I have been able to take care of people of many different backgrounds, nationalities, races, socioeconomic levels, and cultures.

This wouldn't be complete if I didn't introduce you to Javier's daughter. Take a look at this beautiful little girl. This is Isabelle Quiroz. A few weeks ago, she took her first steps. I bet you she is about the same age as my granddaughter, whose birthday is Friday of this week. She is about to take her first steps too. This beautiful little girl, Javier's little girl, her faith and future are at stake, too, in this debate in the U.S. Senate.

I want to wish Isabelle a happy birthday tomorrow and my little granddaughter Jill a happy birthday on Friday.

Javier's wife is also a nurse. She and Javier worry every day about not infecting their baby daughter as they go to work to save other people, but they still get up every day and go to work to care for their patients.

I want to thank Javier Quiroz Castro for his service. He is indeed a

healthcare hero. He is an immigrant healthcare hero. He puts himself and his family at risk in order to save American lives. He shouldn't have to worry about a decision across the street at the Supreme Court which would deport him back to a country he cannot even remember.

We must do better. We are better than that as a country, to say to someone like Javier: Well, thank you for working so darn hard. Thank you for getting through nursing school with the highest grades. Thank you for your professionalism. Thank you for risking your life for America. But I am sorry, buddy, you are undocumented. Get out of the country.

The bill that passed the House would protect him until the end of the year—until the end of the year. Yet Members come to the floor and mock this bill and say: Oh, you are trying to give things away to illegal immigrants. Illegal immigrants like Javier? Get real. Get serious. Be human.

We have to do better for Javier and the DACA recipients. They are counting on us—those of us in the Senate—to solve this crisis created by President Trump's action.

As long as I am a Senator, I will continue to come to the floor of the Senate to advocate for Javier and the Dreamers. I have done it for a long time, but the job is not finished. It would be an American tragedy to deport this brave and talented nurse who is saving lives in Houston, TX, as we speak. We must ensure that Javier and hundreds of thousands of others in our essential workforce are not forced to stop working when we need them the most.

Ultimately, we need to pass legislation that demonstrates who we are, what we believe in, and what our values are. What does it say about America if we say to Javier "We don't need you"? We do. We need him and so many just like him who are performing essential services at this time of national emergency.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Ohio.

#### THOUSAND TALENTS PLAN

Mr. PORTMAN. Mr. President, last week I came to the floor of the Senate to talk about how the tragic spread of the coronavirus around the world underscored the need for us to focus on the persistent challenge of China not playing by the rules.

In the case of coronavirus, that was about China not telling the World Health Organization, not telling other countries, and not telling their own people what was happening in terms of the coronavirus and not taking steps to stop international travel early on. That wasn't playing by the WHO rules—the World Health Organization rules—and the result has been devastation. It has meant the spread of the virus. So much of that devastation we

have seen around the globe, in my view, could have been avoided had they played by the rules.

Unfortunately, not playing by the rules applies to China in many other areas too. We have talked a lot about trade on the floor of the Senate, to be sure that there is a level playing field between China and the United States and making sure they play by the international trading rules. But here is another one where China and the Chinese Communist Party have not played by the rules, and that is with regard to obtaining our intellectual property, our innovation, and our research.

In the Permanent Subcommittee on Investigations, which I chair, we found not playing by the rules to be the case when we conducted a bipartisan, year-long investigation into how China has used so-called talent recruitment programs—most notably its Thousand Talents Plan—to steal U.S. taxpayer-funded research to help fuel the rise to both the Chinese military and the Chinese economy over the past 20 years. It has been going on for two decades.

You might ask, how has this happened? How could this be possible? This is how it happens. Every year, Federal grant-making agencies, like the National Institutes of Health, the Department of Energy and their National Labs, the National Science Foundation, and others, give out more than \$150 billion in U.S. taxpayer funds for research. That is quite a bit of money.

For the most part, this system works well. American taxpayers send the money to these Federal grant-making agencies here in Washington, which then give it out to the best researchers and the best research labs in the country. It has resulted in important new breakthroughs in science, technology, healthcare, energy, military equipment, and more.

The NSF helped fund the creation of the internet. The NIH has funded research into very successful and innovative treatments for cancer and other diseases. So there is a lot of good stuff coming out of these research dollars. It has made America really the leader in the world on innovation and new ideas.

For the most part, this Federal research funding has enjoyed broad bipartisan support here in the Congress. But guess what. It has also attracted interest from researchers around the world who want the chance to take a part in this cutting-edge research. That is good, too, as long as they play by the rules.

What we have learned and we proved through our report is that this system is very vulnerable to theft by other countries. That is exactly what has happened in the case of China.

China has made no secret that its goal is to surpass the United States as the world leader in scientific research. They have seen an opportunity to get ahead by exploiting this system of taxpayer-funded grants and the open and collaborative research enterprise that we have in this country. They have taken advantage of that.

Specifically, the Chinese Government has systematically targeted the most promising U.S. researchers. So they find out somebody is doing some research on something interesting to them, and they systematically target that person. They have been paying these grant recipients to take their research—remember, research paid for by U.S. taxpayer dollars—and apply what they have learned here in labs over in China at Chinese universities affiliated with the Chinese Communist Party.

The research they are taking over to China isn't just going toward academic purposes. That wouldn't be right, either, because our taxpayer dollars are going in to fund this research. They are then leapfrogging us by getting that research. But it is not just for academic purposes. Often, the research ends up going directly into things like advancing China's military, which has made great strides in the last two decades, advancing its technological growth, its economy, its manufacturing processes, and so on.

A State Department witness at one of our Senate hearings on our report said this: "The Chinese Communist Party has declared the Chinese university system to be on the front line of military-civilian fusion efforts for technology acquisition." So there is a clear link here between the research going to these Chinese university labs and that same research being used to allow China to effectively leapfrog us in terms of their military improvements and their economic growth.

Part of the reason it has gone on so long, frankly, is because we have been asleep at the switch. We haven't been focused on this. We do have an open, collaborative research system in this country, and we haven't been effective at cracking down on this intellectual property theft. That is starting to change, and I am appreciative of that.

It started to change, frankly, in the wake of our subcommittee investigation. The Permanent Subcommittee on Investigations hearings also helped. Our report also helped. During one of our hearings, the FBI actually acknowledged what has been happening. This is what the FBI said: "With our present-day knowledge of the threat from Chinese talent plans, we wish we had taken more rapid and comprehensive action in the past, and the time to make up for that is now." I appreciate the candor. I appreciate the fact that the FBI was willing to say: Now that we have learned all of this, we should have been acting on this a long time ago. We are going to do it now and make up for lost time.

They have been much more aggressive. Since our hearing and detailed report last November, we have seen a number of high-profile arrests of academics in this country who have consistently hidden their participation in China's Thousand Talents program and have taken research over to China.

You may remember hearing about this issue earlier this week when a Har-

vard professor named Dr. Charles Lieber, who was the chair of Harvard University's chemistry department, was accused of secretly taking money from China and sharing his U.S. taxpayer-funded research with the Chinese Government. It was really a shocking example of this.

But he is not the only case. In March, we received news of another arrest of a professor who used to work at West Virginia University who participated in Thousand Talents. In this case, the Justice Department found that he had convinced his employer—a U.S. public university—to give him paid parental leave funded by American taxpayers while he went to China to work at a university there to continue his work on specializing molecular reactions used in coal conversion technologies. This is from West Virginia University.

These two cases would be bad enough on their own, but since the start of this month, we have actually had three more cases announced by the Department of Justice and the FBI in relation to this Thousand Talents program. I commend the DOJ and the FBI for their work to continue to crack down on this program and to go after these problems, but they need better tools to do it.

About 2 weeks ago, a former Emory University professor pled guilty to falsifying his tax returns to conceal his work for the Chinese Government. The professor worked simultaneously and secretly for 6 years for both Emory University and overseas for Chinese universities affiliated with the Communist Party of China, conducting similar research projects at both institutions. Despite this clear conflict of interest, he failed to report any of his at least \$500,000 in foreign income on his Federal tax returns.

That very same day, a professor at the University of Arkansas was arrested on charges of wire fraud for allegedly failing to disclose his ties to the Chinese Government, despite being required to do so as a grant recipient of money from NASA—NASA.

Just this past week, we found out that this problem had reached my home State of Ohio when the Department of Justice announced the arrest of a researcher previously affiliated with the world-renowned Cleveland Clinic. This researcher had received more than \$3.6 million in taxpayer-funded grants from the National Institutes of Health—again, taxpayer dollars. To secure that grant, he is accused of lying to hide the fact that he was given a deanship at the university in Wuhan, China.

He is also accused of lying about his Chinese Government-funded research directly overlapping with his NIH-funded research. According to the criminal complaint, he received \$3 million in funding from China to run a shadow lab in Wuhan to replicate his Cleveland Clinic research, along with free travel and free lodging funded by the Chinese Government. It says he even admitted

that he hand-carried samples of biological material from Cleveland, OH, to Wuhan. Those samples are still stored, by the way, in China.

It also states that he did not disclose that one of his Chinese grants required that he be in Wuhan for 10 months of the year at the same time he was also employed full time at the Cleveland Clinic, again, working on NIH-funded research.

I commend the Cleveland Clinic for working with the FBI and the U.S. Attorney's Office to ensure that we were able to stop this from happening.

As a Thousand Talents member, the criminal complaint also alleges that this individual recruited around 40 to 50 other U.S.-based researchers for his Chinese university by hosting events at Harvard and other schools in the United States.

This is a big deal, and it needs to stop. I commend the Assistant Attorney General for National Security, John Demers, for his work on this and other cases and also U.S. Attorney Justin Herdman of the Northern District of Ohio, FBI Special Agent in Charge Eric Smith, and all the members of their team for their work on this Cleveland Clinic case.

Again, these cases are all positive steps in the right direction, but the problem, as you might notice, is that none of these criminal charges and arrests were actually based on participating in a Thousand Talents program or even hiding that from the U.S. Government research institutions or universities. The criminal charges and arrests were all for other crimes, like perjury, wire fraud, and tax evasion. That is because, amazingly, failing to disclose on a grant application to receive U.S.-taxpayer funds that you are receiving compensation—clear conflict of interest—from a foreign government and giving them your research is not currently a crime. That needs to change.

One example: The Emory University professor, according to the law, only committed tax fraud, while the Arkansas professor only committed wire fraud. The fact that these are technically only financial crimes show that we are still just nibbling around the edges of this problem. It is time for us to get at the underlying flaw in our research enterprise of talent programs enticing researchers here in the United States to steal for other countries. We are going to need targeted legislation that will take direct action against this practice, and that is exactly what we have done.

Along with a group of colleagues, including Democrat TOM CARPER, the ranking member of the Permanent Subcommittee on Investigations, we are introducing the Safeguarding American Innovation Act, which is going to build on the recommendations made in our PSI report and address some of these root causes of the ongoing IP theft that is currently going on.

First and foremost, our bill is going to help the Department of Justice go

after the Thousand Talents participants by allowing DOJ to hold Federal grant recipients accountable for failing to disclose their foreign ties on Federal grant applications. This isn't just about more arrests, either. We should all agree that transparency and honesty in grant applications are critical to the integrity of U.S. research, and this provision will help to promote those principles.

Our bill makes other important changes, as well, based on the recommendations in our report. It requires the Office of Management and Budget, or OMB, to streamline and coordinate grant-making between these Federal agencies, so there is needed accountability and transparency when it comes to tracking the billions of dollars of taxpayer funds in grant money that is being distributed.

We have worked closely with NSF, NIH, Department of Energy, and others on this important piece of legislation. They agree it is important. It allows the State Department to deny visas to foreign researchers who are seeking to access sensitive U.S. research when there is a threat to our economic or our national security. This may surprise you, but they can't do that now. Career Foreign Service officers and employees of the State Department have begged us for that authority.

Our bill also requires research institutions to have safeguards in place to prohibit unauthorized access to sensitive research because we found that to be a serious problem. And our bill ensures transparency by requiring universities to report any foreign gift of \$50,000 or more, and it empowers the Department of Education to fine universities that repeatedly fail to disclose these gifts.

Right now, our No. 1 priority is and should be solving the coronavirus crisis. I get that. By the way, the FBI sent a notice around last week to universities and research institutions saying: Watch out because there are actually Chinese hackers trying to get your research on coronavirus. It just happened last week.

I have to tell you that in the context of this crisis, we have to reevaluate how we do business with China. We have to look at this with fresh eyes and realize that in many areas China has not been playing by the same set of rules as the rest of the world.

We talked about that earlier, with regard to trade and with regard to reporting on the coronavirus. I think in a fair and straightforward manner, we have to lead in insisting that there be a level playing field, whether it is the WHO or whether it is transparency with coronavirus or trade policy or how research is acquired.

My hope is that our PSI report and the legislation we are introducing will let us reset the way we conduct our research. Our goal should be to continue to reward those who come to our shores and discover new breakthroughs in science and technology. We want that.

We are very proud of the fact that we are the most innovative country in the world and we are known for our research enterprise. We want to continue that, but we want to do it in a smart way. We want to be sure that we are keeping China and other nations and competitors from stealing that research for its own purposes. I know we can achieve that balance. Our legislation does that.

I look forward to getting support from both sides of the aisle because this is a problem we should all be concerned about.

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

#### UNANIMOUS CONSENT REQUEST— S. 3608

Mr. KENNEDY. Mr. President, I want to talk for a few minutes about the Coronavirus Relief Fund Flexibility for State and Local Government Act. Before I get to my motion, I just want to make a couple of points.

Point 1, as you know, we have passed four bills dealing with the pool of misery America and the world find themselves in with respect to the coronavirus. We have spent a breathtaking amount of money. I never imagined that I would vote for bills of the magnitude that I have voted for, but we all did what we had to do.

If you add up the four bills, we have spent \$3 trillion so far. I have expressed it this way before, but I am going to keep doing it because it is just a breathtaking amount of money: \$3 trillion is 3-0-0-0-0-0-0-0-0-0-0-0-0-0 taxpayer dollars. We may have to spend another \$3 trillion.

As you know, we set up some facilities at the Federal Reserve. They are called 13(3) facilities, through which the Federal Reserve is loaning money to American businesses to try to keep them afloat after the government shut down the American economy.

The Federal Reserve cannot lose money. I am not suggesting that all \$3 trillion that the Federal Reserve ends up loaning out will remain unpaid. I hope not. But for the portion that does go into default, we are going to have to appropriate money to cover those losses. We already appropriated \$450 billion, but if the losses go higher, we have to cover them.

We have spent \$3 trillion for certain and, potentially, we are going to have to spend another \$3 trillion. It is a staggering amount of money. The entire U.S. economy, the greatest economy in all of human history, to put things in context, is \$21 trillion a year. That is how much we produce a year if you add up all the goods and services that we, as Americans, produce.

As you know, Speaker PELOSI has introduced yet another bill, a fifth bill. The House has passed it. It was on a party-line vote. I think one Republican voted for the bill. A number of Democrats voted against it. It was a close

vote, but the House passed it at Speaker PELOSI's suggestion. It would cost another \$3 trillion.

I have to tell you, when I first heard about the bill and after I looked at the bill, I was very, very surprised. I was shocked. I don't mean to overstate my case. I didn't faint or anything, but maybe it would be fair to say that my emotions were a cross between surprise and shocked.

It is not a coronavirus bill. It is a "remake American society" bill. For one thing, it would cost another \$3 trillion. I am not going to recite the zeros again, but \$3 trillion is \$3,000 billion on top of the money we have already spent. It really would remake American society.

The Speaker included provisions about immigration laws. A lot of taxpayer money would be given to people who are in our country illegally. It would let Federal prisoners go free. It would expand the Affordable Care Act, which even President Obama calls Obamacare. I remember when ObamaCare passed. We were promised—President Obama promised—that if you pass this bill, health insurance will be cheaper, and it will be more accessible, and your life will be better. None of those things have any resemblance to reality.

Of course, I could go on about Speaker PELOSI's legislation. It is not going to pass the Senate. I suspect she knows that. What is going to happen next in this opera? Well, if past is prologue, the majority leader and the minority leader in the Senate and the majority leader in the House and the Speaker and Secretary Mnuchin—all of whom I have respect for—will go off and they will negotiate a deal, and then they will come back and they will present it to the Senate and the House. I could be wrong, of course. I am in labor, not management. I could be wrong, of course, but the bill will not go through regular order. It will never be considered by committee. We probably will not be allowed to amend the bill because a deal has been made. It will be "take it or leave it."

Now, if past is prologue, given the circumstances, people will moan and groan, but they will vote for the bill, whether they know what is in it or not, whether they were included in the discussions or not. That is what happened with the CARES Act.

I am not sure that is going to happen this time. I am not sure that this time the non-negotiating Senators and House Members are going to moo and follow their leaders into the chute like cows. I think this time might be different. I am not saying that is a good or bad thing. It depends on what the deal is. I am raising the possibility.

Speaker PELOSI could eliminate every other word in her bill and cut the price tag in half and I still don't think that the Republicans of the Senate are going to support it. If she takes out all the goodies for the leftwing—the left leftwing—of her party—I don't use that

in a pejorative sense. If she takes out all the goodies that remake Western civilization in her bill, I am not sure that the leftwing of her party in the House is going to vote for it. What I am saying is, for better or worse, I am not sure there is going to be a fifth bill. That is point 2.

Point 3, let me go back to our CARES Act. In our CARES Act, we spent an enormous amount of money to help States and to help local governments. We gave \$150 billion directly to States and cities to combat the coronavirus. We appropriated extra money on top of that for public schools. We appropriated extra money on top of that \$150 billion for universities. We appropriated extra money on top of all that for our hospitals, many of which are public.

We appropriated extra money on top of all of that to give States extra Medicaid money. My State received \$1.8 billion for State and local government, \$300 million for public schools, \$200 million for universities, over \$600 million and climbing for our hospitals, and extra Medicaid money. It is about \$3.5 billion in Louisiana. That is a lot of money along the bayou.

I want to dissuade people who say we haven't done anything for State and local government. We have. We have done a lot. That is point 3.

Point 4, I am not guaranteeing it is my final point, but I intend it to be. Point 4, the \$1.8 billion that we gave State and local government has restrictions. It can only be spent combating the coronavirus. If you don't spend it combating the coronavirus, you are supposed to give it back. That will happen when donkeys fly. We will never see that money again. It is spent, for better or worse. And I voted for the bill. I don't think any fairminded person can deny the fact—and I think it is a fact—that as a result of the coronavirus, just as the Federal Government has had and will have revenue shortfalls, so will State governments and so will cities. People haven't been paying sales tax because they haven't been buying stuff. People haven't been paying income tax at the State and local levels because they haven't been working. I wish that weren't the case, but it is a fact.

My bill would say to those States and cities: You can use the \$1.8 billion to offset revenue shortfalls. Some of my colleagues for whom I have great respect—one of them is here tonight, Senator RICK SCOTT, and I mean that. He was a heck of a Governor. He is a heck of a Senator. They have argued that we shouldn't give that flexibility because some States are mismanaged. I agree with that. I do. If I were King for a day and had a magic wand, I would take all of the many measures that then-Governor SCOTT implemented in Florida and say we need to do these in every State. We can debate whether that would violate federalism, but I watched him carefully as Governor. He was a great Governor. When he inher-

ited Florida, it was a mess, and he cleaned it up.

So when he and others make the point that we shouldn't bail out mismanaged States, I agree with that. But I can't divorce myself from the fact that every State—mismanaged, well managed, medium managed, poorly managed—has revenue losses as a result of the coronavirus. That doesn't mean that they shouldn't cut their budgets. That doesn't mean that they shouldn't scrub their budgets. We ought to do it at the Federal level. That will happen, too, when donkeys fly. We expect our friends at the State level and at the local level to scrub their budgets, but I still think they are going to come up short. I worry that if they do that and they have to start laying off first responders, it is going to hurt the recovery.

Now, not everybody agrees with what I have just said, and not everybody agrees with Senator SCOTT's position. Reasonable people disagree sometimes. But this much I also know: Whether you agree or disagree for the next 6 months, Senator SCOTT is not going to convince, for example, Governor Cuomo of New York to adopt his position. I am pretty confident of that. And over the next 6 months, Governor Cuomo is not going to convince—I know this—Senator SCOTT to adopt his position. In the meantime, we have a problem to deal with.

I will make one final point. Some of my colleagues have said: KENNEDY, we don't need your bill because the Treasury Department through the Secretary of Treasury has issued directives saying that the money can be used for first responders.

Now, look, I am a big Secretary Mnuchin fan. I think he has been a rockstar through this process, but I don't understand this concept of a directive. I know what a rule is. I know what a regulation is. I know what due process is. I know what the Administrative Procedure Act is, and I don't think a directive fits into those categories.

I also know that a Secretary of a department, no matter how bright and capable and talented he may be, cannot change an act of Congress, and the CARES Act doesn't say a dadgum thing about using this money for first responders. If I am a Governor, I am going to worry that, if I do spend the money without an act of Congress, that someday: Knock, knock, knock on my door. Hello? I am from the government. In fact, I am an inspector general, and I want to see your books, and I have looked at your books, and I want you to give that money back. It has happened before.

The only way to give our friends in State and local government security is for us to pass law, not for the bureaucracy to tell us what we did. We know what we did.

Look, I know that some on my side of the aisle disagree with me, and I have learned a little bit in 3½ years. I



have learned two things mostly. I learned this the first week: Everybody up here who smiles at you is not your friend. And, No. 2, I have learned up here you have got to watch what people do, not what they say.

This bill is not coming to the floor of the U.S. Senate anytime soon. I know that. I get it. I am just saying it should. I am saying it if it does—if it does—it will get 90 votes. I am saying, finally, that these revenue losses are real. Managed, mismanaged—we can debate that forever. They are real, and we have got to get this economy up and going again. If States are laying off teachers and first responders and policemen and firemen and people at public hospitals or raising taxes, it is going to be that much harder. That is why we ought to pass my bill.

It doesn't spend a single, solitary new penny—no new money. It just gives Governors and mayors a little more flexibility.

For that reason, I have to read this long script.

Mr. President, I ask unanimous consent that, at a time to be determined by the majority leader in consultation with the Democratic leader, the Committee on Appropriations be discharged from further consideration of S. 3608 and the Senate proceed to its immediate consideration; I further ask unanimous consent that there be 2 hours of debate, equally divided between the proponents and the opponents of the bill, and that upon the use or yielding back of that time, the Kennedy substitute amendment No. 1581 be considered and agreed to; that the bill, as amended, be considered read a third time, and that the Senate vote on passage of the bill, as amended, with a 60 affirmative vote threshold for passage with no intervening action or debate; finally, if passed, the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

The Senator from Florida.

Mr. SCOTT of Florida. Mr. President, reserving the right to object.

The first thing I want to do is I want to thank my colleague from Louisiana for the kind words about my tenure as Governor and tell him I respect and admire his passion for being a U.S. Senator and his passion for the wonderful State of Louisiana, which is a wonderful State.

As we all know, this is a challenging time for every level of government. This crisis was unprecedented, and Congress absolutely took bold action to stem the spread of the virus and work to save our economy. But if we are not careful, Congress will create another equally devastating crisis down the road, a crisis of our own making.

Our national debt and deficits—already at unsustainable levels—have skyrocketed as Congress has spent, as my colleague said, almost \$3 trillion to address this crisis. To put that in per-

spective, Congress has spent \$9,000 for every American—\$9,000 for every American.

At some point, we need to start thinking about the impact this spending will have on the future of our children and our grandchildren and how we are impacting our ability to fund our military and our safety nets like Social Security, Medicare, and Medicaid.

Again, I know everyone here, including my colleague from Louisiana, wants to help their State. I want to help States too, which is why I support continuing the existing restrictions tied to the coronavirus relief fund that were included in the CARES Act to make sure this spending is for coronavirus relief and response. Regardless of whether we are removing existing guardrails or talking about completely new funding, both actions would result in a blank-check bailout for States.

Let's remember, we are talking about \$150 billion. To put that in perspective, the median income for a worker in Florida is approximately \$30,000; \$150 billion will pay the total annual income for more than 5 million Floridians.

And let's talk about who we are bailing out here: Not those on unemployment, we took care of them in the CARES Act; not our teachers, we took care of them in the CARES Act; not our healthcare workers, we took care of them in the CARES Act.

We are bailing out liberal politicians who cannot live within their means, and now, we are asking Floridians to pay for the incompetency of Governors like Andrew Cuomo. We know California, New York, and Illinois have no problem using hard-earned taxpayer dollars to fund their liberal priorities and to backfill their budget shortfalls and solve their longstanding fiscal problems. But it is not fair to the citizens of States like Florida, where we made the hard choices to put our State on a financially secure path.

The Wall Street Journal laid it out clearly for us this week when they said:

Democrats in Albany are claiming to be victims of events that are out of their control. But they have increased annual spending by \$43 billion since 2010—about \$570,000 for each additional person. Florida's annual budget has increased by \$28 billion while its population has grown by 2.7 million—a \$10,400 increase per new resident.

New York has a top state-and-local tax rate of 12.7 percent, while Florida has no income tax. Yet New York has a growing budget deficit, while Mr. SCOTT, as Governor of Florida, inherited a large deficit but built a surplus and paid down State debt. The difference is spending.

The Wall Street Journal concluded:

The policy question is why taxpayers in Florida and other well-managed States should pay higher taxes to rescue an Albany political class that refuses to restrain its tax and spend governance . . . Mr. Scott is right.

The Wall Street Journal is right, so is the Chicago Tribune, which called out its own State leaders this week for

mismanaging Illinois taxpayer dollars. The Chicago Tribune said:

Preparing for the next recession and the next unanticipated crisis—think pandemic—is a huge component of leadership. So when our politicians whimper that they're helpless in the face of disaster, remember: They and their forebears had decades in which to prepare for whatever would surprise them. Instead they chose to borrow more money, spend on new programs and watch their pension indebtedness soar.

American families make responsible budgetary decisions every day. Successful companies make responsible budget decisions every day. Well-managed States like Florida have done it for years. It is time for New York, Illinois, and California to do the same.

Let's look at—and my colleague said some of this: We have given States \$150 billion—billion—for their COVID expenses.

Now, to put that in perspective, with hurricanes, we don't give 100 percent. We had four major hurricanes while I was Governor. The Federal Government, one, did not cover all the expense of the hurricane and did not cover any budget shortfalls I had, any lost revenues I had, which I had when tourists couldn't come during a hurricane and after.

Five hundred billion dollars in short-term loan opportunities for municipal governments, \$45 billion in FEMA disaster funds, \$30 billion for education, and we have no earthly idea whether education costs have gone down or gone up. I would assume education costs have gone down; \$34 billion for mass transit community grants; \$270 billion for emergency appropriations; \$50 billion for Medicaid, and, again, we haven't seen it, but I would assume our Medicaid costs so far have gone down.

Then on top of it, through the small business relief, individual checks, unemployment, we have given our States another \$1.3 trillion.

Now, put that in perspective, their annual revenues, not including Federal dollars, is a little over \$1 trillion a year, so look at what we have already spent. So as you can see from this chart, Congress has already allocated billions in direct and indirect aid to States and localities.

Total direct funding from the Federal Government exceeds \$1 trillion dollars—trillion. Even this doesn't begin to account for another \$1.3 trillion in indirect assistance to small businesses, individuals, and increased unemployment benefits to families in all of our States.

These numbers, as my colleague has said, are staggering, what we have already spent. We have to get serious about how we are spending taxpayer money and the fact that this year's Federal budget deficit will be the largest in the history of our Nation.

While it may be tempting and easy to believe that removing the restrictions on the coronavirus relief fund will satisfy States looking for a bailout, I am afraid that we are all mistaken. It will never be enough. These funds are still

needed, one, for coronavirus relief, and, unfortunately, many States have not been shy about their desire for hundreds of billions of dollars in taxpayer bailouts for their liberal agendas.

I am not going to let this happen. I think about this in the context of my seven grandchildren. We cannot saddle them and children like them all across our great country with mountains of debt. Right now, the debt stands at over \$77,000 per American.

Now, think about that for a second. The median income for Americans is about \$33,000, and we already have put them on the hook for \$77,000—\$9,000 just with what we have done this year.

Now, to put that in perspective, after the first 200 years of this country's existence, national debt per person was around \$3—\$3, after 200 years—and now, we are at \$77,000.

I think about that in the context of a Social Security recipient like my mom. How are we helping people like my mom when we run multiple trillion-dollar deficits and grow our national debt to an excess of \$26 trillion? What happens to those living on fixed incomes when our deficits and national debt cause high inflation?

I grew up in a poor family in public housing. My mom worked three jobs and my parents—my adopted dad and my mom—were constantly struggling for work. Even though my mom had no money, she told me: You are the luckiest kid alive because you grew up in this country. She was optimistic, and she was hopeful. She told us that we were blessed because God and our Founders created the greatest country ever, where anything was possible.

To take away the same opportunities I had to live the American Dream from our children and grandchildren would not only be a political failure, it would be an abdication of our moral responsibility.

It is time we make the hard choices to put our Nation on a path to recovery—recovery from this virus, from the economic devastation it brought with it, and the fiscal calamity that decades of politicians have ignored.

I hope my colleagues will join me in this fight to keep our country's future bright. To do that, we have to make hard choices; we have to be fiscally responsible.

Mr. President, I therefore respectfully object.

The PRESIDING OFFICER. Objection is heard.

The PRESIDING OFFICER. The Senator from Ohio.

#### CORONAVIRUS

Mr. PORTMAN. Mr. President, I am here on the floor to talk about how Congress can do a better job in responding to the coronavirus pandemic that has gripped our country.

I just thought that debate was great, something we just heard a moment ago about what we should do going forward.

This crisis is unlike anything we have ever seen. I mean, it has devastated so many families. It has turned our lives upside down. It has put an enormous strain on our healthcare system; and our frontline healthcare workers, our researchers, our first responders are working around the clock to help patients and look for treatments. For the past couple of months, every American has been asked to do his or her part through social distancing, through doing smart things like wearing masks, like being sure that we are doing all we can within our home, within our workplace, and out in public to stop the spread of the dangerous virus.

I think these have helped. I think these measures have made a difference, and I think we are in a better place by most metrics on the public health danger. I just saw the numbers from Ohio a moment ago here, and we have fewer new positive cases today than we have had over the past week or the past few weeks on average, and so we are beginning to make progress, but it has come at an enormous cost to our economy, and I would say even at an enormous cost to our culture and our society.

Since the crisis began a couple of months ago, more than 36 million Americans have lost their jobs or filed for unemployment. Some estimates show that we could potentially hit a 25-percent unemployment rate before this is over. I think we probably will. By the way, that would match the worst of our country's unemployment that we have ever seen, and that would be during the Great Depression. That is where we are headed.

Some small businesses have had to close their doors; others are teetering right on the brink of bankruptcy. Hospitals have been closed for needed procedures like mammograms and cancer screenings. More are being missed every day, and basic healthcare is at risk. So that is one consequence that we don't always focus on, but our healthcare system has had to respond to the coronavirus appropriately.

But there is a balance here, and the result has been we have had other healthcare needs that have gone unmet.

Without that revenue, by the way, from surgeries—so-called elective surgeries, although some aren't very elective, like they are necessary surgeries for a back or a knee or something like that—many hospitals now are in very deep financial trouble because that is how they make most of their money.

Colleges and universities, of course, are losing revenue, and children are out of school, which is not a good thing because our kids, many of whom are not able to get the same help at home that they can get at school are falling behind.

We have also got to acknowledge the impacts of isolation on people's mental health, on substance abuse. I talked to an individual earlier today who focuses a lot on human trafficking, an area I

have worked a lot in, and he is talking about the increase he has seen in domestic violence and human trafficking and the calls that have increased, the number of suicides.

This is all troubling. This kind of a crisis, therefore, requires swift and decisive action to ensure that we have got the resources and the help to be able to respond to both the healthcare crisis, which we have to address on the coronavirus front, but also on the economic and the broader societal issues we talked about here and how it impacts us and the rest of our lives. It is a tough balance.

I think, for the most part, Congress and the Trump administration have done that. They have responded swiftly and correctly with major new legislation. We came together here in Congress, on a bipartisan basis, to pass legislation already that has addressed the healthcare crisis the virus has caused. We have also passed legislation that has helped the economic crisis caused by government at all levels effectively pumping the brakes on the economy.

The legislation that has been enacted, of course, isn't perfect. It is thousands of pages, and it is now four different bills that have been passed already. I think it was necessary for us to act quickly, in a unified manner, and on a bipartisan basis to get stuff done around here. By the way, that bipartisanship has been a welcome change because that is not typical for this place.

So far, on each of the 4 pieces of legislation we passed to respond to the challenges of this pandemic, an average of 500 of the 535 Members of both the House and Senate have voted in favor of passage. That is how bipartisan it has been. Five hundred of the 535, on average, have voted yes on these 4 pieces of legislation.

These are not small bills. Combined, the funds provided by these first four rescue packages total about \$2.8 trillion. That is \$2.8 trillion—\$2,800 billion. Phase 3 of the CARES Act alone—the most recent one we passed—is about \$2.2 trillion in resources. That is an unprecedented amount of spending. It has never been done before. It has certainly never been done in such a short period of time.

Now Congress is talking about a fifth rescue package. The fifth rescue package that is being talked about—it has already passed the House of Representatives. It is being talked about even though—and this might surprise you—only about half of the \$2.8 trillion in the first four packages has actually been disbursed. Think about that. Only about half of the money in the first four legislative projects that we have undertaken here has actually gone out the door to the intended recipients. Yet we are talking about another package.

For example, the Paycheck Protection Program to help small businesses stay afloat still has about 25 percent of its original capacity that hasn't gone out, about \$160 billion. Well below half

of the funding—the \$175 billion that Congress provided to hospitals has yet to be sent out under the Provider Relief Fund. Less than half of the healthcare dollars have even gone out the door.

Of the roughly \$450 billion that the CARES Act gave to Treasury to unlock the Federal Reserve lending facilities, less than \$40 billion of that has been operational. That is right—less than 10 percent of the money designated to provide direct lending to businesses of all sizes so they can stay in business and hire people has been sent out.

So even though about half the money from the CARES Act hasn't even been spent—and we still don't have a good handle, of course, on how the money that has been sent out is being spent—Democrats in the House have gone ahead and passed a new rescue package.

In many respects, it is a wish list of Democratic priorities that has been talked about here on the floor. Some are related to the coronavirus, and some are not. It passed by a near-party line vote. I think one Republican voted yes and more than a dozen Democrats—more moderate Democrats—voted no. Again, this is a \$3 trillion package—\$3,000 billion. That is more than the total spending of all four of the previous coronavirus bills. So all four of the previous combined are less than the spending that the House is recommending for the fifth coronavirus bill.

It is actually also a lot more money than Congress would normally appropriate in an entire fiscal year. It is about half of what we just appropriated from the fiscal year we are in, in one bill—in one bill. I am sorry; it is twice as much as Congress appropriated for the current 12-month period we are in. So the appropriations for this fiscal year, 2020, are less than half of what the House is now proposing to spend in one bill.

I think, you know, we have to be very cautious, and we have to be sure it is the right amount of money going out because it is a huge and unprecedented spending package. Our annual deficit here in the Congress is already projected to be over \$1 trillion. We were already running a large deficit.

By the way, it has only been at that level four times in the history of our country. So the \$1 trillion was already viewed by many of us, including me, to be an unacceptably high number for our annual deficit. Now the estimate is that this year's annual deficit will be between \$3.7 trillion and \$4.2 trillion—mind-boggling. We have just never had deficits like these before. Of course, that adds to the \$23 trillion national debt, which is already at record levels.

We are entering dangerous, uncharted waters here from a fiscal point of view. Most economists agree that this increases the chance of a fiscal and therefore a financial crisis that would follow.

Of course, we have to respond to this immediate crisis. Again, I voted for the

first four bills. I believe it was necessary to act and act quickly, but I also believe there are real limits as to how much financial risk we should take beyond the, again, \$2.8 trillion we have already spent in the first four bills. We have to be sure, at a minimum, that every new dollar is spent as wisely as possible, so it is as targeted as possible.

Even overlooking the massive \$3 trillion price tag, by the way, the House bill also focuses on some things that just seem unrelated to this crisis. For example, the House spends \$136 billion on repealing the cap on the State and local tax deduction. There is a deduction, but it is capped right now.

By the way, this \$136 billion policy they have in their bill would deliver half of its benefits—50 percent of its tax benefits to the top 1 percent of taxpayers. Tell me how that is related to the coronavirus. To put that in some context, we can use that same amount of money—the \$136 billion—to provide almost 2 million more PPP loans to small businesses that need it most: movie theaters, bowling alleys, restaurants, bars.

There are also provisions that would force States to adopt broad changes in their election laws regardless of whether they want to. Election law has always been in the province of the States, but that is in this legislation.

They also want to raise taxes on employers. Bad time to raise taxes. We want employers to stay in business because they are the ones who create the jobs.

They also want to help cannabis growers, which I think is interesting. Cannabis is mentioned dozens of times in the legislation.

They also want \$50 million, as an example, for environmental justice grants. What does that have to do with the coronavirus?

Once more of the existing funds are delivered—in other words, as I said earlier, of the first four bills, only about half of it has even gone to the intended recipients. Once more of these existing funds are delivered and we know more about what is working, what is not working, and where the needs are, I suspect more funds will be needed. They will probably be needed for the healthcare side of this—for testing, as an example—and that is probably money well spent.

There probably needs to be more flexibility, as the Senator from Louisiana just talked about. I believe there does need to be more flexibility. I also believe we need to find out, once the money goes to the local communities, what their budgets look like. Do they need more money to be able to continue to provide police protection, firefighters' salaries, and EMS services? We don't know that yet. How can we know it when the money hasn't even gone down yet? In Ohio, not one penny is gone except for the amount that went directly to the largest five counties and the one large city. But the

part that went to the State hasn't even gone down to the local communities, and that is happening all over the country.

We need more information to be able to know how much of this new spending is necessary. But again, even with all the new spending, this new \$3 trillion House bill does very little to do something else really important in the next bill, which is help get the economy moving. Again, it raises taxes on businesses. It does some other things that have nothing to do with the coronavirus. What it doesn't do is it doesn't provide the stimulus you would hope would be in the next bill we are going to pass because that is what everybody is looking for right now. How do you do something here in Washington to make it easier to create jobs, make it easier to invest, make it easier for small businesses to get back on their feet?

Much of what we did in the first four bills was really a rescue package, and it was necessary. People had lost their jobs for no reason that they could do anything about. It wasn't their fault—36 million Americans. We had to do something to shore that up—the direct payments, unemployment insurance, and other things. We had to help small businesses with the PPP program to ensure they weren't going to close their doors, some forever.

Those were more rescue packages to get us through the storm, to weather the storm. Now we have to figure out how we do something to actually get this economy moving. That ought to be the goal because there is a limit to how much Federal tax dollars can be relied on to subsidize the economy. The better way is to get the economy moving, get revenues flowing again, and reopen, therefore, our hospitals and schools. Hospitals can get more revenue if they can reopen and do more procedures, and they can keep from either shutting their doors or relying on the Federal taxpayer for more and more subsidies. Getting back to work is critical, and we have to do it in a safe way, and we can.

We have to use social distancing smart practices. We have to be sure we have the testing. I agree with all that. But any new legislation that Congress considers has to include measures that are going to help get people back into the workforce safely and get this economy moving again. I think that should include some tax incentives for investment and jobs. I think it should include some targeted infrastructure investments to create good jobs and also economic benefits that come from the right kind of infrastructure.

I think one place to start is Federal highway projects. We need to pass that bill around here. Also, there are a bunch of State highway projects that would normally be funded by the State gas tax. Because we aren't driving nearly as much, the State gas tax has plummeted. In the State of Ohio, for instance, there are a lot of great

projects out there that have gone through all the process. They have been vetted, and they have gone through a merit-based process. They are ready to go. In other words, they are shovel-ready. Yet the State is not going to have enough money to pay for them.

So rather than sending the money to the States, how about sending some money directly to these infrastructure projects? Good jobs. Economic benefits. The analysis is, in the right kind of infrastructure investments, you spend a dollar and you get back more than a dollar in terms of revenue from the economic benefit. That is the sort of thing I think should be in this next package to help get the economy back on its feet.

Right now, I am told by small businesses that one of the biggest barriers to getting the economy going is the unemployment insurance provisions that were passed as part of the CARES Act back in March. This is what I am hearing from small business owners all around Ohio—that the additional unemployment insurance benefits in the CARES Act, which allow individuals at or below the average income to receive more in unemployment than they could get at work, is a disincentive to work.

Of course, again, we needed to act to make sure people who lost their jobs through no fault of their own could get by while government at every level effectively pumped the brakes on the economy to better withstand the health crisis. In other words, people lost their jobs because the government said: You can't go to work.

At the same time, it was not the best solution to provide a flat \$600 increase in benefits to everybody, which is on top of the State unemployment insurance benefits, and that is what we did. That was the proposal here that was passed. That continues, by the way, until July 31.

Wage replacement for people making at or below the average income level would have been a good and generous approach—in other words, saying: If you make up to whatever the wage average is in your State—\$52,000 a year, \$48,000 a year, or \$58,000 a year—you get full wage replacement. But that is not what this is. The \$600 on top of the State benefit, which is, on average, \$360 probably, puts you up near \$1,000 a week. That is more than wage replacement for people who make less than the average wage.

Regardless of how you feel about the \$600-per-week Federal increase, we are in a very different situation now than we were 2 months ago when we passed it. Back then, remember, we were encouraging people to stay home and not to go to work because that was the time period when we were shutting things down and we were giving stay-at-home orders. So it made much more sense to have an unemployment insurance system that actually would encourage people to stay home. Now we

are reopening all around the country, and, small business people are telling me: I would like to get started again, but I can't get the employees.

Some say: Well, you can go to that unemployment insurance office and say "I have a job," and then, under the State's rules, they have to tell these people "You are no longer under UI, and you have to go back to work." That is true, but, one, the unemployment insurance systems are overwhelmed. They tell me that really is not something they have the capability of doing right now. They are overwhelmed. They have never seen these kinds of numbers ever.

Secondly, a lot of employers don't want to do that, and I get it. Their employees are making a lot more money, in some cases, on unemployment insurance than they can in their place of business, and they are just hesitant to tell them to come back and make less money. I do think there is a role for us to help make that happen and do it in a smart way.

Things are different in other respects too. Not only is the economy starting to reopen around the country, but it is being done in a much safer manner. Why? Because we have a lot more testing, and that is good.

We need to do a lot more, by the way. Ohio has gone from about 3,700 tests per day a few weeks ago to over 10,000 tests a day now. Soon it will be over 20,000 tests a day in a couple of weeks, they say. That is good.

We also have more PPE, personal protective gear, and that is important because if you reopen—say you run a factory. You want people to have the protective gear they need to keep them safe.

Also, we finally have some anti-viral medications coming online, thank goodness. Remdesivir is the first one approved by the FDA. It is now in Ohio, my own State, and other States. People are using it. That is great. That gives people more comfort in being able to go back to work more safely.

It is time to start to transition from thinking about helping people get by and helping to encourage them to stay home through unemployment to thinking about how we can get people back into the workforce safely so we can get this economy, our small businesses, our hospitals, our colleges and universities, back on track.

We should also want to help people get back to work because that is good for everybody. It is where most people get their healthcare—from work, from their employer. We want to get them back to that. It is where most people get their retirement, their 401(k). Not everybody offers it, but if you have one, you are probably getting it from work.

It is good to get people back to work and connected with their benefits. It is also good to get people returning to a safe workplace because that is what most people want to do. They want to go back to work. They don't want to

stay on unemployment insurance. Yes, it pays more for many Americans, but they would rather be at work. The dignity and self-respect for work is real. It gives meaning to your life.

I think we need to take a hard look at this flat \$600 increase in the unemployment benefits and ask ourselves whether it is really in the best interest of those workers, of our businesses. Is it really the best system to have it in place when we are trying to get people to get back to work? Again, this additional \$600 benefit on top of the \$360 average the States have means that unless you are making more than \$50,000—or in some States, \$60,000 a year—it is more advantageous to be on unemployment insurance than to go back to work.

A recent study by the American Action Forum and the University of Chicago says that between 60 and 70 percent of individuals on unemployment are making more than they did in their prior job—60 to 70 percent. Further, for about 20 percent of wage earners, they say, on average, they are making double on unemployment insurance what they made in the workforce. So they say that for the bottom 20 percent of wage earners, on average, they are making double on unemployment insurance.

Again, people needed the help. They needed direct payments, and they needed the UI help. A lot of people lost their jobs and had no income coming in just to put food on the table, pay the rent, and pay their car payment. Some people used this UI, even though it was more than they were making before, to help with healthcare. That is important. But isn't the best thing to do is to get people back to work?

We need to continue to help people during this time who have lost their jobs, no question. Not every business is ready to reopen, by the way, and the employees who had to be let go by some businesses certainly shouldn't be punished for that.

At the same time, we have to ask ourselves whether there is a way we can combine that need with the need to actually get people back to work as we reopen. I think there is. Specifically, I would propose that instead of keeping in place the additional \$600 of the Federal benefit for people on unemployment between now and July 31, let's shift some of those Federal dollars to a back-to-work bonus—a program where you let people take some of that \$600 with them to work. I propose \$450 a week. Others have different numbers, probably. They think that is too much, or they think it is too little. I chose \$450 per week because that represents the amount that would be needed to make a person making the average minimum wage better off in the workforce than on unemployment. When you take the minimum wages around the country, on average, you take \$450 a week with you to work. That means that you would be making a little bit more in the workforce than you would be on unemployment.

What is more, this return-to-work bonus would put additional cash in the hands of individuals who lost their jobs due to the health crisis, which would provide additional stimulus to the economy, which is experiencing historic declines in consumer spending. This incentive for people to get back into the workforce to get our economy running again is exactly the kind of policy we should all want. Instead, I will tell you that as for the \$3 trillion House bill we talked about earlier, all it does is to propose extending the \$600 per month from the end of its expiration at the end of July into the beginning of next year.

We talked earlier about how the next package—whatever it is—ought to encourage the economy to get moving again, right? The House bill doesn't do that in a lot of respects we talked about. But, specifically, on unemployment insurance, what it says is, let's continue this policy of making it harder for people to get back to work. It will ensure that that 60 or 70 percent of the workforce that the study showed are making more on unemployment insurance would be better off staying on the unemployment rolls.

By the way, it is also another \$300 billion of taxpayer spending in this \$3 trillion bill. I don't think it is going to move our country forward. It is going to make it even harder to get back on track.

By the way, our back-to-work bonus also benefits taxpayers. So instead of \$300 billion in additional funding that is going to go into the House bill for unemployment insurance, if we assume that States would have trouble enforcing their UI laws, which we talked about earlier, and that individuals would choose unemployment over returning to work, even if 25 percent of those who were on unemployment insurance today chose to take advantage of this \$450 bonus—and I think a lot will; I think a lot more than that will, but let's be conservative, and let's say that just 25 percent take advantage of it—that will result in tens of billions of dollars of savings to the taxpayer.

Think about it. For the State, they will not have the unemployment insurance benefit that they are providing because the person will be at work. That is good. And for the Federal Government, the \$600 is reduced to \$450. So that enables savings to the taxpayer. It enables people to get back to work. It allows our small businesses to be able to reopen.

It is a solution that I think Republicans and Democrats alike can get behind. Let's continue to help the people who can't return to the workplace through no fault of their own, but let's also remember that the American people right now are looking to us here in Congress to come together on a bipartisan basis to put in place policies that will actually help move us forward in this crisis, get back to normalcy, get back to work safely, and get our economy back on the historically strong

footing it had here only a few months ago.

Back in February, we had the 19th straight month of wage increases of over 3 percent, most of which was going to lower income and middle-income workers. We had unemployment tied with the 50-year low. Unemployment was low then. It is incredibly high now.

To get back to that, we have to put some more policies in place, and I believe the back-to-work bonus is exactly that. It will not solve everything, but it will help people get back into jobs, and it will send a clear message that Congress is looking forward and providing a positive path forward for workers, for small businesses, and for taxpayers.

Thank you.

I yield the floor.

#### VOTE EXPLANATION

Mr. PETERS. Mr. President, I was unable to attend the vote No. 93 on May 18, 2020, on the nomination of Scott H. Rash to be the United States District Court for the District of Arizona. Had I been able to attend, I would have supported the nomination.

#### MEMORIAL DAY

Ms. STABENOW. Mr. President, I rise today to pay special tribute to the Michigan heroes who have given their lives for their country while serving in our military. This is an especially fitting time to do so as we commemorate the 75th anniversary this year of the end of World War II.

The people of Michigan have always stood up whenever our Nation has needed us. That was certainly the case during World War II. Perhaps no State was as crucial to our Nation's victory in the fight against tyranny as was Michigan.

More than half a million Michigan men and women proudly served in uniform in the Pacific Theater, the Atlantic Theater, and anywhere and everywhere we were called. Back home, the people of our State were hard at work producing the bombers, tanks, trucks, helmets, and guns needed to win the war. We were the Arsenal of Democracy, and both at home and abroad, victory depended on us, the people of Michigan.

We won that fight; yet the costs were staggeringly high. Sadly, more than 10,000 Michiganders never made it home. These were our beloved children and parents, siblings and cousins, friends and neighbors. We were so incredibly proud of their willingness to give everything—even their lives—to defend freedom; yet that pride could never fully fill the aching loss our families and communities endured. Those losses are still felt 75 years later.

Now, once again, Michigan is mourning. Far too many of our beloved children and parents, siblings and cousins, friends and neighbors have been lost to

an invisible enemy that can't be seen or heard; yet just as we did in World War II—just as Michigan has always done—we are standing up, and we are fighting back, together.

Our plants once produced bombers and tanks; today, they are producing ventilators and respirators, gowns and testing supplies. People are stepping up to serve across our State: tending the sick in our hospitals and clinics, delivering food to neighbors in need, even sewing masks to keep one another safe.

Seventy-five years after World War II, a lot of things have changed, but one thing hasn't: The people of Michigan are still willing to step up and serve whenever and wherever we are needed, and we are needed today.

On Memorial Day and every day, let us remember all servicemembers we have lost, thank those who are still with us, and surround our military families with love and support. Our military members and veterans have provided us the very best examples to follow. Let's honor their service and sacrifice with our actions.

#### TRIBUTE TO MYRON LEPP

Mr. CRAMER. Mr. President, I want to honor the half century of distinguished Federal service of a remarkable North Dakota man who is retiring at the end of May.

Myron Lepp has been the administrative program director for the North Dakota office of USDA Rural Development for the past 13 years. He took this position after 37 years in the military, retiring as a full colonel. In these 50 years of service, Myron has brought knowledge, intelligence and dedication to everything he has undertaken.

He began his military service in 1971 and became a commissioned officer in 1976. Myron served in the North Dakota National Guard as director of information management for 12 years and later held other positions such as chief of staff for the adjutant general, State director of maintenance, and joint forces logistics director. In his final 2 years in the military, he was the national command logistics inspector for the National Guard Readiness Center in Washington, DC, traveling every other week to conduct combat readiness inspections at all State Army National Guard units.

Myron brought this invaluable background to the USDA Rural Development office, giving exemplary guidance to the crucial work this agency does to support our rural communities in North Dakota. His lifelong background in farming and ranching enhanced this work. Myron has raised crops such as wheat, oats, and corn, and he has a cow/calf operation near his hometown of Lehr.

I came to appreciate Myron's dedication and professional expertise when we worked together on North Dakota's Roughrider Honor Flight program. As president of this program, Myron oversaw the work of many dedicated

volunteers who organized five flights for 500 veterans to visit the National World War II Memorial in Washington, DC.

The profound impact Myron Lepp has made over these 50 years to enhance the military and agricultural strength of North Dakota will never be adequately measured. We can only thank him for this service, which I want to do here on behalf of all North Dakotans. I congratulate him on his well-earned retirement and wish him many years of health and happiness in the future.

#### ADDITIONAL STATEMENTS

##### RECOGNIZING STUDENTS WORKING ON COMMUNITY OUTREACH

• Ms. HASSAN. Mr. President, I am proud to recognize Kearsarge High School's student group, Students Working on Community Outreach, SWOCO, for continuing to lift up their fellow classmates and support community members—even from a distance—amid the COVID-19 pandemic.

Even before the pandemic, SWOCO members worked hard to make a difference in their community. One of their most impressive accomplishments was hosting a conference for neighboring school districts on how students could become stronger leaders in their communities. The group also partnered with the National Honor Society to organize blanket drives and food drives for Liberty House, a veterans homeless shelter.

Like so many Granite Staters, these students have needed to adjust to the new realities of this pandemic, including finding ways to organize without being in the same physical space. Among other things, the students, who are now meeting over conference calls, organized both a student and teacher Zoom talent show in an effort to keep their classmates engaged with their school community during this challenging time.

The members of SWOCO also started a Little Free Pantry project in Kearsarge, which is a grassroots movement to help members of the community who are food insecure access essentials, such as food and personal care items. The members are coordinating all of the food pantries throughout the school district and have encouraged various student organizations to sign up to help stock the shelves.

The COVID-19 pandemic has caused Granite Staters to face unprecedented challenges, but even in the face of this crisis, they are coming together to support one another. For the members of SWOCO, this pandemic may have changed how they operate, but it did not change their mission or commitment to their community and fellow citizens. Their commitment to forging ahead in difficult times to help people from all walks of life and to support their community exemplifies New Hampshire at its best. I am, above all

else, grateful for their hard work and look forward to seeing what they accomplish next.●

##### REMEMBERING DONALD FRANCIS SHULA

• Mr. RUBIO. Mr. President, today, I honor the life and achievements of Coach Shula, who passed away on May 4, 2020, at the age of 90. I am pleased the Senate passed a resolution honoring the Pro Football Hall of Fame coach, with the following:

Honoring the life and achievement of Pro Football Hall of Fame Coach Donald Francis Shula and expressing condolences to his family on his passing.

Whereas Coach Donald Francis Shula (referred to in this preamble as "Coach Shula") was born on January 4, 1930, and grew up in Painesville, Ohio;

Whereas Coach Shula's father immigrated to the United States from Hungary;

Whereas Coach Shula attended Harvey High School and later played collegiate football at John Carroll University;

Whereas, in 1951, the Cleveland Browns selected Coach Shula in the ninth round of the National Football League (referred to in this preamble as the "NFL") draft as a defensive back;

Whereas, in addition to playing for the Cleveland Browns, Coach Shula also played for the Baltimore Colts and the Washington Redskins;

Whereas Coach Shula—

(1) began his coaching career at the University of Virginia;

(2) also coached at the University of Kentucky; and

(3) coached as a defensive coordinator for the Detroit Lions;

Whereas, in 1963, Coach Shula became the youngest coach in the NFL when he took the head coaching position at the Baltimore Colts;

Whereas, as the head coach of the Baltimore Colts, Coach Shula—

(1) compiled a record of 71 wins, 23 losses, and 4 ties; and

(2) won the NFL championship in 1968;

Whereas, in 1970, Coach Shula became the head coach of the Miami Dolphins (referred to in this preamble as the "Dolphins");

Whereas Coach Shula remained the head coach of the Dolphins for 26 seasons, took the Dolphins to 5 Super Bowls, and led the Dolphins to victory in 2 of those Super Bowls;

Whereas Coach Shula led the 1972 Dolphins team to a perfect season;

Whereas, in Super Bowl VII, Coach Shula led the Dolphins to victory over the Washington Redskins with a score of 14 to 7;

Whereas, in Super Bowl VIII, Coach Shula led the Dolphins, the reigning Super Bowl champions, to victory over the Minnesota Vikings with a score of 24 to 7;

Whereas, after 33 years of coaching, Coach Shula retired from coaching in 1995 with the NFL record for most wins by a head coach, compiling a regular season record of 328 wins, 156 losses, and 6 ties and a postseason record of 19 wins and 17 losses;

Whereas Coach Shula was inducted into the Pro Football Hall of Fame in 1997;

Whereas, following his coaching days, Coach Shula—

(1) supported many charities;

(2) gave generously to his local parish; and

(3) established the Don Shula Foundation to assist with breast cancer research; and

Whereas Coach Shula, a loving husband, father, grandfather, son, and brother, passed

away on May 4, 2020, at 90 years of age: Now, therefore, be it

*Resolved*, That the Senate—

(1) recognizes the life and achievements of Pro Football Hall of Fame Coach Donald Francis Shula (referred to in this resolution as "Coach Shula");

(2) expresses condolences to the family of Coach Shula on his passing; and

(3) respectfully requests that the Secretary of the Senate transmit an enrolled copy of this resolution to—

(A) the family of Coach Shula; and

(B) the Miami Dolphins.●

#### MESSAGE FROM THE HOUSE

At 10:03 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 6800. An act making emergency supplemental appropriations for the fiscal year ending September 30, 2020, and for other purposes.

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-450. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Chloromequat Chloride; Pesticide Tolerances" (FRL No. 10008-50-OSCP) received in the Office of the President of the Senate on May 18, 2020; to the Committee on Agriculture, Nutrition, and Forestry.

EC-451. A communication from the Secretary of Defense, transmitting a report on the approved retirement of General Gustave F. Perna, United States Army, and his advancement to the grade of general on the retired list; to the Committee on Armed Services.

EC-452. A communication from the Acting Associate General Counsel for Regulations and Legislation, Office of the Deputy Secretary, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled "Streamlining Administrative Regulations for Multifamily Housing Programs and Implementing Family Income Reviews under the Fixing America's Surface Transportation (FAST) Act" (RIN2502-AJ36) received in the Office of the President of the Senate on May 19, 2020; to the Committee on Banking, Housing, and Urban Affairs.

EC-453. A communication from the Counsel to the Inspector General, Nuclear Regulatory Commission Office of the Inspector General, transmitting, pursuant to law, a report relative to a vacancy in the position of Inspector General, Nuclear Regulatory Commission Office of the Inspector General, received in the Office of the President of the Senate on May 18, 2020; to the Committee on Environment and Public Works.

EC-454. A communication from the Director of Congressional Affairs, Nuclear Reactor Regulations, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Safety Evaluation of the Boiling Water Reactor (BWR) Vessel and Internals Project (BWRVIP) submitted 'BWRVIP-25, Revision 1: BWR Vessel and Internals Project, BWR Core Plate Inspection and Flaw Evaluation Guidelines'"



(BWRVIP-25, Revision 1) received in the Office of the President of the Senate on May 18, 2020; to the Committee on Environment and Public Works.

EC-4545. A communication from the Biologist, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Species: Reclassifying the Golden Conure from Endangered to Threatened with a Section 4(d) Rule" (RIN1018-BC78) received in the Office of the President of the Senate on May 18, 2020; to the Committee on Environment and Public Works.

EC-4546. A communication from the Acting Chief, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Removing *Oenothera coloradensis* (Colorado Butterfly Plant) From the Federal List of Endangered and Threatened Plants" (RIN1018-BC02) received in the Office of the President of the Senate on May 18, 2020; to the Committee on Environment and Public Works.

EC-4547. A communication from the Acting Chief, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Reclassifying the Hawaiian Goose from Endangered to Threatened with a Section 4(d) Rule" (RIN1018-BC02) received in the Office of the President of the Senate on May 18, 2020; to the Committee on Environment and Public Works.

EC-4548. A communication from the Acting Chief, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Threatened Species Status for Meltwater Ledian Stonefly and Western Glacier Stonefly With a Section 4(d) Rule" (RIN1018-BB52) received in the Office of the President of the Senate on May 18, 2020; to the Committee on Environment and Public Works.

EC-4549. A communication from the Acting Chief, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Removing the Hawaiian Hawk From the Federal List of Endangered and Threatened Wildlife" (RIN1018-AU96) received in the Office of the President of the Senate on May 18, 2020; to the Committee on Environment and Public Works.

EC-4550. A communication from the Branch Chief, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Migratory Bird Permits; Regulations for Managing Resident Canada Goose Populations: Agricultural Facilities in the Atlantic Flyway" (RIN1018-BD74) received in the Office of the President of the Senate on May 18, 2020; to the Committee on Environment and Public Works.

EC-4551. A communication from the Acting Chief, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Section 4(d) Rule for Louisiana Pinesnake" (RIN1018-BD06) received in the Office of the President of the Senate on May 18, 2020; to the Committee on Environment and Public Works.

EC-4552. A communication from the Branch Chief, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for Black Pinesnake" (RIN1018-BD52) received in the Office of the President of the Senate on

May 18, 2020; to the Committee on Environment and Public Works.

EC-4553. A communication from the Enforcement Specialist, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Civil Penalties; 2020 Inflation Adjustments for Civil Monetary Penalties" (RIN1018-BE45) received in the Office of the President of the Senate on May 18, 2020; to the Committee on Environment and Public Works.

EC-4554. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; Kentucky; Infrastructure Requirements for the 2015 8-Hour Ozone National Ambient Air Quality Standard" (FRL No. 10009-27-Region 4) received in the Office of the President of the Senate on May 18, 2020; to the Committee on Environment and Public Works.

EC-4555. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; Louisiana; Infrastructure for the 2015 Ozone National Ambient Air Quality Standards" (FRL No. 10008-61-Region 6) received in the Office of the President of the Senate on May 18, 2020; to the Committee on Environment and Public Works.

EC-4556. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; Oregon; Emission Standard Definition Rule Revision" (FRL No. 10007-75-Region 10) received in the Office of the President of the Senate on May 18, 2020; to the Committee on Environment and Public Works.

EC-4557. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; Vermont; Infrastructure State Implementation Plan Requirements for the 2015 Ozone Standard" (FRL No. 10009-47-Region 1) received in the Office of the President of the Senate on May 18, 2020; to the Committee on Environment and Public Works.

EC-4558. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Small Manufacturer Definition Update for Reporting and Recordkeeping Requirements Under the Toxic Substances Control Act (TSCA) Section 8(a)" (FRL No. 10008-14-OCSPP) received in the Office of the President of the Senate on May 18, 2020; to the Committee on Environment and Public Works.

EC-4559. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Texas: Final Approval of State Underground Storage Tank Program Revisions and Incorporation by Reference" (FRL No. 10009-03-Region 6) received in the Office of the President of the Senate on May 18, 2020; to the Committee on Environment and Public Works.

EC-4560. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Helicopters" ((RIN2120-AA64) (Docket No. FAA-2019-0882)) received in the Office of the President of the Senate on May 18, 2020; to the Committee on Commerce, Science, and Transportation.

EC-4561. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus SAS Airplanes" ((RIN2120-AA64) (Docket No. FAA-2019-0863)) received in the Office of the President of the Senate on May 18, 2020; to the Committee on Commerce, Science, and Transportation.

EC-4562. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus SAS Airplanes" ((RIN2120-AA64) (Docket No. FAA-2019-0873)) received in the Office of the President of the Senate on May 18, 2020; to the Committee on Commerce, Science, and Transportation.

EC-4563. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Honda Aircraft Company LLC" ((RIN2120-AA64) (Docket No. FAA-2019-0195)) received in the Office of the President of the Senate on May 18, 2020; to the Committee on Commerce, Science, and Transportation.

EC-4564. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Helicopters" ((RIN2120-AA64) (Docket No. FAA-2019-0970)) received in the Office of the President of the Senate on May 18, 2020; to the Committee on Commerce, Science, and Transportation.

EC-4565. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes" ((RIN2120-AA64) (Docket No. FAA-2020-0205)) received in the Office of the President of the Senate on May 18, 2020; to the Committee on Commerce, Science, and Transportation.

EC-4566. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes" ((RIN2120-AA64) (Docket No. FAA-2019-0602)) received in the Office of the President of the Senate on May 18, 2020; to the Committee on Commerce, Science, and Transportation.

EC-4567. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; International Aero Engines, LLC" ((RIN2120-AA64) (Docket No. FAA-2020-0184)) received in the Office of the President of the Senate on May 18, 2020; to the Committee on Commerce, Science, and Transportation.

EC-4568. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Yabara Industria Aeronautica S.A. (Type Certificate Previously Held by Embraer S.A.) Airplanes" ((RIN2120-AA64) (Docket No. FAA-2019-0975)) received in the Office of the President of the Senate on May 18, 2020; to the Committee on Commerce, Science, and Transportation.

EC-4569. A communication from the Management and Program Analyst, Federal



Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of VOR Federal Airway V-159 in the Vicinity of Hamilton, Alabama" ((RIN2120-AA66) (Docket No. FAA-2017-0431)) received in the Office of the President of the Senate on May 18, 2020; to the Committee on Commerce, Science, and Transportation.

EC-4594. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of VOR Federal Airways V-56, and V-209 in the Vicinity of Kewanee, Mississippi" ((RIN2120-AA66) (Docket No. FAA-2017-0665)) received in the Office of the President of the Senate on May 18, 2020; to the Committee on Commerce, Science, and Transportation.

EC-4595. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Area Navigation Routes Q-75 and Q-475, Northeast Corridor Atlantic Coast routes; Northeastern United States" ((RIN2120-AA66) (Docket No. FAA-2019-0661)) received in the Office of the President of the Senate on May 18, 2020; to the Committee on Commerce, Science, and Transportation.

EC-4596. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of VOR Federal Airways V-165 in the Vicinity of the Western United States" ((RIN2120-AA66) (Docket No. FAA-2019-0846)) received in the Office of the President of the Senate on May 18, 2020; to the Committee on Commerce, Science, and Transportation.

EC-4597. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of VOR Federal Airways V-11 and V-275 in the Vicinity of Bryan, Ohio and Defiance, Ohio, Respectively" ((RIN2120-AA66) (Docket No. FAA-2019-0688)) received in the Office of the President of the Senate on May 18, 2020; to the Committee on Commerce, Science, and Transportation.

EC-4598. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of VOR Federal Airway V-18 in the Vicinity of Talladega, Alabama" ((RIN2120-AA66) (Docket No. FAA-2018-1028)) received in the Office of the President of the Senate on May 18, 2020; to the Committee on Commerce, Science, and Transportation.

EC-4599. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of area Navigation Routes, Florida Metroplex Project; Southeastern United States" ((RIN2120-AA66) (Docket No. FAA-2019-0687)) received in the Office of the President of the Senate on May 18, 2020; to the Committee on Commerce, Science, and Transportation.

EC-4600. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Air Traffic Service (ATS) Routes V-82, V-217, and T-383 in the Vicinity of Baudette, Minnesota" ((RIN2120-AA66) (Docket No. FAA-2019-0729)) received in the Office of the President of the Senate on May 18, 2020; to the Committee on Commerce, Science, and Transportation.

EC-4601. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Bend, Oregon" ((RIN2120-AA66) (Docket No. FAA-2019-0887)) received in the Office of the President of the Senate on May 18, 2020; to the Committee on Commerce, Science, and Transportation.

EC-4602. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Mountain Home, Idaho" ((RIN2120-AA66) (Docket No. FAA-2019-0972)) received in the Office of the President of the Senate on May 18, 2020; to the Committee on Commerce, Science, and Transportation.

EC-4603. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Area Navigation (RNAV) Routes; Northeastern United States" ((RIN2120-AA66) (Docket No. FAA-2019-0339)) received in the Office of the President of the Senate on May 18, 2020; to the Committee on Commerce, Science, and Transportation.

EC-4604. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revocation of VHF Omnidirectional Range (VOR) Federal Airway V-61 and Amendment of Area Navigation Route T-286 Due to the Decommissioning of the Robinson, Kansas, VOR" ((RIN2120-AA66) (Docket No. FAA-2019-0677)) received in the Office of the President of the Senate on May 18, 2020; to the Committee on Commerce, Science, and Transportation.

EC-4605. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures; Miscellaneous Amendments (125); Amendment No. 3896" ((RIN2120-AA65) (Docket No. 31302)) received in the Office of the President of the Senate on May 18, 2020; to the Committee on Commerce, Science, and Transportation.

EC-4606. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures; Miscellaneous Amendments (58); Amendment No. 3895" ((RIN2120-AA65) (Docket No. 31301)) received in the Office of the President of the Senate on May 18, 2020; to the Committee on Commerce, Science, and Transportation.

EC-4607. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Final Rule; Oxygen Mask Requirement; Supplemental Oxygen for Emergency descent and for First Aid; Turbine Engine Powered Airplanes with Pressurized Cabins" ((RIN2120-AA66) (Docket No. FAA-2020-0289)) received in the Office of the President of the Senate on May 18, 2020; to the Committee on Commerce, Science, and Transportation.

EC-4608. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "IFR Altitudes; Miscellaneous Amendments; Amendment No. 551" ((RIN2120-AA66) (Docket No.

31300)) received in the Office of the President of the Senate on May 18, 2020; to the Committee on Commerce, Science, and Transportation.

## PETITIONS AND MEMORIALS

The following petition or memorial was laid before the Senate and was referred or ordered to lie on the table as indicated:

POM-201. A resolution adopted by the Borough Council of the Borough of Seaside Heights, New Jersey, supporting New Jersey Senate Resolution 23, which urges the United States Congress to designate "The Most Beautiful Lady in The World: Statue of Liberty Anthem" as the official anthem of the Statue of Liberty; to the Committee on Energy and Natural Resources.

## EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. WICKER for the Committee on Commerce, Science, and Transportation.

\* John Chase Johnson, of Oklahoma, to be Inspector General, Federal Communications Commission.

\* Neil Jacobs, of North Carolina, to be Under Secretary of Commerce for Oceans and Atmosphere.

\* Finch Fulton, of Alabama, to be an Assistant Secretary of Transportation.

\* Coast Guard nominations beginning with Rear Adm. (1h) Thomas G. Allan and ending with Rear Adm. (1h) Matthew W. Sibley, which nominations were received by the Senate and appeared in the Congressional Record on February 24, 2020.

\* Coast Guard nominations beginning with Capt. Christopher A. Bartz and ending with Capt. Melissa L. Rivera, which nominations were received by the Senate and appeared in the Congressional Record on February 24, 2020.

\* Diana Furchtgott-Roth, of Maryland, to be an Assistant Secretary of Transportation.

\* Joseph Ryan Gruters, of Florida, to be a Director of the Amtrak Board of Directors for a term of five years.

\* Leon A. Westmoreland, of Georgia, to be a Director of the Amtrak Board of Directors for a term of five years.

\* Rick A. Dearborn, of Oklahoma, to be a Director of the Amtrak Board of Directors for a term of five years.

\* Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

## INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Ms. CANTWELL (for herself, Mr. YOUNG, and Mr. MARKEY):

S. 3771. A bill to require the Secretary of Commerce to establish the Federal Advisory Committee on the Development and Implementation of Artificial Intelligence, and for

other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. SCOTT of South Carolina:

S. 3772. A bill to direct the Department of Health and Human Services to develop, submit, and allocate funding to advance a plan for efficiently building testing capacity for facilities serving significant populations of individuals aged 65 and older; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BRAUN (for himself, Mrs. LOEFFLER, Mr. SCOTT of South Carolina, and Mr. CASSIDY):

S. 3773. A bill to promote the general health and well-being of individuals accessing work through digital marketplace companies, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. PETERS:

S. 3774. A bill to amend the CARES Act to establish a Community Capital Investment Program, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. PETERS (for himself and Mr. COTTON):

S. 3775. A bill to establish a United States-Israel Operations-Technology Working Group, and for other purposes; to the Committee on Foreign Relations.

By Mr. CORNYN (for himself and Ms. DUCKWORTH):

S. 3776. A bill to provide for the continuation of paid parental leave for members of the Armed Services in the event of the death of the child; to the Committee on Armed Services.

By Ms. ERNST:

S. 3777. A bill to prohibit payment of Pandemic Unemployment Assistance and Federal Pandemic Unemployment Compensation to millionaires; to the Committee on Finance.

By Mr. BENNET (for himself and Ms. COLLINS):

S. 3778. A bill to permit the Election Assistance Commission to waive the matching requirement for payments made to States for election security grants under the Coronavirus Aid, Relief, and Economic Security Act; to the Committee on Rules and Administration.

By Ms. KLOBUCHAR (for herself, Mr. SASSE, Mr. BOOKER, and Mr. SCOTT of South Carolina):

S. 3779. A bill to amend the Internal Revenue Code of 1986 to establish a tax credit for training services received by individuals who are unemployed as a result of the coronavirus pandemic; to the Committee on Finance.

By Mr. PETERS:

S. 3780. A bill to encourage domestic advanced manufacturing of critical drugs and devices in order to address economic, health, and security concerns, combat shortages of critical drugs and devices, and promote increased domestic diversification of, and independence from foreign reliance on, pharmaceutical and medical device supply chains; to the Committee on Health, Education, Labor, and Pensions.

By Mr. PETERS:

S. 3781. A bill to increase reporting of, help mitigate potential shortages related to, and promote, accountability and transparency for pharmaceuticals and medical devices; to the Committee on Health, Education, Labor, and Pensions.

By Ms. DUCKWORTH (for herself, Mr. RUBIO, Mr. COONS, Mr. RISCH, Mrs. BLACKBURN, Mr. CARDIN, and Mrs. SHAHEEN):

S. 3782. A bill to modify the amount authorized for commitments for 7(a) loans, and for other purposes; considered and passed.

By Mrs. GILLIBRAND (for herself, Mrs. MURRAY, Mr. BLUMENTHAL, Ms. HIRONO, and Mr. MERKLEY):

S. 3783. A bill to direct the Secretary of Defense to standardize, collect, and analyze information on the demographics of applicants to military service academies, and for other purposes; to the Committee on Armed Services.

By Ms. HARRIS (for herself, Mr. SANDERS, Mr. MARKEY, and Mrs. GILLIBRAND):

S. 3784. A bill to amend the Internal Revenue Code of 1986 to provide monthly rebates to every individual residing in the United States during the COVID-19 pandemic; to the Committee on Finance.

By Ms. BALDWIN (for herself, Ms. COLLINS, and Mr. KING):

S. 3785. A bill to authorize the Secretary of Agriculture to provide food and agriculture emergency aid to States, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. MERKLEY (for himself and Mr. WYDEN):

S. 3786. A bill to reimburse United States citizens for costs incurred for commercial flights arranged by the Department of State to evacuate them from foreign countries due to the COVID-19 pandemic and to waive promissory notes and the obligation to repay emergency repatriation loans related to such travel; to the Committee on Foreign Relations.

By Ms. HARRIS (for herself, Mrs. GILLIBRAND, Mr. WYDEN, Mr. MARKEY, Ms. KLOBUCHAR, Ms. WARREN, Ms. DUCKWORTH, and Mr. REED):

S. 3787. A bill to permit the Secretary of the Treasury to provide direct funding to certain entities; to the Committee on Finance.

By Mr. TESTER (for himself, Mr. ROUNDS, Mr. REED, and Mr. HOEVEN):

S. 3788. A bill to amend title 38, United States Code, to provide for an increase in the maximum amount of grants awarded by the Secretary of Veterans Affairs to States and tribal organizations for operating and maintaining veterans' cemeteries, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. CASSIDY (for himself and Mrs. HYDE-SMITH):

S. 3789. A bill to make a clarifying amendment to the CARES Act; to the Committee on Appropriations.

By Mrs. GILLIBRAND (for Mr. SANDERS (for himself, Mrs. GILLIBRAND, Mr. MARKEY, Ms. WARREN, Mr. BOOKER, Mr. MERKLEY, and Ms. HARRIS)):

S. 3790. A bill to provide reimbursements for certain costs of health care items and services, including prescription drugs, furnished during the public health emergency declared with respect to COVID-19; to the Committee on Health, Education, Labor, and Pensions.

By Ms. DUCKWORTH (for herself, Mr. SCHATZ, Mr. BLUMENTHAL, Ms. STABENOW, Mr. VAN HOLLEN, Mr. WYDEN, Mr. WARNER, Mr. MENENDEZ, Ms. WARREN, Mr. BROWN, Mrs. SHAHEEN, Mr. PETERS, Mr. DURBIN, Ms. HIRONO, Mr. SANDERS, Ms. SINEMA, Mrs. FEINSTEIN, Ms. BALDWIN, and Mr. MERKLEY):

S. 3791. A bill to extend the period in which Governors of States may order members of the National Guard to active duty in connection with the Coronavirus Disease 2019 (COVID-19), and for other purposes; to the Committee on Armed Services.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Ms. HIRONO (for herself, Mr. BENNET, Mr. BLUMENTHAL, Mr. BOOKER, Ms. CANTWELL, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. COONS, Ms. CORTEZ MASTO, Ms. DUCKWORTH, Mrs. FEINSTEIN, Ms. HARRIS, Mr. KAINE, Ms. KLOBUCHAR, Mr. MARKEY, Mr. MENENDEZ, Mr. MERKLEY, Ms. ROSEN, Mr. SCHATZ, Ms. SMITH, Mr. VAN HOLLEN, and Ms. WARREN):

S. Res. 589. A resolution recognizing the significance of Asian/Pacific American Heritage Month as an important time to celebrate the significant contributions of Asian Americans and Pacific Islanders to the history of the United States; to the Committee on the Judiciary.

By Ms. COLLINS (for herself, Ms. SINEMA, Ms. MCSALLY, Mr. RUBIO, Mr. HAWLEY, Mr. CASEY, Mr. JONES, Ms. WARREN, Mr. GRASSLEY, Mr. SCOTT of South Carolina, Mr. BRAUN, and Ms. ROSEN):

S. Res. 590. A resolution supporting the designation of May 15, 2020, as "National Senior Fraud Awareness Day" to raise awareness about the increasing number of fraudulent schemes targeting seniors in the United States, to encourage the implementation of policies to prevent those schemes, and to improve protections from those schemes for seniors; considered and agreed to.

By Mr. CARDIN (for himself, Mr. SCOTT of South Carolina, Mr. BOOKER, Mr. RUBIO, Mr. MENENDEZ, Mr. BOOZMAN, Ms. HARRIS, Mrs. CAPITO, Ms. CORTEZ MASTO, Mr. SULLIVAN, Ms. HIRONO, Mr. CRAMER, Mr. WYDEN, Mr. VAN HOLLEN, Mr. BROWN, Mr. MARKEY, Mr. LANKFORD, and Mr. BRAUN):

S. Res. 591. A resolution promoting minority health awareness and supporting the goals and ideals of National Minority Health Month in April 2020, which include bringing attention to the health disparities faced by minority populations of the United States such as American Indians, Alaska Natives, Asian Americans, African Americans, Hispanics, and Native Hawaiians or other Pacific Islanders; considered and agreed to.

By Mr. DURBIN (for himself, Ms. DUCKWORTH, Mrs. FEINSTEIN, Mr. MARKEY, Mr. VAN HOLLEN, Mr. BLUMENTHAL, Ms. HARRIS, Ms. CANTWELL, Mr. MURPHY, Mr. MENENDEZ, Mr. REED, Mr. COONS, Mrs. MURRAY, Mr. KAINE, Ms. KLOBUCHAR, Mr. CASEY, Mr. BOOKER, Ms. HIRONO, and Mr. MERKLEY):

S. Res. 592. A resolution expressing support for the designation of June 5, 2020, as "National Gun Violence Awareness Day" and June 2020 as "National Gun Violence Awareness Month"; to the Committee on the Judiciary.

By Ms. BALDWIN (for herself, Mr. WHITEHOUSE, Ms. SMITH, Mr. MERKLEY, Mr. BOOKER, Mr. BROWN, Ms. STABENOW, Mr. CARDIN, Mr. VAN HOLLEN, Mrs. GILLIBRAND, Mr. UDALL, Ms. ROSEN, Mrs. FEINSTEIN, Mr. CARPER, Mr. COONS, Mr. DURBIN, and Ms. HARRIS):

S. Res. 593. A resolution to recognize the 50th anniversary of Earth Day and the leadership of its founder, Senator Gaylord Nelson; to the Committee on Environment and Public Works.

## ADDITIONAL COSPONSORS

S. 206

At the request of Mr. TESTER, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 206, a bill to award a Congressional Gold Medal to the female telephone operators of the Army Signal Corps, known as the "Hello Girls".

S. 454

At the request of Mr. CRAMER, the name of the Senator from Georgia (Mrs. LOEFFLER) was added as a cosponsor of S. 454, a bill to direct the Federal Communications Commission to establish the Office of Rural Broadband, and for other purposes.

S. 945

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

S. 1380

At the request of Mr. SULLIVAN, the name of the Senator from Kentucky (Mr. PAUL) was added as a cosponsor of S. 1380, a bill to amend the Federal Rules of Criminal Procedure to remind prosecutors of their obligations under Supreme Court case law.

S. 1730

At the request of Ms. HARRIS, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 1730, a bill to direct the Administrator of the National Oceanic and Atmospheric Administration to make grants to State and local governments and nongovernmental organizations for purposes of carrying out climate-resilient living shoreline projects that protect coastal communities by supporting ecosystem functions and habitats with the use of natural materials and systems, and for other purposes.

S. 1985

At the request of Ms. DUCKWORTH, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 1985, a bill to assist communities affected by stranded nuclear waste, and for other purposes.

S. 2085

At the request of Ms. ROSEN, the name of the Senator from Georgia (Mrs. LOEFFLER) was added as a cosponsor of S. 2085, a bill to authorize the Secretary of Education to award grants to eligible entities to carry out educational programs about the Holocaust, and for other purposes.

S. 2539

At the request of Mr. RUBIO, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 2539, a bill to modify and reauthorize the Tibetan Policy Act of 2002, and for other purposes.

S. 2748

At the request of Ms. HARRIS, her name was added as a cosponsor of S. 2748, a bill to repeal the section of the Middle Class Tax Relief and Job Creation Act of 2012 that requires the Federal Communications Commission to reallocate and auction the T-Band spectrum.

S. 3072

At the request of Mrs. HYDE-SMITH, the names of the Senator from Missouri (Mr. BLUNT) and the Senator from Nebraska (Mrs. FISCHER) were added as cosponsors of S. 3072, a bill to amend the Federal Food, Drug, and Cosmetic Act to prohibit the approval of new abortion drugs, to prohibit investigational use exemptions for abortion drugs, and to impose additional regulatory requirements with respect to previously approved abortion drugs, and for other purposes.

S. 3176

At the request of Ms. ROSEN, her name was added as a cosponsor of S. 3176, a bill to amend the Foreign Assistance Act of 1961 and the United States-Israel Strategic Partnership Act of 2014 to make improvements to certain defense and security assistance provisions and to authorize the appropriations of funds to Israel, and for other purposes.

S. 3393

At the request of Mr. TESTER, the names of the Senator from Maine (Ms. COLLINS), the Senator from Alabama (Mr. JONES), the Senator from North Dakota (Mr. CRAMER), the Senator from South Dakota (Mr. ROUNDS) and the Senator from Michigan (Mr. PETERS) were added as cosponsors of S. 3393, a bill to amend title 10, United States Code, to provide for concurrent receipt of veterans' disability compensation and retired pay for disability retirees with fewer than 20 years of service and a combat-related disability, and for other purposes.

S. 3406

At the request of Ms. DUCKWORTH, the name of the Senator from Nevada (Ms. ROSEN) was added as a cosponsor of S. 3406, a bill to reauthorize the Interagency Committee on Women's Business Enterprise, and for other purposes.

S. 3457

At the request of Mr. WARNER, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 3457, a bill to amend title XVIII of the Social Security Act to clarify congressional intent and preserve patient access to home infusion therapy under the Medicare program, and for other purposes.

S. 3530

At the request of Mr. PETERS, his name was added as a cosponsor of S. 3530, a bill to amend the National Security Act of 1947 to require the President to designate an employee of the National Security Council to be responsible for pandemic prevention and response, and for other purposes.

S. 3602

At the request of Mrs. GILLIBRAND, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 3602, a bill to provide loan forgiveness for certain borrowers of Department of Agriculture direct farm loans, and for other purposes.

S. 3605

At the request of Mrs. GILLIBRAND, the names of the Senator from Minnesota (Ms. SMITH) and the Senator from California (Ms. HARRIS) were added as cosponsors of S. 3605, a bill to amend the Specialty Crops Competitiveness Act of 2004 to provide specialty crop block grants to fund State food banks and food access networks.

S. 3608

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

S. 3614

At the request of Ms. HARRIS, the names of the Senator from Arkansas (Mr. BOOZMAN) and the Senator from Virginia (Mr. WARNER) were added as cosponsors of S. 3614, a bill to authorize the Administrator of the Federal Emergency Management Agency to approve State and local plans to partner with small and mid-size restaurants and nonprofit organizations to provide nutritious meals to individuals in need, to waive certain matching fund requirements, and for other purposes.

S. 3636

At the request of Mr. GRAHAM, the names of the Senator from Texas (Mr. CORNYN) and the Senator from Nevada (Ms. CORTEZ MASTO) were added as cosponsors of S. 3636, a bill to transfer the United States Secret Service to the Department of the Treasury.

S. 3638

At the request of Mr. SULLIVAN, the name of the Senator from Louisiana (Mr. KENNEDY) was added as a cosponsor of S. 3638, a bill to allow Coronavirus Relief Fund payments to be used to replace revenue shortfalls resulting from COVID-19.

S. 3672

At the request of Mr. WYDEN, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 3672, a bill to provide States and Indian Tribes with flexibility in administering the temporary assistance for needy families program due to the public health emergency with respect to the Coronavirus Disease (COVID-19), to make emergency grants to States and Indian Tribes to provide financial support for low-income individuals affected by that public health emergency, and for other purposes.

S. 3692

At the request of Mrs. GILLIBRAND, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added

as a cosponsor of S. 3692, a bill to improve the ability of the Department of Defense to effectively prevent, track, and respond to military-connected child abuse.

S. 3703

At the request of Ms. COLLINS, the names of the Senator from West Virginia (Mrs. CAPITO) and the Senator from Connecticut (Mr. BLUMENTHAL) were added as cosponsors of S. 3703, a bill to amend the Elder Abuse Prevention and Prosecution Act to improve the prevention of elder abuse and exploitation of individuals with Alzheimer's disease and related dementias.

S. 3728

At the request of Mr. WICKER, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 3728, a bill to require the Secretary of Transportation to support the efforts of State and local governments to provide for priority testing of essential critical infrastructure workers with respect to the Coronavirus Disease 2019 (COVID-19), and for other purposes.

S. 3731

At the request of Mr. GRASSLEY, the name of the Senator from Wyoming (Mr. BARRASSO) was added as a cosponsor of S. 3731, a bill to amend title VII of the Social Security Act to provide for a single point of contact at the Social Security Administration for individuals who are victims of identity theft.

S. 3743

At the request of Mr. BLUMENTHAL, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 3743, a bill to amend chapter 44 of title 18, United States Code, to ensure that all firearms are traceable, and for other purposes.

S. 3755

At the request of Ms. DUCKWORTH, the name of the Senator from California (Ms. HARRIS) was added as a cosponsor of S. 3755, a bill to provide for the establishment of a COVID-19 Compensation Fund, and for other purposes.

S. 3761

At the request of Mr. TESTER, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 3761, a bill to amend title 38, United States Code, to require the Secretary of Veterans Affairs to provide veterans service organizations and recognized agents and attorneys opportunities to review Department of Veterans Affairs disability rating determinations before they are finalized, and for other purposes.

S. RES. 195

At the request of Mr. COTTON, the names of the Senator from Arkansas (Mr. BOOZMAN) and the Senator from North Carolina (Mr. TILLIS) were added as cosponsors of S. Res. 195, a resolution opposing the lifting of sanctions imposed with respect to Iran without

addressing Iran's nuclear program, ballistic missile development, support for terrorism, and other destabilizing activities.

S. RES. 542

At the request of Mr. GARDNER, the name of the Senator from Nevada (Ms. ROSEN) was added as a cosponsor of S. Res. 542, a resolution commemorating the 75th anniversary of the liberation of the Dachau concentration camp during World War II.

AMENDMENT NO. 1581

At the request of Mr. KENNEDY, the names of the Senator from Arizona (Ms. MCSALLY), the Senator from Texas (Mr. CORNYN) and the Senator from Alaska (Mr. SULLIVAN) were added as cosponsors of amendment No. 1581 intended to be proposed to S. 3608, a bill to amend the CARES Act to provide flexibility in use of funds by States, Indian Tribes, and municipalities.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTION

By Ms. DUCKWORTH (for herself, Mr. RUBIO, Mr. COONS, Mr. RISCH, Mrs. BLACKBURN, Mr. CARDIN, and Mrs. SHAHEEN):

S. 3782. A bill to modify the amount authorized for commitments for 7(a) loans, and for other purposes; considered and passed.

S. 3782

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Small Business Lending Continuity Act of 2020".

#### SEC. 2. COMMITMENTS FOR 7(A) LOANS.

Notwithstanding any other provision of law, the amounts authorized for commitments for general business loans authorized under section 7(a) of the Small Business Act (15 U.S.C. 636(a)) under the heading "BUSINESS LOANS PROGRAM ACCOUNT" under the heading "SMALL BUSINESS ADMINISTRATION" under title V of the Consolidated Appropriations Act, 2020 (Public Law 116-93; 133 Stat. 2475) shall apply with respect to loans made under such section 7(a), other than loans made under paragraph (36) of such section 7(a), on and after the date of enactment of this Act.

#### SUBMITTED RESOLUTIONS

SENATE RESOLUTION 589—RECOGNIZING THE SIGNIFICANCE OF ASIAN/PACIFIC AMERICAN HERITAGE MONTH AS AN IMPORTANT TIME TO CELEBRATE THE SIGNIFICANT CONTRIBUTIONS OF ASIAN AMERICANS AND PACIFIC ISLANDERS TO THE HISTORY OF THE UNITED STATES

Ms. HIRONO (for herself, Mr. BENNET, Mr. BLUMENTHAL, Mr. BOOKER, Ms. CANTWELL, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. COONS, Ms. CORTEZ MASTO, Ms. DUCKWORTH, Mrs. FEINSTEIN, Ms. HARRIS, Mr. KAINE, Ms. KLOBUCHAR, Mr. MARKEY, Mr. MENENDEZ,

Mr. MERKLEY, Ms. ROSEN, Mr. SCHATZ, Ms. SMITH, Mr. VAN HOLLEN, and Ms. WARREN) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 589

Whereas the people of the United States join together each May to pay tribute to the contributions of generations of Asian Americans and Pacific Islanders who have enriched the history of the United States;

Whereas the history of Asian Americans and Pacific Islanders in the United States is inextricably tied to the story of the United States;

Whereas the Asian-American and Pacific Islander community is an inherently diverse population, composed of more than 45 distinct ethnicities and more than 100 language dialects;

Whereas, according to the Bureau of the Census, the Asian-American population grew faster than any other racial or ethnic group over the last decade, surging nearly 72 percent between 2000 and 2015;

Whereas there are approximately 22,000,000 residents of the United States who identify as Asian and approximately 1,600,000 residents of the United States who identify as Native Hawaiian or other Pacific Islander, making up nearly 7 percent of the total population of the United States;

Whereas the month of May was selected for Asian/Pacific American Heritage Month because the first Japanese immigrants arrived in the United States on May 7, 1843, and the first transcontinental railroad was completed on May 10, 1869, with substantial contributions from Chinese immigrants;

Whereas section 102 of title 36, United States Code, officially designates May as Asian/Pacific American Heritage Month and requests the President to issue an annual proclamation calling on the people of the United States to observe the month with appropriate programs, ceremonies, and activities;

Whereas 2020 marks several important milestones for the Asian-American and Pacific Islander community, including—

(1) the 35th anniversary of the mission aboard the Space Shuttle Discovery of Ellison S. Onizuka, the first Asian American in space;

(2) the 45th anniversary of the end of the Vietnam War and the beginning of the Southeast Asian diaspora to communities across the United States;

(3) the 45th anniversary of the completion of the double-hulled voyaging canoe, Hokulea, marking the first traditional Polynesian voyaging canoe built in Hawaii in more than 600 years;

(4) the 55th anniversary of the enactment of the Act entitled "An Act to amend the Immigration and Nationality Act, and for other purposes", approved October 3, 1965 (79 Stat. 911), landmark legislation that reversed restrictive immigration policies against immigrants from Asia; and

(5) the 110th anniversary of the establishment of Angel Island Immigration Station in San Francisco Bay, California, which served as a major port of entry for immigrants coming to the United States from Asia and the Pacific;

Whereas Asian Americans and Pacific Islanders have made significant contributions to the United States at all levels of the Federal Government and in the United States Armed Forces, including—

(1) Daniel K. Inouye, a Medal of Honor and Presidential Medal of Freedom recipient who, as President pro tempore of the Senate, was the highest-ranking Asian-American government official in the history of the United States;



(2) Dalip Singh Saund, the first Asian-American Congressman;

(3) Patsy T. Mink, the first woman of color and Asian-American woman to be elected to Congress;

(4) Hiram L. Fong, the first Asian-American Senator;

(5) Daniel K. Akaka, the first Senator of Native Hawaiian ancestry;

(6) Norman Y. Mineta, the first Asian-American member of a Presidential cabinet; and

(7) Elaine L. Chao, the first Asian-American woman member of a Presidential cabinet;

Whereas, in 2020, the Congressional Asian Pacific American Caucus, a bicameral caucus of Members of Congress advocating on behalf of Asian Americans and Pacific Islanders, is composed of 76 Members, including 19 Members of Asian or Pacific Islander descent;

Whereas, in 2020, Asian Americans and Pacific Islanders are serving in State and Territorial legislatures across the United States in record numbers, including in—

(1) the States of Alaska, Arizona, California, Connecticut, Georgia, Hawaii, Idaho, Illinois, Indiana, Kansas, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Nevada, New Hampshire, New Jersey, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, Tennessee, Texas, Utah, Virginia, Washington, and Wyoming; and

(2) the Territories of American Samoa, Guam, and the Commonwealth of the Northern Mariana Islands;

Whereas, in 2020, Asian Americans and Pacific Islanders honorably serve throughout the Federal judiciary;

Whereas, since January 2020, the increased use of anti-Asian terminology and rhetoric related to the 2019 novel coronavirus (COVID-19) has perpetuated an anti-Asian stigma and has resulted in a dramatic increase in reports of hate crimes and incidents against individuals of Asian descent;

Whereas there remains much to be done to ensure that Asian Americans and Pacific Islanders have access to resources and a voice in the Government of the United States and continue to advance in the political landscape of the United States; and

Whereas celebrating Asian/Pacific American Heritage Month provides the people of the United States with an opportunity to recognize the achievements, contributions, and history of, and to understand the challenges faced by, Asian Americans and Pacific Islanders: Now, therefore, be it

*Resolved*, That the Senate—

(1) recognizes the significance of Asian/Pacific American Heritage Month as an important time to celebrate the significant contributions of Asian Americans and Pacific Islanders to the history of the United States; and

(2) recognizes that Asian-American and Pacific Islander communities enhance the rich diversity of and strengthen the United States.

SENATE RESOLUTION 590—SUPPORTING THE DESIGNATION OF MAY 15, 2020, AS “NATIONAL SENIOR FRAUD AWARENESS DAY” TO RAISE AWARENESS ABOUT THE INCREASING NUMBER OF FRAUDULENT SCHEMES TARGETING SENIORS IN THE UNITED STATES, TO ENCOURAGE THE IMPLEMENTATION OF POLICIES TO PREVENT THOSE SCHEMES, AND TO IMPROVE PROTECTIONS FROM THOSE SCHEMES FOR SENIORS

Ms. COLLINS (for herself, Ms. SINEMA, Ms. MCSALLY, Mr. RUBIO, Mr. HAWLEY, Mr. CASEY, Mr. JONES, Ms. WARREN, Mr. GRASSLEY, Mr. SCOTT of South Carolina, Mr. BRAUN, and Ms. ROSEN) submitted the following resolution; which was considered and agreed to:

S. RES. 590

Whereas millions of older adults in the United States (referred to in this preamble as “seniors”) are targeted by scams each year, including Social Security impersonation scams and Internal Revenue Service impersonation scams, sweepstakes scams, romance scams, computer tech support scams, grandparent scams, debt scams, home improvement scams, fraudulent investment schemes, and identity theft;

Whereas other types of fraud perpetrated against seniors include health care fraud, health insurance fraud, counterfeit prescription drug fraud, funeral and cemetery fraud, “anti-aging” product fraud, telemarketing fraud, and internet fraud;

Whereas, in 2020, scammers are exploiting the ongoing coronavirus crisis to prey on seniors through a variety of scams, including economic impact payment scams, test kit scams, contact tracing scams, and work-from-home scams;

Whereas the Government Accountability Office has estimated that seniors lose a staggering \$2,900,000,000 each year to an ever-growing array of financial exploitation schemes and scams;

Whereas, since 2013, the fraud hotline of the Special Committee on Aging of the Senate has received more than 9,500 complaints reporting possible scams from individuals in all 50 States, the District of Columbia, and the Commonwealth of Puerto Rico;

Whereas the ease with which criminals contact seniors through the internet and telephone increases as more creative schemes emerge;

Whereas, according to the Consumer Sentinel Network Data Book 2019 released by the Federal Trade Commission, people age 60 or older reported losing approximately \$445,000,000 to fraud in 2019, with a median loss for victims age 80 or older of \$1,600, more than triple the median amount lost by victims between the ages of 50 and 59;

Whereas senior fraud is underreported by victims due to shame, stigma, and lack of information about where to report fraud; and

Whereas May 15, 2020, is an appropriate day to establish as “National Senior Fraud Awareness Day”: Now, therefore, be it

*Resolved*, That the Senate—

(1) supports the designation of May 15, 2020, as “National Senior Fraud Awareness Day”;

(2) recognizes National Senior Fraud Awareness Day as an opportunity to raise awareness about the barrage of scams that individuals age 65 or older in the United States (referred to in this resolution as “seniors”) face in person, by mail, on the phone, and online;

(3) recognizes that law enforcement, consumer protection groups, area agencies on aging, and financial institutions all play vital roles in—

(A) preventing the proliferation of scams targeting seniors in the United States; and  
(B) educating seniors about those scams;

(4) encourages—

(A) the implementation of policies to prevent scams targeting seniors; and

(B) the improvement of efforts to protect seniors from those scams; and

(5) honors the commitment and dedication of the individuals and organizations that work tirelessly to fight against scams targeting seniors.

SENATE RESOLUTION 591—PROMOTING MINORITY HEALTH AWARENESS AND SUPPORTING THE GOALS AND IDEALS OF NATIONAL MINORITY HEALTH MONTH IN APRIL 2020, WHICH INCLUDE BRINGING ATTENTION TO THE HEALTH DISPARITIES FACED BY MINORITY POPULATIONS OF THE UNITED STATES SUCH AS AMERICAN INDIANS, ALASKA NATIVES, ASIAN AMERICANS, AFRICAN AMERICANS, HISPANICS, AND NATIVE HAWAIIANS OR OTHER PACIFIC ISLANDERS

Mr. CARDIN (for himself, Mr. SCOTT of South Carolina, Mr. BOOKER, Mr. RUBIO, Mr. MENENDEZ, Mr. BOOZMAN, Ms. HARRIS, Mrs. CAPITO, Ms. CORTEZ MASTO, Mr. SULLIVAN, Ms. HIRONO, Mr. CRAMER, Mr. WYDEN, Mr. VAN HOLLEN, Mr. BROWN, Mr. MARKEY, Mr. LANKFORD, and Mr. BRAUN) submitted the following resolution; which was considered and agreed to:

S. RES. 591

Whereas the origin of National Minority Health Month is National Negro Health Week, established in 1915 by Dr. Booker T. Washington;

Whereas the theme for National Minority Health Month in 2020 is “Active and Healthy”;

Whereas the Department of Health and Human Services has set goals and strategies to enhance and protect the health and well-being of the people of the United States;

Whereas a study by the Joint Center for Political and Economic Studies, entitled “The Economic Burden of Health Inequalities in the United States”, concludes that, between 2003 and 2006, the combined cost of health inequalities and premature death in the United States was \$1,240,000,000,000;

Whereas African American women were as likely to have been diagnosed with breast cancer as non-Hispanic White women, but African American women were about 40 percent more likely to die from breast cancer than non-Hispanic White women between 2012 and 2016;

Whereas African American women lose their lives to cervical cancer at more than twice the rate of non-Hispanic White women;

Whereas African American men are 60 percent more likely to die from a stroke than non-Hispanic White men;

Whereas Hispanics have higher rates of end-stage renal disease caused by diabetes, and are 40 percent more likely to die of diabetes, than non-Hispanic Whites;

Whereas the HIV diagnosis rate among Hispanic men is more than 3 times the HIV diagnosis rate among non-Hispanic White men;

Whereas the HIV diagnosis rate among Hispanic women is 4 times the HIV diagnosis rate among non-Hispanic White women;

Whereas, in 2018, although African Americans represented only 13 percent of the population of the United States, African Americans accounted for 42 percent of new HIV diagnoses;

Whereas, in 2018, African American youth accounted for an estimated 51 percent, and Hispanic youth accounted for an estimated 27 percent, of all new HIV diagnoses among youth in the United States;

Whereas, in 2016, Native Hawaiians and Pacific Islanders were 1.6 times more likely to be diagnosed with HIV than non-Hispanic Whites;

Whereas, in 2018, Native Hawaiians and Pacific Islanders were 2.5 times more likely to be diagnosed with diabetes than non-Hispanic Whites;

Whereas Native Hawaiians and Pacific Islanders are 30 percent more likely to be diagnosed with cancer than non-Hispanic Whites;

Whereas, although the prevalence of obesity is high among all population groups in the United States, 48 percent of American Indian and Alaska Natives, 51 percent of Native Hawaiian and Pacific Islanders, 48 percent of African Americans, 45 percent of Hispanics, 37 percent of non-Hispanic Whites, and 12 percent of Asian Americans more than 18 years old were obese (not including overweight);

Whereas, in 2015, Asian Americans were 1.7 times more likely than non-Hispanic Whites to contract Hepatitis A;

Whereas, among all ethnic groups in 2015, Asian Americans and Pacific Islanders had the highest incidence of Hepatitis A;

Whereas Asian Americans accounted for 30 percent of chronic Hepatitis B cases, and non-Hispanic Whites accounted for 13.5 percent of chronic Hepatitis B cases;

Whereas of the children diagnosed with perinatal HIV in 2017, 64 percent were African American, 14 percent were Hispanic, and 12 percent were non-Hispanic White;

Whereas the Department of Health and Human Services has identified heart disease, stroke, cancer, and diabetes as 4 of the 10 leading causes of death among American Indians and Alaska Natives;

Whereas American Indians and Alaska Natives die from diabetes, alcoholism, unintentional injuries, homicide, and suicide at higher rates than other people in the United States;

Whereas American Indians and Alaska Natives have a life expectancy that is 5.5 years shorter than the life expectancy of the overall population of the United States;

Whereas African American women die from childbirth or pregnancy-related causes at a rate that is 2 to 3 times higher than the rate for non-Hispanic White women;

Whereas African American infants are 3.8 times more likely to die due to complications related to low birth weight than non-Hispanic White infants;

Whereas American Indian and Alaska Native infants are twice as likely as non-Hispanic White infants to die from sudden infant death syndrome;

Whereas American Indian and Alaska Natives have an infant mortality rate approximately twice as high as that of non-Hispanic Whites;

Whereas American Indian and Alaska Native infants are 2.7 times more likely to die from accidental deaths before their first birthday than non-Hispanic White infants;

Whereas sickle cell disease affects approximately 100,000 people in the United States, occurring in approximately 1 out of every 365 African American births and 1 out of every 16,300 Hispanic births;

Whereas 10.9 percent of Native Hawaiian and Pacific Islanders, 6.3 percent of Asian Americans, 8.8 percent of Hispanics, 8.7 percent of African Americans, and 14 percent of American Indians and Alaska Natives received mental health treatment or counseling in the past year, compared to 18.6 percent of non-Hispanic Whites;

Whereas preliminary evidence suggests that certain groups, such as African Americans, Hispanics, and American Indians and Alaska Natives are more likely than non-Hispanic Whites to develop severe COVID-19-related illnesses and life-threatening symptoms;

Whereas significant differences in social determinants of health can lead to poor health outcomes and declines in life expectancy; and

Whereas community-based health care initiatives, such as prevention-focused programs, present a unique opportunity to use innovative approaches to improve public health and health care practices across the United States and to reduce disparities among racial and ethnic minority populations: Now, therefore, be it

*Resolved*, That the Senate supports the goals and ideals of National Minority Health Month in April 2020, which include bringing attention to the health disparities faced by minority populations in the United States, such as American Indians, Alaska Natives, Asian Americans, African Americans, Hispanics, and Native Hawaiians or other Pacific Islanders.

SENATE RESOLUTION 592—EXPRESSING SUPPORT FOR THE DESIGNATION OF JUNE 5, 2020, AS “NATIONAL GUN VIOLENCE AWARENESS DAY” AND JUNE 2020 AS “NATIONAL GUN VIOLENCE AWARENESS MONTH”

Mr. DURBIN (for himself, Ms. DUCKWORTH, Mrs. FEINSTEIN, Mr. MARKEY, Mr. VAN HOLLEN, Mr. BLUMENTHAL, Ms. HARRIS, Ms. CANTWELL, Mr. MURPHY, Mr. MENENDEZ, Mr. REED, Mr. COONS, Mrs. MURRAY, Mr. KAINE, Ms. KLOBUCHAR, Mr. CASEY, Mr. BOOKER, Ms. HIRONO, and Mr. MERKLEY) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 592

Whereas, each year in the United States, more than—

- (1) 37,500 individuals are killed and 73,300 individuals are wounded by gunfire;
- (2) 13,300 individuals are killed in homicides involving firearms;
- (3) 22,900 individuals die by suicide using a firearm; and
- (4) 470 individuals are killed in unintentional shootings;

Whereas, since 1968, more individuals have died from guns in the United States than have died on the battlefields of all the wars in the history of the United States;

Whereas, by 1 count, in 2019 in the United States, there were 417 mass shooting incidents in which not fewer than 4 people were killed or wounded by gunfire;

Whereas, in 2019 in the United States, there were at least 130 incidents of gunfire on school grounds, resulting in 33 deaths and 77 injuries;

Whereas, every year in the United States, approximately 3,000 children and teens are killed by gun violence and 13,000 children and teens are shot and wounded;

Whereas approximately 7,600 people in the United States under the age of 25 die because

of gun violence annually, including Hadiya Pendleton, who, in 2013, was killed at 15 years of age in Chicago, Illinois, while standing in a park;

Whereas the deadly toll of daily gun violence has continued even during the COVID-19 pandemic;

Whereas, on June 5, 2020, to recognize the 23rd birthday of Hadiya Pendleton (born June 2, 1997), people across the United States will recognize National Gun Violence Awareness Day and wear orange in tribute to—

(1) Hadiya Pendleton and other victims of gun violence; and

(2) the loved ones of those victims; and

Whereas June 2020 is an appropriate month to designate as “National Gun Violence Awareness Month”: Now, therefore, be it

*Resolved*, That the Senate—

(1) supports—

(A) the designation of June 2020 as “National Gun Violence Awareness Month” and the goals and ideals of that month; and

(B) the designation of June 5, 2020, as “National Gun Violence Awareness Day”, in remembrance of the victims of gun violence; and

(2) calls on the people of the United States to—

(A) promote greater awareness of gun violence and gun safety;

(B) wear orange, the color that hunters wear to show that they are not targets, on June 5, 2020;

(C) concentrate heightened attention on gun violence during the summer months, when gun violence typically increases; and

(D) bring community members and leaders together to discuss ways to make communities safer.

SENATE RESOLUTION 593—TO RECOGNIZE THE 50TH ANNIVERSARY OF EARTH DAY AND THE LEADERSHIP OF ITS FOUNDER, SENATOR GAYLORD NELSON

Ms. BALDWIN (for himself, Mr. WHITEHOUSE, Ms. SMITH, Mr. MERKLEY, Mr. BOOKER, Mr. BROWN, Ms. STABENOW, Mr. CARDIN, Mr. VAN HOLLEN, Mrs. GILLIBRAND, Mr. UDALL, Ms. ROSEN, Mrs. FEINSTEIN, Mr. CARPER, Mr. COONS, Mr. DURBIN, and Ms. HARRIS) submitted the following resolution; which was referred to the Committee on Environment and Public Works:

S. RES. 593

Whereas Earth Day is observed annually around the world to demonstrate support for preserving, protecting, and defending the environment, the planet, and the inhabitants of the planet;

Whereas Senator Gaylord Nelson, a native of Clear Lake, Wisconsin—

(1) established Earth Day as an event and movement led by young people;

(2) is recognized as one of the leading environmentalists of the 20th century; and

(3) received the Presidential Medal of Freedom for his public leadership;

Whereas the Earth Day movement established by Senator Gaylord Nelson helped launch an era of international environmental awareness and activism;

Whereas ongoing environmental degradation and accelerating climate change threaten the well-being and livelihoods of the individuals of the United States and individuals around the world;

Whereas pollution, environmental degradation, and the climate crisis are generational justice issues that disproportionately impact young individuals and future generations, who will have to live with—

(1) the health consequences of toxic pollution;

(2) the economic consequences of depleted resources; and

(3) the moral and political consequences of a growing world population that is vulnerable to extreme weather, famine, and other stressors exacerbated by climate change;

Whereas multiple national and international scientific reports have concluded that the climate crisis is an urgent threat to the planet and all life on the planet that requires urgent action;

Whereas, as of the date of introduction of this resolution, there are 74,000,000 children and youth under 18 years of age in the United States;

Whereas young individuals were critical in the organization and mobilization of 20,000,000 individuals on the first Earth Day in 1970, making that celebration the largest environmental grassroots event in history at that time;

Whereas the first Earth Day spurred broad support for environmental conservation and contributed to the creation of the Environmental Protection Agency and the enactment of bipartisan bedrock Federal environmental protections, including the Clean Air Act (42 U.S.C. 7401 et seq.), the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.), and the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

Whereas the United States has experienced a youth-led resurgence in environmental and climate activism that has led to hundreds of thousands of individuals in the United States demanding climate action;

Whereas low-income communities and communities of color continue to face disproportionate harm from climate change, pollution, and environmental degradation; and

Whereas the mission and purpose of Earth Day remains relevant in 2020 for a new generation to face environmental challenges that lie ahead: Now, therefore, be it

*Resolved*, That the Senate—

(1) recognizes April 22, 2020, as the 50th anniversary of Earth Day; and

(2) commends the leadership and vision of the founder of Earth Day, Senator Gaylord Nelson.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 1589. Mr. KENNEDY (for himself, Mr. RUBIO, Mr. VAN HOLLEN, Mr. MENENDEZ, Mr. CRAMER, and Mr. COTTON) proposed an amendment to the bill S. 945, to amend the Sarbanes-Oxley Act of 2002 to require certain issuers to disclose to the Securities and Exchange Commission information regarding foreign jurisdictions that prevent the Public Company Accounting Oversight Board from performing inspections under that Act, and for other purposes.

SA 1590. Mr. PORTMAN (for Mr. ALEXANDER) proposed an amendment to the bill S. 1130, to amend the Public Health Service Act to improve the health of children and help better understand and enhance awareness about unexpected sudden death in early life.

#### TEXT OF AMENDMENTS

**SA 1589.** Mr. KENNEDY (for himself, Mr. RUBIO, Mr. VAN HOLLEN, Mr. MENENDEZ, Mr. CRAMER, and Mr. COTTON) proposed an amendment to the bill S. 945, to amend the Sarbanes-Oxley Act of 2002 to require certain issuers to disclose to the Securities and Exchange Commission information re-

garding foreign jurisdictions that prevent the Public Company Accounting Oversight Board from performing inspections under that Act, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

##### SECTION 1. SHORT TITLE.

This Act may be cited as the “Holding Foreign Companies Accountable Act”.

##### SEC. 2. DISCLOSURE REQUIREMENT.

Section 104 of the Sarbanes-Oxley Act of 2002 (15 U.S.C. 7214) is amended by adding at the end the following:

“(i) DISCLOSURE REGARDING FOREIGN JURISDICTIONS THAT PREVENT INSPECTIONS.—

“(1) DEFINITIONS.—In this subsection—

“(A) the term ‘covered issuer’ means an issuer that is required to file reports under section 13 or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m, 78o(d)); and

“(B) the term ‘non-inspection year’ means, with respect to a covered issuer, a year—

“(i) during which the Commission identifies the covered issuer under paragraph (2)(A) with respect to every report described in subparagraph (A) filed by the covered issuer during that year; and

“(ii) that begins after the date of enactment of this subsection.

“(2) DISCLOSURE TO COMMISSION.—The Commission shall—

“(A) identify each covered issuer that, with respect to the preparation of the audit report on the financial statement of the covered issuer that is included in a report described in paragraph (1)(A) filed by the covered issuer, retains a registered public accounting firm that has a branch or office that—

“(i) is located in a foreign jurisdiction; and

“(ii) the Board is unable to inspect or investigate completely because of a position taken by an authority in the foreign jurisdiction described in clause (i), as determined by the Board; and

“(B) require each covered issuer identified under subparagraph (A) to, in accordance with the rules issued by the Commission under paragraph (4), submit to the Commission documentation that establishes that the covered issuer is not owned or controlled by a governmental entity in the foreign jurisdiction described in subparagraph (A)(i).

“(3) TRADING PROHIBITION AFTER 3 YEARS OF NON-INSPECTIONS.—

“(A) IN GENERAL.—If the Commission determines that a covered issuer has 3 consecutive non-inspection years, the Commission shall prohibit the securities of the covered issuer from being traded—

“(i) on a national securities exchange; or

“(ii) through any other method that is within the jurisdiction of the Commission to regulate, including through the method of trading that is commonly referred to as the ‘over-the-counter’ trading of securities.

“(B) REMOVAL OF INITIAL PROHIBITION.—If, after the Commission imposes a prohibition on a covered issuer under subparagraph (A), the covered issuer certifies to the Commission that the covered issuer has retained a registered public accounting firm that the Board has inspected under this section to the satisfaction of the Commission, the Commission shall end that prohibition.

“(C) RECURRENCE OF NON-INSPECTION YEARS.—If, after the Commission ends a prohibition under subparagraph (B) or (D) with respect to a covered issuer, the Commission determines that the covered issuer has a non-inspection year, the Commission shall prohibit the securities of the covered issuer from being traded—

“(i) on a national securities exchange; or

“(ii) through any other method that is within the jurisdiction of the Commission to

regulate, including through the method of trading that is commonly referred to as the ‘over-the-counter’ trading of securities.

“(D) REMOVAL OF SUBSEQUENT PROHIBITION.—If, after the end of the 5-year period beginning on the date on which the Commission imposes a prohibition on a covered issuer under subparagraph (C), the covered issuer certifies to the Commission that the covered issuer will retain a registered public accounting firm that the Board is able to inspect under this section, the Commission shall end that prohibition.

“(4) RULES.—Not later than 90 days after the date of enactment of this subsection, the Commission shall issue rules that establish the manner and form in which a covered issuer shall make a submission required under paragraph (2)(B).”

##### SEC. 3. ADDITIONAL DISCLOSURE.

(a) DEFINITIONS.—In this section—

(1) the term “audit report” has the meaning given the term in section 2(a) of the Sarbanes-Oxley Act of 2002 (15 U.S.C. 7201(a));

(2) the term “Commission” means the Securities and Exchange Commission;

(3) the term “covered form”—

(A) means—

(i) the form described in section 249.310 of title 17, Code of Federal Regulations, or any successor regulation; and

(ii) the form described in section 249.220f of title 17, Code of Federal Regulations, or any successor regulation; and

(B) includes a form that—

(i) is the equivalent of, or substantially similar to, the form described in clause (i) or (ii) of subparagraph (A); and

(ii) a foreign issuer files with the Commission under the Securities Exchange Act of 1934 (15 U.S.C. 78a et seq.) or rules issued under that Act;

(4) the terms “covered issuer” and “non-inspection year” have the meanings given the terms in subsection (i)(1) of section 104 of the Sarbanes-Oxley Act of 2002 (15 U.S.C. 7214), as added by section 2 of this Act; and

(5) the term “foreign issuer” has the meaning given the term in section 240.3b-4 of title 17, Code of Federal Regulations, or any successor regulation.

(b) REQUIREMENT.—Each covered issuer that is a foreign issuer and for which, during a non-inspection year with respect to the covered issuer, a registered public accounting firm described in subsection (i)(2)(A) of section 104 of the Sarbanes-Oxley Act of 2002 (15 U.S.C. 7214), as added by section 2 of this Act, has prepared an audit report shall disclose in each covered form filed by that issuer that covers such a non-inspection year—

(1) that, during the period covered by the covered form, such a registered public accounting firm has prepared an audit report for the issuer;

(2) the percentage of the shares of the issuer owned by governmental entities in the foreign jurisdiction in which the issuer is incorporated or otherwise organized;

(3) whether governmental entities in the applicable foreign jurisdiction with respect to that registered public accounting firm have a controlling financial interest with respect to the issuer;

(4) the name of each official of the Chinese Communist Party who is a member of the board of directors of—

(A) the issuer; or

(B) the operating entity with respect to the issuer; and

(5) whether the articles of incorporation of the issuer (or equivalent organizing document) contains any charter of the Chinese Communist Party, including the text of any such charter.

**SA 1590.** Mr. PORTMAN (for Mr. ALEXANDER) proposed an amendment to the bill S. 1130, to amend the Public Health Service Act to improve the health of children and help better understand and enhance awareness about unexpected sudden death in early life; as follows:

Strike all after the enacting clause and insert the following:

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Scarlett’s Sunshine on Sudden Unexpected Death Act”.

**SEC. 2. AMENDMENT TO THE PUBLIC HEALTH SERVICE ACT.**

Part B of title XI of the Public Health Service Act (42 U.S.C. 241 et seq.) is amended—

(1) in the part heading, by striking “**SUDDEN INFANT DEATH SYNDROME**” and inserting “**SUDDEN UNEXPECTED INFANT DEATH, SUDDEN INFANT DEATH SYNDROME, AND SUDDEN UNEXPECTED DEATH IN CHILDHOOD**”; and

(2) by inserting before section 1122 the following:

**“SEC. 1121. ADDRESSING SUDDEN UNEXPECTED INFANT DEATH AND SUDDEN UNEXPECTED DEATH IN CHILDHOOD.**

“(a) **IN GENERAL.**—The Secretary may develop, support, or maintain programs or activities to address sudden unexpected infant death and sudden unexpected death in childhood, including by—

“(1) continuing to support the Sudden Unexpected Infant Death and Sudden Death in the Young Case Registry of the Centers for Disease Control and Prevention and other fatality case reporting systems that include data pertaining to sudden unexpected infant death and sudden unexpected death in childhood, as appropriate, including such systems supported by the Health Resources and Services Administration, in order to—

“(A) increase the number of States and jurisdictions participating in such registries or systems; and

“(B) improve the utility of such registries or systems, which may include—

“(i) making summary data available to the public in a timely manner on the internet website of the Department of Health and Human Services, in a manner that, at a minimum, protects personal privacy to the extent required by applicable Federal and State law; and

“(ii) making the data submitted to such registries or systems available to researchers, in a manner that, at a minimum, protects personal privacy to the extent required by applicable Federal and State law; and

“(2) awarding grants or cooperative agreements to States, Indian Tribes, and Tribal organizations for purposes of—

“(A) supporting fetal and infant mortality and child death review programs for sudden unexpected infant death and sudden unexpected death in childhood, including by establishing such programs at the local level; and

“(B) improving data collection related to sudden unexpected infant death and sudden unexpected death in childhood, including by—

“(i) improving the completion of death scene investigations and comprehensive autopsies that include a review of clinical history and circumstances of death with appropriate ancillary testing; and

“(ii) training medical examiners, coroners, death scene investigators, law enforcement personnel, emergency medical technicians, paramedics, emergency department personnel, and others who perform death scene investigations with respect to the deaths of infants and children, as appropriate;

“(C) identifying, developing, and implementing best practices to reduce or prevent

sudden unexpected infant death and sudden unexpected death in childhood, including practices to reduce sleep-related infant deaths;

“(D) increasing the voluntary inclusion, in registries established for the purpose of conducting research on sudden unexpected infant death and sudden unexpected death in childhood, of samples of tissues or genetic materials from autopsies that have been collected pursuant to Federal or State law and for which the parent or guardian has provided informed consent for inclusion in such registries; or

“(E) disseminating information and materials to health care professionals and the public on risk factors that contribute to sudden unexpected infant death and sudden unexpected death in childhood, which may include information on risk factors that contribute to sleep-related sudden unexpected infant death or sudden unexpected death in childhood.

“(b) **APPLICATION.**—To be eligible to receive a grant or cooperative agreement under subsection (a)(2), a State, Indian Tribe, or Tribal organization shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require, including information on how such State will ensure activities conducted under this section are coordinated with other federally-funded programs to reduce infant mortality, as appropriate.

“(c) **TECHNICAL ASSISTANCE.**—The Secretary shall provide technical assistance to States, Tribes, and Tribal organizations receiving a grant or cooperative agreement under subsection (a)(2) for purposes of carrying out the program in accordance with this section.

“(d) **REPORTING FORMS.**—

“(1) **IN GENERAL.**—The Secretary shall, as appropriate, encourage the use of sudden unexpected infant death and sudden unexpected death in childhood reporting forms developed in collaboration with the Centers for Disease Control and Prevention to improve the quality of data submitted to the Sudden Unexpected Infant Death and Sudden Death in the Young Case Registry, and other fatality case reporting systems that include data pertaining to sudden unexpected infant death and sudden unexpected death in childhood.

“(2) **UPDATE OF FORMS.**—The Secretary shall assess whether updates are needed to the sudden unexpected infant death investigation reporting form used by the Centers for Disease Control and Prevention in order to improve the use of such form with other fatality case reporting systems supported by the Department of Health and Human Services, and shall make such updates as appropriate.

“(e) **DEFINITIONS.**—In this section:

“(1) **SUDDEN INFANT DEATH SYNDROME.**—The term ‘sudden infant death syndrome’ means a sudden unexpected infant death that remains unexplained after a thorough case investigation.

“(2) **SUDDEN UNEXPECTED INFANT DEATH.**—The term ‘sudden unexpected infant death’ means the sudden death of an infant under 1 year of age that when first discovered did not have an obvious cause. Such term includes such deaths that are explained, as well as deaths that remain unexplained (which are known as sudden infant death syndrome).

“(3) **SUDDEN UNEXPECTED DEATH IN CHILDHOOD.**—The term ‘sudden unexpected death in childhood’ means the sudden death of a child who is at least 1 year of age but not more than 17 years of age that, when first discovered, did not have an obvious cause. Such term includes such deaths that are explained, as well as deaths that remain unex-

plained (which are known as sudden unexplained death in childhood).

“(4) **SUDDEN UNEXPLAINED DEATH IN CHILDHOOD.**—The term ‘sudden unexplained death in childhood’ means a sudden unexpected death in childhood that remains unexplained after a thorough case investigation.

“(f) **AUTHORIZATION OF APPROPRIATIONS.**—For the purpose of carrying out this section, there is authorized to be appropriated \$12,000,000 for each of fiscal years 2021 through 2025.”.

**SEC. 3. REPORT TO CONGRESS.**

(a) **IN GENERAL.**—Not later than 2 years after the date of enactment of this Act and biennially thereafter, the Secretary of Health and Human Services shall submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives a report that contains, with respect to the reporting period—

(1) information regarding the incidence and number of sudden unexpected infant death and sudden unexpected death in childhood (including the number of such infant and child deaths that remain unexplained after investigation), including, to the extent practicable—

(A) a summary of such information by racial and ethnic group, and by State;

(B) aggregate information obtained from death scene investigations and autopsies; and

(C) recommendations for reducing the incidence of sudden unexpected infant death and sudden unexpected death in childhood;

(2) an assessment of the extent to which various approaches of reducing and preventing sudden unexpected infant death and sudden unexpected death in childhood have been effective; and

(3) a description of the activities carried out under section 1121 of the Public Health Service Act (as added by section 2).

(b) **DEFINITIONS.**—In this section, the terms “sudden unexpected infant death” and “sudden unexpected death in childhood” have the meanings given such terms in section 1121 of the Public Health Service Act (as added by section 2).

**AUTHORITY FOR COMMITTEES TO MEET**

Mrs. BLACKBURN. Mr. President, I have 5 requests for committees to meet during today’s session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today’s session of the Senate:

**COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION**

The Committee on Commerce, Science, and Transportation is authorized to meet during the session of the Senate on Wednesday, May 20, 2020, at 10 a.m., to conduct a hearing.

**COMMITTEE ON ENERGY AND NATURAL RESOURCES**

The Committee on Energy and Natural Resources is authorized to meet during the session of the Senate on Wednesday, May 20, 2020, at 2:30 p.m., to conduct a hearing on the nomination of Mark Menezes, to be Deputy Secretary of Energy.

**COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS**

The Committee on Environment and Public Works is authorized to meet

during the session of the Senate on Wednesday, May 20, 2020, at 10 a.m., to conduct a hearing.

COMMITTEE ON HOMELAND SECURITY AND  
GOVERNMENTAL AFFAIRS

The Committee on Homeland Security and Governmental Affairs is authorized to meet during the session of the Senate on Wednesday, May 20, 2020, at 11:30 a.m., to conduct a hearing on the nomination of Brian D. Miler, to be Special Inspector General for Pandemic Recovery, Department of Treasury.

COMMITTEE ON THE JUDICIARY

The Committee on Energy and Natural Resources is authorized to meet during the session of the Senate on Wednesday, May 20, 2020, at 2:30 p.m., to conduct a hearing on nominations.

The PRESIDING OFFICER. The Senator from Ohio.

SUPPORTING THE DESIGNATION  
OF MAY 15, 2020, AS NATIONAL  
SENIOR FRAUD AWARENESS DAY

Mr. PORTMAN. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 590, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 590) supporting the designation of May 15, 2020, as "National Senior Fraud Awareness Day" to raise awareness about the increasing number of fraudulent schemes targeting seniors in the United States, to encourage the implementation of policies to prevent those schemes, and to improve protections from those schemes for seniors.

The PRESIDING OFFICER. Is there objection to proceeding to the measure?

There being no objection, the Senate proceeded to consider the resolution.

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

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

The resolution (S. Res. 590) was agreed to.

The preamble was agreed to.

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

PROMOTING MINORITY HEALTH  
AWARENESS AND SUPPORTING  
THE GOALS AND IDEALS OF NA-  
TIONAL MINORITY HEALTH  
MONTH IN APRIL 2020

Mr. PORTMAN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 591, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 591) promoting minority health awareness and supporting the goals and ideals of National Minority Health Month in April 2020, which include bringing attention to the health disparities faced by minority populations of the United States such as American Indians, Alaska Natives, Asian Americans, African Americans, Hispanics, and Native Hawaiians or other Pacific Islanders.

The PRESIDING OFFICER. Is there objection to proceeding to the measure?

There being no objection, the Senate proceeded to consider the resolution.

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

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

The resolution (S. Res. 591) was agreed to.

The preamble was agreed to.

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

CONGRATULATING THE STUDENTS,  
PARENTS, TEACHERS, AND  
LEADERS OF CHARTER SCHOOLS  
ACROSS THE UNITED STATES  
FOR MAKING ONGOING CON-  
TRIBUTIONS TO EDUCATION AND  
SUPPORTING THE IDEALS AND  
GOALS OF THE 21ST ANNUAL NA-  
TIONAL CHARTER SCHOOLS  
WEEK, TO BE HELD MAY 10  
THROUGH MAY 16, 2020

Mr. PORTMAN. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be discharged from further consideration and the Senate now proceed to S. Res. 571.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read, as follows:

A resolution (S. Res. 571) congratulating the students, parents, teachers, and leaders of charter schools across the United States for making ongoing contributions to education and supporting the ideals and goals of the 21st annual National Charter Schools Week, to be held May 10 through May 16, 2020.

The PRESIDING OFFICER. Is there objection?

There being no objection, the committee was discharged, and the Senate proceeded to consider the resolution.

Mr. PORTMAN. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table.

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

The resolution (S. Res. 571) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of May 12, 2020, under "Submitted Resolutions.")

DUE PROCESS PROTECTIONS ACT

Mr. PORTMAN. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration and the Senate now proceed to S. 1380.

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

The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 1380) to amend the Federal Rules of Criminal Procedure to remind prosecutors of their obligations under Supreme Court case law.

There being no objection, the committee was discharged, and the Senate proceeded to consider the bill.

Mr. PORTMAN. I ask unanimous consent that the bill be considered read a third time and passed and the motion to reconsider be considered made and laid upon the table.

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

The bill (S. 1380) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 1380

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

SECTION 1. SHORT TITLE.

This Act may be cited as the "Due Process Protections Act".

SEC. 2. REMINDER OF PROSECUTORIAL OBLIGATIONS.

Rule 5 of the Federal Rules of Criminal Procedure is amended—

(1) by redesignating subsection (f) as subsection (g); and

(2) by inserting after subsection (e) the following:

“(f) REMINDER OF PROSECUTORIAL OBLIGATION.—

“(1) IN GENERAL.—In all criminal proceedings, on the first scheduled court date when both prosecutor and defense counsel are present, the judge shall issue an oral and written order to prosecution and defense counsel that confirms the disclosure obligation of the prosecutor under *Brady v. Maryland*, 373 U.S. 83 (1963) and its progeny, and the possible consequences of violating such order under applicable law.

“(2) FORMATION OF ORDER.—Each judicial council in which a district court is located shall promulgate a model order for the purpose of paragraph (1) that the court may use as it determines is appropriate.”.

PROVIDING FOR THE REAPPOINTMENT OF MICHAEL M. LYNTON AS A CITIZEN REGENT OF THE BOARD OF REGENTS OF THE SMITHSONIAN INSTITUTION

Mr. PORTMAN. Mr. President, I ask unanimous consent that the Rules Committee be discharged from further consideration and the Senate now proceed to S.J. Res. 72.

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

The clerk will report the joint resolution by title.

The senior assistant legislative clerk read as follows:

A joint resolution (S.J. Res. 72) providing for the reappointment of Michael M. Lynton

as a citizen regent of the Board of Regents of the Smithsonian Institution.

There being no objection, the committee was discharged, and the Senate proceeded to consider the joint resolution.

Mr. PORTMAN. I ask unanimous consent that the joint resolution be considered read a third time and passed and the motion to reconsider be considered made and laid upon the table.

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

The joint resolution (S.J. Res. 72) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. J. RES. 72

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, in accordance with section 5581 of the Revised Statutes of the United States (20 U.S.C. 43), the vacancy on the Board of Regents of the Smithsonian Institution, in the class other than Members of Congress, occurring by reason of the expiration of the term of Michael M. Lynton of California is filled by the reappointment of the incumbent. The reappointment is for a term of 6 years, beginning on the later of September 29, 2020, or the date of the enactment of this joint resolution.*

#### SMALL BUSINESS LENDING CONTINUITY ACT OF 2020

Mr. PORTMAN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 3782, introduced earlier today.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 3782) to modify the amount authorized for commitments for 7(a) loans, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. PORTMAN. I ask unanimous consent that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

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

The bill (S. 3782) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 3782

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Small Business Lending Continuity Act of 2020”.

#### SEC. 2. COMMITMENTS FOR 7(A) LOANS.

Notwithstanding any other provision of law, the amounts authorized for commitments for general business loans authorized under section 7(a) of the Small Business Act (15 U.S.C. 636(a)) under the heading “BUSINESS LOANS PROGRAM ACCOUNT” under the heading “SMALL BUSINESS ADMINISTRATION” under title V of the Consolidated Appropriations Act, 2020 (Public Law 116-93; 133 Stat. 2475) shall apply with respect to loans made under such section 7(a), other than loans made under paragraph (36) of such section

7(a), on and after the date of enactment of this Act.

#### SCARLETT’S SUNSHINE ON SUDDEN UNEXPECTED DEATH ACT

Mr. PORTMAN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 284, S. 1130.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 1130) to amend the Public Health Service Act to improve the health of children and help better understand and enhance awareness about unexpected sudden death in early life.

The PRESIDING OFFICER. Is there objection to proceeding to the measure?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Health, Education, Labor, and Pensions with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Scarlett’s Sunshine on Sudden Unexpected Death Act”.

#### SEC. 2. AMENDMENT TO THE PUBLIC HEALTH SERVICE ACT.

Part B of title XI of the Public Health Service Act (42 U.S.C. 241 et seq.) is amended—

(1) in the part heading, by striking “**SUDDEN INFANT DEATH SYNDROME**” and inserting “**SUDDEN UNEXPECTED INFANT DEATH, SUDDEN INFANT DEATH SYNDROME, AND SUDDEN UNEXPECTED DEATH IN CHILDHOOD**”; and

(2) by inserting before section 1122 the following:

#### “SEC. 1121. ADDRESSING SUDDEN UNEXPECTED INFANT DEATH AND SUDDEN UNEXPECTED DEATH IN CHILDHOOD.

“(a) IN GENERAL.—The Secretary may develop, support, or maintain programs or activities to address sudden unexpected infant death and sudden unexpected death in childhood, including by—

“(1) continuing to support the Sudden Unexpected Infant Death and Sudden Death in the Young Case Registry of the Centers for Disease Control and Prevention and other fatality case reporting systems that include data pertaining to sudden unexpected infant death and sudden unexpected death in childhood, as appropriate, including such systems supported by the Health Resources and Services Administration, in order to—

“(A) increase the number of States and jurisdictions participating in such registries or systems; and

“(B) improve the utility of such registries or systems, which may include—

“(i) making summary data available to the public in a timely manner on the internet website of the Department of Health and Human Services, in a manner that, at a minimum, protects personal privacy to the extent required by applicable Federal and State law; and

“(ii) making the data submitted to such registries or systems available to researchers, in a manner that, at a minimum, protects personal privacy to the extent required by applicable Federal and State law; and

“(2) awarding grants or cooperative agreements to States, Indian Tribes, and Tribal organizations for purposes of—

“(A) supporting fetal and infant mortality and child death review programs for sudden unexpected infant death and sudden unexpected

death in childhood, including by establishing such programs at the local level;

“(B) improving data collection related to sudden unexpected infant death and sudden unexpected death in childhood, including by—

“(i) improving the completion of death scene investigations and comprehensive autopsies that include a review of clinical history and circumstances of death with appropriate ancillary testing; and

“(ii) training medical examiners, coroners, death scene investigators, law enforcement personnel, emergency medical technicians, paramedics, emergency department personnel, and others who perform death scene investigations with respect to the deaths of infants and children, as appropriate;

“(C) identifying, developing, and implementing best practices to reduce or prevent sudden unexpected infant death and sudden unexpected death in childhood, including practices to reduce sleep-related infant deaths;

“(D) increasing the voluntary inclusion, in registries established for the purpose of conducting research on sudden unexpected infant death and sudden unexpected death in childhood, of samples of tissues or genetic materials from autopsies that have been collected pursuant to Federal or State law; or

“(E) disseminating information and materials to health care professionals and the public on risk factors that contribute to sudden unexpected infant death and sudden unexpected death in childhood, which may include information on risk factors that contribute to sleep-related sudden unexpected infant death or sudden unexpected death in childhood.

“(b) APPLICATION.—To be eligible to receive a grant or cooperative agreement under subsection (a)(2), a State, Indian Tribe, or Tribal organization shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require, including information on how such State will ensure activities conducted under this section are coordinated with other federally-funded programs to reduce infant mortality, as appropriate.

“(c) TECHNICAL ASSISTANCE.—The Secretary shall provide technical assistance to States, Tribes, and Tribal organizations receiving a grant or cooperative agreement under subsection (a)(2) for purposes of carrying out the program in accordance with this section.

“(d) REPORTING FORMS.—

“(1) IN GENERAL.—The Secretary shall, as appropriate, encourage the use of sudden unexpected infant death and sudden unexpected death in childhood reporting forms developed in collaboration with the Centers for Disease Control and Prevention to improve the quality of data submitted to the Sudden Unexpected Infant Death and Sudden Death in the Young Case Registry, and other fatality case reporting systems that include data pertaining to sudden unexpected infant death and sudden unexpected death in childhood.

“(2) UPDATE OF FORMS.—The Secretary shall assess whether updates are needed to the sudden unexpected infant death investigation reporting form used by the Centers for Disease Control and Prevention in order to improve the use of such form with other fatality case reporting systems supported by the Department of Health and Human Services, and shall make such updates as appropriate.

“(e) DEFINITIONS.—In this section:

“(1) SUDDEN UNEXPECTED DEATH SYNDROME.—The term ‘sudden unexpected infant death syndrome’ means a sudden unexpected infant death that remains unexplained after a thorough case investigation.

“(2) SUDDEN UNEXPECTED INFANT DEATH.—The term ‘sudden unexpected infant death’ means the sudden death of an infant under 1 year of age that when first discovered did not have an obvious cause. Such term includes such deaths that are explained, as well as deaths that remain unexplained (which are known as sudden infant death syndrome).



“(3) *SUDDEN UNEXPECTED DEATH IN CHILDHOOD.*—The term ‘sudden unexpected death in childhood’ means the sudden death of a child who is at least 1 year of age but not more than 17 years of age that, when first discovered, did not have an obvious cause. Such term includes such deaths that are explained, as well as deaths that remain unexplained (which are known as sudden unexplained death in childhood).”

“(4) *SUDDEN UNEXPLAINED DEATH IN CHILDHOOD.*—The term ‘sudden unexplained death in childhood’ means a sudden unexpected death in childhood that remains unexplained after a thorough case investigation.”

“(f) *AUTHORIZATION OF APPROPRIATIONS.*—For the purpose of carrying out this section, there are authorized to be appropriated such sums as may be necessary for each of fiscal years 2020 through 2024.”.

### SEC. 3. REPORT TO CONGRESS.

(a) *IN GENERAL.*—Not later than 2 years after the date of enactment of this Act and biennially thereafter, the Secretary of Health and Human Services shall submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives a report that contains, with respect to the reporting period—

(1) information regarding the incidence and number of sudden unexpected infant death and sudden unexpected death in childhood (including the number of such infant and child deaths that remain unexplained after investigation), including, to the extent practicable—

(A) a summary of such information by racial and ethnic group, and by State;

(B) aggregate information obtained from death scene investigations and autopsies; and

(C) recommendations for reducing the incidence of sudden unexpected infant death and sudden unexpected death in childhood;

(2) an assessment of the extent to which various approaches of reducing and preventing sudden unexpected infant death and sudden unexpected death in childhood have been effective; and

(3) a description of the activities carried out under section 1121 of the Public Health Service Act (as added by section 2).

(b) *DEFINITIONS.*—In this section, the terms “sudden unexpected infant death” and “sudden unexpected death in childhood” have the meanings given such terms in section 1121 of the Public Health Service Act (as added by section 2).

Mr. PORTMAN. I ask unanimous consent that the committee-reported substitute amendment be withdrawn; that the Alexander substitute amendment be agreed to; and that the bill, as amended, be considered read a third time.

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

The amendment (No. 1590) was agreed to, as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Scarlett’s Sunshine on Sudden Unexpected Death Act”.

#### SEC. 2. AMENDMENT TO THE PUBLIC HEALTH SERVICE ACT.

Part B of title XI of the Public Health Service Act (42 U.S.C. 241 et seq.) is amended—

(1) in the part heading, by striking “**SUDDEN INFANT DEATH SYNDROME**” and inserting “**SUDDEN UNEXPECTED INFANT DEATH, SUDDEN INFANT DEATH SYNDROME, AND SUDDEN UNEXPECTED DEATH IN CHILDHOOD**”; and

(2) by inserting before section 1122 the following:

#### “SEC. 1121. ADDRESSING SUDDEN UNEXPECTED INFANT DEATH AND SUDDEN UNEXPECTED DEATH IN CHILDHOOD.

“(a) *IN GENERAL.*—The Secretary may develop, support, or maintain programs or activities to address sudden unexpected infant death and sudden unexpected death in childhood, including by—

“(1) continuing to support the Sudden Unexpected Infant Death and Sudden Death in the Young Case Registry of the Centers for Disease Control and Prevention and other fatality case reporting systems that include data pertaining to sudden unexpected infant death and sudden unexpected death in childhood, as appropriate, including such systems supported by the Health Resources and Services Administration, in order to—

“(A) increase the number of States and jurisdictions participating in such registries or systems; and

“(B) improve the utility of such registries or systems, which may include—

“(i) making summary data available to the public in a timely manner on the internet website of the Department of Health and Human Services, in a manner that, at a minimum, protects personal privacy to the extent required by applicable Federal and State law; and

“(ii) making the data submitted to such registries or systems available to researchers, in a manner that, at a minimum, protects personal privacy to the extent required by applicable Federal and State law; and

“(2) awarding grants or cooperative agreements to States, Indian Tribes, and Tribal organizations for purposes of—

“(A) supporting fetal and infant mortality and child death review programs for sudden unexpected infant death and sudden unexpected death in childhood, including by establishing such programs at the local level; and

“(B) improving data collection related to sudden unexpected infant death and sudden unexpected death in childhood, including by—

“(i) improving the completion of death scene investigations and comprehensive autopsies that include a review of clinical history and circumstances of death with appropriate ancillary testing; and

“(ii) training medical examiners, coroners, death scene investigators, law enforcement personnel, emergency medical technicians, paramedics, emergency department personnel, and others who perform death scene investigations with respect to the deaths of infants and children, as appropriate;

“(C) identifying, developing, and implementing best practices to reduce or prevent sudden unexpected infant death and sudden unexpected death in childhood, including practices to reduce sleep-related infant deaths;

“(D) increasing the voluntary inclusion, in registries established for the purpose of conducting research on sudden unexpected infant death and sudden unexpected death in childhood, of samples of tissues or genetic materials from autopsies that have been collected pursuant to Federal or State law and for which the parent or guardian has provided informed consent for inclusion in such registries; or

“(E) disseminating information and materials to health care professionals and the public on risk factors that contribute to sudden unexpected infant death and sudden unexpected death in childhood, which may include information on risk factors that contribute to sleep-related sudden unexpected infant death or sudden unexpected death in childhood.

“(b) *APPLICATION.*—To be eligible to receive a grant or cooperative agreement under subsection (a)(2), a State, Indian Tribe, or Tribal organization shall submit to

the Secretary an application at such time, in such manner, and containing such information as the Secretary may require, including information on how such State will ensure activities conducted under this section are coordinated with other federally-funded programs to reduce infant mortality, as appropriate.

“(c) *TECHNICAL ASSISTANCE.*—The Secretary shall provide technical assistance to States, Tribes, and Tribal organizations receiving a grant or cooperative agreement under subsection (a)(2) for purposes of carrying out the program in accordance with this section.

“(d) *REPORTING FORMS.*—

“(1) *IN GENERAL.*—The Secretary shall, as appropriate, encourage the use of sudden unexpected infant death and sudden unexpected death in childhood reporting forms developed in collaboration with the Centers for Disease Control and Prevention to improve the quality of data submitted to the Sudden Unexpected Infant Death and Sudden Death in the Young Case Registry, and other fatality case reporting systems that include data pertaining to sudden unexpected infant death and sudden unexpected death in childhood.

“(2) *UPDATE OF FORMS.*—The Secretary shall assess whether updates are needed to the sudden unexpected infant death investigation reporting form used by the Centers for Disease Control and Prevention in order to improve the use of such form with other fatality case reporting systems supported by the Department of Health and Human Services, and shall make such updates as appropriate.

“(e) *DEFINITIONS.*—In this section:

“(1) *SUDDEN INFANT DEATH SYNDROME.*—The term ‘sudden infant death syndrome’ means a sudden unexpected infant death that remains unexplained after a thorough case investigation.

“(2) *SUDDEN UNEXPECTED INFANT DEATH.*—The term ‘sudden unexpected infant death’ means the sudden death of an infant under 1 year of age that when first discovered did not have an obvious cause. Such term includes such deaths that are explained, as well as deaths that remain unexplained (which are known as sudden infant death syndrome).

“(3) *SUDDEN UNEXPLAINED DEATH IN CHILDHOOD.*—The term ‘sudden unexpected death in childhood’ means the sudden death of a child who is at least 1 year of age but not more than 17 years of age that, when first discovered, did not have an obvious cause. Such term includes such deaths that are explained, as well as deaths that remain unexplained (which are known as sudden unexplained death in childhood).

“(4) *SUDDEN UNEXPLAINED DEATH IN CHILDHOOD.*—The term ‘sudden unexplained death in childhood’ means a sudden unexpected death in childhood that remains unexplained after a thorough case investigation.

“(f) *AUTHORIZATION OF APPROPRIATIONS.*—For the purpose of carrying out this section, there is authorized to be appropriated \$12,000,000 for each of fiscal years 2021 through 2025.”.

### SEC. 3. REPORT TO CONGRESS.

(a) *IN GENERAL.*—Not later than 2 years after the date of enactment of this Act and biennially thereafter, the Secretary of Health and Human Services shall submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives a report that contains, with respect to the reporting period—

(1) information regarding the incidence and number of sudden unexpected infant death and sudden unexpected death in childhood (including the number of such infant

and child deaths that remain unexplained after investigation), including, to the extent practicable—

(A) a summary of such information by racial and ethnic group, and by State;

(B) aggregate information obtained from death scene investigations and autopsies; and

(C) recommendations for reducing the incidence of sudden unexpected infant death and sudden unexpected death in childhood;

(2) an assessment of the extent to which various approaches of reducing and preventing sudden unexpected infant death and sudden unexpected death in childhood have been effective; and

(3) a description of the activities carried out under section 1121 of the Public Health Service Act (as added by section 2).

(b) DEFINITIONS.—In this section, the terms “sudden unexpected infant death” and “sudden unexpected death in childhood” have the meanings given such terms in section 1121 of the Public Health Service Act (as added by section 2).

The bill was ordered to be engrossed for a third reading and was read the third time.

Mr. PORTMAN. I know of no further debate on the bill, as amended.

The PRESIDING OFFICER. If there is no further debate, the bill having been read the third time, the question is, Shall the bill pass?

The bill (S. 1130), as amended, was passed.

Mr. PORTMAN. I ask unanimous consent that the motion to reconsider be considered made and laid upon the table.

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

#### NIMHD RESEARCH ENDOWMENT REVITALIZATION ACT OF 2019

Mr. PORTMAN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 371, S. 2927.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 2927) to amend the Public Health Service Act to provide that the authority of

the Director of the National Institute on Minority Health and Health Disparities to make certain research endowments applies with respect to both current and former centers of excellence, and for other purposes.

The PRESIDING OFFICER. Is there objection to proceeding to the measure?

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Health, Education, Labor, and Pensions.

Mr. PORTMAN. I ask unanimous consent that the bill be considered read a third time.

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

The bill was ordered to be engrossed for a third reading and was read the third time.

Mr. PORTMAN. I know of no further debate on the bill.

The PRESIDING OFFICER. If there is no further debate, the bill having been read the third time, the question is, Shall the bill pass?

The bill (S. 2927) was passed, as follows:

#### S. 2927

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “NIMHD Research Endowment Revitalization Act of 2019”.

#### SEC. 2. RESEARCH ENDOWMENTS AT BOTH CURRENT AND FORMER CENTERS OF EXCELLENCE.

Paragraph (1) of section 464z-3(h) of the Public Health Service Act (42 U.S.C. 285t(h)) is amended to read as follows:

“(1) IN GENERAL.—The Director of the Institute may carry out a program to facilitate minority health disparities research and other health disparities research by providing for research endowments—

“(A) at current or former centers of excellence under section 736; and

“(B) at current or former centers of excellence under section 464z-4.”.

Mr. PORTMAN. I ask unanimous consent that the motion to reconsider be considered made and laid upon the table.

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

#### ORDERS FOR THURSDAY, MAY 21, 2020

Mr. PORTMAN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Thursday, May 21; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceeding be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; further, that following leader remarks, the Senate proceed to executive session for consideration of the Ratcliffe nomination under the previous order; finally, that following disposition of the Ratcliffe nomination, the Senate resume consideration of the Badalamenti nomination under the previous order.

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

#### ADJOURNMENT UNTIL 10 A.M. TOMORROW

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

There being no objection, the Senate, at 7:11 p.m., adjourned until Thursday, May 21, 2020, at 10 a.m.

#### CONFIRMATIONS

Executive nominations confirmed by the Senate May 20, 2020:

#### THE JUDICIARY

ANNA M. MANASCO, OF ALABAMA, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF ALABAMA.

JOHN F. HEIL III, OF OKLAHOMA, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN, EASTERN AND WESTERN DISTRICTS OF OKLAHOMA.