



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 116th CONGRESS, SECOND SESSION

Vol. 166

WASHINGTON, THURSDAY, MAY 21, 2020

No. 96

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

THURSDAY, MAY 21, 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.

Lord of our lives, make these moments of prayer more than mere words, but may this reverent pause fill our hearts with gratitude and love for You. May our lawmakers appreciate the fact that through prayer, they have the privilege of talking to You, the superintendent of the universe.

Lord, inspire them to use this intercessory opportunity to seek Your wisdom and guidance, knowing that You are eager to help them. Give us all the wisdom to remember that You continue to be our refuge and strength, always ready to help in times of trouble.

And Lord, as we approach Memorial Day, thank You for the men and women who gave their lives for this Nation while serving in the U.S. military. We are grateful also for the great sacrifices made by their loved ones.

We pray in Your merciful 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. HYDE-SMITH). 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.

NIGERIA

Mr. GRASSLEY. Madam President, we all ought to be very concerned, as I am, about the ongoing religious persecution happening in Nigeria. It may be happening in a lot of countries, but I just want to mention Nigeria today.

In the last 6 months, there have been multiple attacks. This includes the murder of 11 Christians by extremists identified as part of ISIS, and—can you believe it—the beheading of a pastor by Boko Haram militants. West Africa released a barbaric video of a child of about 10 years old executing a Christian.

The Nigerian authorities need to stop this persecution right now, and our own government, the U.S. Government, needs to do what it can to support that effort. For sure, those responsible must be held accountable for their actions.

I yield the floor.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

BUSINESS BEFORE THE SENATE

Mr. McCONNELL. All month, the Senate has been on the job attending to the needs of our country. We legis-

lated, we confirmed nominees, we held major hearings, and conducted oversight on the historic response to COVID-19.

Yesterday, we learned that our Senate action will continue to contrast with our absentee neighbors across the Rotunda. While essential workers across the country continue to clock in, the Democratic House of Representatives has essentially put itself on paid leave for months. Since the early days of this crisis, the self-described “People’s House” has been suspiciously empty of people. I understand they have convened for legislative session a grand total of 2 days in the last 8 weeks. At this point, I am wondering if we should send Senators over there to collect their newspaper and water the plants.

It is not just their physical absence; it is House Democrats absent from any serious discussions at all. About the only product to emerge from their lengthy sabbatical has been a 1,800-page, \$3 trillion messaging bill that couldn’t even unite their own conference.

Yesterday, the Speaker announced this arrangement will continue for another 45 days at least, but there is a new wrinkle. House Democrats jammed through a precedent-breaking remote voting scheme that will let 1 Member cast 10 additional votes—1 Member cast 10 additional votes. Actually, 1 person, 11 votes. Remember, these are the people who want to remake every State’s election laws.

There are several problems with this. One of them happens to be article I, section 5 of the U.S. Constitution,

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



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which says a majority of each House shall constitute a quorum to do business. For about 231 years, Congress has managed to fulfill this job requirement. They worked through a Civil War, two World Wars, terrorist threats, and a major pandemic without trying to shirk this duty. The 12th Congress endured the War of 1812, including the occupation of Washington and the burning of this very building that we are in right now without abandoning in-person meetings.

The Constitution requires a physical quorum to do business. Normally, both Chambers may presume one. But any House Member has a right to demand an in-person attendance check. The Democrats' new rule says one person may mark himself and 10 others present, even if they are nowhere in sight, which is a flatout lie.

There will be enormous constitutional questions around anything the House does if they fail to demonstrate a real quorum, but plow ahead anyhow. They have had 2 normal workdays in 8 weeks and one absurd, unserious proposal. And now they are playing games with the Constitution so they can continue their never-ending spring break well into July.

Let's come over here to the Senate. In the past 3 weeks, we have filled crucial posts at the National Counterintelligence and Security Center, the Nuclear Regulatory Commission, and the Department of Homeland Security.

Today, we will confirm the next Director of National Intelligence. JOHN RATCLIFFE will lead the intelligence community in countering threats from great powers, rogue nations, and terrorists, and ensuring that work is untainted by political bias.

The Banking Committee heard from Chairman Powell and Secretary Mnuchin on the workings of the CARES Act and the state of our economy. The Homeland Security and Government Affairs Committee has reported the nominee to be Special Inspector General for Pandemic Recovery Programs.

The Special Committee on Aging is examining all the ways this crisis has hurt America's seniors.

The HELP Committee has discussed with top experts like Dr. Fauci and Admiral Giroir how schools, universities, and businesses will begin to reopen.

Senator CORNYN and I are working on legal protections that our healthcare workers deserve and institutions will need if they want to return to anything reassembling normal.

On the floor, we have passed major bills, renewing key national security tools and dialing up the consequences for Communist China's abuse of human rights.

In short, the Senate has just followed the lead of the American people. For months now, healthcare workers have been clocking in to help and heal strangers. Every minute on the job is an act of selflessness and bravery. Families have forged new routines and

set up home offices and home schools overnight. Community volunteers have found new ways to pitch in and help the vulnerable from 6 feet apart.

Tens of millions of workers have kept collecting paychecks instead of pink slips because of our Paycheck Protection Program, which sent hundreds of billions of dollars to keep small businesses alive.

COVID-19 has killed nearly 100,000 Americans. It has cost tens of millions their jobs. This is a generational tragedy. But in the midst of it, our country is pulling together.

My home State of Kentucky is showing us how it is done. A glass producer transformed its operation to make protective shields for businesses. A high school principal, Evan Jackson, invented a virtual commencement so graduates didn't go uncelebrated. Dr. Erin Frazier, a pediatrician, somehow found the spare time to stand up brandnew food pantries. Restaurants are spreading hope and hospitality by donating meals to first responders.

And one group of restaurants headquartered in Louisville called Texas Roadhouse has gone to great lengths to avoid layoffs. The founder gave up his salary and put his own money into a worker assistance fund. So far they have spent \$17 million on their workers, covering everything from healthcare premiums to bonuses.

These past few months have been trying indeed, but the American people have been truly inspiring. This spring, the Senate wrote and passed the largest rescue package in American history to try to help bridge this period. This Nation of nearly 330 million people put their lives on pause to protect our medical system, and it worked.

The American people did what Americans do: They got it done. We kept our healthcare system intact; we did not let this virus break us; and as far as we know, not one single American who needed a ventilator could not get one. We have not yet won the war, but the citizens of this Nation have won an important battle.

What comes next? Sustaining this flattened curve will take vigilance. Safely reopening schools, universities, and businesses will take care and leadership. The race for even more testing, therapeutics, and of course a vaccine will be one great national project.

Rebuilding the prosperity we had just a few months ago will be another. Life will not go right back to normal. Repairing the damage will take creativity. But the greatest country in world history will find a more sustainable middle ground.

Every one of my Senate colleagues should be proud of how we helped our Nation win this battle. Every day, our historic rescue package has continued to push out money and aid. Every day, we are working on ways to smooth the road toward reopening that lies before us.

The American people have already been heroes. It is our honor as Senators to stand with them.

UNANIMOUS CONSENT AGREEMENT—S.J. RES. 72

Mr. McCONNELL. Madam President, I ask unanimous consent that the actions of the Senate with respect to S.J. Res. 72 be vitiated.

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

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 JOHN L. RATCLIFFE, of Texas, to be Director of National Intelligence.

Mr. McCONNELL. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

CORONAVIRUS

Mr. SCHUMER. Madam President, one unfortunate side effect of the COVID-19 pandemic is that we have become accustomed to the recitation of grim statistics.

The United States now leads the world in the number of confirmed cases of the coronavirus with more than 1.5 million. Another 2.4 million workers filed jobless claims this week, joining the more than 38 million Americans who have applied for unemployment assistance since the crisis began.

Very soon, our country will reach another grim milestone. We are fast approaching the day when more than 100,000 American lives will be lost to COVID-19—the size of a small city erased from the map.

Speaker PELOSI and I sent a letter to President Trump this morning, requesting that the American flag be flown at half-mast on all public buildings on the day the toll reaches 100,000. As families all across this great country mourn the loss of friends, colleagues, and loved ones, flying the flag

at half-mast would be a national expression of grief.

Of course, this weekend is also Memorial Day, when we commemorate the so many Americans who, through the centuries, have lost their lives for our country, and we never forget them. We never forget them. I hope, on Memorial Day, every American will take a minute amidst this crisis to remember our veterans who have served and made great sacrifice and to remember their families as well.

Now, in a flash, this disease has washed over our country like a flood, changing nearly every aspect of American society except, perhaps, the Republican Senate. If you looked at our activity in the last 3 weeks, you would hardly know that there was a COVID crisis.

Leader MCCONNELL called the Senate back into session 3 weeks ago. In that time, the Republican leadership has not put one bill on the floor of the Senate related to COVID-19—not one vote on legislation having to do with COVID-19 in the entire month of May.

The House has not been in regular session, but it has voted on many more COVID-related bills this month than the Republican Senate. For Leader MCCONNELL to say that the Senate is working and the House is derelict is the opposite of what happened.

The House has passed a major bill dealing with COVID. We have done nothing on this floor to vote on anything about COVID.

For Leader MCCONNELL to think we are doing our job by voting for some rightwing judges, by engaging in some sort of show trials to go to pursue conspiracy theories from the far right and even from Russia to besmirch political opponents past and present—that is not what we should be doing.

When Americans look at what the House has done over the last 3 weeks and what the Senate has done over the last 3 weeks, they will see that the House has done far more on COVID than the Senate because Leader MCCONNELL is not allowing the Senate to focus on the issues we should be focusing on.

What little business we have done related to the crisis—oversight hearings in a few committees—required weeks of pressure from Senate Democrats. We had to push and push and push our colleagues to even fulfill their most basic responsibilities to do a hearing, to do oversight as to whether the money that we passed weeks ago is being spent properly.

In the interest of making incremental progress—just incremental progress—Democrats have asked this Chamber to consent to smaller measures related to our relief efforts. We asked our colleagues to increase transparency in the small business lending program. We asked to release the unedited CDC guidance to help families, States, businesses, and schools reopen safely. Senate Republicans blocked those ideas.

The inaction by Senate Republicans has gotten so bad that even one of my colleagues on the other side doesn't want to adjourn today because his party has done nothing on the coronavirus for an entire month.

Leader MCCONNELL has long presided over a legislative graveyard, but in this time of national crisis, when Americans all across the country are desperate for relief, the inaction of Senate Republicans is staggering.

Making matters worse, Republicans aren't just ignoring the coronavirus; they are practically sprinting toward focusing on a partisan election instead of our coming together and trying to solve this problem.

Instead of debating COVID-related legislation on the floor, Leader MCCONNELL has asked the Senate to confirm some rightwing judges. In the Homeland Security Committee, the Republican chairman convened a hearing that slanders the family of the President's political opponent with conspiracy theories invented by none other than the Kremlin. The Homeland Security Committee should be holding hearings with the FEMA Administrator about the alarming shortage of PPE. But, instead, the Republican majority is busy following breadcrumbs left by Putin and his intelligence services. What a disgrace, what a sham, and what a dereliction of duties.

The House—again, they are doing their job. They passed a major bill. Senator MCCONNELL says: Let's wait. Let's pause. He doesn't see immediate urgency. Well, Americans do.

In the Judiciary Committee now, the Republican chairman wants to issue a bonanza of subpoenas about yet another conspiracy theory related to the 2016 elections in the hopes of diving down as many rabbit holes as can be found.

And today, in the Foreign Relations Committee, the Republican chairman is holding an audio-only hearing to advance President Trump's handpicked nominee for the Voice of America, a nominee who is currently under investigation by the attorney general of Washington, DC. That is right. The Republican majority of the Foreign Relations Committee is turning the cameras off so that the press and the public can't see what they are doing—giving a promotion to Steve Bannon's business partner in the middle of a health crisis. This is such a gross misuse of power by the majority.

While unemployment reaches astronomic levels, the Senate Republican caucus is off on a wild goose chase. The conspiracy caucus is back with a vengeance. That is the name of this Republican Senate majority: the "conspiracy caucus." That is where their zeal is; that is where their focus is—not on eradicating COVID, not on helping people get back to work, not on feeding hungry families but on pursuing conspiracy theories. Wow.

The Memorial Day weekend in a State work period is usually a time for

Senators to meet with their constituents and hear their concerns. In these strange times, we will not be able to do that in person, but we will find ways to hear from the people in our States, and I expect my Republican colleagues will get an earful.

The American people should be furious about what Washington Republicans are doing in Congress and, more to the point, what they are failing to do.

As we approach a day of reckoning, more than 100,000 deaths from the coronavirus, I cannot imagine the American people are happy that Senate Republicans can't focus on coronavirus because they are too busy doing opposition research for the President's reelection campaign.

NOMINATION OF JOHN L. RATCLIFFE

On another matter, later today, the Senate will vote on whether to confirm Representative JOHN RATCLIFFE to serve as the Director of National Intelligence, which oversees the 17 different intelligence agencies. It is one of the most important posts that this Chamber is asked to fill. It requires someone with unimpeachable integrity, deep experience, and the independence and backbone to speak truth to power. That is what DNIs, including the previous one, Dan Coats, did.

Unfortunately, Mr. RATCLIFFE doesn't even come close to meeting that high bar. Earlier this week, I had the opportunity to speak with Congressman RATCLIFFE over the phone. I expressed my concerns that his history as a vocal defender of the President casts doubt on his qualifications and credibility.

I asked him to simply confirm the unequivocal conclusion of our 17 intelligence agencies that Putin interfered in the 2016 elections to help President Trump. He could not confirm it.

I asked him if he would commit to basic, specific steps to improve transparency and communications between DNI and Congress—for instance, that every 2 weeks the staffs of the Gang of 8 be briefed by the DNI on what is happening in terms of election interference, that immediately Congress be notified if Russia or another foreign country attempts to interfere in our election. I asked him to do that within 72 hours. In neither case would he commit. That is not the kind of DNI we need.

So Congressman RATCLIFFE did little to address my concerns about his nomination, and I will vehemently oppose his nomination today. More than ever, we need the right person to serve as DNI. Over the past few months we have watched President Trump try to short circuit nearly every measure of independence and accountability within the executive branch.

By baselessly firing one inspector general after another, President Trump has shown he will not tolerate anyone

standing up to his personal political interests, right or wrong. This is a dangerous pattern that should send a shiver down the spine of anyone who believes in democracy and is particularly relevant to the intelligence community, which must be able to inform the President of difficult truths.

Mr. RATCLIFFE, unfortunately, has not demonstrated the qualities nor the independence that we should expect of the next leader of the intelligence community. I will vote no and encourage my colleagues on both sides of the aisle, for the sake of the independence and strength of our intelligence community, which has served us so well for decades, to join me in voting no.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Dakota.

SENATE ACCOMPLISHMENTS

Mr. THUNE. Madam President, the minority leader just got up and attacked the Senate for not doing anything and then proceeded to announce that we are going to be voting today on the Director of National Intelligence. It seems like a pretty important position—the person who is in charge of all the intelligence activities that we conduct around the world to make sure that we keep our country safe.

So if the Senate is here and not doing anything, it seems like a real contradiction to suggest that we are actually going to vote today on a position that is important to America's national security interests.

It is just one of many that we are going to be voting on and have been voting on over the past several weeks.

The other thing the Democrat leader forgot to acknowledge is that last week we passed reforms to the Foreign Intelligence Surveillance Act, a piece of legislation that is also important to national security, that authorizes and funds all our intelligence activities and also included reforms—reforms that many in this body on both sides of the aisle wanted to see adopted. That was an important piece of legislation and one that I think has tremendous consequences—I would add grave consequences—for the United States of America and our national security interests.

The Senate has also been very involved—I would suspect maybe to the Democratic leader's chagrin—in examining and looking at all the coronavirus legislation that we have already passed and the impact it is having and whether it is being effective and where we need to do more and where we need to fix things or refine or tweak things in a way to make those programs that we funded and authorized work better.

But to suggest that the Senate hasn't done anything on the coronavirus—really? Really? My gosh, we passed four bills—four bills—totaling almost \$3 trillion through the U.S. Senate, through the House of Representatives, on the President's desk, and signed into law—\$3 trillion, four pieces of leg-

islation, and it was done in a bipartisan way. Democrats and Republicans cooperated because it is important to our country to make sure that we are responding to an enormous crisis, an extraordinary crisis that required an extraordinary response, and the response, I would argue, has been extraordinary.

Never in my lifetime or certainly my time in the Senate—or, for that matter, I would argue anybody else's time in the Senate—has the U.S. Senate done anything of that scale, scope, or consequence. And in many of those programs that we authorized and funded, those four pieces of legislation which passed as recently as a couple of months ago, the dollars are still getting out there. They are in the pipeline. They are going out to State and local governments. They are going out to healthcare providers, hospitals, nursing homes. They are going out to small businesses. They are going out to workers, employees, people who have been unemployed through the unemployment insurance program. There are a lot of dollars in the pipeline, a lot of resources that have been expended by the U.S. Senate, the House of Representatives, and signed into law by the President.

So it seems logical, I would think, for us, as stewards of the tax dollars, as representatives of the people of this country, as policymakers, to make sure that the policies we are putting into place are having the desired effect and are actually working.

So what has the Senate been doing for the past 3 weeks? Well, exactly that—taking a look on a committee-by-committee basis at whether some of the things we have already done are being effective.

The Health, Education, Labor, and Pensions Committee had in the head of the CDC, the head of the NIH—two critical agencies when it comes to fighting the health emergency of this country—to determine and to ask them questions about what is working, what is not working, what have we done, what should we be doing differently, what can we do.

That was a hearing the Health Education, Labor, and Pensions Committee had last week, widely participated in by Members on both sides of the aisle.

I sit on the Senate Commerce Committee. We have had several hearings. We had a markup yesterday. We marked up 14 bills yesterday, but we also have been looking at the impact of coronavirus legislation on those constituencies that are under the jurisdiction of the Senate Commerce Committee, one of which is the airline industry. We had a hearing examining the impact of the coronavirus on aviation, the airline industry in this country, and on things that we have done to help assist and support the airline industry in this country. That was another thing that the Commerce Committee did.

Then, more recently than that, we had a hearing on broadband,

connectivity, and the way in which people, through the coronavirus, are able to stay connected, the way business is conducted, and actually, frankly, for that matter, the way government is conducted because, obviously, we are doing a lot of things through connectivity as well.

We looked at what is working, what is not working, and are there areas, in terms of making sure that parts of the country that don't have high-speed internet services and that don't have broadband services could be better connected, and is that something that ought to be a part of any future legislation that we look at.

This week, the Banking Committee had the Chairman of the Federal Reserve Board and had the Secretary of the Treasury in front of that committee to ask them questions about what is happening in the financial services industry and what is the effect of all the money that we spent, that we put out the door, how is that working out there, and, again, what can we be doing differently, how can we improve, and how can we do this better as we look to the future.

Those are just three committees, off the top of my head, not to mention the fact that the Banking Committee is also reporting out the nominee to be the inspector general for the pandemic—a very important position, I might add. So they have been very active and very busy doing oversight work with respect to this pandemic.

What the Democratic leader just said is not true. It is not true; it is not accurate; and, frankly, I would think, in the eyes of the American people, it is illogical to say that we have spent \$3 trillion and we wouldn't want to take a look to see how that \$3 trillion is being spent and whether it is being effective and whether it is being efficient and then look at where do we need to do more before we rush headlong in there and just push another \$3 trillion out the door. I think that is a rational way of looking at things. I think most of the American people would accept and believe that these are—this is what we were elected to do. They want to make sure we are taking their tax dollars and spending them as wisely and well as possible and in an efficient and effective way.

By the way, just as a reminder to my colleagues, every dollar—every dollar that we spend is borrowed from our children and grandchildren. This doesn't just magically appear out of thin air. We are borrowing money. Now, granted, it is money we needed to borrow, particularly with what we have already done. Everybody acknowledges we had a crisis. We had to put out the fire, and we have been doing that.

Every dollar, prospectively, every dollar we have already spent is a borrowed dollar, borrowed from future generations of Americans, and they are dollars that someday we are going to have to repay. Wouldn't it be prudent, wouldn't it be logical, and wouldn't it

be rational for this body, the custodians, the stewards of the American people's tax dollars, to take a hard look at what is working and what is not working before rushing headlong into spending another \$3 trillion—which the Democratic leader got up here and lauded and applauded the House of Representatives for blowing into town for 24 hours last Friday, cobbling together an ideological wish list.

Now, granted, there are some things in there that are probably good ideas, and may be things that, in the end, could end up in a piece of legislation, but it didn't get a single Republican vote, and it didn't have a single consultation with Republicans in the House of Representatives about how to put it together. Do you know what? In the end, they couldn't keep all the Democrats. There were 14 Democrats who voted against that in the House of Representatives. There was not a single Republican, which makes sense, if you are Republican. You never get asked. You are never at the table. You have no input whatsoever.

They come in and put this thing together—1,800 pages, \$3 trillion—and what does it have in it? Crazy stuff. Crazy stuff like studies—studies as to whether there is diversity and inclusion in the marketing of marijuana. There are 68 references in the House bill to cannabis. There are 68 references. There are only 52 references to jobs, which is what I would think the American people are a lot more concerned about. The House of Representatives, evidently, waited, and, in the balance, thought: Well, my gosh, studies on the diversity and inclusiveness of the marketing of cannabis was more important and weighed more heavily on the scale than the jobs that have been lost to the American people. That is what it looks like.

I mean, they threw everything in there. They threw in a tax cut for millionaires and billionaires. These guys get up here every single day and talk about Republicans, you know, helping out millionaires and billionaires, and what did the House bill have in it? A tax cut for millionaires and billionaires. Now, 56 percent of the tax cut proceeds will go to the 1 percent top wage earners in America. Just think about that. Does that make sense? Does that make sense when you are fighting a pandemic? Probably not. They actually have tax increases on small businesses. No big surprise there. Tax increases are always something they are quick to do.

I just had to take issue with what the Democratic leader was down here saying and his characterization of what is going on here. This place, when you are responding to a crisis, needs to act in a bipartisan and a constructive way, not in a partisan, ideological way, and I would also think in a thoughtful way, giving a lot of consideration to what we are doing here with those borrowed dollars, borrowed from our kids and grandkids, and are we making the best use of them.

That, to me, seems like maybe the great divide here and the great debate that we have, not only in this but a lot of other issues. It just seems like the natural, instinctive solution, from my friends on the other side of the aisle, is we can just solve this by throwing a lot of money out there. I have to tell you, I don't think that is the way the American people view it because they are sitting down and making hard decisions right now about how to take care of their families and how to get through this economic crisis. I would think the decisions they are making are along the same lines of the decisions we ought to be making; that is, how are we going to spend our dollars wisely and well? How are we going to be efficient and effective? This isn't our money. This is the American people's money. This is a crisis that needs a response. We have responded in a massive way relative to anything that has happened probably in history, for sure in history—\$2 trillion, \$3 trillion. I mean, I can't think of a single time—when we pass annual appropriations bills, they never get up to that level. We are talking about dollars on a scale like nothing we have ever seen before because that is what was required.

This institution demonstrated that notwithstanding our differences, we could work together in a constructive way and a bipartisan way to do what was necessary to deliver for the American people, and we will do what is necessary to get the American people through this crisis. Please, please, can we do that in a thoughtful, constructive, and bipartisan way? Can we do that in a way that says: Wow. Let's actually sit down and think about what makes the most sense here. Let's see what is out there and what has actually worked.

The Paycheck Protection Program, arguably, has worked really well. We put \$660 billion into that particular program, and I think it has gotten pretty big dividends and pretty big results. A lot of businesses are still functioning and still operating and a lot of workers are still working. That was what that was all about, which was to keep those jobs and keep those workers working.

Now, there have been some hiccups, and there have been some things that need to be fixed. We ought to look at what we can do to refine it and make it work better and make it work more efficiently. The same thing is true for the dollars that go out to State and local governments. We have \$150 billion in the pipeline that have gone out to State and local governments, many of which, I might add, are probably going to need help, particularly with revenue replacement. There are a lot of dollars in the pipeline out already, in addition to the \$150 billion that we have done for State and local governments that went out in previous versions, in previous legislation. Of the four bills that we passed, the total sum of dollars that have gone to State governments is

about \$500 billion, or half a trillion dollars.

It is not just \$150 billion that we put out. A lot of that is still in the pipeline. A lot of it—before we put more out there and before we say, oh, let's put another trillion out there, which is what the House is proposing, maybe we ought to look at what the need is. Maybe we ought to find out what the revenue loss actually is because those numbers are just coming in.

This thing really hit us hard a couple of months ago, so the real impact of this is going to be felt April, May, and into the summer. But as things start to open up again, hopefully, we will gradually climb out of this, and those numbers will start to improve. May those horrible unemployment numbers and those horrible revenue numbers on the State level, may those start to come—may we start to see the economy get going back in a more normal direction.

Before we rush out there with another several trillion—and who knows at what point you hit the wall when it comes to borrowing? I mean, we think that the Federal Reserve thinks it has lots of levers and they can leverage their balance sheet and they can still do things, and they think that, fiscally, we have some headroom that we can maneuver within, but if you think about this, before this all started, our debt-to-GDP ratio was 79 percent—79 percent. You know what, for 2020, our debt-to-GDP ratio is going to be? And that doesn't include anything that we do from here on. It just captures what has already been done. Our debt-to-GDP ratio will be 101—1 to 1. That was always the level when we saw the Greeces of the world and all these countries that were just completely in this downward spiral, this quagmire of debt. That was always the metric, 1 to 1, 100 percent debt to GDP. That is the breakpoint. That is when you start entering into that really dangerous territory.

Well, imagine if we add another \$3 trillion on top of that. The \$3 trillion that we have already done, taken the debt to GDP from 79 percent to 101 percent, is the biggest increase—the biggest increase in debt to GDP that we have seen since 1943 when we were powering up for World War II.

Now, granted, this is like a war. This is a fight that we have to win, and we need to do whatever it takes to win it, but let's do it in a smart way, in a thoughtful way, and in a way that gives consideration to the future generations whose liability everything that we spend today will become, because everything that we do is borrowed money, and we have to remember that.

I came down here to talk about the internet, and I guess it is a speech I can save for another day. I was going to talk about China and the things that we need to be doing with China when it comes to protecting our cyber security, but I see my colleague from Illinois

here is waiting to speak. I just thought it was important that we take a moment and pause and think about where we are and what we have done, and as we think about what we are going to do next, make sure we are doing it in a thoughtful, smart, conscientious, right way and efficient and effective way on behalf of the American people and the American taxpayer.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Madam President, we will adjourn today and be gone next week for the Memorial Day recess and then return the following week. The Senate, at the request and call of the Senate Republican leader, Senator MCCONNELL from Kentucky, has been in session for 3 weeks. Senator MCCONNELL has said that we are here because we need to be at our "duty stations." He has used that term over and over again—a military responsibility to stay where you are assigned and to be prepared to fight.

Well, those that take a look at what we have done over the last 3 weeks have to ask: Where is the battle? Where is the fight when it comes to COVID-19? The simple fact is this: The United States Senate, in the last 3 weeks, has not considered one piece of legislation on this floor relative to COVID-19, not one. It has reached the point where the press told me this morning that two Republican Senators are now complaining publicly that we have done nothing on COVID-19 and shouldn't leave for the Memorial Day recess until we do.

Well, I think they ought to take their appeal not to the American public but to their Republican leader because he decides what comes to the floor of the Senate, and he has decided, over the last 3 weeks, that nothing will come to the floor of the Senate relative to the biggest issue in the modern history of America: the national emergency, the public health crisis over COVID-19.

I listened to my friend from South Dakota talk about the amount of money that has been spent. It is an amazing amount—I will be the first to concede it—almost \$3 trillion so far. It is the largest ever I can remember—well, I will just flatout say ever when it comes to a rescue package or a relief package. Of course, it comes at a time when we are facing the worst economic crisis in America for almost 100 years, going back to the Great Depression. There are 38 million uninsured Americans. There are 1.5 million Americans so far infected by this virus. The United States, sadly, leads the world—leads the world—when it comes to these infections. I would say, when the President calls that a badge of honor, I do not. We could have done much better. We should do much better in the future.

Now, in just a matter of days—not sure when—we will reach the tragic milestone of 100,000 Americans who

have died from the coronavirus—100,000 Americans will have died. I join with the Democratic leader in saying that we should mark that tragic milestone with grief for the families and their loss and standing as Americans in honor of the sacrifice they have made.

More than that, we need to do what needs to be done, and to argue that we have done enough now and let's sit back and see what happens is to ignore the obvious. Jerome Powell is the Chairman of the Federal Reserve, and he went on "60 Minutes" last Sunday and said to Congress, to the Senate, to the House, and to the President: Don't stop doing your part. The Federal Reserve is trying to loan money to create opportunities to rebuild this economy, but we need to do our part. He didn't say the \$3 trillion is all in. He basically said we need to do more.

We had a briefing from Mark Zandi, an economist, in the last day or two. He is well respected. He has been an economist advising both Democrats and Republicans, and he said the same. If we don't move and move quickly and decisively and boldly to restore this economy, what is now a recession, could be much, much worse. That means, of course, helping those families who have already been hurt.

Last Friday, the House of Representatives did pass another measure for relief, another effort to deal with the COVID virus. So while we have been here for 3 weeks and haven't brought one single bill to the floor on the COVID virus—not one—they moved forward last Friday and passed, without the cooperation of any Republicans—they passed a measure to deal with the continuing crisis in America.

Let me say at the outset, I don't agree with every provision in that bill. I know that negotiations are likely to follow, and the compromise is likely to produce a work product that is somewhat different, but let's look at what that bill did.

The Senator from South Dakota came to the floor and said that bill did crazy stuff. He repeated it—crazy stuff. Well, let's talk about what the bill did.

What the bill did was to restore the President's cash payment to families. You remember that well, I am sure, supported by both political parties. It was \$1,200 for each adult and \$500 for each child. It was absolutely necessary for families who are struggling to get by.

In the House version that passed last Friday, there was a renewed cash payment of \$1,200 for adults and \$1,200 for children. The amount of money we initially allocated for this has been all but spent at this point, so this is an area where we believe, as Democrats, families still need a helping hand. Why do the Republicans in the Senate insist on not bringing this measure to the floor of the U.S. Senate or at least into meaningful negotiation? Do they believe that families across America have received all the money they need to receive to get through this crisis? I don't. If they do, they are out of touch.

The second thing this bill did was to extend the unemployment compensation. Remember, there are 38 million and counting unemployed Americans. We created, in the CARES Act, a Federal boost for unemployment benefits. So if you qualified for unemployment benefits from your State, you would receive an additional \$600 a week. I think that was necessary and good for the economy, and for the families affected, it was a lifeline they desperately needed. But that program, the \$600 a week, expires on July 31—expires. Is there anyone who believes we will be through this economic crisis by July 31 when everyone will be back to work? Of course not. We need to continue to help those families.

The bill that passed the House of Representatives, which the Republican Senator calls crazy stuff—what the bill did was to extend that Federal unemployment benefit of \$600 a week until the end of this year. I think that is sensible and reasonable.

I might tell you that we expanded the categories of those eligible for employment too. Many independent contractors finally get the chance to get some help at this point in time. So to call that crazy stuff and to not even consider it on the floor of the Senate makes no sense at all.

What about the Payroll Protection Program? That was one for small business loans that could be forgiven if the money was loaned and spent for specific purposes. There is a reason we had to revisit that. The money had to be spent by the businesses by the end of June—June 30. I can tell you, having spoken to many small businesses across the State of Illinois, that some of them will not even be open for business by June 30. Requiring them to spend money before they can open their doors doesn't give them an opportunity to use this money to really get back in business.

There were revisions made in the measure the House passed last Friday, revisions in terms of the period of time that the business had to spend the money. Under the current setup, it is 8 weeks. We think that should be extended to a longer period of time. Is that crazy stuff? I think, from where I am standing, it just makes common sense that we would do something that basic. Yet the Senate Republican leader has refused to bring that matter to the floor of the Senate in the weeks since it was passed, and there is obviously no meaningful negotiation underway, and we are leaving to be gone for another week.

But the largest measure in the bill that passed the House of Representatives included a provision to help State and local governments. My friend and colleague from South Dakota talked about the \$150 billion that has been given to State and local governments, which, in the end, could be even larger. I would say to him: Don't listen to me. Listen to the National Governors Association. Ask Governor Hogan, a Republican from Maryland, if we are all in

and have done enough for State and local governments? We are not even close. We are not even close, and we know it.

Lost revenue by my State and many others is dramatic. So what happens if these States don't have the money to pay their bills? Well, Senator MCCONNELL, in an interview, said: Bankruptcy—bankruptcy is an option. Really? Does he believe we are going to restore this economy by watching State and local governments go bankrupt?

What will be the net result of the MCCONNELL's suggestion of bankruptcy for these State and local governments? It will mean laying off, perhaps firing, policemen, firefighters, EMTs, paramedics, and teachers. At a time when we need to restore our educational calendar, bring students back to school, the Senator from Kentucky suggested bankruptcy, laying off teachers, and firing teachers. It makes no sense whatsoever.

The bill that passed the House of Representatives has roughly \$1 trillion for State and local governments. So I can tell you, across my State and I am sure across this Nation, Governors and mayors will step forward and tell you that is exactly what they need now to get back in business.

Remember, as Senator MURRAY said in response to another suggestion, building a bridge halfway across a river is not of much value. We need to build a bridge in this economy from where we are today to where we want to be, with small businesses opening and people back at work, and the notion that we can shortchange parts of this economy and survive is just wrong.

There is a provision in that bill in the House, too, that I introduced in the Senate. It is not an original idea, but others have thought of it too. A third of the people who lose their jobs lose their health insurance because that is where their health insurance came from. Their employer used to pay a share, and they paid a share, and they were covered with good policies. But when they lost their job, the next day, they lost their insurance. What were their options? Sign up for the Affordable Care Act, which covers about 20 million Americans; perhaps qualifying for Medicaid if their family income is low enough; or using what is known as the COBRA Program? The COBRA Program says you can keep that policy you had at your place of employment; however, you now are personally responsible for both ends of the premium payment, the employer and the employee. Well, that comes out to about \$1,700 a month. Imagine that for an unemployed person—\$1,700 a month in premium. They can't do it. So what I proposed, and what was included in the bill that passed the House of Representatives, was 100-percent coverage for that premium payment under COBRA so that these families would have the peace of mind that they would continue to have health insurance during the course of this crisis.

I have given you some highlights of what this bill did. I would just suggest and challenge those who call this crazy stuff to come to the floor and be more specific. What part of what I just described is crazy stuff—extended COBRA protection for more health insurance for those who are unemployed, extending unemployment benefits for the remainder of the year, extending the period of payback for small business loans, making sure, as well, that there is more money for hospitals?

I will just state that I have been on the telephone for the last several weeks with the administrators of hospitals all over the State of Illinois, large and small, and I have joined them with my Republican Members of the House and Democratic Members. We have called and opened the lines and said: What are you finding? Many of these hospitals in the inner cities, as well as those in rural and smalltown areas in States across the Midwest are struggling to survive.

Yesterday I read a list of six hospitals in Kentucky that were furloughing hundreds of employees. In most of the communities downstate where we have hospitals in Illinois, they are the major employer, and these hospitals are hanging on by a thread. What is wrong? A lot of COVID virus cases? No, just a fear of COVID virus.

One hospital administrator said: We have four elective surgeries scheduled for money, and, Senator, that is where our revenue comes in to keep this hospital going. Three of the four patients canceled at the last minute. They were afraid of the COVID virus.

The bill that passed the House of Representatives last week had another \$100 million for hospitals. I will tell you flatout that there is a sense of urgency there because if you lose—if you lose that community hospital, it is a grievous loss in many parts of our State, in the rural areas and small towns in particular. Yet we have not even brought that issue up on the floor of the Senate over the last 3 weeks.

We have a lot of work that needs to be done. We didn't do it in the last 3 weeks. We considered two circuit court nominees before the Senate Judiciary Committee. One from the State of Kentucky is a fellow who has 6 months' experience on the Federal bench. He is being proposed by Senator MCCONNELL for a lifetime appointment in the second highest court in the land. Really? That is the best Republican nominee for the second highest court in the land, a man with 6 months' experience as a trial judge? He does have one thing in his favor, from Senator MCCONNELL's point of view: He is completely opposed to the Affordable Care Act.

They came up with another nominee from Mississippi yesterday with the same thing. So they have two nominees in the midst of a public health crisis in America who are asking for lifetime appointments to the court who are opposed to the Affordable Care Act, a measure that extended health insur-

ance coverage to 20 million Americans and provides protections for over 100 million Americans in terms of their own personal policies, really making sure that those with preexisting conditions have coverage they can afford. At this moment in time, the Republican Party came up with two lifetime nominees who are opposed to the extension of health insurance in America. The timing is perfect.

If you look up the whole question of relevance, and you ask: What is the most irrelevant thing that has occurred in the midst of this crisis? It is the last 3 weeks of the U.S. Senate. We have been here and put at risk 10,000 employees, which is the scale of our workforce in the U.S. Capitol. We have put them at risk. To come here and never mention the words "COVID virus" or "coronavirus" or "pandemic" in legislation on the floor of the Senate is disgraceful.

We were elected to serve. We were elected to respond to America's needs. For the last 3 weeks on the floor the Senate, we have not. The random committee hearing—good. That is what we are supposed to do. That is normal. But you would think that Senator MCCONNELL would have decided, as the House decided last week, that this is still the No. 1 priority in America. It should be. Perhaps after we return from the Memorial Day recess, there will be a sense of urgency, which, sadly, does not exist on the Republican side of the aisle of the Senate.

I yield the floor.

The PRESIDING OFFICER (Mr. SCOTT of Florida). The Senator from Iowa.

Mr. GRASSLEY. Mr. President, in 50 minutes we are voting to confirm the nominee as Director of National Intelligence. Today, I want to discuss Congressman RATCLIFFE's confirmation as Director of National Intelligence.

I want to congratulate that Congressman on a job well done. With this new position comes great responsibility. Congressman RATCLIFFE will have tremendous power to do good and to be transparent.

I would like to remind Congressman RATCLIFFE, as I have reminded many heads of departments before, transparency brings accountability, and the public's business ought to be public.

By its very nature, the intelligence community is a secretive bunch. They often operate in the shadows and have to in order to do the job that we ask them to do to protect our national security.

However, that doesn't mean when Congress asks them questions, the intelligence community has a license to withhold information.

When Congress comes knocking, the intelligence community must answer. After all, the intelligence community does not appear anywhere in the Constitution. The intelligence community is a creation of Congress; Congress isn't a creation of the intelligence

community. The intelligence community answers to us and, in turn, to the American people.

Acting Director Grenell, now in that position as acting, understood that. He is perhaps one of the most transparent government officials in my time serving the great people of Iowa.

Ambassador Grenell is a breath of fresh air. Mr. RATCLIFFE has some big shoes to fill; that is for sure. Luckily, he has Acting Director Grenell's example to guide him.

Mr. Grenell's short time as Acting Director has resulted in a number of very important items being declassified. For example, he and Attorney General Barr declassified dozens of footnotes from the Justice Department's inspector general's report that show how the Department of Justice and the FBI mishandled the Russian investigation.

To give some highlights of what those previously classified footnotes show, let me go through six or seven of them.

One, the Russian intelligence was aware of Steele's anti-Trump research in early July 2016, before the FBI opened Crossfire Hurricane. That means the Russians knew they could possibly use the Steele dossier as a vehicle to plant disinformation and sow chaos to undermine the American Government.

Two, the FBI had an open counter-intelligence case on Steele's key source, but they failed to give that information to the FISA Court.

The FBI had intelligence that some of Steele's sources had connections to Russian intelligence. That is point three.

Point four, Steele had sources connected to the Presidential administration, and some supported Clinton, not Trump.

Five, the Crossfire Hurricane team was aware in late January 2017 that Russian intelligence may have targeted Orbis. Orbis is Steele's company.

Six, Steele's primary subsource viewed his or her contacts not as a network of sources but, rather, as simply friends that discussed current events.

Seven, two intelligence reports—one from January 12, 2017, the other from February 27, 2017—indicated that information contained within the Steele dossier was a product of Russian disinformation. This information was withheld from the FISA Court, and the FBI continued to use the Steele dossier to justify surveillance on Carter Page.

I also want to note a very interesting fact about the January 12, 2017, date. Not only did the FBI learn that the dossier, their "central and essential" document, was most likely filled with this Russian disinformation, they then failed to inform the FISA Court about it on the very same day that the FBI got the FISA renewal on Carter Page. Do you know what? It was renewed two more times.

My fellow Americans, what the FBI did is a complete travesty. You have to

ask yourselves: Why did they do it? Well, the text messages from Strzok and Page that I made public help us better understand that question. Their animus toward Trump helped to explain why the FBI employees cut corners and didn't follow regular protocol in running their inquiry.

As I have mentioned before, Strzok's text to Page about how he will "stop" Trump from becoming President is very telling. But thanks to Acting Director Grenell and Attorney General Barr, these texts can now be read in a greater context.

For example, on August 15, 2016, Strzok texts Page:

I want to believe the path that you threw out for consideration in Andy's office—

And that was referring to Andrew McCabe—

that there's no way Trump gets elected—but I'm afraid we can't take that risk. It's like an insurance policy in the unlikely event you die before you're 40.

The next day, on August 16, 2016, the FBI opened the Flynn probe, code-named Crossfire Razor.

On August 17, 2016, the FBI used a briefing for Trump, who was now the Republican nominee, and Flynn to surveil Flynn for his "mannerisms"—what is said about it, I don't know—and whether he mentioned anything about Russia.

Let's also not forget about the text from November 2016 that Senator JOHN-SON and I made public. Those texts between Strzok and Page show that the FBI used a November 2016 briefing for Presidential transition staff as a counterintelligence operation.

For example, Strzok told Page:

He can assess if there are any new questions or different demeanor. If Katie's husband is there, he can see if there are people we can develop for potential relationships.

That is an astounding finding. Imagine if that had been done by the Democratic nominee. You wouldn't hear the end of it. In fact, they would probably call for another special counsel. Yet because it is Trump and Flynn, the media has gone largely quiet.

On January 4, 2017, the FBI wrote a closing memorandum on Flynn that said the intelligence community could find no derogatory information on him. That should have been the end of it.

Yet on the very same day that the FBI was ready to close the Flynn case, Strzok asked another FBI agent: "Hey, if you haven't closed Razor don't do it yet." The case was still open at that moment and Strzok asked that it be kept open "for now."

Strzok then messaged Lisa Page, saying that Razor still happened to be open because of some oversight and said: "Yeah, our utter incompetence actually helps us. 20 percent of the time."

Then the next day, on January 5, 2017, President Obama met with Director Comey, Deputy Attorney General Sally Yates, Vice President Biden, and National Security Advisor Susan Rice. In that meeting, they briefed Obama on the Russia investigation.

On January 5, 2017, the very same day as the Oval Office briefing with Obama and Biden, an Obama administration official leaked the existence of the December 29, 2016, Flynn call with the Russian Ambassador. However, that leak hadn't yet been publicly reported.

Also on January 5, Obama's Chief of Staff requested to unmask Flynn. According to Deputy Attorney General Yates, when she met with Obama on that day, Obama already knew about Flynn's call with the Russian Ambassador. She was surprised that Obama knew about it already.

On January 11, 2017, U.N. Ambassador Samantha Power requested to unmask Flynn. She requested this be done seven times after the election. She ought to explain why she did that.

Then on January 12, 2017, Vice President Biden requested to unmask Flynn. That same day, the existence of Flynn's call with the Russian Ambassador was leaked and ran in the Washington Post.

Then, in February 2017, the alleged contents of the call were leaked. Those leaks are a criminal action. They are some of the many criminal leaks that occurred during the transition period and, also, the early days of the Trump administration, which were obviously designed to undermine the new administration. I assume U.S. Attorney Durham is investigating all of those leaks.

With respect to the unmasking, what I would like to know is, Why did so many Obama administration officials who were not within the intelligence field request to unmask Flynn? The sheer volume of unmasking and the timing cause me to question whether it was politically motivated.

Based on the facts that we now know, it appears that the Obama administration's top law enforcement agency, as well as the intelligence community, engaged in a coordinated effort to cut the legs from under the Trump administration before they could even get their footing. The American people have had to suffer through years of criminal leaks, innuendos, false news reports, and flatout lies—all designed to destroy the Trump administration. The Russian investigation should have closed shop early on, especially when the people they surveilled from the Trump campaign offered exculpatory evidence—evidence which showed that the Trump campaign wasn't involved in the Democratic National Committee hack and didn't have the Russian connections the FBI thought they had. By the way, that evidence was hidden from the FISA Court by the FBI.

Obama has said DOJ and FBI must be kept independent of White House interference. Yet, based on information that we have at this point, it appears that he and Biden were much more involved in aspects of the Russia investigation than they would like to have us believe.

Ultimately, Obama and Biden will have to answer for what they knew and when they knew it. That shouldn't be a

problem for the so-called most transparent administration in history, as they used to tell us all the time.

Simply said, heads need to roll over this. If they don't, the intelligence community, the Department of Justice, and the Federal Bureau of Investigation may never get the people's trust.

Where do we go from here? On May 12, 2020, I wrote a letter to Acting Director Grenell that requested a broad range of information relating to unmasking by the Obama administration. On May 19, I expanded that request with Senator JOHNSON. Prior to that, I wrote to the Justice Department and Mr. Grenell, requesting that the transcripts of Flynn's calls with the Russian Ambassador and Susan Rice's infamous January 20, 2017, email to herself be declassified, among other things. That email has now been declassified and casts further doubts on the FBI's actions.

I have also requested, along with Senator JOHNSON, underlying intelligence reports from the Russia investigation. Moreover, reports suggest that the Obama administration unmasked a lot more U.S. persons related to the Trump campaign than just General Flynn.

The responsibility to respond to these requests will now fall on Congressman RATCLIFFE. Hopefully, he is as helpful to congressional oversight and public accountability as Ambassador Grenell. Let's see it all. The American public has waited long enough.

Finally, I want to remind Congressman RATCLIFFE and the intelligence community of the hold I placed on William Evanina. I did that 2 years ago. I placed that hold in my capacity as chairman of the Judiciary Committee.

I have explained in detail many times before why I placed a hold on him, and I am not going to bother explaining it again, other than to mention that Deputy Attorney General Rosenstein agreed to give me the documents, and he never did. In turn, General Rosenstein blamed Director Coats, who then blamed Rosenstein.

You have heard it before—all of my colleagues have. Whether you have a Republican or Democratic administration, it is your typical bureaucratic blame game. Thanks to Acting Director Grenell and Attorney General Barr, the blame game has ended.

But, importantly, especially for future administrations and for Congressman RATCLIFFE, I want to make very clear that the Judiciary Committee's jurisdiction extends to the intelligence community. Since the authorization resolution that created the Senate Select Committee on Intelligence, the Senate explicitly reserved for other standing committees, such as the Senate Judiciary Committee, independent authority to "study and review any intelligence activity" and "to obtain full and prompt access to the product of the intelligence activities of any de-

partment or agency" when such activity "directly affects a matter otherwise within the jurisdiction of such committee."

The Senate Judiciary Committee has jurisdiction over all Federal courts, including the Foreign Intelligence Surveillance Court, where a lot of intelligence activity takes place. Of course, all of Congress, not just any one committee or any one Senator, has the constitutional authority over the intelligence community.

In conclusion, please, Congressman RATCLIFFE and, please, the greater intelligence community, remember you were created by statute, but Congress was created by the Constitution.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, in a few minutes, the Senate is going to vote on the nomination of JOHN RATCLIFFE to be Director of National Intelligence. I have come to the floor to discuss this important nomination.

Senators often come to this floor to talk about the importance of speaking truth to power. JOHN RATCLIFFE, in his statement before the Intelligence Committee and in his written responses, revealed he would not speak truth to power; he would surrender to it. He demonstrated that he is so eager to serve power, he will twist the truth, and he showed this again and again.

For example, in the name of helping power, we saw him dance around direct questions about whether he would respect or even understood the law. JOHN RATCLIFFE made a number of extremely disturbing statements that make it clear that he has and will misrepresent and politicize intelligence without a moment's hesitation.

I asked the Congressman at his hearing about a law that requires a public, unclassified report on who was responsible for the murder of the Washington Post journalist and U.S. resident, Jamal Khashoggi. This was a law passed by the Congress and signed by the President of the United States. This law required the Director of National Intelligence to produce that unclassified report on who killed Jamal Khashoggi and what the circumstances were in February. That has never happened.

At his nomination hearing, I simply asked the Congressman whether the government was bound by the law. In his response, the Congressman called the law a request for unclassified information. That is how he referred to this law. Then the Congressman promised to take a look at it. In his own words, JOHN RATCLIFFE wouldn't commit to following that important law without knowing the circumstances of who killed Jamal Khashoggi. I believe it is open season on journalists.

How JOHN RATCLIFFE danced around that question of whether he would comply with the law is a disqualification by itself to be the head of national intelligence.

This was a pattern throughout the hearing. JOHN RATCLIFFE had his talking points down, but the moment he was asked anything specific, he danced away. I am just going to take a few minutes to give some examples. Obviously, it is critically important to know a nominee's views for this position on the question of spying on Americans.

I asked JOHN RATCLIFFE three times in prehearing questions, at the hearing, and again after the hearing, whether the statute that prohibits warrantless wiretapping on Americans was binding. Each time, JOHN RATCLIFFE left himself lots of wiggle room to suggest that whatever this law said, the President might have ways to go around it. He also said he would work with the Attorney General, who we know has explicitly said that he doesn't believe the foreign intelligence surveillance law is binding on the President.

This is really where JOHN RATCLIFFE could be dangerous. With Donald Trump as President and William Barr as Attorney General, the leadership of the intelligence community is one of democracy's last lines of defense. That is why the American people need a Director of National Intelligence who understands how the law protects their rights and won't start conducting warrantless wiretapping on Americans just because the Attorney General wrongly claims that it is legal.

Nothing that JOHN RATCLIFFE has said during his confirmation process or throughout his career provides a glimmer of hope that he is a person who would speak truth to power and stand up for the rights of Americans.

There are plenty more reasons to oppose this nomination, but in the interest of time, I am going to focus on just one more, and that is JOHN RATCLIFFE's blatant misrepresentation and politicizing of intelligence. This was obvious in how he talked about the intelligence community's assessment that the Russians interfered in the 2016 election to help Donald Trump. This is a view undisputed within the intelligence community. The Senate Intelligence Committee looked at it up and down, and it was the unanimous judgment of the Intelligence Committee that it was true.

Yet for JOHN RATCLIFFE, the intelligence really doesn't matter. All that matters is that he makes Donald Trump happy. If Donald Trump doesn't want to acknowledge that the Russians helped him, then those are JOHN RATCLIFFE's marching orders.

It is the exact opposite of speaking truth to power and that is why, at the beginning of my remarks, I described his views with respect to power as not speaking truth but totally surrendering to power.

He is also perfectly happy to misrepresent the intelligence even when it is public and we can read it with our own eyes. Three times during his hearing, he said that the Russians did not succeed in changing the outcome of the 2016 election. This position of JOHN

RATCLIFFE directly contradicts what the Intelligence community had written in plain English. It said: "We did not make an assessment of the impact that Russian activities had on the outcome of the 2016 election." So I asked JOHN RATCLIFFE where he got his information. He referred back to the Intelligence community's assessment and the committee's report, neither of which supported JOHN RATCLIFFE's statements.

You have to ask yourself, Why would JOHN RATCLIFFE say something that is obviously not true? That is because Donald Trump wants us to believe that he didn't benefit from Russian interference, and that, first and foremost, is what matters to JOHN RATCLIFFE. If JOHN RATCLIFFE is willing to misrepresent intelligence assessments that are already public that anybody can read for themselves, my take is there is no telling how he would misrepresent intelligence that is still classified.

There is every reason to believe his public statements would be designed for one purpose and one purpose only, and that is to make sure that Donald Trump is pleased. Neither the Congress nor the American people have any reason to trust that JOHN RATCLIFFE's testimony or his other public statements are accurate.

My view is this kind of approach taken by the Director of National Intelligence is a real threat to democracy. When the Director of National Intelligence demonstrates that he is willing to bury the actual intelligence and say whatever makes Donald Trump happy at any particular moment, the American people are going to lose confidence and lose confidence quickly.

It is not just about foreign interference in our democracy. That is plenty serious as it is. It is about other threats from countries like Iran, North Korea, and China. It is about weapons of mass destruction and terrorism. It is about whether the government is secretly spying on Americans without a warrant or committing torture. Ultimately, it is about the issue of war and peace and whether Americans will be asked to die for our country.

The American people look to intelligence leaders for the facts—the facts, the unvarnished truth on these and other issues, which is why it is so important this position must have a foundation of credibility.

Time and again, JOHN RATCLIFFE has demonstrated that he does not clear that lowest bar; that bar that means you have to have credibility in this position, and I urge my colleagues, when we vote in a few minutes, to reject JOHN RATCLIFFE's nomination to be Director of National Intelligence.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mrs. FISCHER). Without objection, it is so ordered.

VOTE ON RATCLIFFE NOMINATION

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

Mr. SCOTT of Florida. Madam President, 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 bill 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 Washington (Mrs. MURRAY), and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

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

The result was announced—yeas 49, nays 44, as follows:

(Rollcall Vote No. 101 Ex.)

YEAS—49

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

NAYS—44

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

NOT VOTING—7

Alexander	Murkowski	Sanders
Burr	Murray	
Markey	Rounds	

The nomination was confirmed.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The Senate will resume consideration of the following nomination, which the clerk will report.

The bill clerk read the nomination of John Leonard Badalamenti, of Florida, to be United States District Judge for the Middle District of Florida.

The PRESIDING OFFICER. Under the previous order, with respect to the Ratcliffe nomination, 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 Maryland.

CORONAVIRUS

Mr. CARDIN. Madam President, I know that we are all looking forward to trying to finish our legislative work this week. The majority leader has announced that next week the Senate will be in recess for the traditional Memorial Day recess.

Let me just urge our colleagues that before we leave for the recess, we need to act on the challenges that COVID-19 is imposing on our State and local governments. To me, it would be irresponsible for us to leave and go into recess recognizing that our State and local governments are so much impacted by COVID-19.

They are making decisions now. They have to put their budgets together. They have to adjust this year's budget and plan for next year's budget. What is in the balance? Well, it is our municipalities, it is law enforcement, it is police, it is fire, it is emergency rescue. For our counties, it is our schools and funding of our schools. It also deals with public health for our State. It is public health and so many other different issues that are dependent upon the State having the resources in order to respond to the needs of their citizens—our constituents—as well as to deal with the challenges of COVID-19.

I will give you one example on that. This week, by teleconference with representatives of our higher education, University of Maryland—they depend very much on the revenues they get from the State and the revenues they get from their students. Both are very much in jeopardy today. The least we can do is to make sure that the States have the resources to continue these critical missions. They just don't have it.

Let me give you some of the numbers so that my colleagues are aware of it. For the State of Maryland, in the revenue projections for the current fiscal year that ends June 30, the revenues will be off by as much as \$925 million to \$1.25 billion. Those are revenue losses. On top of that, their fiscal year 2022 revenue projection is another loss of \$2.1 to \$2.4 billion. That is for the State of Maryland. Those are not our subdivisions.

Baltimore City is projecting a reduction in revenues by \$141 million this year. That is going to require layoffs. They have already talked about layoffs and not hiring additional police officers. Those police officers are needed in order to keep Baltimore safe. We know the challenges we have in our municipal centers, and Baltimore City is

under a consent order decree. That is being jeopardized by the inability of Baltimore to deal with these costs. They have to balance their budget.

The State of Maryland has to balance its budget. Baltimore City has to balance its budget. It doesn't have the leeway we have in order to respond to a crisis by pumping money at a problem.

Baltimore County has a \$172 million revenue projection. That is a 22-percent reduction in this year's budget in regard to income tax revenues alone. They have a 70-percent reduction in motel and hotel tax revenues.

For Montgomery County, our neighbor that borders DC, there is a \$250 million projected revenue loss for this year. Prince George's County has a \$134 million revenue loss for this year, and that includes a reduction of \$886 million in income tax revenues. Anne Arundel County anticipates a \$63 million loss of revenue. They have frozen all positions. Howard County projects a \$30 to \$40 million loss of revenue. They normally have a growth of \$25 million. That is a swing of \$55 million to \$65 million for a county that wasn't large enough to get direct help under the CARES Act.

I mention the CARES Act because it was an important bill. When we first took it up, it did not include a robust provision for State and local. We put that in on the Senate floor, and we are pleased we were able to do that. It is limited. It is limited because the money that we made available under the CARES Act provided help to State and local governments on their direct costs associated with COVID-19. That money has been used for direct costs associated with COVID-19.

I have already pointed out the revenue losses in the State of Maryland and in our subdivisions. The CARES Act doesn't provide any help in regard to making up for the revenue losses. The CARES Act went only to jurisdictions of 500,000 or more—over 500,000.

Only a few of our counties were eligible for help in my State. Most of our counties were not eligible for help directly. They had to apply through the State, but they were not eligible for direct help.

Let me give you one county: Wicomico County, Eastern Shore of Maryland. That is where the poultry processing plants are located. That is where the problems of COVID-19 needed to be contained. We did not provide any direct help to Wicomico County in regard to stabilization funds. That was wrong.

As we all know, we treated our host jurisdiction here, the District of Columbia, wrongly by not allowing them to get the same minimum distribution as a State. The CARES Act helped, but it didn't deal with the current crisis that we now find at State and local governments.

The Governors have issued a bipartisan plea. Governor Hogan, who is the chair of the National Governors Association, the Republican Governor from

Maryland, and Governor Cuomo, the Democratic Governor from New York, have joined with all of our Governors in saying that they need help now from the Federal Government in order to maintain critical missions of public safety, of public health, of education and, yes, to meet the direct needs related to COVID-19. They need help now. Yes, we need to respond.

I am pleased that there is a bipartisan group of Senators who have filed the SMART Act. The Governors say they need \$500 billion in order to get through this immediate crisis—\$500 billion more. Well, the SMART Act provides \$500 billion. Two-thirds would go to the State and one-third to the local governments. That is an important start, but we could do better than that.

The HEROES Act, the bill that passed the House of Representatives, provides \$875 billion, and 57 percent goes to the States, meeting what the States need; that is, basically the States' needs. And 42 percent goes to local governments, half to the counties, half to municipalities over 50,000. That would go a long way to meeting the needs of our local first responders, our police, our fire, our emergency rescue, our schools. Those types of issues could be addressed under that need.

We have to respond. We just can't go home and say that this is not our problem. These are our constituents. They depend upon local police and fire. They depend upon our schools being prepared to educate their children. They depend upon sanitation being collected. They depend upon the public health capacities. That is where they get those services. If we don't provide the wherewithal under the balanced budget rules, they are not going to be able to provide those essential services.

My plea is that before we go into recess, let us take up at least the issues affecting State and local governments and do something to help so that they can continue to provide essential services to our constituents and they can deal with the direct costs associated with COVID-19 in their communities.

As we are beginning to reopen our communities, we need to make sure our State and local governments have the resources to respond to the challenges when more people are getting together. We also need to respond if we are going to get our economy back on track. It is not going to get back on track if our State and local governments are laying off their workers. We need to respond in a positive way, and we need to do that now.

I urge my colleagues to take up legislation before we go into recess in order to help the people of our Nation through our State and local governments.

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

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

(The remarks of Mr. CRUZ pertaining to the introduction of S. 3835 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. CRUZ. 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 John Leonard Badalamenti, of Florida, to be United States District Judge for the Middle District of Florida.

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 Leonard Badalamenti, of Florida, to be United States District Judge for the Middle District of Florida, 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 Massachusetts (Mr. MARKEY), the Senator from Washington (Mrs. MURRAY), and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

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

The yeas and nays resulted—yeas 65, nays 28, as follows:

[Rollcall Vote No. 102 Ex.]

YEAS—65

Barrasso	Cramer	Graham
Blackburn	Crapo	Grassley
Blunt	Cruz	Hassan
Boozman	Daines	Hawley
Braun	Duckworth	Hoeben
Capito	Durbin	Hyde-Smith
Carper	Enzi	Inhofe
Cassidy	Ernst	Johnson
Collins	Feinstein	Jones
Cornyn	Fischer	Kennedy
Cotton	Gardner	King

Lankford	Peters	Shelby
Leahy	Portman	Sinema
Lee	Reed	Sullivan
Loeffler	Risch	Tester
Manchin	Roberts	Thune
McConnell	Romney	Tillis
McSally	Rubio	Toomey
Moran	Sasse	Whitehouse
Murphy	Scott (FL)	Wicker
Paul	Scott (SC)	Young
Perdue	Shaheen	

NAYS—28

Baldwin	Gillibrand	Schumer
Bennet	Harris	Smith
Blumenthal	Heinrich	Stabenow
Booker	Hirono	Udall
Brown	Kaine	Van Hollen
Cantwell	Klobuchar	Warner
Cardin	Menendez	Warren
Casey	Merkley	Wyden
Coons	Rosen	
Cortez Masto	Schatz	

NOT VOTING—7

Alexander	Murkowski	Sanders
Burr	Murray	
Markey	Rounds	

The PRESIDING OFFICER. On this vote, the yeas are 65, the nays are 28. The motion is agreed to. The majority leader.

LEGISLATIVE SESSION

Mr. MCCONNELL. Mr. President, I move to proceed to legislative session. The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I move to proceed to executive session to consider Calendar No. 655.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Victor G. Mercado, of California, to be an Assistant Secretary of Defense.

CLOTURE MOTION

Mr. MCCONNELL. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion. 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 Victor G. Mercado, of California, to be an Assistant Secretary of Defense.

Mitch McConnell, David Perdue, Jerry Moran, Rob Portman, Michael B. Enzi, Deb Fischer, Kevin Cramer, John Thune, John Boozman, Shelley Moore Capito, Marco Rubio, Todd Young, John Barrasso, James Lankford, Tim Scott, James E. Risch, Cindy Hyde-Smith.

LEGISLATIVE SESSION

Mr. MCCONNELL. Mr. President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I move to proceed to executive session to consider Calendar No. 652.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Brian D. Miller, of Virginia, to be Special Inspector General for Pandemic Recovery (New Position).

CLOTURE MOTION

Mr. MCCONNELL. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

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 Brian D. Miller, of Virginia, to be Special Inspector General for Pandemic Recovery (New Position).

Mitch McConnell, Cindy Hyde-Smith, John Boozman, Tim Scott, Marsha Blackburn, Chuck Grassley, Steve Daines, Mike Crapo, Richard Burr, John Cornyn, David Perdue, Martha McSally, John Thune, James M. Inhofe, Kevin Cramer, Ted Cruz, Cory Gardner.

LEGISLATIVE SESSION

Mr. MCCONNELL. Mr. President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I move to proceed to executive session to consider Calendar No. 656.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of James H. Anderson, of Virginia, to be a Deputy Under Secretary of Defense.

CLOTURE MOTION

Mr. MCCONNELL. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

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 James H. Anderson, of Virginia, to be a Deputy Under Secretary of Defense.

Mitch McConnell, David Perdue, Jerry Moran, Rob Portman, Michael B. Enzi, Deb Fischer, Kevin Cramer, John Thune, John Boozman, Shelley Moore Capito, Marco Rubio, Todd Young, John Barrasso, James Lankford, Tim Scott, James E. Risch, Cindy Hyde-Smith.

LEGISLATIVE SESSION

Mr. MCCONNELL. Mr. President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I move to proceed to executive session to consider Calendar No. 644.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Drew B. Tipton, of Texas, to be United States District Judge for the Southern District of Texas.

CLOTURE MOTION

Mr. MCCONNELL. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

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 Drew B. Tipton, of Texas, to be United States District Judge for the Southern District of Texas.

Mitch McConnell, Deb Fischer, Steve Daines, Cory Gardner, Tim Scott, Ted Cruz, David Perdue, James E. Risch, Roger F. Wicker, Pat Roberts, Lindsey Graham, Mike Crapo, Michael B. Enzi, John Barrasso, Marsha Blackburn, John Thune, Richard C. Shelby.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the mandatory quorum calls for the cloture motions be waived.

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

The Senator from Missouri.

CORONAVIRUS

Mr. BLUNT. Mr. President, we have seen things in the pandemic crisis that nobody in living memory has dealt with. In so many ways we are writing the book and trying to read the book at the same time, trying to figure out how we get to where we need to be.

Clearly there has been an incredible strain on the American economy and an incredible strain on the American healthcare system and everybody involved with that.

Public health experts told us we had to flatten the curve, and the economic cost of flattening the curve was pretty great. On the other side of that equation, the impact on hospitals was significant in that many of them have been ready and waiting for whatever they needed to do, and because we flattened the curve, the worst-case scenarios didn't occur, and in most cases they were prevented, and we had plenty of hospital beds. Before it was over, we had ventilators and all those things we will have later.

But the crisis, because of flattening the curve, has certainly lasted longer and will last longer than it would have otherwise. I am not saying that is a bad thing; I am just saying measures like closing businesses and sending people home from work, practicing social distancing, putting people on the unemployment rolls have really created serious problems for people who have cause to have challenges to their mental well-being.

I think the impact is that nearly half the adults in the United States say that the coronavirus has impacted their mental health. This is on top of the statistic we traditionally believe from the National Institutes of Health and other places that one out of four or one out of five adult Americans has a diagnosable—and I wouldn't hesitate to add an almost always treatable behavioral health problem—mental health problem. But coming through the coronavirus, again, one half of all adults say that their mental health has been impacted by that, whether that was social distancing or everybody trying to do everything that you normally do at other places than home. Maybe it was economic uncertainty, which, along with the isolation, can certainly create depression and anxiety.

It is, in almost all cases, likely to be worse for people who had a prior mental health problem or a prior mental health diagnosis, but those aren't the only people who have been affected.

Addiction issues have become a bigger problem, again, than they were 6 months ago. People who don't have access to their support system, people who were moving with great focus on the part of the Federal Government and many State governments away from opioid addiction are in a situation where they are isolated; they are depressed; they are concerned about job or family or health and beginning to think: What was that one thing that really made me feel good? Well, maybe I can just do that one more time and have that great feeling, and I wouldn't get addicted again.

It turns out that addiction doesn't work that way. So we see people with unprecedented challenges as this almost perfect storm impacting mental health hits us.

Last month, the Substance Abuse and Mental Health Services Administration reported nearly a 900-percent—a 900-percent—increase in the number of calls to its Disaster Distress Hotline over this time last year. Nine times as many people are calling that distress helpline, that Disaster Distress Hotline, than were calling a year ago.

Practitioners in behavioral health issues see the impact every day. They are certainly warning that this could produce its own second wave of impact that lasts well beyond the time we have treatment for coronavirus because people, even if they have had the vaccine, even if they have stopped worrying about the coronavirus, have found themselves in a place with their mental health issues that they don't want to be but might not be able to figure out how to get out of.

If we don't respond quickly and we don't respond forcefully, we could certainly lose more lives to this pandemic. One new study from the Well Being Trust estimates that 75,000 more people will die from things like suicide and substance abuse because of the pandemic. We are already seeing evidence that that may be a place where we are moving.

My hometown newspaper, the Springfield News-Leader, reported this week that Greene County, my home county, the first place I was elected as a county official, has already seen a 25-percent uptick in suicide and overdose deaths in the last couple of months.

May is Mental Health Awareness Month. I think it is appropriate for us to talk about the ways that coronavirus has widened the gap in the medical system between access to physical health issues and access to mental health issues.

This is the month and the time we need to realize that you can't separate those issues. We need to realize that those issues are of equal concern and need to be treated equally.

As I mentioned before, the estimate generally is somewhere in the neighborhood that one in four Americans has a diagnosable mental health issue, but the other estimate is that less than half of them seek any help or the care they need.

As that number has grown now to one in two saying that they have concerns about their mental health or that their mental health is not where it was before this all started, we see a coming together of factors here that we have to figure out how to deal with. We need to take steps on how to address it. We need to realize that more needs to be done. We need to continue to work toward the normalization of treating all health the same.

In the CARES Act, the Congress did provide \$425 million for substance abuse and mental health services. That includes more than half of that—\$250 million—to certified community behavioral health clinics; \$50 million for suicide prevention; and \$100 million for emergency response grants to address substance and mental health disorders.

Federal resources are critical, but most of the response and most of the important work will be done at the local level, so the Congress also unanimously agreed, in the CARES Act, to extend the excellence in mental health and addictive treatment demonstration program through November 30.

We added two States. I talked to CMS this morning about moving forward in adding those next 2 States to the 19 States that originally applied.

This program was first authorized in 2014 in some legislation that Senator STABENOW from Michigan and I had sponsored at the time that created the whole concept of certified community behavioral health clinics that care for patients regardless of where they live or their ability to pay—24-hour, 7-day-a-week access. It was necessary, if you were going to be part of that program, that you could get preventative screenings, you would have care coordination with your other healthcare providers.

By the way, if you have a behavioral health issue, it clearly has impact on what other health issues you might have. If you are dealing with that behavioral health issue in the right way, you are going to save a lot of money and a lot of caregiver time in most cases as you deal with your other issues if you are doing what you should be doing. If you are feeling better about yourself, if you are taking your medicine, eating better, sleeping better, showing up for appointments, your other health costs are going to go down. So not only is this the right thing to do, but it also, in my view, will turn out to be a money-saving thing to do, to invest money where it needs to be invested.

In eight States that have the certified centers under the Excellence in Mental Health Act, those patients have reported a 62-percent reduction in both hospitalization and emergency room visits. Probably that one statistic, on its own, may have offset whatever investment we have made in this mental health program. People not going to emergency rooms, obviously, means you are less likely to come in contact with people who have COVID-19 or some other virus.

We need to be sure we are using telehealth to connect you with your healthcare provider, whether that is a mental health provider or another provider. That is critically important.

People who are struggling with mental health or addiction are particularly challenged right now. We need to let them know they are not forgotten, and no matter how alone they feel, they are not alone, and the Congress is paying attention to this, but we need to pay attention to the people on the frontlines who are assuring that the right things are done in the right way at the right time.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

NOMINATION OF MAJOR GENERAL SCOTT
SPELLMON

Mr. CRAMER. Mr. President, first of all, I just want to associate myself with the words of my colleague Senator BLUNT. I couldn't say it as eloquently. I certainly couldn't improve upon it. I am just going to say I completely agree. Thank you.

The real purpose for my coming to the floor today is to demonstrate my support for MG Scott Spellmon of the U.S. Army Corps of Engineers.

General Spellmon is up for a promotion to Lieutenant General and has been nominated to become the Chief of Engineers and Commanding General to replace General Semonite as he retires.

Since coming to the Senate, General Semonite and I have become well acquainted with each other. While we haven't always agreed, I do appreciate his service, his very hard work, and his accessibility, especially during this COVID-19 pandemic.

His retirement is well earned, and I thank him for his service and wish him well.

As a member of the Armed Services Committee and the Environment and Public Works Committee, I serve on two of the Army Corps committees of jurisdiction. As many of my colleagues can attest, it is a rare occasion that I compliment the Corps. It is an agency that is the epitome in many cases of cumbersome bureaucracy.

I am not unique in my frustration. During our last EPW hearing with the Corps, criticism was both bipartisan and tangible. From Rhode Island to North Dakota to Oregon, each of us expressed frustration with a seemingly tone-deaf bureaucracy, which either doesn't do what it is supposed to do or does what it is not supposed to do.

That frustration brings me here today: Major General Spellmon's pending nomination and promotion. Throughout this process, I have worked closely with General Spellmon on numerous issues important to North Dakota and other Western States.

Early on, I spoke with him regarding the Spring Creek embankment in Central North Dakota. Due to the poor maintenance of relief wells, the Corps was going to move forward with a water control plan that could potentially devastate water supply and irrigation needs in eastern parts of my State.

As per usual, the Corps' decision matrix was overly complicated and did not adequately reflect the needs and realities of rural America. When I brought the issue to General Spellmon, he promised to take a fresh look and reassess the economic impacts of the project. He then worked with me to craft legislation supporting these efforts, which was added to the water infrastructure legislation we unanimously passed out of the EPW not too long ago. He listened to the problem and is working with me to help solve it.

I also challenged General Spellmon on Western State water rights—a prob-

lem that has plagued Western States that operate under the prior appropriation doctrine. On a bipartisan basis, Democrats and Republicans from Western States have been frustrated by an Army Corps that either ignores States and Tribes or needlessly inserts extra bureaucracy into decisions that are really not theirs to make. Once again, General Spellmon listened intently to the concern and provided thorough, honest responses to be used as a guidepost for Corps policy moving forward.

Of equal importance, he acknowledged the flaws within his own organization. In my time in Congress, honesty sometimes seems to be missing but not with General Spellmon. He has proven he is willing to listen and be responsive in a forthright manner, and I thank him for that.

I am confident General Spellmon will continue to listen to Western States and provide the necessary deference to them pursuant to congressional intent and to our Nation's Constitution. I have appreciated getting to know the general, and while my oversight and questions may not have always been the most enjoyable to him, he has proven to be up to the task of replacing General Semonite. I support his nomination and promotion, and I hope his exemplary service will be replicated by the rest of the bureaucracy he is going to lead.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

OBSERVING MEMORIAL DAY

Mr. WYDEN. Mr. President, on Monday, our country will celebrate Memorial Day. It is a very special day—one that we, as Americans, set aside each year to honor those members of the military who have given their lives in sacrifice to their country.

Right now, this is typically the time when I am getting ready to travel home and go to Southern Oregon—to Eagle Point and to Central Point, wonderful communities to spend Memorial Day with hundreds of veterans and members of their families. These are events that take place each year and are inspiring and affirming and basically a time when Oregonians, from very young to often approaching almost 100 years old, assemble and are part of a centuries-long lineage of patriots who have been willing to serve and sacrifice for our great Nation.

There are other communities that come together to remember lost friends and loved ones, but at home in Oregon, we have always said: Eagle Point and Central Point are the gold standard in terms of services and programs to recognize our veterans, and members of their family, who have made the ultimate sacrifice for our Nation.

I think we all know that this Memorial Day is going to be different. There will not be the same big gatherings, and there will not be as many parades. But one of the reasons I want to come to the floor of the Senate today—and I

will be home this weekend thinking about Eagle Point and Central Point—is I want to make sure our country never ever diminishes the significance of this day.

Never should our country take away our determination to honor those who pay the ultimate price in service to America, and it shouldn't cause us to forget that Memorial Day can be hard—very, very hard on the parents and spouses and children and friends our fallen heroes left behind. I know when I am recognized to speak in Central Point and in Eagle Point, I look out in the crowd, and I always see family members with a Kleenex by their eye, trying to remember and at the same time deal with the inevitable grief. This Memorial Day, I am going to be thinking of all of those who have come year after year to Central Point and Eagle Point in Southern Oregon to do something very, very important: to speak up for Oregon on the importance and appreciation we have for those who made the ultimate sacrifice.

My view is, this year, on Memorial Day, it is more important than ever to reach out and connect with those folks who are remembering loved ones they have lost in the line of duty—to give them a call, ask how they are holding up—because the last few months, in particular, have been tough on everybody, and their sacrifice shouldn't be forgotten.

I know when I am home in Southeast Portland this weekend, I am going to be thinking about whom I am going to be talking to, checking in with, and see how they are doing just for the reason I mentioned. These have been tough times for everyone, and I think this is going to be a very difficult Memorial Day for those Americans who are remembering loved ones they have lost in the line of duty.

It is also more important than ever to remember for ourselves that as Americans, we owe so much to so many. The parades and the services may have to wait until Memorial Day 2021, but our deep respect and gratitude for sacrifice does not.

Just on a very personal note, apropos of the respect and gratitude for sacrifice, I think about my late father and my mother, both of whom fled the Nazis. Not all of our family got out. My great Uncle Max was one of the last who was gassed in Auschwitz. My father basically talked his way into our Army because he was a fluent young man in German, and he convinced our military that he could be part of our propaganda unit to drop the pamphlets on the Nazis, making it clear that they could never defeat our great troops.

My mother, on the other hand, was a WAC, and I look often at the picture that is on my wall of my mother in her WAC uniform. For them, during their lives, Memorial Day was a really special day because they were so thrilled to be able to come to the freest and most open Nation on Earth and to be able to serve in our military. They, in

particular, would say, if they were here today: Ron, this is a special day for showing our deep respect and gratitude for those who made the ultimate sacrifice, and we are never going to miss a Memorial Day without expressing that sentiment.

I am going to be, this weekend, thinking about how much I want to be back in Eagle Point and Central Point to celebrate Memorial Day, and I am going to be thinking about how now we have to find a way to honor and remember our fallen servicemembers a little bit differently than before.

I would close—and perhaps I am the last speaker today in the Senate. I think I can speak for every Member of the Senate that this is especially important now to keep in our hearts all of those who have died serving our country, and let's do right by their families who are still with us.

I close my remarks by wishing all Oregonians and Americans from sea to shining sea a healthy Memorial Day.

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

The PRESIDING OFFICER (Mr. SCOTT of Florida). Without objection, it is so ordered.

CORONAVIRUS

Mr. CORNYN. Mr. President, over the past couple of months, our country has gone into a lockdown but then slowly but surely has begun to adjust to the new normal brought on by COVID-19.

Many of us have been working safely from home, as kitchen tables have been transformed into makeshift office spaces and, in many cases, classrooms as parents and students navigate the challenges of remote working and learning. But many of the most critical jobs in our country can't be done with a laptop and an internet connection—defense contractors, for example, the intelligence community, law enforcement agencies, and, of course, our heroic healthcare workers. They have to be on the frontlines doing their job each and every day no matter what the risk is because their work is considered to be essential.

Our healthcare workers continue to fight this virus on the frontlines, delivering lifesaving care and comfort to those isolated from their loved ones. Our farmers and ranchers are producing the food, truckers are transporting it, and grocery store employees are stocking shelves so that amidst all of this uncertainty, we don't have to worry about not having enough to eat. Then there are the postal workers, the delivery drivers, the waste collectors, and an entire network of people we depend on who are keeping the cogs of our society running.

Whether working from home or heading out the door each morning, these

men and women are doing their jobs, even when it isn't easy or convenient, and they expect their elected officials to do the same thing.

Just because a pandemic has brought our society to a screeching halt doesn't mean the U.S. Congress should pack up shop. Just as the men and women across the country continue to show up for work each day, Congress should do the same. After all, our responsibilities during this crisis have become more important, not less. That is why we moved quickly to pass four coronavirus response bills, totaling nearly \$3 trillion—something none of us imagined we would do just a couple of months ago—and provided vital support for our country amidst so much uncertainty.

This, of course, came in the form of additional resources, including equipment for our healthcare workers and funding for ongoing research into vaccines and treatments. We also sent aid for what I consider to be a lifeline to those workers who, through no fault of their own, had no job and no paycheck, and then we have also provided serious resources to help small businesses and their workforce stay afloat.

A financial investment in our fight against this virus was desperately needed, and that is precisely what we delivered on a bipartisan basis, but our response to this crisis cannot begin and end with blank checks. We need to ensure that taxpayer dollars are being spent responsibly and that we are making the changes needed to recover from this crisis.

Every day I hear—usually through a videoconference—my constituents in Texas telling me how these bills are being implemented, what is helpful, what isn't, and what is needed from Congress. This feedback has been incredibly valuable as we look for more effective ways to strengthen our response and speed our recovery. So the Republicans in the Senate believe it is wise—it is prudent—to take stock of everything we have done before passing another relief bill.

I believe the Presiding Officer and I heard the same report at lunch today; that only about half of the money that we have appropriated is actually out the door, and yet here people are clamoring for more and more money. And Speaker PELOSI, in really an unfortunate act of showmanship, rammed through a \$3 trillion bill that has no prayer of being passed or becoming law. It is safe to say that House Democrats are taking a different approach than we are here in the Senate.

They passed the \$3 trillion bill, and they call it the HEROES Act, expressing their support for our Nation's healthcare heroes. We would join them in that sentiment, but the fact is, their priorities are much different. This bill mentions cannabis more times than it mentions doctors, hospitals, and nurses combined. It is an interesting tribute, if you ask me.

If this bill were to become law, taxpayers' money wouldn't be going to

coronavirus response; they would be funding a range of completely unrelated pet projects like environmental justice grants, soil health studies, and not one, but two studies on diversity and inclusion—again, in the cannabis industry. It is interesting: two more studies on diversity and inclusion in the cannabis industry. The list of absurdities in this legislation is as big as this bill itself.

Here is another one. They want to make sure that the wealthiest Americans pay less in taxes. This is from our Democratic friends who say that the top 1 percent don't pay enough, yet they present them with a huge tax cut for the wealthiest people in America.

It also would complicate the hiring that our struggling businesses are already facing and rapidly dig our Nation deeper and deeper into debt. Is this all to attack the coronavirus, to come up with a treatment or a vaccine? No. This is a liberal wish list that has consumed all the time and energy of House Democrats over the last several weeks. This is what they think is more important.

Rather than returning to Washington for more than a drive-by, which is what they did last Friday, to work on bipartisan legislation that might actually have a chance of becoming law, they chose to put together this partisan bill without consulting with the White House or the Senate. It doesn't address the crisis at hand, let alone the national security challenges that cannot be ignored.

The threats we faced before this virus ever reached our shores, both on land and in cyber space, have not gone away. From Beijing to Tehran, Moscow to Pyongyang, and in nearly every corner of the globe, our enemies and adversaries are watching and continuing their efforts to work against our interests. They are not going to politely pause their efforts so that we can focus our efforts on COVID-19; if anything, they are doubling their efforts. We cannot afford to be caught flat-footed.

Unfortunately, our counterintelligence and counterterrorism experts are already without some of the key tools they need in order to carry out their duties. In mid-March, the House refused to vote on a clean, short-term extension of the Foreign Intelligence Surveillance Act under section 215 that would preserve these tools while we discuss long-term changes that might need to be made. Had they agreed at that time in mid-March, these authorities would still be intact through the end of this month. Instead, House Democrats chose to let those authorities lapse. For 2 months now, our counterintelligence and counterterrorism experts have been forced to work without some of the most powerful tools in their toolboxes.

Fortunately, last week, the Senate was able to pass a bill to reauthorize these critical provisions that expired in mid-March. This legislation would not only restore those authorities but

strengthen oversight of our Nation's intelligence activities at a time when it is desperately needed.

This bill passed the Senate with broad bipartisan support, but we are still waiting for the House to show up for work and to take it up and pass it. They are not coming back until the 27th, I think, of this month, after what can only aptly be described as a drive-by vote last Friday after not having been in town for 2 weeks and leaving promptly thereafter.

Now that they have completed their work on their \$3 trillion wish list, I hope we will see some action soon on things that will keep our country safe.

That is only part of the critical national security work we have done here in the Senate since we returned to Washington earlier this month.

I applaud Majority Leader MCCONNELL for bringing us back. People are hearing all sorts of scary things on social media and cable news and even conscious disinformation campaigns by some of our adversaries about this virus and about how we ought to conduct ourselves. The best thing we can do as Members of the Senate is to demonstrate that with a little bit of personal responsibility and respect for others—maintaining social distancing, masking when you can—we can actually still function. We can show up for work like those healthcare workers, those law enforcement officers, and others I mentioned a moment ago.

One of the things our majority leader likes to say is that the Senate is in the personnel business. Today, we confirmed a fellow member of the Texas congressional delegation, Congressman JOHN RATCLIFFE, to be the Director of National Intelligence. I have known JOHN for about 10 years—or more maybe. He is prepared to continue the legacy of outstanding leadership we have come to expect and count on in our Director of National Intelligence. I am confident in his ability to serve as a leader and advocate for the intelligence professionals in the intelligence community.

We also confirmed other important nominees for critical positions, including the Nuclear Regulatory Commission, the National Counterintelligence and Security Center, and the Department of Homeland Security. Just as the work of the country has waged on in the face of these challenges, so must our work.

The American people are not just counting on healthcare workers and first responders and farmers and deliverymen and grocery store employees to do their jobs—as important as they are. They are counting on us, too, not only to continue to respond to this pandemic—to stay nimble and adapt, to watch and listen and learn on how we can do better—but also to strengthen our national security, keep an eye on our national debt, and do it all on a bipartisan basis.

Like workers across America, Congress needs to show up, especially when

it isn't easy or convenient. This pandemic may have temporarily halted the daily functions of many people in this country, but it cannot stop the critical work of the U.S. Congress on behalf of the people we are privileged to represent.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

(The remarks of Senator COLLINS pertaining to the introduction of S. 3833 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Ms. COLLINS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

SENATE LEGISLATIVE AGENDA

Mr. MCCONNELL. Mr. President, a few announcements for the information of all of our colleagues.

When we reconvene after meeting with our constituents and monitoring the pandemic response in our States, the Senate will first continue to fill critical vacancies in the executive branch.

This week, we confirmed a new Director of National Intelligence. In just a moment, we will confirm a new Secretary of the Navy.

But our Democratic colleagues would not let the Senate fill several more posts over at the Pentagon. So, as has sadly become the norm over the last 3 years, the Senate will be spending floor time and multiple rollcall votes on each of the following: an Assistant Secretary of Defense and the Deputy Under Secretary of Defense for Policy.

If you can believe this, I also had to file cloture on the incoming Special Inspector General for Pandemic Recovery. If we had a nickel for every time our Democratic colleagues have claimed that congressional oversight of the recovery programs was important, the CARES Act would have paid for itself. Yet Democrats blocked the confirmation of the special inspector general to look over the program this week.

The Senate will prepare to confirm these qualified people the hard way. Three years and counting of Democratic heel-dragging continues.

Of course, there will be plenty of legislative business before us as well. Senators will continue to monitor the pandemic response and discuss ways to help the Nation pivot toward reopening and economic recovery.

In addition, thanks to the hard work of Senators GARDNER and DAINES, we will be able to take up their bipartisan Great American Outdoors Act in the next work period. It is a milestone achievement to secure public lands and ensure their upkeep well into the future.

We will have the National Defense Authorization Act so that we do not let this pandemic take our eye off the ball of our Nation's security.

We will have much work to do in our home States next week. We will have much to do when we get back here after that. All around the Nation, Americans are taking precautions, but they are continuing to show up to do essential jobs and keep the Nation going. The Senate is not going to be any exception to showing up.

EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the following nomination: Executive Calendar No. 654.

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

The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Kenneth J. Braithwaite, of Pennsylvania, to be Secretary of the Navy.

Thereupon, the Senate proceeded to consider the nomination.

Mr. MCCONNELL. I ask unanimous consent that the Senate vote on the nomination with no intervening action or debate; that if confirmed, the motion to reconsider be considered made and laid upon the table, and the President be immediately notified of the Senate's action.

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

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

The nomination was confirmed.

EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be discharged from further consideration of PN1608 and PN1333, and the Senate proceed to the consideration of the nominations en bloc.

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

The clerk will report the nominations en bloc.

The senior assistant legislative clerk read the nominations of Christopher T. Hanson, of Michigan, to be a Member of the Nuclear Regulatory Commission for the term of five years expiring June 30, 2024; and David A. Wright, of South Carolina, to be a Member of the Nuclear Regulatory Commission for the term of five years expiring June 30, 2025.

There being no objection, the Committee on Environment and Public

Works was discharged and the Senate proceeded to consider the nominations en bloc.

NOMINATION OF CHRISTOPHER HANSON

Mrs. FEINSTEIN. Mr. President, it is my pleasure to support the confirmation of Christopher Hanson to be a Commissioner at the Nuclear Regulatory Commission.

Chris has diligently served the Senate and the people of California over the last 6 years as a key member of the Senate Energy and Water Development Appropriations Subcommittee staff. During that time, he has advised me and the full Senate Appropriations Committee on issues surrounding the Nuclear Regulatory Commission, including its budget, its oversight of nuclear reactor decommissioning at San Onofre in California, and issues related to proposed new reactor technologies.

He has also overseen nuclear energy research and development, radioactive waste cleanup, nuclear weapons, non-proliferation, and naval reactor programs.

Prior to coming to the Senate, Chris worked at the Department of Energy, where he advised the Assistant Secretary of Nuclear Energy and worked on appropriations issues for then-Secretary Steven Chu.

In all, Chris has 25 years of experience working on the very issues at the heart of the Nuclear Regulatory Commission's mandate.

As the Senate knows, the members and staff of the Energy and Water Appropriations Subcommittee work seamlessly together in order to produce a bipartisan bill each year. Chris's expertise, his professionalism, and his quiet, good nature are instrumental in that effort. He is respected and appreciated by Members on both sides of the aisle.

It is not surprising, therefore, that Senator ALEXANDER, our subcommittee chairman, sent a letter to the Environmental and Public Works Committee in support of Chris' nomination, which I very much appreciate. Senator ALEXANDER and I have spoken about how much the subcommittee will miss Chris, but we are happy for him, and we look forward to working with Chris in his new role.

I have every confidence that Chris will give his usual thoughtfulness and insight to the issues that come before the Nuclear Regulatory Commission. And I know the other Commissioners will find him to be a joy to work with.

I thank Chris for his dedicated service to the people of California, to the Senate Appropriations Committee, and to the U.S. Senate, and I look forward to his success in his new role and continuing to serve the country with all the expertise and professionalism he has shown us these past 6 years.

Ms. ROSEN. Mr. President, I rise in opposition to the nomination of David Wright to be a member of the Nuclear

Regulatory Commission for 5 more years. Amidst a global pandemic that has caused the greatest public health crisis in a century and the worst economic catastrophe since the Great Depression, we are spending our time in the United States voting on a nominee for the NRC who will likely take actions that put the lives and livelihoods of Nevadans at even further risk.

David Wright has a long history of working to advance the failed and fiscally irresponsible proposal to dump our Nation's nuclear waste at the Yucca Mountain site. In his previous work as chairman of the Public Service Commission of South Carolina, he supported continuing licensing of Yucca Mountain. Additionally, in 2005 he founded the Yucca Mountain Task Force and criticized local opposition to the project, calling it "myopic resistance." That is how he characterizes the people of Nevada fighting back against the injustice of having no say in whether or not we are to become the Nation's nuclear dumping ground.

For these reasons, in August 2018, the State of Nevada filed a formal petition with the U.S. Court of Appeals for the District of Columbia Circuit challenging now-Commissioner Wright's refusal to disqualify himself from participating in NRC Yucca Mountain licensing decisions. According to the State of Nevada at the time, Wright's participation in any licensing decisions would violate Nevada's constitutional right to unbiased decision makers at the NRC.

Numerous studies have since shown that Yucca Mountain, only 90 miles from Las Vegas, is a physically unsuitable site that would threaten the health and safety of Nevadans and would take half a century to complete. Notably, Yucca Mountain is located above an aquifer in an area of moderate to high seismic activity and is subject to oxidizing and corrosive elements. In fact, just this week, only days before we have been asked to vote on this pro-Yucca nominee, two earthquakes—one of which was of 6.5 magnitude—struck Nevada less than 150 miles from Yucca Mountain and less than a dozen miles from one of the proposed transportation routes for shipping nuclear waste to Yucca. In addition to threatening the health and safety of Nevadans, transporting all of our Nation's nuclear waste to Yucca Mountain would threaten our national security, as the site is directly adjacent to the Nevada Test and Training Range, NTTR, the largest air and ground military training space in the contiguous United States. Establishing a nuclear waste repository in such close proximity to NTTR could therefore directly jeopardize the readiness of our Air Force.

Most importantly, Nevadans have never consented to storing other States' waste at Yucca Mountain. With thousands of Nevadans dying of COVID-19 and jobless claims in the State at unprecedented levels, today,

among the numerous actions this Senate could have chosen to take, we are voting on the confirmation of an individual who wants to add insult to injury by proceeding with an ill-advised plan for nuclear waste storage that ignores the voices of Nevadans.

I will not stand for this. I, therefore, cast my vote against the nomination of David Wright to serve on the Nuclear Regulatory Commission.

Mr. MCCONNELL. I ask unanimous consent that the Senate vote on the nominations en bloc with no intervening action or debate; that if confirmed, the motions to reconsider be considered made laid upon the table, and the President be immediately notified of the Senate's action.

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

The question is, Will the Senate advise and consent to the Hanson and Wright nominations en bloc?

The nominations were confirmed.

EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Executive Calendar Nos. 691 and 692, with the exception of Prestidge and Rivera; that the nominations be confirmed, the motions to reconsider be considered made and laid upon the table with no intervening action or debate, and the President be immediately notified of the Senate's action.

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

The nominations considered and confirmed are as follows:

IN THE COAST GUARD

The following named officers for appointment in the United States Coast Guard to the grade indicated under title 14 U.S.C., section 2121(d):

To be rear admiral

Rear Adm. (lh) Thomas G. Allan
Rear Adm. (lh) Laura M. Dickey
Rear Adm. (lh) Douglas M. Fears
Rear Adm. (lh) John W. Mauger
Rear Adm. (lh) Nathan A. Moore
Rear Adm. (lh) Brian K. Penoyer
Rear Adm. (lh) Matthew W. Sibley

The following named officers for appointment in the United States Coast Guard to the grade indicated under title 14 U.S.C., section 2121(e):

To be rear admiral (lower half)

Capt. Christopher A. Bartz
Capt. Scott W. Clendenin
Capt. Mark J. Fedor
Capt. Shannon N. Gilreath
Capt. Jonathan P. Hickey

EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to Executive Session for the consideration of Executive Calendar Nos. 658 through 688 and all nominations on the Secretary's Desk in the Air Force, Army, Marine Corps, and Navy; that the nominations be confirmed, the motions to reconsider be considered made and laid upon the

table with no intervening action or debate, and the President be immediately notified of the Senate's action.

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

The nominations considered and confirmed are as follows:

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10 U.S.C., section 601:

To be lieutenant general

Maj. Gen. Scott L. Pleus

The following named Air National Guard of the United States officer for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., sections 12203 and 12212:

To be brigadier general

Col. Daniel D. Boyack

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Lt. Gen. Joseph T. Guastella, Jr.

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Gregory M. Guillot

The following named officers for appointment in the United States Air Force to the grade indicated under title 10, U.S.C., section 624:

to be major general

Brig. Gen. Dagvin R. M. Anderson
 Brig. Gen. Deanna M. Burt
 Brig. Gen. Case A. Cunningham
 Brig. Gen. Michele C. Edmondson
 Brig. Gen. Kenneth P. Ekman
 Brig. Gen. Derek C. France
 Brig. Gen. Philip A. Garrant
 Brig. Gen. Andrew J. Gebara
 Brig. Gen. Samuel C. Hinote
 Brig. Gen. William G. Holt, II
 Brig. Gen. Joel D. Jackson
 Brig. Gen. Michael G. Koscheski
 Brig. Gen. John D. Lamontagne
 Brig. Gen. Leah G. Lauderback
 Brig. Gen. Rodney D. Lewis
 Brig. Gen. John J. Nichols
 Brig. Gen. James D. Peccia, III
 Brig. Gen. Lansing R. Pilch
 Brig. Gen. James R. Sears, Jr.
 Brig. Gen. Donna D. Shipton
 Brig. Gen. Daniel L. Simpson
 Brig. Gen. Mark H. Slocum
 Brig. Gen. Phillip A. Stewart
 Brig. Gen. Edward W. Thomas, Jr.

IN THE ARMY

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Dennis S. McKean

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. John S. Kolasheski

The following named officer for appointment in the United States Army to the grade

indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Roger L. Cloutier

The following named officers for appointment in the United States Army to the grade indicated under title 10, U.S.C., section 624:

To be major general

Brig. Gen. Michael L. Place

The following named officers for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Lt. Gen. Raymond S. Dingle

IN THE NAVY

The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

To be rear admiral

Rear Adm. (1h) Shoshana S. Chatfield

The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

To be rear admiral (lower half)

Capt. Cynthia A. Kuehner

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be vice admiral

Rear Adm. Yancy B. Lindsey

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be vice admiral

Vice Adm. Lisa M. Franchetti

The following named officer for appointment as Vice Chief of Naval Operations and appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., sections 601 and 8035:

To be admiral

Vice Adm. William K. Lescher

IN THE MARINE CORPS

The following named officer for appointment in the United States Marine Corps to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Dennis A. Crall

The following named officer for appointment in the United States Marine Corps to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Mark R. Wise

The following named officer for appointment in the United States Marine Corps to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Lt. Gen. Steven R. Rudder

The following named officer for appointment in the United States Marine Corps to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Lt. Gen. Lewis A. Craparotta

The following named officer for appointment in the United States Marine Corps to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Karsten S. Heckl

The following named officers for appointment to the grade indicated in the United States Marine Corps under title 10, U.S.C., section 624:

To be brigadier general

Col. Adam L. Chalkley
 Col. Kyle B. Ellison
 Col. Phillip N. Fietze
 Col. Peter D. Huntley
 Col. Julie L. Nethercot
 Col. Forrest C. Poole, III
 Col. Ryan S. Rideout
 Col. George B. Rowell, IV
 Col. Farrell J. Sullivan

IN THE AIR FORCE

The following named officer for appointment in the United States Air Force to the grade indicated under title 10, U.S.C., section 624:

To be brigadier general

Col. Jeannine M. Ryder

The following named officer for appointment in the United States Air Force to the grade indicated under title 10, U.S.C., section 624:

To be brigadier general

Col. Norman S. West

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Brig. Gen. Samuel C. Hinote

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Shaun Q. Morris

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Kirk W. Smith

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be general

Lt. Gen. Kenneth S. Wilsbach

IN THE ARMY

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. David G. Bassett

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Thomas H. Todd, III

The following named Army National Guard of the United States officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., sections 12203 and 12211:

To be brigadier general

Col. Jemal J. Beale

IN THE NAVY

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be vice admiral

Vice Adm. Stuart B. Munsch

NOMINATIONS PLACED ON THE SECRETARY'S DESK

IN THE AIR FORCE

PN1780 AIR FORCE nomination of Kurt W. Helfrich, which was received by the Senate and appeared in the Congressional Record of May 4, 2020.

PN1781 AIR FORCE nominations (3) beginning JOSEPH B. LORKOWSKI, and ending BROCK L. YELTON, which nominations were received by the Senate and appeared in the Congressional Record of May 4, 2020.

PN1782 AIR FORCE nomination of Jonathan L. Arnholt, which was received by the Senate and appeared in the Congressional Record of May 4, 2020.

PN1783 AIR FORCE nomination of Andrew N. Pike, which was received by the Senate and appeared in the Congressional Record of May 4, 2020.

PN1784 AIR FORCE nominations (3) beginning CHELSEY L. BUCHANAN, and ending ZACHARY R. STROMAN, which nominations were received by the Senate and appeared in the Congressional Record of May 4, 2020.

PN1787 AIR FORCE nominations (28) beginning RENI B. ANGELOVA, and ending GRANT W. WISNER, which nominations were received by the Senate and appeared in the Congressional Record of May 4, 2020.

PN1789 AIR FORCE nominations (51) beginning RICARDO ANTONIO ALDAHONDO, and ending NOAH C. WOOD, which nominations were received by the Senate and appeared in the Congressional Record of May 4, 2020.

PN1791 AIR FORCE nominations (175) beginning YVONNE E. ABEDI, and ending JENNIFER L. ZANZIG, which nominations were received by the Senate and appeared in the Congressional Record of May 4, 2020.

PN1828 AIR FORCE nomination of James B. Hall, which was received by the Senate and appeared in the Congressional Record of May 11, 2020.

PN1829 AIR FORCE nomination of Anthony R. George, which was received by the Senate and appeared in the Congressional Record of May 11, 2020.

PN1830 AIR FORCE nomination of Matthew D. Brill, which was received by the Senate and appeared in the Congressional Record of May 11, 2020.

PN1831 AIR FORCE nominations (2215) beginning LAURA A. ABBOTT, and ending ANDREW P. ZWIRLEIN, which nominations were received by the Senate and appeared in the Congressional Record of May 11, 2020.

PN1833 AIR FORCE nominations (2) beginning RYANs. COMBEST, and ending RACHELS. VAN SCIVER, which nominations were received by the Senate and appeared in the Congressional Record of May 11, 2020.

PN1834 AIR FORCE nomination of Megan A. Sherwood, which was received by the Senate and appeared in the Congressional Record of May 11, 2020.

PN1835 AIR FORCE nominations (4) beginning JONAH R. BROWN, and ending JAKE D. WHITLOCK, which nominations were received by the Senate and appeared in the Congressional Record of May 11, 2020.

PN1836 AIR FORCE nomination of Melanie C. Martin, which was received by the Senate and appeared in the Congressional Record of May 11, 2020.

IN THE ARMY

PN1792 ARMY nominations (3) beginning SAMUEL C. HORTON, and ending TIMOTHY

C. MONTGOMERY, which nominations were received by the Senate and appeared in the Congressional Record of May 4, 2020.

PN1793 ARMY nominations (5) beginning GARY A. ANDERSON, JR., and ending RODNEY J. STAGGERS, JR., which nominations were received by the Senate and appeared in the Congressional Record of May 4, 2020.

PN1794 ARMY nomination of Lauren A. Scherer, which was received by the Senate and appeared in the Congressional Record of May 4, 2020.

PN1799 ARMY nomination of Shula M. Clark, which was received by the Senate and appeared in the Congressional Record of May 4, 2020.

PN1800 ARMY nomination of Jason M. Windham, which was received by the Senate and appeared in the Congressional Record of May 4, 2020.

PN1801 ARMY nomination of Tina N. Syfert, which was received by the Senate and appeared in the Congressional Record of May 4, 2020.

PN1802 ARMY nomination of Steven G. Ward, which was received by the Senate and appeared in the Congressional Record of May 4, 2020.

PN1803 ARMY nominations (24) beginning ALEKSANDR BARON, and ending RODGER I. VOLTIN, which nominations were received by the Senate and appeared in the Congressional Record of May 4, 2020.

PN1841 ARMY nomination of Patricia H. Passman, which was received by the Senate and appeared in the Congressional Record of May 11, 2020.

PN1842 ARMY nomination of Mark A. White, which was received by the Senate and appeared in the Congressional Record of May 11, 2020.

PN1843 ARMY nomination of Cory J. Young, which was received by the Senate and appeared in the Congressional Record of May 11, 2020.

PN1844 ARMY nomination of Edward K. Graybill, which was received by the Senate and appeared in the Congressional Record of May 11, 2020.

PN1845 ARMY nomination of Javier E. Sostrecintron, which was received by the Senate and appeared in the Congressional Record of May 11, 2020.

PN1846 ARMY nomination of Jason C. Derosa, which was received by the Senate and appeared in the Congressional Record of May 11, 2020.

PN1847 ARMY nomination of Mark C. Moretti, which was received by the Senate and appeared in the Congressional Record of May 11, 2020.

PN1848 ARMY nomination of Rockwell Allen, which was received by the Senate and appeared in the Congressional Record of May 11, 2020.

PN1849 ARMY nomination of Yong Yi, which was received by the Senate and appeared in the Congressional Record of May 11, 2020.

PN1850 ARMY nomination of Julian P. Gilbert, which was received by the Senate and appeared in the Congressional Record of May 11, 2020.

PN1852 ARMY nomination of Juliet O. Thomas, which was received by the Senate and appeared in the Congressional Record of May 11, 2020.

PN1854 ARMY nominations (17) beginning PHILIP R. DEMONTIGNY, and ending LAURA A. WOODSON, which nominations were received by the Senate and appeared in the Congressional Record of May 11, 2020.

PN1856 ARMY nomination of Kodjo S. Knoxlimbacker, which was received by the Senate and appeared in the Congressional Record of May 11, 2020.

IN THE MARINE CORPS

PN1814 MARINE CORPS nomination of Anthony C. Triviso, which was received by the

Senate and appeared in the Congressional Record of May 4, 2020.

PN1815 MARINE CORPS nomination of Christopher R. Yanity, which was received by the Senate and appeared in the Congressional Record of May 4, 2020.

PN1899 MARINE CORPS nomination of Benjamin C. Kessler, which was received by the Senate and appeared in the Congressional Record of May 11, 2020.

IN THE NAVY

PN1806 NAVY nomination of Matthew J. McGirr, which was received by the Senate and appeared in the Congressional Record of May 4, 2020.

PN1807 NAVY nomination of Thomas M. Vanscoten, which was received by the Senate and appeared in the Congressional Record of May 4, 2020.

PN1808 NAVY nomination of James S. Carmichael, which was received by the Senate and appeared in the Congressional Record of May 4, 2020.

PN1809 NAVY nomination of La Hesh A. Graham, which was received by the Senate and appeared in the Congressional Record of May 4, 2020.

PN1810 NAVY nomination of Jacquelyn M. L. Ketring, which was received by the Senate and appeared in the Congressional Record of May 4, 2020.

PN1811 NAVY nomination of Leslie D. Sobol, which was received by the Senate and appeared in the Congressional Record of May 4, 2020.

PN1812 NAVY nomination of Kristen K. Parsons, which was received by the Senate and appeared in the Congressional Record of May 4, 2020.

PN1813 NAVY nomination of Satin L. Ibrahim, which was received by the Senate and appeared in the Congressional Record of May 4, 2020.

PN1857 NAVY nomination of Santhosh K. Shivashankar, which was received by the Senate and appeared in the Congressional Record of May 11, 2020.

PN1858 NAVY nomination of Alejandro B. Sanchez, which was received by the Senate and appeared in the Congressional Record of May 11, 2020.

PN1859 NAVY nomination of Charlene G. Echague, which was received by the Senate and appeared in the Congressional Record of May 11, 2020.

PN1860 NAVY nomination of Anthony M. Pecoraro, which was received by the Senate and appeared in the Congressional Record of May 11, 2020.

PN1861 NAVY nomination of Michael R. Syamken, which was received by the Senate and appeared in the Congressional Record of May 11, 2020.

PN1862 NAVY nomination of Javier N. Deluca-Johnson, which was received by the Senate and appeared in the Congressional Record of May 11, 2020.

PN1863 NAVY nomination of Daniel L. Croom, which was received by the Senate and appeared in the Congressional Record of May 11, 2020.

PN1864 NAVY nomination of Bradley R. Yingst, which was received by the Senate and appeared in the Congressional Record of May 11, 2020.

PN1866 NAVY nomination of Scott D. Stahl, which was received by the Senate and appeared in the Congressional Record of May 11, 2020.

PN1875 NAVY nomination of Brian J. Miller, which was received by the Senate and appeared in the Congressional Record of May 11, 2020.

PN1898 NAVY nominations (55) beginning PETER N. ALEXAKOS, and ending MI-CHAEL W. WISSEHR, which nominations were received by the Senate and appeared in the Congressional Record of May 11, 2020.

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to legislative session for a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

CONFIRMATION OF JOHN L. RATCLIFFE

Mrs. FEINSTEIN. Mr. President, I rise today in opposition to the confirmation of Congressman JOHN RATCLIFFE to be Director of National Intelligence.

I voted against JOHN RATCLIFFE for Director of National Intelligence for three key reasons.

First, I do not believe Congressman RATCLIFFE is qualified for the position of Director of National Intelligence, DNI.

By law, a DNI requires "extensive national security expertise." Past DNIs have been career civil servants or military officers with extensive experience in intelligence and foreign affairs.

By contrast, Congressman RATCLIFFE has been a member of Congress for 4 years and the mayor of a small town in Texas. His sole intelligence community experience is a single year on the House Intelligence Committee.

I am deeply concerned that during his hearings he was unable to demonstrate a sufficient understanding of the most pressing threats and challenges that we face as a nation.

Second, I am very concerned with Congressman RATCLIFFE's position on torture.

During his nomination hearing, he refused to denounce torture. He refused to admit that certain CIA actions following 9/11 were torture. And he refused to agree that waterboarding is torture, regardless of potential changes to U.S. law.

Torture is morally reprehensible, and the head of our intelligence community must be willing to say so and prevent it from happening again.

Third, the DNI must not be politically motivated. The DNI directs 17 intelligence agencies with a budget of more than \$60 billion and is responsible for providing objective intelligence analysis to the President.

Congressman RATCLIFFE is a vocal defender of President Trump and served on his impeachment defense team. I am concerned that politics would interfere in his duties if he were confirmed.

We need a confirmed DNI with the right experience and objectivity to do the job.

Congressman RATCLIFFE was nominated for this position last year and subsequently withdrew. Nothing has changed since then to qualify him for this role.

NATIONAL PUBLIC WORKS WEEK

Mr. CARDIN. Mr. President, I am pleased that earlier this week the Senate passed S. Res. 586, a bipartisan resolution designating this week National Public Works Week. National Public Works Week celebrates the profound impact our public works professionals have on our safety and quality of life. Public works are the shared assets that make up the backbone of our Nation. Public service professionals build, manage and operate our nation's most essential services.

Many of us take for granted work that goes into the services we rely on every day. This week provides an opportunity to reflect on the men and women behind those services. Let us consider the way our daily life is powered by public service professionals: We wake up in the morning to turn the tap on and expect water to come out. We place our trash bins on the street and expect it is collected in timely manner. Some of us may drive over bridges built to last generations and follow traffic signals that were carefully planned to keep us safe.

The work of public service professionals has a tangible impact on our lives every single day. Consider the employee who replaced the aging pipe that brings water to your home or the scientist that ensured that water is safe to drink. Consider also the sanitation worker who keeps your street clean and healthy. We can also think of the engineer who designed the bridge and the construction worker who started the workday before dawn to ensure the construction minimally impacted your routine. National Public Works Week gives us a formal opportunity to humanize these services and say thank you to the people working behind the scenes to keep our communities running.

There is no more important time than now to recognize these individuals. The COVID-19 pandemic has challenged our communities in ways previously unimaginable. However, we can count on public works employees to rise to the occasion. Public works employees are often on the frontlines, risking their own health to ensure that services are delivered. While much of public life has come to a standstill, the rhythm of public services continues. Water mains break and require repair and garbage must still be collected.

The pandemic has thrust millions of Americans into financial uncertainty, unsure how they will pay for basic services. Many public works agencies, like the Baltimore Department of Public Works are continuing to offer discounted water rates as the pandemic continues.

Public works also offer hope for our Nation's economic recovery. From the Great Depression came a formative era in the history of public works in America. President Franklin D. Roosevelt understood the power of transformative projects to jumpstart America's economy and provide a higher

quality life than previously known. The New Deal made an indelible impact on the structure of our government and trajectory of America's financial recovery. The projects themselves now stand as a physical representation of our young Nation's capacity to overcome adversity with ingenuity and grit.

The economic impact of the COVID-19 pandemic on our Nation is profound. However, our Nation is ripe for investment in public works projects that will put people back to work and stimulate our economy, as was done with the New Deal. As the ranking member of the Transportation and Infrastructure Subcommittee of the Senate Committee on Environment and Public Works, I understand the urgent need to address our Nation's aging infrastructure. That is why I am proud that the Committee reported favorably, on a bipartisan basis, a surface transportation reauthorization bill last year, America's Transportation Infrastructure Act, S. 2303, which authorizes billions of dollars to State and local governments to invest in roads, bridges, and highways, and why I hope my colleagues in the Senate will come together and follow through with important infrastructure legislation. There is no better time than now to invest in our Nation's infrastructure and employ a new class of public works professionals. Public works are central to the American story of resiliency and fortitude, even in the face of despair. This week, and always, we should look to public works professionals with gratitude for their contributions to our lives.

MEMORIAL DAY

Mrs. HYDE-SMITH. Mr. President, due to the coronavirus pandemic, Memorial Day commemorations will be different this year. The coronavirus may force us to continue Memorial Day traditions virtually or privately with our families. Nevertheless, it is important for us to take time this weekend to honor those who bravely gave their lives for all of us.

Throughout our Nation's history, courageous and patriotic men and women have gone into battle and lost their lives to protect the freedoms that make being a U.S. citizen such a blessing. I am proud that Mississippians throughout our history have readily committed to serving our Nation. Likewise, we are equally committed to honoring the fallen and their families.

It was Mississippians who helped initiate the solemn act of commemorating those lost in battle. Columbus, Mississippi, proudly claims rights to originating Decoration Day, when women began decorating the graves of the all casualties not long after the Civil War.

This year, despite all precautions we must take, there are ways we can remember and honor the fallen. For my part, I honor the brave Mississippians who have dedicated their lives to protecting our citizens, and I pray for the

families who share in their sacred sacrifice.

ASIAN PACIFIC AMERICAN HERITAGE MONTH

Ms. HIRONO. Mr. President, I rise today, in honor of Asian Pacific American Heritage Month. Every year, throughout the month of May, the people of the United States join together to pay tribute to the contributions and achievements of generations of Asian Americans, Native Hawaiians, and Pacific Islanders, AAPI, who have enriched the history, culture, and traditions of this country.

Today, there are approximately 23,000,000 AAPIs in the United States, representing more than 45 distinct ethnic groups and speaking over 100 language dialects. As the fastest growing minority population, the AAPI community continues to have an increasing impact on our national discourse. There are now 20 AAPI members of Congress, and a record number of AAPIs are serving in State and Territorial legislatures across the Nation.

This year, as we celebrate Asian Pacific American Heritage Month amid a pandemic, we recognize the over 2,000,000 AAPIS working on the frontlines as healthcare professionals, first responders, transit operators, and in supermarkets and other essential service industries. Every day, these heroic individuals risk their lives to protect the health and safety of Americans during the COVID-19 public health emergency.

We also reflect broadly on the achievements and contributions of the AAPI community in the areas of politics and government, education and the arts, music, writing and literature, sports, business, medicine, and law. We pay tribute to the leaders before us, who overcame great adversity and paved the way forward.

We honor great statesmen like Daniel Kahikina Akaka, the first person of Native Hawaiian ancestry to serve in the U.S. Senate. Throughout his nearly four decades in Congress, Senator Akaka worked to change the public's perception of the AAPI community and helped to preserve and restore Hawaiian language, culture, and traditions. Although he recently passed away, Senator Akaka's spirit as a true champion of aloha endures.

We also remember influential labor organizers like Larry Itliong, Peter Velasco, and Philip Vera Cruz, who in 1965, led the Filipino-American farmworkers to strike alongside Cesar Chavez, demanding better pay, benefits, and working conditions. The Delano Grape Strike was one of the most pivotal civil rights and labor movements in American history. It opened doors for immigrants and people of color and inspired countless others to stand together and demand their rights.

Around the time that the Filipino-American grape workers began their strike in 1965, Congress enacted the Im-

migration and Nationality Act, INA, also known as the Hart-Celler Act. This landmark legislation overturned discriminatory race- and nationality-based immigration policies that previously barred immigration from Asia. The INA established new policies based on reuniting families and attracting skilled professionals and helped refugees fleeing violence or unrest, notably those escaping war-torn Southeast Asia. By opening the United States to immigration from Asia, Africa, and Latin America, the INA's enduring legacy includes diversifying the demographic makeup of our country.

This month, I introduced a resolution in honor of Asian Pacific American Heritage Month. While we commemorate the contributions of the AAPI community, this pandemic has tested the strength of our nation. Anti-Asian racism and attacks are on the rise, stoked by those in the highest levels of government. This recent surge in discrimination and hate crimes against the AAPI community demonstrates how much work must still be done to achieve full equality. As a country of immigrants, we must now, more than ever, embrace the rich diversity of our communities, and stand up for the civil rights and equal treatment of all Americans.

CONFIRMATIONS OF DAVID A. WRIGHT AND CHRISTOPHER T. HANSON

Ms. CORTEZ MASTO. Mr. President, today, the Senate confirmed the nominations of David Wright and Christopher Hanson to serve as Commissioners on the Nuclear Regulatory Commission, NRC. While I am pleased that these nominees will provide the NRC with a full Commission, I remain deeply concerned with Mr. Wright's history of strongly supporting efforts to move the Yucca Mountain repository forward and oppose his confirmation today.

Shortly after Mr. Wright joined the Commission in 2018, the State of Nevada called for Mr. Wright to recuse himself from matters pertaining to Yucca Mountain licensing. He refused. Mr. Wright is on the record calling for the "expeditious implementation of the Yucca Mountain program" and founded the Yucca Mountain Task Force. His refusal to recuse himself denies Nevada its right to an unbiased Commissioner on the NRC and furthers the distrust that plagues the Nation's management of nuclear waste.

More than 30 years ago, Nevada was thrown into the center of the nuclear waste debate, when Congress dismissed the siting process it established in the Nuclear Waste Policy Act of 1982 and named Yucca Mountain the sole nuclear waste repository for the Nation over the strong objections of Nevadans. The site is physically unsuitable and puts at risk the safety, security, and economic well-being of the State. The decision broke the trust of the Amer-

ican people in the government's ability to responsibly manage nuclear waste. The reappointment of Mr. Wright to the NRC does nothing to regain the trust of Nevadans or establish confidence in nuclear waste repository licensing processes.

Commissioners serving on the independent agency must be neutral and unbiased in order to ensure confidence in the guidance, regulations, and determinations issued by the NRC. Mr. Wright can make the decision to recuse himself from Yucca Mountain licensing matters, and it is my hope that he will chose to do so to bring integrity to the Commission and to restore the rights of the State of Nevada.

I also acknowledge the importance of Mr. Hanson being confirmed to the NRC today. He will help bring balance to the Commission with his decades of experience on nuclear energy and waste issues.

I will continue to work with my colleagues in the Senate to ensure Congress continues to utilize its authority to oversee the work of the Commission and hope all Commissioners will approach all matters, including those that pertain to Yucca Mountain licensing, without preexisting bias and conflicts of interest.

ADDITIONAL STATEMENTS

NATIONAL DAY OF AWARENESS FOR MISSING AND MURDERED NATIVE WOMEN AND GIRLS

• Mr. DAINES. Mr. President, today the Senate passes my annual resolution to designate May 5 as National Day of Awareness for Missing and Murdered Native Women and Girls, for the fifth year in a row. We hope to continue drawing attention to this crisis as we work together to find a solution.

I would also like to commend the work that the Trump administration has done to address this crisis. In particular, they have established the Lady Justice Program at the Department of the Interior and issued a proclamation on November 26, 2019, to sustain public attention on this ongoing and important situation.●

TRIBUTE TO WILLIE K

• Mr. SCHATZ. Mr. President, with the passing of Willie K, Hawaii has lost a music legend. Through his raw talent and unmatched musicianship, Willie K blazed a trail that redefined music in Hawaii and across the country.

Born William Kahaialii—and known affectionately as "Uncle Willie" throughout our State—Willie K wouldn't be tied down to any single genre or instrument. Instead, he did it all. Willie could play or sing almost anything.

Willie's love for music came from his family. Raised in a family of musicians in Lahaina, Willie started performing at just 8 years old. Taught by his father and renowned guitarist, Manu

Kahaiali'i, Willie mastered the blues at a young age. He became a virtuoso instrumentalist—learning how to play every instrument that might be needed in a show from a guitar to a bass to a ukulele. And his voice was one of a kind. No style was off limits, even opera. He was able to effortlessly bridge blues and Hawaiian, local and mainstream, music and culture.

Over the course of his career, Willie recorded numerous albums and performed with icons like Prince, Steven Tyler, Willie Nelson, and Santana. Always humble, he described himself as “a working musician”—despite earning 19 Na Hoku Hanohano awards, a Hawaii Academy of Recording Arts Lifetime Achievement Award, and a Grammy nomination.

Willie devoted his life to music and understood its power. He went to great lengths to help other local artists in Hawaii succeed and organized his BBQ Bluesfest annually. Even after he began to feel the effects of his illness, he continued to share his music.

Willie showed us all so many things. He was talented, energetic, passionate, and authentic. But what really separated him from the rest was his unrelenting zest for life and aloha spirit.

My thoughts and deepest sympathies are with his ohana and all those who loved him. He will be well remembered and greatly missed.

May his memory be a blessing. May his music live on.●

TRIBUTE TO PETER M. HAYES

● Ms. SINEMA. Mr. President, I rise today to honor the esteemed career and public service of Mr. Peter M. Hayes, who is retiring as associate general manager and chief public affairs executive of the Salt River Project, or SRP.

The Salt River Project is the Nation's third largest public power utility. It manages an extensive system of dams, reservoirs, wells, canals, and irrigation laterals, providing water and electricity to more than 2 million people in metropolitan Phoenix. As associate general manager and chief public affairs executive, Mr. Hayes has not only been integral in providing utilities to Arizonans' homes; he has also supported many issues that have advanced Arizona's economy, including the expansion of public education, the development of transportation systems, and the construction of infrastructure necessary to support Arizona's sports and tourism industries.

Mr. Hayes has also served as chairman of the board of the Sandra Day O'Connor Institute, the chairman of the Greater Phoenix Chamber of Commerce, a board member of the Arizona Chamber of Commerce, a trustee of the Arizona Science Center, a member of the Dean's Advisory Board of the Arizona State University Barrett Honors College, and a member of the Arizona Commission on the Arts. He served as an aide to the former Minority Leader and Arizona Congressman John J.

Rhodes, as Deputy Director of Congressional Liaison for two Secretaries of the Interior, and as chief of staff to former Arizona Governor Fife Symington. In both the public and private sectors, Mr. Hayes has been a leader in public policy. He has wielded his expertise and vision to manage a wide array of energy and water issues to benefit the State of Arizona.

I thank Mr. Hayes for his years of dedicated work and public service on behalf of Arizona.●

TRIBUTE TO JILL LEBLANC

● Mr. DAINES. Mr. President, this week I have the honor of recognizing Jill LeBlanc of Broadwater County for her tremendous efforts to support the community during the ongoing coronavirus pandemic.

Jill is a certified physician assistant working on the frontlines of the coronavirus pandemic at the Broadwater Health Center.

During the early stages of the pandemic, when the State of Montana was responding to its first cases and health clinics were still navigating procedures on how to handle the COVID-19 outbreak, Jill dropped everything to go serve. She moved out of her home to keep her children safe and spent countless hours at the hospital educating herself and the staff at Broadwater Health Center with the necessary information and up to date procedures on how to handle the outbreak.

Jill spent one-on-one time with each nurse on her shift to provide consistent updates and guidance on CDC guidelines, proper protective equipment protocols, how to handle isolated patients, and methods to conduct testing for COVID-19, both inside the Broadwater Health Center and through the drive-thru triage system.

When Jill is not working at Broadwater Health Center, she spends additional time sharpening her skills at Deer Lodge Medical Center and Benefis, where volumes of patients are higher.

It is my honor to recognize Jill as a health care hero working to protect the health and safety of all Montanans during these uncertain times. I know that the staff and the patients at Broadwater Health Center are grateful for Jill's selflessness and leadership during this pandemic. I am grateful to Jill for the extraordinary work she is doing to support her community.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Roberts, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

In executive session the Presiding Officer laid before the Senate messages from the President of the United

States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MEASURES READ THE FIRST TIME

The following bills were read the first time:

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

S. 3833. A bill to extend the loan forgiveness period for the paycheck protection program, and for other purposes.

EXECUTIVE REPORT OF COMMITTEE

The following executive report of a nomination was submitted:

By Mr. RISCH for the Committee on Foreign Relations.

Michael Pack, of Maryland, to be Chief Executive Officer of the Broadcasting Board of Governors for the term of three years.

(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. SMITH (for herself and Ms. MURKOWSKI):

S. 3792. A bill to require parity in the coverage of mental health and substance use disorder services provided to enrollees in private insurance plans, whether such services are provided in-person or through telehealth; to the Committee on Health, Education, Labor, and Pensions.

By Mr. WARNER (for himself, Mr. SANDERS, Mr. JONES, Mr. BLUMENTHAL, Ms. KLOBUCHAR, Ms. WARREN, Mrs. FEINSTEIN, Mr. REED, and Mr. MERKLEY):

S. 3793. A bill to amend the CARES Act to modify the employee retention tax credit to secure the paychecks and benefits of workers, to provide a refundable credit against payroll taxes for the operating costs of employers, to amend the Internal Revenue Code of 1986 to provide a small business rebate, and for other purposes; to the Committee on Finance.

By Mr. THUNE (for himself and Ms. HASSAN):

S. 3794. A bill to expedite transportation project delivery, facilitate infrastructure improvement, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Ms. SMITH (for herself and Mr. TILLIS):

S. 3795. A bill to direct the Securities and Exchange Commission to revise any rules necessary to enable issuers of index-linked annuities to use the securities offering forms that are available to other issuers of securities; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. COTTON:

S. 3796. A bill to withhold funding authorized under the CARES Act from any State or

municipality that provides economic stimulus payments through a program designed to exclusively assist illegal aliens; to the Committee on Appropriations.

By Mr. MORAN (for himself, Mr. BENNET, Ms. SMITH, and Mr. CASEY):

S. 3797. A bill to provide overtime and holiday fee relief for small meat, poultry, and egg processing plants, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. TOOMEY (for himself, Mr. VAN HOLLEN, Mr. TILLIS, and Mr. BLUMENTHAL):

S. 3798. A bill to impose sanctions with respect to foreign persons involved in the erosion of certain obligations of China with respect to Hong Kong, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. BOOKER:

S. 3799. A bill to expand access to health care services, including sexual, reproductive, and maternal health services, for immigrants by removing legal and policy barriers to health insurance coverage, and for other purposes; to the Committee on Finance.

By Mr. BLUMENTHAL (for himself and Mrs. GILLIBRAND):

S. 3800. A bill to provide for the enhancement of command climate assessments in the Armed Forces in order to improve the assessment of matters in connection with military family readiness, and for other purposes; to the Committee on Armed Services.

By Mr. BLUMENTHAL (for himself and Mr. KAINE):

S. 3801. A bill to authorize use of amounts in My Career Advancement Account Program accounts for fines for breaking employment contracts in connection with permanent changes of station; to the Committee on Armed Services.

By Mr. CRUZ:

S. 3802. A bill to require the imposition of sanctions with respect to censorship and related activities against citizens of the People's Republic of China; to the Committee on Foreign Relations.

By Mr. CRUZ:

S. 3803. A bill to amend the Communications Act of 1934 to clarify the situations in which the Federal Communications Commission may grant a request for the transfer of certain permits, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. CARDIN:

S. 3804. A bill to clarify that the "one-touch make-ready" rules of the Federal Communication Commission for utility pole attachments do not supersede the National Labor Relations Act or collective bargaining agreements; to the Committee on Health, Education, Labor, and Pensions.

By Mr. KING (for himself, Mr. DAINES, Mr. KAINE, Mr. TILLIS, Ms. STABENOW, and Mr. GARDNER):

S. 3805. A bill to amend the Small Business Act and the CARES Act to modify certain provisions related to the forgiveness of loans under the paycheck protection program, to allow recipients of loan forgiveness under the paycheck protection program to defer payroll taxes, and for other purposes; to the Committee on Finance.

By Mrs. HYDE-SMITH (for herself, Mr. MENENDEZ, Mr. CASSIDY, and Mr. PETERS):

S. 3806. A bill to waive cost share requirements for certain Federal assistance provided under the Robert T. Stafford Disaster Relief and Emergency Assistance Act; to the Committee on Homeland Security and Governmental Affairs.

By Mr. BLUMENTHAL (for himself and Ms. BALDWIN):

S. 3807. A bill to enhance the prevention of mental health discrimination against indi-

viduals during accession into the Armed Forces, and for other purposes; to the Committee on Armed Services.

By Mr. BLUMENTHAL (for himself and Mr. KAINE):

S. 3808. A bill to improve the affordability and accessibility of child care for military families, and for other purposes; to the Committee on Armed Services.

By Mr. BLUMENTHAL (for himself and Mr. KAINE):

S. 3809. A bill to require the Comptroller General of the United States to conduct a study on prenatal and postpartum mental health conditions among members of the Armed Forces and their dependents; to the Committee on Armed Services.

By Mrs. FEINSTEIN (for Mr. MARKEY (for himself and Mrs. FEINSTEIN)):

S. 3810. A bill to provide that any termination of a director of a national research institute or national center of the National Institutes of Health be on the basis of malfeasance, neglect of office, or incapacity only; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. FEINSTEIN:

S. 3811. A bill to provide financial assistance for projects to address certain subsidence impacts in the State of California, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. MENENDEZ (for himself, Mr. CRAMER, Mr. DAINES, and Mr. BOOKER):

S. 3812. A bill to amend title 38, United States Code, to expand eligibility for hospital care, medical services, and nursing home care from the Department of Veterans Affairs to include veterans of World War II; to the Committee on Veterans' Affairs.

By Mr. BROWN (for himself and Mr. PORTMAN):

S. 3813. A bill to amend the Omnibus Parks and Public Lands Management Act of 1996 to reauthorize the Ohio & Erie National Heritage Canalway, and for other purposes; to the Committee on Energy and Natural Resources.

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

S. 3814. A bill to establish a loan program for businesses affected by COVID-19 and to extend the loan forgiveness period for paycheck protection program loans made to the hardest hit businesses, and for other purposes; to the Committee on Finance.

By Mrs. FEINSTEIN (for herself, Mr. BLUMENTHAL, and Mr. MURPHY):

S. 3815. A bill to permit the search and retention of certain records with respect to conducting criminal background checks, and for other purposes; to the Committee on the Judiciary.

By Mr. CASSIDY:

S. 3816. A bill to authorize the Secretary of Energy to carry out a program to lease underused facilities of the Strategic Petroleum Reserve, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. SCHATZ (for himself, Mrs. BLACKBURN, Mr. COONS, Ms. MURKOWSKI, Mr. DURBIN, Mr. WHITEHOUSE, Mr. BENNET, Ms. SMITH, Ms. DUCKWORTH, Mr. KAINE, Mr. BLUMENTHAL, Mrs. SHAHEEN, Mrs. MURRAY, Ms. WARREN, Mr. TESTER, Mr. MARKEY, Mrs. FEINSTEIN, Mr. BOOKER, and Mr. BROWN):

S. 3817. A bill to observe the lives lost in the United States due to the COVID-19 pandemic; to the Committee on the Judiciary.

By Mr. RUBIO (for himself and Mr. CARDIN):

S. 3818. A bill to protect and promote the freedom of the press globally; to the Committee on Foreign Relations.

By Mrs. BLACKBURN (for Mr. MARKEY (for himself, Mrs. BLACKBURN, Mr. CARDIN, Mr. WICKER, Mr. MERKLEY, Mr. YOUNG, Mr. MURPHY, Mr. CRAMER, and Mrs. LOEFFLER)):

S. 3819. A bill to encourage the protection and promotion of internationally recognized human rights during the novel coronavirus pandemic, and for other purposes; to the Committee on Foreign Relations.

By Mrs. BLACKBURN (for herself, Mr. MENENDEZ, Mr. SCOTT of Florida, and Mr. WYDEN):

S. 3820. A bill to amend the United States International Broadcasting Act of 1994 to authorize the Open Technology Fund of the United States Agency for Global Media, and for other purposes; to the Committee on Foreign Relations.

By Mrs. LOEFFLER:

S. 3821. A bill to amend the Public Health Service Act to provide more options for affordable health insurance to uninsured Americans; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BOOKER:

S. 3822. A bill to establish Democracy Corps to assist State and local governments administer elections and to promote democracy, to establish special procedures and authorize funding for Federal election in 2020 in response to COVID-19, to amend the Help America Vote Act of 2002 to establish additional permanent requirements for Federal elections, and for other purposes; to the Committee on Rules and Administration.

By Mr. MANCHIN (for himself, Mrs. HYDE-SMITH, and Ms. MURKOWSKI):

S. 3823. A bill to ensure that a portion of funds appropriated to the Public Health and Social Services Emergency Fund for payments to eligible health care providers is reserved for such providers located in rural areas, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Ms. KLOBUCHAR (for herself and Mr. MORAN):

S. 3824. A bill to require the Federal Trade Commission to submit a report to Congress on scams targeting seniors, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Ms. KLOBUCHAR (for herself and Mr. YOUNG):

S. 3825. A bill to establish the Coronavirus Mental Health and Addiction Assistance Network, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BLUMENTHAL (for himself and Mrs. GILLIBRAND):

S. 3826. A bill to require the Secretary of Defense to provide additional resources, including doula support, for pregnant beneficiaries under the TRICARE program, and for other purposes; to the Committee on Armed Services.

By Mr. TILLIS (for himself, Mr. BENNET, and Mrs. HYDE-SMITH):

S. 3827. A bill to amend the Public Health Service Act to authorize the use of the Strategic National Stockpile to enhance medical supply chain elasticity and establish and maintain domestic reserves of critical medical supplies, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SCHATZ (for himself, Ms. KLOBUCHAR, Mr. WHITEHOUSE, Ms. HARRIS, and Mr. BOOKER):

S. 3828. A bill to establish an initiative for national testing, contact tracing, and pandemic response, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. RISCH (for himself, Mr. MURPHY, and Mr. CARDIN):

S. 3829. A bill to advance the global health security and diplomacy objectives of the United States, improve coordination among the relevant Federal departments and agencies implementing United States foreign assistance for global health security, and more effectively enable partner countries to strengthen and sustain resilient health systems and supply chains with the resources, capacity, and personnel required to prevent, detect, mitigate, and respond to infectious disease threats before they become pandemics, and for other purposes; to the Committee on Foreign Relations.

By Mr. SULLIVAN:

S. 3830. A bill to amend title 31, United States Code, to authorize the issuance of United States Pandemic Bonds to aid in the funding of relief efforts related to coronavirus disease 2019 (COVID-19); to the Committee on Finance.

By Mr. SULLIVAN (for himself, Mr. SCHATZ, and Mr. KING):

S. 3831. A bill to authorize the position of Assistant Secretary of Commerce for Travel and Tourism, to statutorily establish the United States Travel and Tourism Advisory Board, and for other purposes; to the Committee on Commerce, Science, and Transportation.

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

S. 3832. A bill to establish a new Directorate for Technology in the redesignated National Science and Technology Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, and innovation, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. RUBIO (for himself, Mr. CARDIN, Ms. COLLINS, Mrs. SHAHEEN, Mr. DURBIN, Mr. GARDNER, Mr. DAINES, Mr. TILLIS, Mr. BRAUN, and Mrs. BLACKBURN):

S. 3833. A bill to extend the loan forgiveness period for the paycheck protection program, and for other purposes; read the first time.

By Mr. BRAUN:

S. 3834. A bill to require the Secretary of the Treasury to provide estimates of the use of taxpayer funds by the United States Government, and for other purposes; to the Committee on Finance.

By Mr. CRUZ:

S. 3835. A bill to prohibit the use of funds for the production of films by United States companies that alter content for screening in the People's Republic of China, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Ms. MCSALLY:

S. 3836. A bill to prohibit the use of funds to purchase drones manufactured in the People's Republic of China or by Chinese state-controlled entities; to the Committee on Foreign Relations.

By Mr. SCOTT of Florida (for himself, Mr. BRAUN, Mrs. BLACKBURN, Ms. ERNST, Ms. MCSALLY, Mr. COTTON, and Mr. CRUZ):

S. 3837. A bill to require a thorough national security evaluation and clearance by the Department of Homeland Security, the Department of State, and the Federal Bureau of Investigation of all Chinese student visa holders currently in the United States before issuing any new student visas to nationals of the People's Republic of China; to the Committee on the Judiciary.

By Mr. SCHATZ (for himself, Ms. MURKOWSKI, Mr. BOOZMAN, Mr. PETERS, Mr. KING, Mr. SULLIVAN, Mr. CRAMER, and Mr. MARKEY):

S. 3838. A bill to provide for the expansion of the Rural Health Care Program of the Federal Communications Commission in response to COVID-19, and for other purposes;

to the Committee on Commerce, Science, and Transportation.

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

S. 3839. A bill to designate the facility of the United States Postal Service located at 2719 South Webster Street in Kokomo, Indiana, as the "Opha May Johnson Post Office"; to the Committee on Homeland Security and Governmental Affairs.

By Ms. STABENOW (for herself, Mr. LEAHY, Mr. BROWN, Ms. KLOBUCHAR, Mr. BENNETT, Mrs. GILLIBRAND, Mr. CASEY, Ms. SMITH, Mr. DURBIN, and Mr. SCHUMER):

S. 3840. A bill to protect the continuity of the food supply chain of the United States in response to COVID-19, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. GRASSLEY (for himself, Mr. BROWN, Mr. WYDEN, and Mr. SCOTT of South Carolina):

S. 3841. A bill to protect 2020 recovery rebates for individuals from assignment or garnishment, and for other purposes; to the Committee on Finance.

By Mr. WICKER:

S. 3842. A bill to require the Secretary of Transportation to establish a pilot program to provide assistance to certain entities in rural communities, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. MENENDEZ:

S. 3843. A bill to establish a positive agenda and framework for the future of arms control with the Russian Federation and the People's Republic of China; to the Committee on Foreign Relations.

By Mr. MENENDEZ:

S. 3844. A bill to require a study conducted by the Secretary of State on the future of arms control with the People's Republic of China; to the Committee on Foreign Relations.

By Mr. THUNE:

S.J. Res. 74. A joint resolution requesting the Secretary of the Interior to authorize a unique and 1-time arrangement for certain displays on Mount Rushmore National Memorial relating to the centennial of the ratification of the 19th Amendment to the Constitution of the United States during the period beginning August 18, 2020, and ending on September 30, 2020; to the Committee on Energy and Natural Resources.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mrs. LOEFFLER (for herself and Ms. ERNST):

S. Res. 594. A resolution calling for the payments to States for the Child Care and Development Block Grant program to be sufficient to cover losses experienced by child care providers due to the COVID-19 pandemic; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MENENDEZ (for himself, Mr. RUBIO, Mr. CARDIN, Mr. TILLIS, Mr. KAINE, Mr. BOOZMAN, Mr. COONS, Mr. CORNYN, Mr. MARKEY, Mrs. BLACKBURN, Mr. MERKLEY, Ms. COLLINS, and Mr. CASEY):

S. Res. 595. A resolution recognizing widening threats to freedoms of the press and expression around the world, reaffirming the centrality of a free and independent press to the health of free societies and democracies, and reaffirming freedom of the press as a priority of the United States in promoting democracy, human rights, and good governance in commemoration of World Press Freedom

Day on May 3, 2020; to the Committee on Foreign Relations.

By Mr. HAWLEY (for himself, Mr. LEE, Mr. COTTON, Mrs. BLACKBURN, Ms. MCSALLY, Mr. PETERS, Mr. WICKER, Mrs. LOEFFLER, Mr. SULLIVAN, Mr. RUBIO, Mr. INHOFE, and Mr. DAINES):

S. Res. 596. A resolution expressing the sense of the Senate that the Hong Kong national security law proposed by the Government of the People's Republic of China would violate the obligations of that government under the 1984 Sino-British Joint Declaration and the Hong Kong Basic Law and calling upon all free nations of the world to stand with the people of Hong Kong; to the Committee on Foreign Relations.

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

S. Res. 597. A resolution designating May 2020 as "Older Americans Month"; considered and agreed to.

By Mr. GRASSLEY (for himself, Ms. STABENOW, Mr. JONES, Mr. LANKFORD, Mr. KAINE, Mr. KING, Mr. VAN HOLLEN, Mr. ROBERTS, Mr. BLUMENTHAL, Mr. TILLIS, Ms. KLOBUCHAR, Mr. BLUNT, Mr. BROWN, Mr. BOOZMAN, Mr. SULLIVAN, Mr. SCOTT of South Carolina, Mr. WICKER, Ms. HARRIS, Mr. CASEY, Mr. CASSIDY, Mr. WYDEN, Ms. SINEMA, Mr. YOUNG, Mr. INHOFE, Mrs. FEINSTEIN, Mr. MANCHIN, Ms. ERNST, and Mr. ENZI):

S. Res. 598. A resolution recognizing National Foster Care Month as an opportunity to raise awareness about the challenges of children in the foster care system, and encouraging Congress to implement policies to improve the lives of children in the foster care system; considered and agreed to.

By Mr. LANKFORD (for himself and Mr. INHOFE):

S. Res. 599. A resolution honoring the life and legacy of Judge Lee Roy West; considered and agreed to.

By Mr. MENENDEZ (for himself, Mr. RUBIO, Mr. CARDIN, Mr. TILLIS, Mr. KAINE, Mr. BOOZMAN, Mr. COONS, Mr. CORNYN, Mr. MARKEY, Mrs. BLACKBURN, Mr. MERKLEY, Ms. COLLINS, and Mr. CASEY):

S. Res. 600. A resolution recognizing widening threats to freedom of the press and expression around the world, reaffirming the centrality of a free and independent press to the health of free societies and democracies, and reaffirming freedom of the press as a priority of the United States in promoting democracy, human rights, and good governance in commemoration of World Press Freedom Day on May 3, 2020; to the Committee on Foreign Relations

ADDITIONAL COSPONSORS

S. 636

At the request of Mr. MENENDEZ, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 636, a bill to designate Venezuela under section 244 of the Immigration and Nationality Act to permit nationals of Venezuela to be eligible for temporary protected status under such section.

S. 685

At the request of Mr. LEE, the name of the Senator from California (Mrs.

FEINSTEIN) was added as a cosponsor of S. 685, a bill to amend the Inspector General Act of 1978 relative to the powers of the Department of Justice Inspector General.

S. 944

At the request of Mr. SCHATZ, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 944, a bill to enhance the security operations of the Transportation Security Administration and the stability of the transportation security workforce by applying a unified personnel system under title 5, United States Code, to employees of the Transportation Security Administration who are responsible for screening passengers and property, and for other purposes.

S. 1066

At the request of Mr. BOOKER, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 1066, a bill to provide an increased allocation of funding under certain programs for assistance in persistent poverty counties, and for other purposes.

S. 1620

At the request of Mr. KING, the name of the Senator from Utah (Mr. LEE) was added as a cosponsor of S. 1620, a bill to amend the Federal Meat Inspection Act to exempt from inspection the slaughter of animals and the preparation of carcasses conducted at a custom slaughter facility, and for other purposes.

S. 1781

At the request of Mr. RUBIO, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of S. 1781, a bill to authorize appropriations for the Department of State for fiscal years 2020 through 2022 to provide assistance to El Salvador, Guatemala, and Honduras through bilateral compacts to increase protection of women and children in their homes and communities and reduce female homicides, domestic violence, and sexual assault.

S. 2085

At the request of Mr. CRAMER, the name of the Senator from Mississippi (Mrs. HYDE-SMITH) 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. 3056

At the request of Mr. DURBIN, the names of the Senator from Washington (Mrs. MURRAY) and the Senator from Minnesota (Ms. SMITH) were added as cosponsors of S. 3056, a bill to designate as wilderness certain Federal portions of the red rock canyons of the Colorado Plateau and the Great Basin Deserts in the State of Utah for the benefit of present and future generations of people in the United States.

S. 3103

At the request of Mr. DURBIN, the name of the Senator from Minnesota

(Ms. SMITH) was added as a cosponsor of S. 3103, a bill to amend title XVIII of the Social Security Act to restore State authority to waive for certain facilities the 35-mile rule for designating critical access hospitals under the Medicare program.

S. 3287

At the request of Mr. ENZI, the names of the Senator from New Hampshire (Ms. HASSAN) and the Senator from Georgia (Mrs. LOEFFLER) were added as cosponsors of S. 3287, a bill to modify the governmentwide financial management plan, and for other purposes.

S. 3308

At the request of Mr. MANCHIN, the names of the Senator from California (Mrs. FEINSTEIN), the Senator from Iowa (Ms. ERNST) and the Senator from New Jersey (Mr. BOOKER) were added as cosponsors of S. 3308, a bill to amend title 37, United States Code, to standardize payment of hazardous duty incentive pay for members of the reserve components of the Armed Forces, and for other purposes.

S. 3360

At the request of Mr. INHOFE, the name of the Senator from Mississippi (Mrs. HYDE-SMITH) was added as a cosponsor of S. 3360, a bill to establish the National Center for the Advancement of Aviation.

S. 3599

At the request of Mr. PERDUE, the names of the Senator from California (Mrs. FEINSTEIN) and the Senator from New Mexico (Mr. UDALL) were added as cosponsors of S. 3599, a bill to enhance our Nation's nurse and physician workforce during the COVID-19 crisis by recapturing unused immigrant visas.

S. 3612

At the request of Mr. CORNYN, the names of the Senator from North Carolina (Mr. BURR), the Senator from Kansas (Mr. MORAN) and the Senator from West Virginia (Mrs. CAPITO) were added as cosponsors of S. 3612, a bill to clarify for purposes of the Internal Revenue Code of 1986 that receipt of coronavirus assistance does not affect the tax treatment of ordinary business expenses.

S. 3616

At the request of Mr. BRAUN, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 3616, a bill to amend title 38, United States Code, to provide for the inclusion of certain emblems on headstones and markers furnished for veterans by the Secretary of Veterans Affairs, and for other purposes.

S. 3620

At the request of Mr. REED, the names of the Senator from California (Ms. HARRIS), the Senator from Hawaii (Ms. HIRONO) and the Senator from Massachusetts (Mr. MARKEY) were added as cosponsors of S. 3620, a bill to establish a Housing Assistance Fund at the Department of the Treasury.

S. 3622

At the request of Mr. HEINRICH, the name of the Senator from Maine (Ms.

COLLINS) was added as a cosponsor of S. 3622, a bill to waive the cost share requirement for Indian Tribes receiving disaster assistance relating to COVID-19, and for other purposes.

S. 3650

At the request of Ms. SMITH, the name of the Senator from Arizona (Ms. SINEMA) was added as a cosponsor of S. 3650, a bill to amend the Indian Health Care Improvement Act to deem employees of urban Indian organizations as part of the Public Health Service for certain purposes, and for other purposes.

S. 3652

At the request of Ms. SMITH, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 3652, a bill to allow 2020 recovery rebates with respect to qualifying children over the age of 16 and other dependents.

S. 3672

At the request of Mr. WYDEN, the name of the Senator from New Jersey (Mr. BOOKER) 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. 3685

At the request of Mr. BROWN, the name of the Senator from Virginia (Mr. Kaine) was added as a cosponsor of S. 3685, a bill to provide emergency rental assistance under the Emergency Solutions Grants program of the Secretary of Housing and Urban Development in response to the public health emergency resulting from the coronavirus, and for other purposes.

S. 3701

At the request of Ms. KLOBUCHAR, the name of the Senator from Maryland (Mr. VAN HOLLEN) was added as a cosponsor of S. 3701, a bill to require the Assistant Secretary of Commerce for Communications and Information, in consultation with the Secretary of Education, to promulgate regulations to provide support to institutions of higher education for the provision of certain equipment and services to students of those institutions, and for other purposes.

S. 3704

At the request of Mr. WICKER, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 3704, a bill to amend the Scientific and Advanced-Technology Act of 1992 to further support advanced technological manufacturing, and for other purposes.

S. 3713

At the request of Mr. MANCHIN, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 3713, a bill to require the Secretary of Defense to provide to certain

members of the National Guard serving on active service in response to the coronavirus (COVID-19) the transitional health benefits provided to members of the reserve components separating from active duty.

S. 3714

At the request of Mr. MANCHIN, the name of the Senator from Nevada (Ms. ROSEN) was added as a cosponsor of S. 3714, a bill to extend the covered period for loan forgiveness and the rehiring period under the CARES Act, and for other purposes.

S. 3727

At the request of Mr. WHITEHOUSE, his name was added as a cosponsor of S. 3727, a bill to provide for cash refunds for canceled airline flights and tickets during the COVID-19 emergency.

S. 3732

At the request of Mr. CORNYN, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 3732, a bill to amend title 18, United States Code, to further protect officers and employees of the United States, and for other purposes.

S. 3749

At the request of Mr. BLUMENTHAL, the names of the Senator from Massachusetts (Ms. WARREN), the Senator from Illinois (Mr. DURBIN), the Senator from Massachusetts (Mr. MARKEY), the Senator from Wisconsin (Ms. BALDWIN), the Senator from California (Ms. HARRIS), the Senator from Hawaii (Ms. HIRONO) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of S. 3749, a bill to protect the privacy of health information during a national health emergency.

S. 3752

At the request of Mr. MENENDEZ, the name of the Senator from Arizona (Ms. SINEMA) was added as a cosponsor of S. 3752, a bill to amend title VI of the Social Security Act to establish a Coronavirus Local Community Stabilization Fund.

S. RES. 579

At the request of Mr. DURBIN, the name of the Senator from California (Ms. HARRIS) was added as a cosponsor of S. Res. 579, a resolution encouraging the international community to remain committed to collaboration and coordination to mitigate and prevent the further spread of COVID-19 and urging renewed United States leadership and participation in any global efforts on therapeutics and vaccine development and delivery to address COVID-19 and prevent further deaths, and for other purposes.

S. RES. 589

At the request of Ms. HIRONO, the name of the Senator from New Hampshire (Ms. HASSAN) was added as a cosponsor of 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.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. FEINSTEIN:

S. 3811. A bill to provide financial assistance for projects to address certain subsidence impacts in the State of California, and for other purposes; to the Committee on Energy and Natural Resources.

Mrs. FEINSTEIN. Mr. President, I rise to speak in support of the Restoration of Essential Conveyance Act, which I introduced today. Representatives TJ COX and JIM COSTA, both Democrats of California, have introduced companion legislation in the House.

This legislation would help California water users and California's nation-leading agricultural industry comply with a recent State requirement to end the overpumping of groundwater. The stakes are huge: Bringing groundwater into balance will reduce the water supply of the San Joaquin Valley by about 2 million acre-feet per year.

Unless local water agencies and the State and Federal governments take action, a recent U.C. Berkeley study has projected severe impacts from these water supply losses: 798,000 acres of land would have to be retired from agricultural production, nearly one-sixth of the working farmland in an area that produces half the fruit and vegetables grown in the Nation; and \$5.9 billion would be lost in annual farm income.

How the bill would help: One of the most cost-effective and efficient ways to restore groundwater balance is to convey floodwaters to farmlands where they can recharge the aquifer. California has the most variable precipitation of any State. When we get massive storms from atmospheric rivers, there is plenty of runoff to recharge aquifers—but only if we can effectively convey the floodwaters throughout the San Joaquin Valley to recharge areas.

Here is where the challenge arises. For a variety of reasons, the ground beneath the major canals has dropped by as much as 10 to 20 feet which has caused canals designed to convey floodwaters to buckle and drop in many places. Other parts of the canals have not subsided, so the water gets stuck in the low points.

As a result, these essential canals for conveying floodwaters have lost as much as 60 percent of their conveyance capacity. The bill I am introducing today would provide Federal assistance to help fix these Federal canals.

Specifically, the bill would authorize \$600 million in Federal funding-cost share for three major projects to repair Federal canals damaged by subsidence to achieve their lost capacity: \$200 million for the Friant-Kern Canal, which would move an additional 100,000 acre-feet per year on average; \$200 million for the Delta Mendota Canal, which would move an additional 62,000 acre-feet per year on average; and \$200 million for California Aqueduct repairs, which would move an additional 205,000

acre-feet per year on average. While parts of the California Aqueduct are State-owned, the majority of the repairs are on its federally owned portion.

The bill would also authorize \$200 million in additional funding for the Environmental Restoration Goal of the San Joaquin River settlement. This provision will ensure that the bill helps to restore not only the San Joaquin Valley's water supply, but also its native salmon runs. I think it is appropriate that we consider legislation that would benefit both our water supply and the environment.

Benefits of the bill: If the Federal Government covers a portion of the cost of restoring these three essential Federal canals for conveying floodwaters, it will give local farmers a fighting chance to bring their groundwater basins into balance without being forced to retire massive amounts of land.

Critically, the ability to deliver floodwaters through restored Federal canals will allow the water districts to invest in their own turnouts, pumps, detention basins and other groundwater recharge projects. The South Valley Water Association, which covers just a small part of the Valley, provided my office with a list of 36 such projects for its area alone.

The Public Policy Institute of California, or PPIC, has determined that groundwater recharge projects are the best option to help the San Joaquin Valley comply with the new state groundwater pumping law. PPIC projects that the Valley can make up 300,000 to 500,000 acre feet of its groundwater deficit through recharge projects.

Job Losses if We Take No Action: A forthcoming study commissioned by the coalition group called the "Water Blueprint for the San Joaquin Valley" estimates that required reductions in groundwater could cause a loss of up to 42,000 farm and agricultural jobs in the San Joaquin Valley. Another 40,000 jobs or more could be lost statewide each year due to reductions in valley agricultural production, putting the total at approximately 85,000 jobs statewide. Most of these impacts will fall disproportionately on economically disadvantaged communities. These impacts will be significant unless we address them through collaborative planning, policies, infrastructure, recharge, and necessary financial support.

Friant-Kern Canal: Let me now turn to the three critical canals that the bill would authorize assistance to restore. The Friant-Kern Canal is a key feature of the Friant Division of the Federal Central Valley Project on the Eastside of the San Joaquin Valley. For nearly 70 years, the Friant Division successfully kept groundwater tables stable on the Eastside. This provided a sustainable source of water for farms and for thousands of Californians

and more than 50 small, rural, or disadvantaged communities who rely entirely on groundwater for their household water supplies.

But unsustainable groundwater pumping in the valley has reduced the Friant-Kern Canal's ability to deliver water to all who need it. Land elevation subsidence caused by over-pumping means that not all of the supplies stored at Friant Dam can be conveyed through the canal. In some areas, the canal can carry only 40 percent of what it is designed to deliver.

In 2017, a very wet year in which we should have been banking as much flood water as possible, the Friant-Kern Canal couldn't deliver an additional 300,000 acre-feet of water that it would have been able to convey had its capacity not been limited by subsidence. This significant amount of water would have been destined for groundwater recharge efforts in the south San Joaquin Valley, where the impacts of reduced water deliveries, water quality issues and groundwater regulation are expected to be most severe.

California Aqueduct and Delta Mendota Canal: The California Aqueduct serves more than 27 million people in Southern California and the Silicon Valley and more than 750,000 acres of the Nation's most productive farmland. But despite its name, much of the California Aqueduct is owned by the Federal Government and serves portions of Silicon Valley, small towns and communities in the northern San Joaquin Valley, and farms from Firebaugh to Kettleman City. The aqueduct represents a successful 70-year partnership between the Federal Government and the State of California.

In recent years, particularly recent drought years, the California Aqueduct has subsided. It has lost as much as 20 percent of its capacity to move water to California's families, farms, and businesses. California is leading efforts to repair the aqueduct and is working to provide its share of funding, but the Federal Government will also need to pay its fair share. The bill I am introducing today would authorize \$200 million toward restoring the California Aqueduct.

The Delta-Mendota Canal stretches southward 117 miles from the C.W. Bill Jones Pumping Plant along the western edge of the San Joaquin Valley, parallel to the California Aqueduct. The Delta-Mendota Canal has lost 15 percent of its conveyance capacity due to subsidence. The bill I am introducing today would authorize \$200 million toward restoring its full ability to convey floodwaters to farms needing to recharge their groundwater, and to wildlife refuges for migratory waterfowl.

In conclusion, this bill responds to a potential crisis that very possibly could cause the forced retirement of nearly one-sixth of the working farmland in an area that produces half of America's fruits and vegetables.

These are Federal canals, and the Federal Government must help give

these farmers and communities reliant of the agricultural economy a fighting chance to keep their lands in production.

I hope my colleagues will join me in support of this bill. I yield the floor.

By Mr. RUBIO (for himself, Mr. CARDIN, Ms. COLLINS, Mrs. SHAHEEN, and Mr. DURBIN):

S. 3833. A bill to extend the loan forgiveness period for the paycheck protection program, and for other purposes; read the first time.

Ms. COLLINS. Mr. President, I rise today to introduce, with my colleagues Senator RUBIO, CARDIN, and SHAHEEN, legislation to strengthen the Paycheck Protection Program, which has proven to be such an important lifeline to America's small businesses and their employees during this pandemic.

Senators RUBIO, CARDIN, SHAHEEN, and I worked together as part of the Small Business Task Force to create this program during the development of the CARES Act 2 months ago.

Since its launch in early April, this program has provided forgivable loans totaling more than \$510 billion to approximately 4.3 million small employers across the country. The overwhelming majority of borrowers are very small employers.

In phase 1 of the program, the average PPP loan size nationally was \$206,000. That translates to an average employer size of just 18 employees. As more loans have been approved in phase 2, the average loan size nationally has dropped to \$118,000, suggesting an average business size of about 10 employees.

In Maine, the average loan size is even smaller, with borrowers having an estimated 12 employees in phase 1 and just three employees in phase 2. According to the U.S. Census Bureau, nearly two-thirds of the small businesses in Maine have benefited from PPP loans, and that is, I am pleased to say, among the highest rates in the Nation.

In many ways, it is not a surprise. Maine is the State of small businesses. Ninety percent of all the Maine businesses are considered to be small businesses, and they employ approximately 60 percent of all the workers in our State. Overall, in Maine, the funds are sufficient to support approximately 200,000 jobs.

Let's think about this. That means that a business that is seeing receipts go down, is in a cash flow problem, liquidity has dried up can still retain employees who otherwise would have been laid off. In more cases, it has allowed a business to call back furloughed employees. And even in cases where the business has been forced to close its doors because of government orders, it has kept alive the connection between the employer and his or her employees. That is so important because, as the economy does open back up, we want to make sure that link between the employer and the employees

remains intact so that the workforce can come back to work as soon as possible.

It is important, as we discuss the economic data behind the PPP, to remember that these are real businesses with real people—people like Larry Geaghan, who owns and runs a craft brewery and pub in Bangor, ME. Larry calls the PPP a "lifeline bill" that has made all the difference in helping him to bring back 25 of his employees and reopen for takeout business.

Another Maine borrower—the owner of a small marina—told me that the PPP was exactly what he needed at exactly the right time. With the PPP, this marina has been able to keep all of its employees on payroll, and because they weren't worried about whether they would have a paycheck, these employees continued spending as they normally would—exactly what our Maine economy needs.

Another example of a small business helped by the PPP is the Frog & Turtle Gastro Pub in Westbrook, ME. This pub just completed an extensive renovation and is hoping to reopen June 1, the first day that sit-down dining service will be allowed again in the State of Maine.

The owner of this pub wrote to me to say that the "PPP program allowed us to bring back our 15 employees and sustain our business during these trying conditions," and that taking a PPP loan was the "right decision" for his employees and for his small restaurant.

When we were initially developing the Paycheck Protection Program, we had no idea how long the pandemic would last. We did not know that there would be virtually universal economic shutdowns, nor did we know how each State would respond to outbreaks in their communities. The bipartisan bill that we are introducing today builds on the success of the PPP by providing small businesses with additional flexibility so that they can more effectively use these funds in conjunction with State reopening plans.

And, again, I would remind my colleagues that when we were drafting the first version of this, it was before there were widespread orders shutting down restaurants and bars and retail establishments.

Specifically, the Paycheck Protection Program Extension Act that we are introducing today would do the following: It would allow borrowers the flexibility to use their 8 weeks of funding at a point of their choosing within a 16-week period. Small businesses could choose the period that they believe works best to coincide with the reopening of their local economy.

So some small businesses took the loans very early, thinking that the shutdowns would not last or that the pandemic would be on the way down by now, which it is in some States, thank goodness, but not in all.

Well, this builds in more flexibility. You would have 16 weeks to use the loan funds instead of 8.

Second, it extends the deadline to apply for a PPP loan from June 30 to December 31 of this year.

Again, this reflects the fact that shutdowns lasted far longer in virtually every State than we anticipated when we were drafting the bill in March.

Third, the bill would allow borrowers to use loan funds to purchase personal protective equipment for employees and to pay for adaptive investments needed to reopen safely.

Adaptive investments could include modifications to a commercial property to comply with the social distancing regulations or guidelines from the CDC. It could mean creating or expanding a drive-through window service, erected physical barriers such as we see at the grocery stores now, those plexiglass barriers or sneeze guards. It could mean installing ventilation system upgrades or, as many restaurants have mentioned to me, they would like to add an outside patio for outdoor eating, which would allow them to maintain the same number of customers, which they can't do now, and abide by the social distancing guidelines.

The bill would also clarify that the current lender hold-harmless provision relates to all Small Business Administration and Treasury guidance regarding PPP loans. A lender that in good faith followed Federal guidance related to PPP would not be later held liable if the guidance subsequently changed.

I would like to give a shout-out to our small community banks and credit unions in the State of Maine. They have really stepped up to the plate for this program to serve the small businesses, small employers in our State, for the small nonprofits, and that has made a real difference to the employees of these establishments.

And finally, the bill would clarify that borrowers who have maintained payroll for 8 weeks will not lose loan forgiveness due to the extension of the program to 16 weeks.

Now, I would hope that that would be obvious, but we wanted to make sure that we were explicit.

The Paycheck Protection Program is the single most critical stimulus program protecting Main Street America from the economic devastation of the measures taken to control the spread of COVID-19. The bill we are introducing today strengthens the PPP to reflect the evolving nature of this pandemic, the necessity of regulatory actions that have caused a great deal of economic harm but were necessary to prevent the spread of the virus, and I urge all of my colleagues to support this bill.

By Mr. CRUZ:

S. 3835. A bill to prohibit the use of funds for the production of films by United States companies that alter content for screening in the People's Republic of China, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

Mr. CRUZ. Mr. President, I rise today to discuss the single most dangerous geopolitical threat that America faces now and through the next century—China.

We are in the midst of a pandemic that has infected over 5 million people and has claimed the lives of over 300,000 people worldwide. In the United States alone, the pandemic has infected over 1.5 million people and has claimed over 93,000 lives.

The coronavirus pandemic has shattered the lives of husbands and wives, daughters, sons, granddaughters, grandsons, brothers, sisters, nieces, nephews who have lost loved ones to COVID-19.

It has also shattered the lives of those who have lost their jobs, their livelihoods, because of this disease.

Thirty-eight million Americans are now out of work. The unemployment rate is at the highest it has ever been since the Great Depression, and entire industries are on the brink of collapse. Just 4 months ago, when the economy was booming, that was unthinkable.

Where did this pandemic start? In China. Whether it began at the Huanan wet market, a barbaric breeding ground for disease, where snakes and turtles and puppies and kittens and bats and other wildlife and farm animals are killed and sold, or whether it began due to substandard safety protocols at the Wuhan Institute of Virology, where research into coronavirus was being conducted and specifically coronavirus from bats, we don't yet know.

Here is what we do know: Not only did the coronavirus outbreak start in China, the Chinese Communist Government did everything it could to cover up the severity of the outbreak, from lying about the origin of the virus to how it is transmitted, to destroying evidence, to silencing the brave whistleblower doctors and scientists and journalists and activists who tried to warn the world and prevent a global pandemic.

It has been reported recently that between January 1 and April 4, the Chinese Government charged 484 people with crimes because of comments they made about the coronavirus pandemic.

In Wuhan, eight doctors who sounded the alarm about coronavirus in December were accused of spreading lies, arrested, and forced to sign documents claiming that they had made false statements that "disturbed the public order."

In reality, they were telling the truth. They were warning us.

One of those doctors, Dr. Ai Fen, has been missing since late March. Another, Dr. Li Wenliang, has since died from the coronavirus. Dr. Li Wenliang's wife was pregnant with the couple's second child when he died.

And it is not just Chinese doctors who are paying the price for telling the truth; journalists and activists who courageously spoke up are disappearing too.

Xu Zhangrun, a Chinese law professor who spoke out about the Chinese Government's handling of the coronavirus outbreak and criticized Chinese President Xi, has been missing since February.

Chen Qiushi, a Chinese lawyer and journalist who went to Wuhan to report on what was happening there, has been missing since February 6. Fang Bin, a Wuhan businessman and journalist who reported on the number of bodies piling up outside a Wuhan hospital has been missing since February 9. Li Zehua, a journalist who quit his job as a broadcaster for the Chinese Communist Party's TV station so he could report on what was happening in Wuhan, went missing for 28 days and then was allowed to reappear in public only after he praised the government's policy. Ren Zhiqiang, a real estate tycoon, who had been publicly critical of President Xi's handling of the coronavirus crisis, has been missing since March 12. And Xu Zhiyong, a civil rights lawyer and a legal scholar who criticized President Xi on social media for his handling of the coronavirus crisis, has been on house arrest since February 13.

If the Chinese Government had acted responsibly and sought the advice of public health professionals instead of silencing them, there is a very real possibility the coronavirus could have been contained as a regional outbreak. Instead, we are now dealing with a deadly global pandemic.

These brave men and women are just the latest targets of the Chinese Communist Government's relentless attacks on truth-tellers, on freedom fighters, and on religious and ethnic minorities. The Chinese Government is a 1984-style dystopian state, and it has tracked and imprisoned millions of Uyghurs and other religious minorities. The Chinese Government is constantly tracking the movements of millions of people using cutting-edge biotechnology and artificial intelligence, and it has put 1 million Uyghurs, right now, into concentration camps.

In 2017, I led a bipartisan resolution in this body condemning the Chinese Communist Party's persecution of religious minorities, particularly Buddhist Tibetans. Last year, I introduced legislation and urged the Trump administration to blacklist Chinese companies that are aiding the Chinese Government in its persecution of the Uyghurs. The administration implemented the recommendations in my legislation, and as a result those companies are now banned from acquiring American goods. That is a step in the right direction.

We have known that China's surveillance state and censorship practices are a great threat to human rights, but what the pandemic has shown us is that China's surveillance state and censorship is also a great threat to our national security and to public health. Had those doctors, journalists, and activists who were trying to tell the

truth—desperately trying to warn the world—had they been allowed to speak, the coronavirus outbreak might have been stopped in its tracks. We may not have had to deal with this devastating pandemic that has claimed the lives and the livelihoods of men and women all over the world.

That is why, today, I am introducing legislation to sanction Chinese officials who helped censor political speech or suppress the dissemination of medical information by citizens of China. This legislation would impose visa bans and asset blocks on those who punish or censor Chinese citizens for reporting accurate information about a disease or a pathogen and hopefully will help prevent something like this from ever happening again in China.

We need to be vigilant and to act where we can to thwart the Chinese Government's attempts to twist the truth, to censor, and to silence within China, but we also need to be vigilant about the Chinese Government's attempts to censor and silence elsewhere, including in our own Nation.

In the United States, the Chinese Government attempts to spread propaganda by two ways: by leveraging their enormous market access to coerce Americans into self-censorship, especially to Hollywood and sports teams that stand to make billions of dollars in China, and by simply purchasing access to our cultural and educational centers. With both levers, Chinese officials have one objective: to shape what Americans see, hear, and ultimately think.

China has the world's second largest film market, second only the United States, and it does around \$8 billion in box office revenues per year. The Chinese film market is comprised of Chinese films, but they also make sure to allow a few dozen American films into their market every year. The number is deliberately kept low, and in exchange for access, American film companies submit their films to China's censors who often force them to change those films. American companies have learned this fact, and they will often change the films even in advance of submitting.

As a result, they control not just what audiences see in China but also what Americans see. The Chinese Government's censorship office seeks to edit anything to do with Tibet, with Taiwan, with Tiananmen Square, with human rights, with democracy, with religion, or with any criticism of communism, particularly the Chinese Communist Party. Recently, the Chinese Government has succeeded in forcing changes to movies such as "Top Gun," the sequel; such as "Doctor Strange"; such as "Skyfall"; such as the remake of "Red Dawn." "Pixels," "Looper," "Bohemian Rhapsody" all were movies that were changed.

In "Bohemian Rhapsody," the Chinese Communist Party edited out references to the fact that Freddy Mercury was gay. In "Doctor Strange,"

they changed the Ancient One's character from Tibetan, as portrayed in the comic book, to Celtic. And in the "Top Gun" sequel that is set to come out later this year, the Taiwanese and Japanese flag on the back of Maverick's jacket were removed to appease the Chinese Communist Party.

Think about that for a second. What message does it send that "Maverick," an American icon, is apparently afraid of Chinese Communists. That is ridiculous.

That is why, today, I am introducing the SCRIPT Act, which would cut off Hollywood studios from the assistance they receive from the U.S. Government if those films censor their films for screening in China. It is common practice for major Hollywood films to contract with the Pentagon to use jets and tanks and to film on bases and aircraft carriers.

The SCRIPT Act should be a wake-up call for Hollywood. Studios would be forced to choose between the assistance from the Federal Government or the money they want from China.

The second way the Chinese Government attempts to spread propaganda is by purchasing access to our cultural and educational centers. The Chinese Government spends billions of dollars to shape what the next generation of Americans know and think about China. They have a pervasive presence in our K-12 education and in our colleges and universities, especially through Confucius Institutes and by directly financing departments and centers.

In the National Defense Authorization Act for Fiscal Year 2019, I authored bipartisan legislation prohibiting the Department of Defense from funding universities when the money could go to Confucius Institutes. As a result, over a dozen Confucius Institutes have closed.

We need to stand up and deal directly with the threat China poses. China bears direct responsibility and direct culpability for the over 300,000 people who have died worldwide and for the trillions in economic livelihoods that have been destroyed.

Today, I introduce three pieces of legislation to directly address Chinese censorship and their responsibility for this pandemic, and we, as a body, as a bipartisan body, need to stand and stand strong protecting U.S. national security, protecting the lives of Americans, and ensuring accountability; that the Chinese Communist Party has accountability for their censorship, their hiding of the facts of this pandemic, and the lives that have been lost as a result of their coverup.

By Mr. THUNE (for himself and Ms. HASSAN):

S. 3794. A bill to expedite transportation project delivery, facilitate infrastructure improvement, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mr. THUNE. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 3794

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Railroad Rehabilitation and Financing Innovation Act".

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Railroad Rehabilitation and Improvement Financing Program.
Sec. 3. Conforming amendments.
Sec. 4. Transitional and savings provisions.
Sec. 5. Repeals.

SEC. 2. RAILROAD REHABILITATION AND IMPROVEMENT FINANCING PROGRAM.

(a) AMENDMENT TO TITLE 49, UNITED STATES CODE.—Part B of subtitle V of title 49, United States Code, is amended by inserting after chapter 223 the following:

"CHAPTER 224—RAILROAD REHABILITATION AND IMPROVEMENT FINANCING PROGRAM

"22401. Definitions.
"22402. Direct loans and loan guarantees.
"22403. Administration of direct loans and loan guarantees.
"22404. Employee protection.
"22405. Substantive criteria and standards.
"22406. Funding.

"§ 22401. Definitions

"In this chapter:
"(1) COST.—
"(A) IN GENERAL.—The term 'cost' means the estimated long-term cost to the Government of a direct loan or loan guarantee, or modification of the direct loan or loan guarantee, calculated on a net present value basis, excluding administrative costs and any incidental effects on governmental receipts or outlays.
"(B) COST OF DIRECT LOANS.—

"(i) IN GENERAL.—The cost of a direct loan shall be the net present value, at the time when the direct loan is disbursed, of the following estimated cash flows:

"(I) Loan disbursements.
"(II) Repayments of principal.
"(III) Payments of interest and other payments by or to the Government over the life of the loan.

"(ii) CALCULATION.—Calculation of the cost of a direct loan shall include the effects of changes in loan terms resulting from the exercise by the borrower of an option included in the loan contract.

"(C) COST OF LOAN GUARANTEE.—
"(i) IN GENERAL.—The cost of a loan guarantee shall be the net present value, at the time when the guaranteed loan is disbursed, of the following estimated cash flows:

"(I) Payments by the Government to cover defaults and delinquencies, interest subsidies, or other payments.
"(II) Payments to the Government, including origination and other fees, penalties, and recoveries.

"(ii) CALCULATION.—Calculation of the cost of a loan guarantee shall include the effects of changes in loan terms resulting from the exercise by the guaranteed lender of an option included in the loan guarantee, or by the borrower of an option included in the guaranteed loan contract.

"(D) COST OF MODIFICATION.—The cost of a modification is the difference between the current estimate of the net present value of the remaining cash flows under the terms of a direct loan or loan guarantee contract, and the current estimate of the net present value

of the remaining cash flows under the terms of the contract, as modified.

“(E) ESTIMATION OF NET PRESENT VALUES; DISCOUNT RATE.—In estimating net present values, the discount rate shall be the average interest rate on marketable Treasury securities of similar maturity to the cash flows of the direct loan or loan guarantee for which the estimate is being made.

“(F) ESTIMATED COST; BASIS.—When funds are obligated for a direct loan or loan guarantee, the estimated cost shall be based on the current assumptions, adjusted to incorporate the terms of the loan contract, for the fiscal year in which the funds are obligated.

“(2) CURRENT.—The term ‘current’ has the same meaning given the term in section 250(c)(9) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900(c)(9)).

“(3) DIRECT LOAN.—

“(A) IN GENERAL.—The term ‘direct loan’ means a disbursement of funds by the Government to a non-Federal borrower under a contract that requires the repayment of the funds.

“(B) INCLUSIONS.—The term ‘direct loan’ includes the purchase of, or participation in, a loan made by another lender and financing arrangements that defer payment for more than 90 days, including the sale of a Government asset on credit terms.

“(C) EXCLUSION.—The term ‘direct loan’ does not include the acquisition of a federally guaranteed loan in satisfaction of default claims.

“(4) DIRECT LOAN OBLIGATION.—The term ‘direct loan obligation’ means a binding agreement by the Secretary to make a direct loan when specified conditions are fulfilled by the borrower.

“(5) INTERMODAL.—The term ‘intermodal’ means of or relating to the connection between rail service and other modes of transportation, including all parts of facilities at which the connection is made.

“(6) INVESTMENT-GRADE RATING.—The term ‘investment-grade rating’ means a rating of BBB minus, Baa3, bbb minus, BBB(low), or higher assigned by a rating agency.

“(7) LOAN GUARANTEE.—The term ‘loan guarantee’ means any guarantee, insurance, or other pledge with respect to the payment of all or a part of the principal or interest on any debt obligation of a non-Federal borrower to a non-Federal lender, but does not include the insurance of deposits, shares, or other withdrawable accounts in financial institutions.

“(8) LOAN GUARANTEE COMMITMENT.—The term ‘loan guarantee commitment’ means a binding agreement by the Secretary to make a loan guarantee when specified conditions are fulfilled by the borrower, the lender, or any other party to the guarantee agreement.

“(9) MASTER CREDIT AGREEMENT.—The term ‘master credit agreement’ means an agreement to make 1 or more direct loans or loan guarantees at future dates for a program of related projects on terms acceptable to the Secretary.

“(10) MODIFICATION.—

“(A) IN GENERAL.—The term ‘modification’ means any Government action that alters the estimated cost of an outstanding direct loan (or direct loan obligation) or an outstanding loan guarantee (or loan guarantee commitment) from the current estimate of cash flows.

“(B) INCLUSIONS.—The term ‘modification’ includes—

“(i) the sale of loan assets, with or without recourse, and the purchase of guaranteed loans; and

“(ii) any action resulting from new legislation, or from the exercise of administrative discretion under existing law, that directly or indirectly alters the estimated cost of

outstanding direct loans (or direct loan obligations) or loan guarantee (or loan guarantee commitment), such as a change in collection procedures.

“(11) PROJECT OBLIGATION.—The term ‘project obligation’ means a note, bond, debenture, or other debt obligation issued by a borrower in connection with the financing of a project, other than a direct loan or loan guarantee under this chapter.

“(12) RAILROAD.—The term ‘railroad’ has the meaning given the term ‘railroad carrier’ in section 20102.

“(13) RATING AGENCY.—The term ‘rating agency’ means a credit rating agency registered with the Securities and Exchange Commission as a nationally recognized statistical rating organization (as defined in section 3(a) of the Securities Exchange Act of 1934 (15 U.S.C. 78c(a))).

“(14) SECRETARY.—The term ‘Secretary’ means the Secretary of Transportation.

“(15) SUBSTANTIAL COMPLETION.—The term ‘substantial completion’ means—

“(A) the opening of a project to passenger or freight traffic; or

“(B) a comparable event, as determined by the Secretary and specified in the terms of the direct loan or loan guarantee.

“§ 22402. Direct loans and loan guarantees

“(a) GENERAL AUTHORITY.—The Secretary shall provide direct loans and loan guarantees—

“(1) to State and local governments;

“(2) to interstate compacts consented to by Congress under section 410(a) of the Amtrak Reform and Accountability Act of 1997 (Public Law 105-134; 49 U.S.C. 24101 note);

“(3) to government-sponsored authorities and corporations;

“(4) to railroads;

“(5) to joint ventures that include at least 1 of the entities described in paragraph (1), (2), (3), (4), or (6);

“(6) to private entities with controlling ownership in 1 or more freight railroads other than Class 1 carriers; and

“(7) solely for the purpose of constructing a rail connection between a plant or facility and a railroad, limited option freight shippers that own or operate a plant or other facility.

“(b) ELIGIBLE PURPOSES.—

“(1) IN GENERAL.—Direct loans and loan guarantees provided under this section shall be used to—

“(A)(i) acquire, improve, or rehabilitate intermodal or rail equipment or facilities, including track, components of track, civil works such as cuts and fills, bridges, yards, buildings, and shops; and

“(ii) finance costs related to the activities described in clause (i), including preconstruction costs;

“(B) develop or establish new intermodal or railroad facilities;

“(C) refinance outstanding debt incurred for the purposes described in subparagraph (A) or (B);

“(D) reimburse planning, permitting, and design expenses relating to activities described in subparagraph (A) or (B); or

“(E) finance economic development, including commercial and residential development, and related infrastructure and activities that—

“(i) incorporates private investment;

“(ii) is physically or functionally related to a passenger rail station or multimodal station that includes rail service;

“(iii) has a high probability of the applicant commencing the contracting process for construction not later than 90 days after the date on which the direct loan or loan guarantee is obligated for the project under this chapter; and

“(iv) has a high probability of reducing the need for financial assistance under any other

Federal program for the relevant passenger rail station or service by increasing ridership, tenant lease payments, or other activities that generate revenue exceeding costs.

“(2) OPERATING EXPENSES NOT ELIGIBLE.—Direct loans and loan guarantees under this section shall not be used for railroad operating expenses.

“(3) SUNSET.—The Secretary may provide a direct loan or loan guarantee under this section for a project described in paragraph (1)(E) only during the 4-year period beginning on December 4, 2015.

“(c) PRIORITY PROJECTS.—In granting applications for direct loans or guaranteed loans under this section, the Secretary shall give priority to projects that—

“(1) enhance public safety, including projects for the installation of a positive train control system (as defined in section 20157(i));

“(2) promote economic development;

“(3) enhance the environment;

“(4) enable United States companies to be more competitive in international markets;

“(5) are endorsed by the plans prepared under chapter 227 of this title or section 135 of title 23 by the State or States in which the projects are located;

“(6) improve railroad stations and passenger facilities and increase transit-oriented development;

“(7) preserve or enhance rail or intermodal service to small communities or rural areas;

“(8) enhance service and capacity in the national rail system; or

“(9)(A) would materially alleviate rail capacity problems that degrade the provision of service to shippers; and

“(B) would fulfill a need in the national transportation system.

“(d) EXTENT OF AUTHORITY.—

“(1) LIMITATION ON AGGREGATE UNPAID PRINCIPAL AMOUNTS OF OBLIGATIONS.—The aggregate unpaid principal amounts of obligations under direct loans and loan guarantees made under this section may not exceed \$35,000,000,000 at any time.

“(2) MINIMUM AMOUNT FOR FREIGHT RAILROADS.—Of the amount under paragraph (1), not less than \$7,000,000,000 shall be available solely for projects primarily benefiting freight railroads other than Class I carriers.

“(3) PROPORTION OF UNUSED AMOUNT.—The Secretary shall not establish any limit on the proportion of the unused amount authorized under this subsection that may be used for 1 loan or loan guarantee.

“(e) RATES OF INTEREST.—

“(1) DIRECT LOANS.—The interest rate on a direct loan under this section shall be not less than the yield on United States Treasury securities of a similar maturity to the maturity of the secured loan on the date of execution of the loan agreement.

“(2) LOAN GUARANTEES.—The Secretary shall not make a loan guarantee under this section if the interest rate for the loan exceeds that which the Secretary determines to be reasonable, taking into consideration the prevailing interest rates and customary fees incurred under similar obligations in the private capital market.

“(f) INFRASTRUCTURE PARTNERS.—

“(1) AUTHORITY OF SECRETARY.—

“(A) IN GENERAL.—In lieu of or in combination with appropriations of budget authority to cover the costs of direct loans and loan guarantees as required under section 504(b)(1) of the Federal Credit Reform Act of 1990 (2 U.S.C. 661c(b)(1)), including the cost of a modification of a direct loan or loan guarantee, the Secretary may accept on behalf of an applicant for assistance under this section a commitment from a non-Federal source, including a State or local government or agency, or public benefit corporation or public authority of a State or local

government, to fund, in whole or in part, credit risk premiums and modification costs with respect to the loan that is the subject of the application or modification.

“(B) LIMITATION.—The aggregate of appropriations of budget authority and credit risk premiums described in this paragraph with respect to a direct loan or loan guarantee shall not be less than the cost of that direct loan or loan guarantee.

“(2) CREDIT RISK PREMIUM AMOUNT.—The Secretary shall determine the amount required for credit risk premiums under this subsection on the basis of—

“(A) the circumstances of the applicant, including the amount of collateral offered, if any;

“(B) the proposed schedule of loan disbursements;

“(C) historical data on the repayment history of similar borrowers;

“(D) consultation with the Congressional Budget Office; and

“(E) any other factors the Secretary considers relevant.

“(3) CREDITWORTHINESS.—Upon receipt of a proposal from an applicant for assistance under this section, the Secretary shall accept, as a basis for determining the amount of the credit risk premium under paragraph (2), in addition to the value of any collateral described in paragraph (5), any of the following:

“(A) The net present value of a future stream of State or local subsidy income or other dedicated revenues to secure the direct loan or loan guarantee.

“(B) Adequate coverage requirements to ensure repayment, on a nonrecourse basis, from cash flows generated by the project or any other dedicated revenue source, including—

“(i) tolls;

“(ii) user fees, including operating or tenant charges, facility rents, or other fees paid by transportation service providers or operators for access to, or the use of, infrastructure, including rail lines, bridges, tunnels, yards, or stations; and

“(iii) payments owing to the obligor under a public-private partnership.

“(C) An investment-grade rating on the direct loan or loan guarantee, as applicable, unless the total amount of the direct loan or loan guarantee is greater than \$150,000,000, in which case the applicant shall have an investment-grade rating from not fewer than 2 rating agencies regarding the direct loan or loan guarantee.

“(D) A projection of freight or passenger demand for the project based on regionally developed economic forecasts, including projections of any modal diversion resulting from the project.

“(4) PAYMENT OF PREMIUMS.—Credit risk premiums under this subsection shall be paid to the Secretary before the disbursement of loan amounts (and in the case of a modification, before the modification is executed), to the extent appropriations are not available to the Secretary to meet the costs of direct loans and loan guarantees, including costs of modifications of direct loans and loan guarantees.

“(5) COLLATERAL.—

“(A) TYPES OF COLLATERAL.—An applicant or infrastructure partner may propose tangible and intangible assets as collateral, exclusive of goodwill. The Secretary, after evaluating each such asset—

“(i) shall accept a net liquidation value of collateral; and

“(ii) shall consider and may accept—

“(I) the market value of collateral; or

“(II) in the case of a blanket pledge or assignment of an entire operating asset or basket of assets as collateral, the net liquidation value, the market value of assets, or,

the market value of the going concern, considering—

“(aa) inclusion in the pledge of all the assets necessary for independent operational utility of the collateral, including tangible assets such as real property, track and structure, equipment and rolling stock, stations, systems and maintenance facilities and intangible assets such as long-term shipping agreements, easements, leases and access rights such as for trackage and haulage;

“(bb) interchange commitments; and

“(cc) the value of the asset as determined through the cost or market approaches, or the market value of the going concern, with the latter considering discounted cash flows for a period not to exceed the term of the direct loan or loan guarantee.

“(B) APPRAISAL STANDARDS.—In evaluating appraisals of collateral under subparagraph (A), the Secretary shall consider—

“(i) adherence to the substance and principles of the Uniform Standards of Professional Appraisal Practice, as developed by the Appraisal Standards Board of the Appraisal Foundation;

“(ii) performance of the appraisal by licensed or certified appraisers as may be required by the State of jurisdiction for the type of asset being appraised; and

“(iii) the qualifications of the appraisers to value the type of collateral offered.

“(g) PREREQUISITES FOR ASSISTANCE.—The Secretary shall not make a direct loan or loan guarantee under this section unless the Secretary has made a written finding that—

“(1) repayment of the obligation is required to be made within a term of the lesser of—

“(A) 35 years after the date of substantial completion of the project; or

“(B) with regard to rail equipment or facilities with estimated useful lives that exceed the term described in subparagraph (A)—

“(i) 50 years after the date of substantial completion of the project; or

“(ii) the estimated useful life of the rail equipment or facilities to be acquired, rehabilitated, improved, developed, or established, subject to an adequate determination of long-term risk;

“(2) the direct loan or loan guarantee is justified by the present and probable future demand for rail services or intermodal facilities;

“(3) the applicant has given reasonable assurances that the facilities or equipment to be acquired, rehabilitated, improved, developed, or established with the proceeds of the obligation will be economically and efficiently utilized;

“(4) the obligation can reasonably be repaid, using an appropriate combination of credit risk premiums and collateral offered by the applicant to protect the Federal Government; and

“(5) the purposes of the direct loan or loan guarantee are consistent with subsection (b).

“(h) CONDITIONS OF ASSISTANCE.—

“(1) IN GENERAL.—The Secretary, before granting assistance under this section, shall require the applicant to agree to such terms and conditions as are sufficient, in the judgment of the Secretary, to ensure that, as long as any principal or interest is due and payable on the obligation, the applicant, and any railroad or railroad partner for whose benefit the assistance is intended—

“(A) will not use any funds or assets from railroad or intermodal operations for purposes not related to the operations, if the use—

“(i) would impair the ability of the applicant, railroad, or railroad partner to provide rail or intermodal services in an efficient and economic manner; or

“(ii) would adversely affect the ability of the applicant, railroad, or railroad partner to perform any obligation entered into by the applicant under this section;

“(B) will, consistent with its capital resources, maintain its capital program, equipment, facilities, and operations on a continuing basis; and

“(C) will not make any discretionary dividend payments that unreasonably conflict with the purposes stated in subsection (b).

“(2) COLLATERAL AND REQUEST FOR ASSISTANCE FROM ANOTHER SOURCE NOT REQUIRED.—

“(A) COLLATERAL.—

“(i) IN GENERAL.—The Secretary shall not require an applicant for a direct loan or loan guarantee under this section to provide collateral.

“(ii) VALUATION.—Any collateral provided or enhanced after being provided shall be valued as a going concern after giving effect to the present value of improvements contemplated by the completion and operation of the project, if applicable.

“(B) REQUEST FOR ASSISTANCE FROM ANOTHER SOURCE.—The Secretary shall not require an applicant for a direct loan or loan guarantee under this section to have previously sought the financial assistance requested from another source.

“(3) REQUIRED COMPLIANCE.—The Secretary shall require recipients of direct loans or loan guarantees under this section to comply with—

“(A) the standards of section 24312, as in effect on September 1, 2002, with respect to the project in the same manner that Amtrak is required to comply with the standards for construction work financed under an agreement made under section 24308(a); and

“(B) the protective arrangements established under section 22404, with respect to employees affected by actions taken in connection with the project to be financed by the direct loan or loan guarantee.

“(4) MATCHING FUNDS.—The Secretary shall require each recipient of a direct loan or loan guarantee under this section, for a project described in subsection (b)(1)(E), to provide a non-Federal match of not less than 25 percent of the total amount expended by the recipient for the project.

“(i) APPLICATION PROCESSING PROCEDURES.—

“(1) APPLICATION STATUS NOTICES.—Not later than 30 days after the date on which the Secretary receives an application under this section, or additional information and material under paragraph (2)(B), the Secretary shall provide the applicant written notice as to whether the application is complete or incomplete.

“(2) INCOMPLETE APPLICATIONS.—If the Secretary determines that an application is incomplete, the Secretary shall—

“(A) provide the applicant with a description of all of the specific information or material that is needed to complete the application, including any information required by an independent financial analyst; and

“(B) allow the applicant to resubmit the application with the information and material described under subparagraph (A) to complete the application.

“(3) APPLICATION APPROVALS AND DISAPPROVALS.—

“(A) IN GENERAL.—Not later than 45 days after the date on which the Secretary notifies an applicant that an application is complete under paragraph (1), the Secretary shall provide the applicant written notice as to whether the Secretary has approved or disapproved the application.

“(B) ACTIONS BY THE OFFICE OF MANAGEMENT AND BUDGET.—In order to enable compliance with the time limit under subparagraph (A), the Office of Management and Budget shall take any action required with

respect to the application within that 60-day period.

“(4) STREAMLINED APPLICATION REVIEW PROCESS.—

“(A) IN GENERAL.—Consistent with section 116, and not later than 180 days after date of the enactment of the Railroad Rehabilitation and Financing Innovation Act, the Secretary shall make available an expedited application process or processes at the request of applicants seeking loans or loan guarantees.

“(B) CRITERIA.—Applicants seeking loans and loan guarantees issued under this subsection shall—

“(i) seek a total loan or loan guarantee value not exceeding \$100,000,000;

“(ii) meet eligible project purposes included in subparagraphs (A)(i), (A)(ii), and (B) of subsection (b)(1); and

“(iii) meet other criteria considered appropriate by the Secretary, in consultation with the Department of Transportation Council on Credit and Finance.

“(C) EXPEDITED CREDIT REVIEW.—The total time between the submission of a draft application and the approval or disapproval of a loan or loan guarantee for an applicant under this paragraph shall not exceed 90 days. If an application review conducted under this paragraph exceeds 90 days, the Secretary shall—

“(i) provide written notice to the applicant, including a justification for the delay and updated estimate of the time needed for approval or disapproval; and

“(ii) publish the notice on the dashboard described in paragraph (5).

“(5) DASHBOARD.—The Secretary shall post, on the Department of Transportation’s internet website, a monthly report that includes, for each application—

“(A) the applicant type;

“(B) the location of the project;

“(C) a brief description of the project, including its purpose;

“(D) the requested direct loan or loan guarantee amount;

“(E) the date on which the Secretary provided application status notice under paragraph (1);

“(F) the date that the Secretary provided notice of approval or disapproval under paragraph (3); and

“(G) whether the project utilized the expedited application process under paragraph (4).

“(6) REGULAR CREDITWORTHINESS REVIEW STATUS REPORTS.—

“(A) IN GENERAL.—The Secretary shall provide to the applicant a regular report containing information related to the application for a loan or loan guarantee, including—

“(i) a summary of the proposed transaction, including—

“(I) the total value of the proposed loan or loan guarantee;

“(II) the name of the applicant or applicants submitting an application;

“(III) the proposed capital structure of the project to which the loan or loan guarantee would be applied, including the proposed Federal and non-Federal shares of the total project cost;

“(IV) the type of activity to receive credit assistance, including whether the project—

“(aa) is new construction or rehabilitation of existing rail equipment or facilities;

“(bb) is a refinancing an existing loan or loan guarantee; and

“(V) if a deferred payment is proposed, the length of such deferral;

“(VI) the credit rating or ratings provided for the applicant;

“(VII) if other credit instruments are involved, the proposed subordination relationship and a description of such other credit instruments;

“(VIII) a schedule for the readiness of proposed investments for financing;

“(IX) a description of any Federal permits required, including under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and any waivers under section 5323(j) of title 49, United States Code (commonly referred to as the ‘Buy America Act’); and

“(X) other characteristics of the proposed activity to be financed, borrower, key agreements, or the nature of the credit that the Secretary considers to be fundamental to the creditworthiness review;

“(ii) the status of the application in the pre-application review and selection process;

“(iii) the cumulative amounts paid by the Secretary to outside advisors related to the application, including financial and legal advisors;

“(iv) a description of the key rating factors used by the Secretary to determine credit risk, including—

“(I) the qualitative and quantitative factors used to determine risk for the proposed application;

“(II) an adjectival risk rating for each identified factor, ranked as either low, moderate, or high; and

“(v) a nonbinding estimate of the credit risk premium, which may be in the form of—

“(I) a range, based on the assessment of risk factors described in clause (iv); or

“(II) a justification for why the estimate of the credit risk premium cannot be determined based on available information; and

“(vi) a description of key information the Secretary needs from the applicant to complete the credit review process and make a final determination of the credit risk premium.

“(B) REPORT.—The Secretary shall submit the report described in subparagraph (A) not less frequently than every 45 days after the date on which the Secretary presents the first request to the applicant for funding to pay fees for advisors described in subparagraph (A)(ii).

“(C) EXCEPTION.—The report required under this paragraph shall not be applied to applications processed using the expedited credit review process under paragraph (5)(B).

“(j) REPAYMENT SCHEDULES.—

“(1) IN GENERAL.—The Secretary shall establish a repayment schedule requiring payments to commence not later than 5 years after the date of substantial completion.

“(2) ACCRUAL.—Interest shall accrue as of the date of disbursement, and shall be amortized over the remaining term of the loan, beginning at the time the payments begin.

“(3) DEFERRED PAYMENTS.—

“(A) IN GENERAL.—If, at any time the date of substantial completion, the obligor is unable to pay the scheduled loan repayments of principal and interest on a direct loan provided under this section, the Secretary, subject to subparagraph (B), may allow, for a maximum aggregate time of 1 year over the duration of the direct loan, the obligor to add unpaid principal and interest to the outstanding balance of the direct loan.

“(B) INTEREST.—A payment deferred under subparagraph (A) shall—

“(i) continue to accrue interest under paragraph (2) until the loan is fully repaid; and

“(ii) be scheduled to be amortized over the remaining term of the loan.

“(4) PREPAYMENTS.—

“(A) USE OF EXCESS REVENUES.—With respect to a direct loan provided by the Secretary under this section, any excess revenues that remain after satisfying scheduled debt service requirements on the project obligations and direct loan and all deposit requirements under the terms of any trust agreement, bond resolution, or similar agreement securing project obligations may

be applied annually to prepay the direct loan without penalty.

“(B) USE OF PROCEEDS OF REFINANCING.—The direct loan may be prepaid at any time without penalty from the proceeds of refinancing from non-Federal funding sources.

“(k) SALE OF DIRECT LOANS.—

“(1) IN GENERAL.—Subject to paragraph (2) and as soon as practicable after substantial completion of a project, the Secretary, after notifying the obligor, may sell to another entity or reoffer into the capital markets a direct loan for the project if the Secretary determines that the sale or reoffering has a high probability of being made on favorable terms.

“(2) CONSENT OF OBLIGOR.—In making a sale or reoffering under paragraph (1), the Secretary shall not change the original terms and conditions of the secured loan without the prior written consent of the obligor.

“(1) NONSUBORDINATION.—

“(1) IN GENERAL.—Except as provided in paragraph (2), a direct loan provided by the Secretary under this section shall not be subordinated to the claims of any holder of project obligations in the event of bankruptcy, insolvency, or liquidation of the obligor.

“(2) PREEXISTING INDENTURES.—

“(A) IN GENERAL.—The Secretary may waive the requirement under paragraph (1) for a public agency borrower that is financing ongoing capital programs and has outstanding senior bonds under a preexisting indenture if—

“(i) the direct loan is rated in the A category or higher;

“(ii) the direct loan is secured and payable from pledged revenues not affected by project performance, such as a tax-based revenue pledge or a system-backed pledge of project revenues; and

“(iii) the program share, under this chapter, of eligible project costs is 50 percent or less.

“(B) LIMITATION.—The Secretary may impose limitations for the waiver of the non-subordination requirement under this paragraph if the Secretary determines that the limitations would be in the financial interest of the Federal Government.

“(m) MASTER CREDIT AGREEMENTS.—

“(1) IN GENERAL.—Subject to paragraph (2) and to subsection (d), the Secretary may enter into a master credit agreement that is contingent on all of the conditions for the provision of a direct loan or loan guarantee, as applicable, under this chapter and other applicable requirements being satisfied prior to the issuance of the direct loan or loan guarantee.

“(2) CONDITIONS.—Each master credit agreement shall—

“(A) establish the maximum amount and general terms and conditions of each applicable direct loan or loan guarantee;

“(B) identify 1 or more dedicated non-Federal revenue sources that will secure the repayment of each applicable direct loan or loan guarantee;

“(C) provide for the obligation of funds—
“(i) for the direct loans or loan guarantees contingent on the meeting of all applicable requirements and after all requirements have been met, for the projects subject to the master credit agreement; and

“(D) provide 1 or more dates, as determined by the Secretary, before which the master credit agreement results in the disbursement issuance of each of the direct loans or loan guarantees or in the release of the master credit agreement.

“§ 22403. Administration of direct loans and loan guarantees

“(a) APPLICATIONS.—

“(1) IN GENERAL.—The Secretary shall prescribe the form and contents required of applications for assistance under section 22402, to enable the Secretary to determine the eligibility of the applicant's proposal, and shall establish terms and conditions for direct loans and loan guarantees made under that section, including a program guide, a standard term sheet, and specific timetables.

“(2) DOCUMENTATION.—An applicant meeting the size standard for small business concerns established under section 3(a)(2) of the Small Business Act (15 U.S.C. 632(a)(2)) may provide unaudited financial statements as documentation of historical financial information if such statements are accompanied by the applicant's Federal tax returns and Internal Revenue Service tax verifications for the corresponding years.

“(b) FULL FAITH AND CREDIT.—All guarantees entered into by the Secretary under section 22402 shall constitute general obligations of the United States of America and shall be backed by the full faith and credit of the United States of America.

“(c) ASSIGNMENT OF LOAN GUARANTEES.—The holder of a loan guarantee made under section 22402 may assign the loan guarantee in whole or in part, subject to such requirements as the Secretary may prescribe.

“(d) MODIFICATIONS.—The Secretary may approve the modification of any term or condition of a direct loan, loan guarantee, direct loan obligation, or loan guarantee commitment, including the rate of interest, time of payment of interest or principal, or security requirements, if the Secretary finds in writing that—

“(1) the modification is equitable and is in the overall best interests of the United States;

“(2) consent has been obtained from the applicant and in the case of a loan guarantee or loan guarantee commitment, the holder of the obligation; and

“(3) the modification cost has been covered under section 22402(f).

“(e) COMPLIANCE.—The Secretary shall ensure compliance by an applicant, any other party to the loan, and any railroad or railroad partner for whose benefit assistance is intended, with the provisions of this chapter, regulations issued under this chapter, and the terms and conditions of the direct loan or loan guarantee, including through regular periodic inspections.

“(f) COMMERCIAL VALIDITY.—

“(1) IN GENERAL.—For purposes of claims by any party other than the Secretary, a loan guarantee or loan guarantee commitment shall be conclusive evidence that the underlying obligation is in compliance with the provisions of this chapter, and that the obligation has been approved and is legal as to principal, interest, and other terms.

“(2) VALID AND INCONTESTABLE.—A guarantee or commitment under paragraph (1) shall be valid and incontestable in the hands of a holder of the guarantee or commitment, including the original lender or any other holder, as of the date when the Secretary granted the application for the guarantee or commitment, except as to fraud or material misrepresentation by the holder.

“(g) DEFAULT.—

“(1) IN GENERAL.—The Secretary shall prescribe regulations setting forth procedures in the event of default on a loan made or guaranteed under section 22402.

“(2) LOAN GUARANTEES.—The Secretary shall ensure that each loan guarantee made under section 22402 contains terms and conditions that provide that—

“(A) if a payment of principal or interest under the loan is in default for more than 30 days, the Secretary shall pay to the holder of the obligation, or the holder's agent, the amount of unpaid guaranteed interest;

“(B) if the default has continued for more than 90 days, the Secretary shall pay to the holder of the obligation, or the holder's agent, 90 percent of the unpaid guaranteed principal;

“(C) after final resolution of the default, through liquidation or otherwise, the Secretary shall pay to the holder of the obligation, or the holder's agent, any remaining amounts guaranteed but that were not recovered through the default's resolution;

“(D) the Secretary shall not be required to make any payment under subparagraphs (A) through (C) if the Secretary finds, before the expiration of the periods described in such subparagraphs, that the default has been remedied; and

“(E) the holder of the obligation shall not receive payment or be entitled to retain payment in a total amount that, together with all other recoveries (including any recovery based upon a security interest in equipment or facilities) exceeds the actual loss of the holder.

“(h) RIGHTS OF THE SECRETARY.—

“(1) SUBROGATION.—If the Secretary makes payment to a holder, or a holder's agent, under subsection (g) in connection with a loan guarantee made under section 22402, the Secretary shall be subrogated to all of the rights of the holder with respect to the obligor under the loan.

“(2) DISPOSITION OF PROPERTY.—The Secretary may complete, recondition, reconstruct, renovate, repair, maintain, operate, charter, rent, sell, or otherwise dispose of any property or other interests obtained pursuant to this section. The Secretary shall not be subject to any Federal or State regulatory requirements when carrying out this paragraph.

“(i) ACTION AGAINST OBLIGOR.—

“(1) IN GENERAL.—The Secretary may bring a civil action in an appropriate Federal court in the name of the United States in the event of a default on a direct loan made under section 22402 or in the name of the United States or of the holder of the obligation in the event of a default on a loan guaranteed under section 22402.

“(2) RECORDS AND EVIDENCE.—The holder of a guarantee shall make available to the Secretary all records and evidence necessary to prosecute the civil action.

“(3) PROPERTY AS SATISFACTION OF SUMS OWED.—The Secretary may accept property in full or partial satisfaction of any sums owed as a result of a default.

“(4) EXCESS AMOUNT.—

“(A) PAYMENT TO OBLIGOR.—If the Secretary receives, through the sale or other disposition of the property described in paragraph (3), an excess amount described in subparagraph (B), the Secretary shall pay to the obligor the excess amount.

“(B) AMOUNT.—An excess amount under this subparagraph is an amount that exceeds the aggregate of—

“(i) the amount paid to the holder of a guarantee under subsection (g); and

“(ii) any other cost to the United States of remedying the default.

“(j) BREACH OF CONDITIONS.—The Attorney General shall commence a civil action in an appropriate Federal court to enjoin any activity that the Secretary finds is in violation of this chapter, regulations issued under this chapter, or any conditions that were agreed to, and to secure any other appropriate relief.

“(k) ATTACHMENT.—No attachment or execution may be issued against the Secretary, or any property in the control of the Secretary, prior to the entry of final judgment to that effect in any Federal, State, or other court.

“(1) CHARGES AND LOAN SERVICING.—

“(1) PURPOSES.—The Secretary may collect from each applicant, obligor, or loan party a reasonable charge for—

“(A) the cost of evaluating the application, amendments, modifications, and waivers, including for evaluating project viability, applicant creditworthiness, and the appraisal of the value of the equipment or facilities for which the direct loan or loan guarantee is sought, and for making necessary determinations and findings;

“(B) to cost of award management and project management oversight;

“(C) the cost of services from expert firms, including counsel, and independent financial advisors to assist in the underwriting, auditing, servicing, and exercise of rights with respect to direct loans and loan guarantees; and

“(D) the cost of all other expenses incurred as a result of a breach of any term or condition or any event of default on a direct loan or loan guarantee.

“(2) CHARGE DIFFERENT AMOUNTS.—The Secretary may charge different amounts under this subsection based on the different costs incurred under paragraph (1).

“(3) SERVICER.—

“(A) IN GENERAL.—The Secretary may appoint a financial entity to assist the Secretary in servicing a direct loan or loan guarantee under this chapter.

“(B) DUTIES.—A servicer appointed under subparagraph (A) shall act as the agent of the Secretary in servicing a direct loan or loan guarantee under this chapter.

“(C) FEES.—A servicer appointed under subparagraph (A) shall receive a servicing fee from the obligor or other loan party, subject to approval by the Secretary.

“(4) NATIONAL SURFACE TRANSPORTATION AND INNOVATIVE FINANCE BUREAU ACCOUNT.—Amounts collected under this subsection shall—

“(A) be credited directly to the National Surface Transportation and Innovative Finance Bureau Account; and

“(B) remain available until expended to pay for the costs described in this subsection.

“(m) FEES AND CHARGES.—Except as provided in this chapter, the Secretary may not assess fees, including user fees, or charges in connection with a direct loan or loan guarantee provided under section 22402.

“§ 22404. Employee protection

“(a) IN GENERAL.—

“(1) FAIR AND EQUITABLE ARRANGEMENTS.—Fair and equitable arrangements shall be provided, in accordance with this section, to protect the interests of any employees who may be affected by actions taken pursuant to authorizations or approval obtained under this chapter.

“(2) ARRANGEMENTS BY AGREEMENTS.—The arrangements under paragraph (1) shall be determined by the execution of an agreement between the representatives of the railroads and the representatives of their employees not later than June 4, 1976.

“(3) PRESCRIBED ARRANGEMENTS.—In the absence of an executed agreement under paragraph (2), the Secretary of Labor shall prescribe the applicable protective arrangements not later than July 4, 1976.

“(b) TERMS.—

“(1) APPLICABILITY TO EXISTING EMPLOYEES.—The arrangements required under subsection (a) shall apply to each employee who has an employment relationship with a railroad on the date on which the railroad first applies for financial assistance under this chapter.

“(2) INCLUSIONS.—Such arrangements shall include such provisions as may be necessary

for the negotiation and execution of agreements as to the manner in which the protective arrangements shall be applied, including notice requirements.

“(3) EXECUTION PRIOR TO IMPLEMENTATION OF WORK.—The agreements shall be executed prior to implementation of work funded from financial assistance under this chapter.

“(4) ARBITRATION.—

“(A) IN GENERAL.—If an agreement described in subsection (a)(2) is not reached within 30 days after the date on which an application for the assistance is approved, either party to the dispute may submit the issue for final and binding arbitration.

“(B) DECISION.—

“(i) WHEN DECISION IS TO BE RENDERED.—The decision on any arbitration under this paragraph shall be rendered within 30 days after the submission.

“(ii) EFFECT.—The arbitration decision—

“(I) shall not modify the protection afforded in the protective arrangements established pursuant to this section;

“(II) shall be final and binding on the parties to the arbitration; and

“(III) shall become a part of the agreement.

“(5) OTHER INCLUSIONS.—The arrangements shall also include such provisions as may be necessary—

“(A) for the preservation of compensation (including subsequent general wage increases, vacation allowances, and monthly compensation guarantees), right, privileges, and benefits (including fringe benefits such as pensions, hospitalization, and vacations, under the same conditions and so long as the benefits continue to be accorded to other employees of the employing railroad in active service or on furlough, as the case may be) to the employees under existing collective-bargaining agreements or otherwise;

“(B) to provide for final and binding arbitration of any dispute that cannot be settled by the parties with respect to the interpretation, application, or enforcement of the provisions of the protective arrangements;

“(C) to provide that an employee who is unable to secure employment by the exercise of the employee's seniority rights, as a result of actions taken with financial assistance obtained under this chapter, shall be offered reassignment and, where necessary, retraining to fill a position comparable to the position held at the time of the adverse effect and for which the employee is, or by training and retraining can become, physically and mentally qualified, so long as the offer is not in contravention of collective bargaining agreements relating to the provisions in this paragraph; and

“(D) to provide that the protection afforded pursuant to this section shall not be applicable to employees benefitted solely as a result of the work that is financed by funds provided pursuant to this chapter.

“(c) SUBCONTRACTING.—The arrangements that are required to be negotiated by the parties or prescribed by the Secretary of Labor, pursuant to subsections (a) and (b), shall include provisions regulating subcontracting by the railroads of work that is financed by funds provided pursuant to this chapter.

“§ 22405. Substantive criteria and standards

“The Secretary shall publish in the Federal Register and post on the Department of Transportation website the substantive criteria and standards used by the Secretary to determine whether to approve or disapprove applications submitted under section 22404. The Secretary shall ensure adequate procedures and guidelines are in place to permit the filing of complete applications within 30 days of the publication.

“§ 22406. Funding

“(a) AUTHORIZATION OF APPROPRIATIONS.—

“(1) IN GENERAL.—There are authorized to be appropriated out of the General Fund for credit assistance under this chapter—

“(A) \$30,000,000 for fiscal year 2021;

“(B) \$31,000,000 for fiscal year 2022;

“(C) \$32,000,000 for fiscal year 2023;

“(D) \$33,000,000 for fiscal year 2024; and

“(E) \$34,000,000 for fiscal year 2025.

“(2) AVAILABILITY.—Amounts appropriated pursuant to this subsection shall remain available until expended.

“(b) USE OF FUNDS.—

“(1) IN GENERAL.—Except as provided in paragraph (2), amounts appropriated pursuant to this section shall be used for loans and loan guarantees with a total value of not more than \$200,000,000.

“(2) ADMINISTRATIVE COSTS.—In each fiscal year, not less than \$3,000,000 of the amounts appropriated pursuant to subsection (a) shall be made available for the Secretary for use in lieu of charges collected under section 22403(1)(1) for freight railroads other than Class I carriers and passenger railroads.

“(3) SHORT LINE SET-ASIDE.—In each fiscal year, not less than 50 percent of the amounts appropriated pursuant to subsection (a) that remain available after the set aside described in paragraph (2) shall be set aside for freight railroads other than Class I carriers.

“(4) PASSENGER RAIL SET-ASIDE.—Any amounts appropriated pursuant to subsection (a) that remain available after the set-asides described in paragraphs (2) and (3) shall be set aside for passenger railroads.”

(b) CLERICAL AMENDMENT.—The table of chapters for title 49, United States Code, is amended by inserting after the item relating to chapter 223 the following:

“CHAPTER 224—RAILROAD REHABILITATION AND IMPROVEMENT FINANCING PROGRAM”.

SEC. 3. CONFORMING AMENDMENTS.

(a) NATIONAL TRAILS SYSTEM ACT.—Section 8(d) of the National Trails System Act (16 U.S.C. 1247(d)) is amended by inserting “(45 U.S.C. 801 et seq.) and chapter 224 of title 49, United States Code” after “1976”.

(b) PASSENGER RAIL REFORM AND INVESTMENT ACT.—Section 11315(c) of the Passenger Rail Reform and Investment Act of 2015 (23 U.S.C. 322 note; Public Law 114-94) is amended by striking “sections 502 and 503 of the Railroad Revitalization and Regulatory Reform Act of 1976” and inserting “sections 22402 and 22403 of title 49, United States Code”.

(c) PROVISIONS CLASSIFIED IN TITLE 45, UNITED STATES CODE.—

(1) Section 101 of the Railroad Revitalization and Regulatory Reform Act of 1976 (45 U.S.C. 801) is amended—

(A) in subsection (a), in the matter preceding paragraph (1), by striking “It is the purpose of the Congress in this Act to” and inserting “The purpose of this Act and chapter 224 of subtitle V of title 49, United States Code, is to”; and

(B) in subsection (b), in the matter preceding paragraph (1), by striking “It is declared to be the policy of the Congress in this Act” and inserting “The policy of this Act and chapter 224 of title 49, United States Code, is”.

(2) Section 11607(b) of the Railroad Infrastructure Financing Improvement Act (Public Law 114-94; 45 U.S.C. 821 note) is amended by striking “All provisions under sections 502 through 504 of the Railroad Revitalization and Regulatory Reform Act of 1976 (45 U.S.C. 8301 et seq.)” and inserting “All provisions under section 22404 through 22404 of title 49, United States Code.”

(3) Section 11610(b) of the Railroad Infrastructure Financing Improvement Act (Public Law 114-94; 45 U.S.C. 821 note) is amended

by striking “section 502(f) of the Railroad Revitalization and Regulatory Reform Act of 1976 (45 U.S.C. 822(f)), as amended by section 11607 of this Act” and inserting “section 22402(f) of title 49, United States Code”.

(4) Section 7203(b)(2) of the Transportation Equity Act for the 21st Century (Public Law 105-178; 45 U.S.C. 821 note) is amended by striking “title V of the Railroad Revitalization and Regulatory Reform Act of 1976 (45 U.S.C. 821 et seq.)” and inserting “chapter 224 of title 49, United States Code.”

(5) Section 212(d)(1) of Hamm Alert Maritime Safety Act of 2018 (title II of Public Law 115-265; 45 U.S.C. 822 note) is amended, in the matter preceding subparagraph (A), by striking “for purposes of section 502(f)(4) of the Railroad Revitalization and Regulatory Reform Act of 1976 (45 U.S.C. 822(f)(4))” and inserting “for purposes of section 22402 of title 49, United States Code”.

(6) Section 15(f) of the Milwaukee Railroad Restructuring Act (45 U.S.C. 914(f)) is amended by striking “Section 516 of the Railroad Revitalization and Regulatory Reform Act of 1976 (45 U.S.C. 836)” and inserting “Section 22404 of title 49, United States Code.”

(7) Section 104(b) of the Rock Island Railroad Transition and Employee Assistance Act (45 U.S.C. 1003(b)) is amended—

(A) in paragraph (1), by striking “title V of the Railroad Revitalization and Regulatory Reform Act of 1976 (45 U.S.C. 821 et seq.)” and inserting “chapter 224 of title 49, United States Code.”; and

(B) in paragraph (2), by striking “title V of the Railroad Revitalization and Regulatory Reform Act of 1976, and section 516 of such Act (45 U.S.C. 836)” and inserting “chapter 224 of title 49, United States Code, and section 22404 of title 49, United States Code.”

(8) Section 104(b)(2) of the Rock Island Railroad Transition and Employee Assistance Act (45 U.S.C. 1003(b)(2)) is amended by striking “title V of the Railroad Revitalization and Regulatory Reform Act of 1976, and section 516 of such Act (45 U.S.C. 836)” and inserting “chapter 224 of title 49, United States Code, and section 22404 of such title 49.”

(d) TITLE 49.—

(1) Section 116(d)(1)(B) of title 49, United States Code, is amended by striking “sections 501 through 503 of the Railroad Revitalization and Regulatory Reform Act of 1976 (45 U.S.C. 821-823)” and inserting “sections 22401 through 22403 of this title”.

(2) Section 306(b) of title 49, United States Code, is amended—

(A) by striking “chapter 221 or 249 of this title,” and inserting “chapter 221, 224, or 249 of this title.”; and

(B) by striking “, or title V of the Railroad Revitalization and Regulatory Reform Act of 1976 (45 U.S.C. 821 et seq.)”.

(3) Section 11311(d) of the Passenger Rail Reform and Investment Act of 2015 (Public Law 114-94; 49 U.S.C. 20101 note) is amended by striking “, and section 502 of the Railroad Revitalization and Regulatory Reform Act of 1976 (45 U.S.C. 822)”.

(4) Section 205(g) of the Passenger Rail Investment and Improvement Act of 2008 (division B of Public Law 110-432; 49 U.S.C. 24101 note) is amended by striking “title V of the Railroad Revitalization and Regulatory Reform Act of 1976 (45 U.S.C. 821 et seq.)” and inserting “chapter 224 of title 49, United States Code”.

(5) Section 22905(c)(2)(B) of title 49, United States Code, is amended by striking “section 504 of the Railroad Revitalization and Regulatory Reform Act of 1976 (45 U.S.C. 836)” and inserting “section 22404 of this title”.

(6) Section 24903 of title 49, United States Code, is amended—

(A) in subsection (a)(6), by striking “and the Railroad Revitalization and Regulatory

Reform Act of 1976 (45 U.S.C. 801 et seq.)” and inserting “, the Railroad Revitalization and Regulatory Reform Act of 1976 (45 U.S.C. 801 et seq.), and chapter 224 of this title”;

(B) in subsection (c)(2), by striking “and the Railroad Revitalization and Regulatory Reform Act of 1976 (45 U.S.C. 801 et seq.)” and inserting “, the Railroad Revitalization and Regulatory Reform Act of 1976 (45 U.S.C. 801 et seq.), and chapter 224 of this title”.

SEC. 4. TRANSITIONAL AND SAVINGS PROVISIONS.

(a) DEFINITIONS.—In this section:

(1) RESTATED PROVISION.—The term “restated provision” means a provision of chapter 224 of title 49, United States Code, as added by section 2.

(2) SOURCE PROVISION.—The term “source provision” means a provision of law that is replaced by a restated provision.

(b) CUTOFF DATE.—

(1) IN GENERAL.—The restated provisions replace certain source provisions enacted on or before March 12, 2019.

(2) SUBSEQUENT AMENDMENTS AND REPEALS.—If a law enacted after March 12, 2019 amends or repeals a source provision, that law is deemed to amend or repeal, as the case may be, the corresponding restated provision. If a law enacted after March 12, 2019 is otherwise inconsistent with a restated provision of this Act, that law supersedes the restated provision of this Act to the extent of the inconsistency.

(c) ORIGINAL DATE OF ENACTMENT UNCHANGED.—A restated provision is deemed to have been enacted on the date of enactment of the corresponding source provision.

(d) REFERENCES TO RESTATED PROVISIONS.—A reference to a restated provision is deemed to refer to the corresponding source provision.

(e) REFERENCES TO SOURCE PROVISIONS.—A reference to a source provision, including a reference in a regulation, order, or other law, is deemed to refer to the corresponding restated provision.

(f) REGULATIONS, ORDERS, AND OTHER ADMINISTRATIVE ACTIONS.—A regulation, order, or other administrative action in effect under a source provision continues in effect under the corresponding restated provision.

(g) ACTIONS TAKEN AND OFFENSES COMMITTED.—An action taken or an offense committed under a source provision is deemed to have been taken or committed under the corresponding restated provision.

SEC. 5. REPEALS.

The following provisions of law are repealed, except with respect to rights and duties that matured, penalties that were incurred, or proceedings that were begun before the date of enactment of this Act:

Schedule of Laws Repealed

Act	Section	United States Code Former Classification
Railroad Revitalization and Regulatory Reform Act of 1976 (Public Law 94-210).	501	45 U.S.C. 821.
	502	45 U.S.C. 822.
	503	45 U.S.C. 823.
	504	45 U.S.C. 836.

Schedule of Laws Repealed—Continued

Act	Section	United States Code Former Classification
Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users or SAFETEA-LU (Public Law 109-59)	9003(j)	45 U.S.C. 822 note.

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

S. 3832. A bill to establish a new Directorate for Technology in the redesignated National Science and Technology Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, and innovation, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 3832

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 “Endless Frontier Act”.

SEC. 2. FINDINGS.

Congress finds the following:

(1) For over 70 years, the United States has been the unequivocal global leader in scientific and technological innovation, and as a result the people of the United States have benefited through good-paying jobs, economic prosperity, and a higher quality of life. Today, however, this leadership position is being eroded and challenged by foreign competitors, some of whom are stealing intellectual property and trade secrets of the United States and aggressively investing in fundamental research and commercialization to dominate the key technology fields of the future. While the United States once led the world in the share of our economy invested in research, our Nation now ranks 9th globally in total research and development and 12th in publicly financed research and development.

(2) Without a significant increase in investment in research, education, technology transfer, and the core strengths of the United States innovation ecosystem, it is only a matter of time before the global competitors of the United States overtake the United States in terms of technological primacy. The country that wins the race in key technologies—such as artificial intelligence, quantum computing, advanced communications, and advanced manufacturing—will be the superpower of the future.

(3) The Federal Government must catalyze United States innovation by boosting fundamental research investments focused on discovering, creating, commercializing, and producing new technologies to ensure the leadership of the United States in the industries of the future.

(4) The distribution of innovation jobs and investment in the United States has become largely concentrated in just a few locations, while much of the Nation has been left out of growth in the innovation sector. More than 90 percent of the Nation’s innovation sector employment growth in the last 15 years was generated in just 5 major cities. The Federal Government must address this imbalance in opportunity by partnering with the private sector to build new technology hubs across the country, spreading innovation sector jobs more broadly, and tapping the talent and potential of the entire Nation to ensure the United States leads the industries of the future.

(5) Since its inception, the National Science Foundation has carried out vital work supporting basic research and people to create knowledge that is a primary driver of the economy of the United States and enhances the Nation’s security.

SEC. 3. NATIONAL SCIENCE AND TECHNOLOGY FOUNDATION.

(a) REDESIGNATION OF NATIONAL SCIENCE FOUNDATION AS NATIONAL SCIENCE AND TECHNOLOGY FOUNDATION.—

(1) IN GENERAL.—Section 2 of the Act of May 10, 1950 (64 Stat. 149, chapter 171; 42 U.S.C. 1861) is amended—

(A) in the section heading, by inserting “AND TECHNOLOGY” after “SCIENCE”; and

(B) by striking “the National Science Foundation” and inserting “the National Science and Technology Foundation”.

(2) REFERENCES.—Any reference in any law, rule, regulation, certificate, directive, instruction, or other official paper in force on the date of enactment of this Act to the National Science Foundation shall be considered to refer and apply to the National Science and Technology Foundation.

(b) ESTABLISHMENT OF DEPUTY DIRECTOR FOR TECHNOLOGY.—Section 6 of the Act of May 10, 1950 (64 Stat. 149, chapter 171; 42 U.S.C. 1864a) is amended—

(1) in the section heading, by striking “DEPUTY DIRECTOR” and inserting “DEPUTY DIRECTORS”;

(2) in the first sentence—

(A) by striking “a Deputy Director” and inserting “2 Deputy Directors”; and

(B) by inserting “and in accordance with the expedited procedures established under S. Res. 116 (112th Congress)” after “the Senate”;

(3) in the third sentence, by striking “The Deputy Director shall receive” and inserting “Each Deputy Director shall receive”;

(4) by inserting after the third sentence the following: “The Deputy Director for Technology shall oversee, and perform duties relating to, the Directorate for Technology of the Foundation, as established under section 8A, and the Deputy Director for Science shall oversee, and perform duties relating to, the other activities and directorates supported by the Foundation.”; and

(5) in the last sentence, by striking “The Deputy Director shall act” and inserting “The Deputy Director for Science shall act”.

(c) ESTABLISHMENT OF DIRECTORATE FOR TECHNOLOGY.—The Act of May 10, 1950 (64 Stat. 149, chapter 171; 42 U.S.C. 1861 et seq.) is amended—

(1) in section 8 (42 U.S.C. 1866), by inserting at the end the following: “Such divisions shall include the Directorate for Technology established under section 8A.”; and

(2) by inserting after section 8 the following:

“SEC. 8A. DIRECTORATE FOR TECHNOLOGY.

“(a) DEFINITIONS.—In this section:

“(1) DEPUTY DIRECTOR.—The term ‘Deputy Director’ means the Deputy Director for Technology.

“(2) DESIGNATED COUNTRY.—The term ‘designated country’ means a country that has been approved and designated in writing by the President for purposes of this section, after providing—

“(A) not less than 30 days of advance notification and explanation to the relevant congressional committees before the designation; and

“(B) in-person briefings to such committees, if requested during the 30-day advance notification period described in subparagraph (A).

“(3) DIRECTORATE.—The term ‘Directorate’ means the Directorate for Technology established under subsection (b).

“(4) INSTITUTION OF HIGHER EDUCATION.—The term ‘institution of higher education’ has the meaning given the term in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)).

“(5) KEY TECHNOLOGY FOCUS AREAS.—The term ‘key technology focus areas’ means the areas included on the most recent list under subsection (c)(2).

“(6) RELEVANT CONGRESSIONAL COMMITTEES.—The term ‘relevant congressional committees’ means—

“(A) the Committee on Armed Services, the Committee on Commerce, Science, and Transportation, the Committee on Appropriations, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate; and

“(B) the Committee on Armed Services, the Committee on Science, Space, and Technology, the Committee on Appropriations, the Committee on Foreign Affairs, and the Permanent Select Committee on Intelligence of the House of Representatives.

“(b) ESTABLISHMENT.—

“(1) IN GENERAL.—Not later than 90 days after the date of enactment of the Endless Frontier Act, the Director shall establish in the Foundation a Directorate for Technology. The Directorate shall carry out the duties and responsibilities described in this section, in order to further the following goals:

“(A) Strengthening the leadership of the United States in critical technologies through fundamental research in the key technology focus areas.

“(B) Enhancing the competitiveness of the United States in the key technology focus areas by improving education in the key technology focus areas and attracting more students to such areas.

“(C) Consistent with the operations of the Foundation, fostering the economic and societal impact of federally funded research and development through an accelerated translation of fundamental advances in the key technology focus areas into processes and products that can help achieve national goals related to economic competitiveness, domestic manufacturing, national security, shared prosperity, energy and the environment, health, education and workforce development, and transportation.

“(2) DEPUTY DIRECTOR.—The Directorate shall be headed by the Deputy Director.

“(3) ORGANIZATION AND ADMINISTRATIVE MATTERS.—

“(A) HIRING AUTHORITY.—

“(i) EXPERTS IN SCIENCE AND ENGINEERING.—The Director shall have the authority to carry out a program of personnel management authority for the Directorate in the same manner, and subject to the same requirements, as the program of personnel management authority authorized for the Director of the Defense Advanced Research Projects Agency under section 1599h of title

10, United States Code, for the Defense Advanced Research Projects Agency.

“(ii) HIGHLY QUALIFIED EXPERTS IN NEEDED OCCUPATIONS.—In addition to the authority provided under clause (i), the Director shall have the authority to carry out a program of personnel management authority for the Directorate in the same manner, and subject to the same requirements, as the program to attract highly qualified experts carried out by the Secretary of Defense under section 9903 of title 5, United States Code.

“(iii) ADDITIONAL HIRING AUTHORITY.—To the extent needed to carry out the duties in paragraph (1), the Director shall utilize hiring authorities under section 3372 of title 5, United States Code, to staff the Directorate with employees from other Federal agencies, State and local governments, Indian tribes and tribal organizations, institutions of higher education, and other organizations, as described in that section, in the same manner and subject to the same conditions, that apply to such individuals utilized to accomplish other missions of the Foundation.

“(B) PROGRAM MANAGERS.—The employees of the Directorate may include program managers for the key technology focus areas, who shall perform a role similar to program managers employed by the Defense Advanced Research Projects Agency for the oversight and selection of programs supported by the Directorate.

“(C) SELECTION OF RECIPIENTS.—Recipients of support under the programs and activities of the Directorate shall be selected by program managers or other employees of the Directorate. The Directorate may use a peer review process to inform the decisions of program managers or other employees.

“(D) ASSISTANT DIRECTORS.—The Director may appoint 1 or more Assistant Directors for the Directorate as the Director determines necessary, in the same manner as other Assistant Directors of the Foundation are appointed.

“(4) REPORT.—Not later than 120 days after the date of enactment of the Endless Frontier Act, the Director shall prepare and submit a report to the relevant congressional committees regarding the establishment of the Directorate.

“(c) DUTIES AND FUNCTIONS OF THE DIRECTORATE.—

“(1) DEVELOPMENT OF TECHNOLOGY FOCUS OF THE DIRECTORATE.—The Director, acting through the Deputy Director, shall—

“(A) advance innovation in the key technology focus areas through fundamental research and other activities described in this section; and

“(B) develop and implement strategies to ensure that the activities of the Directorate are directed toward the key technology focus areas in order to accomplish the goals described in subparagraphs (A) through (C) of subsection (b)(1) consistent with the most recent report conducted under section 5(b) of the Endless Frontier Act.

“(2) KEY TECHNOLOGY FOCUS AREAS.—

“(A) INITIAL LIST.—The initial key technology focus areas are—

“(i) artificial intelligence and machine learning;

“(ii) high performance computing, semiconductors, and advanced computer hardware;

“(iii) quantum computing and information systems;

“(iv) robotics, automation, and advanced manufacturing;

“(v) natural or anthropogenic disaster prevention;

“(vi) advanced communications technology;

“(vii) biotechnology, genomics, and synthetic biology;

“(viii) cybersecurity, data storage, and data management technologies;

“(ix) advanced energy; and

“(x) materials science, engineering, and exploration relevant to the other key technology focus areas described in this subparagraph.

“(B) REVIEW OF KEY TECHNOLOGY FOCUS AREAS AND SUBSEQUENT LISTS.—

“(i) ADDING OR DELETING KEY TECHNOLOGY FOCUS AREAS.—Beginning on the date that is 4 years after the date of enactment of the Endless Frontier Act, and every 4 years thereafter, the Director, acting through the Deputy Director—

“(I) shall, in consultation with the Board of Advisors, review the list of key technology focus areas; and

“(II) as part of that review, may add or delete key technology focus areas if the competitive threats to the United States have shifted (whether because the United States or other nations have advanced or fallen behind in a technological area), subject to clause (ii).

“(ii) LIMIT ON KEY TECHNOLOGY FOCUS AREAS.—Not more than 10 key technology focus areas shall be included on the list of key technology focus areas at any time.

“(iii) UPDATING FOCUS AREAS AND DISTRIBUTION.—Upon the completion of each review under this subparagraph, the Director shall make the list of key technology focus areas readily available and publish the list in the Federal Register, even if no changes have been made to the prior list.

“(3) ACTIVITIES.—

“(A) IN GENERAL.—In carrying out the duties and functions of the Directorate, the Director, acting through the Deputy Director, may—

“(i) award grants, cooperative agreements, and contracts to—

“(I) individual institutions of higher education for work at centers or by individual researchers;

“(II) not-for-profit entities; and

“(III) consortia that—

“(aa) shall include and be led by an institution of higher education, and may include 1 or more additional institutions of higher education;

“(bb) may include 1 or more entities described in subclause (I) or (II) and, if determined appropriate by the Director, for-profit entities, including small businesses; and

“(cc) may include 1 or more entities described in subclause (I) or (II) from treaty allies and security partners of the United States;

“(ii) provide funds to other divisions of the Foundation, including—

“(I) to the other directorates of the Foundation to pursue basic questions about natural and physical phenomena that could enable advances in the key technology focus areas;

“(II) to the Directorate for Social, Behavioral, and Economic Sciences to study questions that could affect the design, operation, deployment, or the social and ethical consequences of technologies in the key technology focus areas; and

“(III) to the Directorate for Education and Human Resources to further the creation of a domestic workforce capable of advancing the key technology focus areas;

“(iii) provide funds to other Federal research agencies, including the National Institute of Standards and Technology, for intramural or extramural work in the key technology focus areas;

“(iv) make awards under the SBIR and STTR programs (as defined in section 9(e) of the Small Business Act (15 U.S.C. 638(e)) in the same manner as awards under such programs are made by the Director of the Foundation;

“(v) administer prize challenges under section 24 of the Stevenson-Wylder Technology Innovation Act of 1980 (15 U.S.C. 3719) in the key technology focus areas, in order to expand public-private partnerships beyond direct research funding; and

“(vi) enter into and perform such contracts, including cooperative research and development arrangements and grants and cooperative agreements or other transactions, as may be necessary in the conduct of the work of the Directorate and on such terms as the Deputy Director considers appropriate, in furtherance of the purposes of this Act.

“(B) REPORTS.—Not later than 180 days after the date of enactment of the Endless Frontier Act, the Director shall prepare and submit to the relevant congressional committees a spending plan for the next 5 years for each of the activities described in subparagraph (A), including—

“(i) a plan to seek out additional investments from—

“(I) certain designated countries; and

“(II) if appropriate, private sector entities; and

“(ii) the planned activities of the Directorate to secure federally funded science and technology pursuant to section 1746 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116-92).

“(C) ANNUAL BRIEFING.—Each year, the Director shall formally request a briefing from the Director of the Federal Bureau of Investigation and the Director of the National Counterintelligence and Security Center regarding their efforts to preserve the United States’ advantages generated by the activity of the Directorate.

“(4) INTERAGENCY COOPERATION.—In carrying out this section, the Director and other Federal research agencies shall work cooperatively with each other to further the goals of this section in the key technology focus areas. Each year, the Director shall prepare and submit a report to Congress, and shall simultaneously submit the report to the Director of the Office of Science and Technology Policy, describing the interagency cooperation that occurred during the preceding year pursuant to this paragraph, including a list of—

“(A) any funds provided under paragraph (3)(A)(ii) to other divisions of the Foundation; and

“(B) any funds provided under paragraph (3)(A)(iii) to other Federal research agencies.

“(5) PROVIDING SCHOLARSHIPS, FELLOWSHIPS, AND OTHER STUDENT SUPPORT.—

“(A) IN GENERAL.—The Director, acting through the Directorate, shall fund undergraduate scholarships, graduate fellowships and traineeships, and postdoctoral student awards in the key technology focus areas.

“(B) IMPLEMENTATION.—The Director may carry out subparagraph (A) by providing funds—

“(i) to the Directorate for Education and Human Resources of the Foundation for—

“(I) awards directly to students; and

“(II) grants or cooperative agreements to institutions of higher education, including those institutions involved in operating university technology centers established under paragraph (6); and

“(ii) to programs in Federal research agencies that have experience awarding such scholarships, fellowships, traineeships, or postdoctoral awards.

“(C) SUPPLEMENT, NOT SUPPLANT.—The Director shall ensure that funds made available under this paragraph shall be used to create additional support for postsecondary students and shall not displace funding for any other available support.

“(6) UNIVERSITY TECHNOLOGY CENTERS.—

“(A) IN GENERAL.—From amounts made available to the Directorate, the Director shall, through a competitive application and selection process, award grants to or enter into cooperative agreements with institutions of higher education or consortia described in paragraph (3)(A)(i)(III) to establish university technology centers.

“(B) USES OF FUNDS.—

“(i) IN GENERAL.—A center established under a grant or cooperative agreement under subparagraph (A)—

“(I) shall use support provided under such subparagraph—

“(aa) to carry out fundamental research to advance innovation in the key technology focus areas; and

“(bb) to further the development of innovations in the key technology focus areas, including—

“(AA) innovations derived from research carried out under item (aa), through such activities as proof-of-concept development and prototyping, in order to reduce the cost, time, and risk of commercializing new technologies; and

“(BB) through the use of public-private partnerships; and

“(II) may use support provided under such subparagraph—

“(aa) for the costs of equipment, including mid-tier infrastructure, and the purchase of cyberinfrastructure resources, including computer time; or

“(bb) for other activities or costs necessary to accomplish the purposes of this section.

“(ii) SUPPORT OF REGIONAL TECHNOLOGY HUBS.—Each center established under subparagraph (A) may support and participate in, as appropriate, the activities of any regional technology hub designated under section 27(d) of the Stevenson-Wylder Technology Innovation Act of 1980 (15 U.S.C. 3722(d)).

“(C) REQUIREMENTS.—The Director shall ensure that any institution of higher education or consortium receiving a grant or cooperative agreement under subparagraph (A) has demonstrated an ability to advance the goals described in subsection (b)(1).

“(7) MOVING TECHNOLOGY FROM LABORATORY TO MARKET.—

“(A) PROGRAM AUTHORIZED.—The Director shall establish a program in the Directorate to award grants, on a competitive basis, to institutions of higher education or consortia described in paragraph (3)(A)(i)(III)—

“(i) to build capacity at an institution of higher education and in its surrounding region to increase the likelihood that new technologies in the key technology focus areas will succeed in the commercial market; and

“(ii) with the goal of promoting experiments with a range of models that institutions of higher education could use to—

“(I) enable new technologies to mature to the point where the technologies are more likely to succeed in the commercial market; and

“(II) reduce the risks to commercial success for new technologies earlier in their development.

A grant awarded under this subparagraph for a purpose described in clause (i) or (ii) may also enable the institution of higher education or consortium to provide training and support to scientists and engineers who are interested in research and commercialization, if the use is included in the proposal submitted under subparagraph (B).

“(B) PROPOSALS.—An institution of higher education or consortium desiring a grant under this paragraph shall submit a proposal to the Director at such time, in such manner, and containing such information as the Director may require. The proposal shall include a description of—

“(i) the steps the applicant will take to reduce the risks for commercialization for new technologies;

“(ii) why such steps are likely to be effective; and

“(iii) how such steps differ from previous efforts to reduce the risks for commercialization for new technologies.

“(C) USE OF FUNDS.—A recipient of a grant under this paragraph shall use grant funds to reduce the risks for commercialization for new technologies developed on campus, which may include—

“(i) creating and funding competitions to allow entrepreneurial ideas from institutions of higher education to illustrate their commercialization potential;

“(ii) facilitating mentorships between local and national business leaders and potential entrepreneurs to encourage successful commercialization;

“(iii) creating and funding for-profit or not-for-profit entities that could enable researchers at institutions of higher education to further develop new technology prior to seeking commercial financing, through patient funding, advice, staff support, or other means;

“(iv) providing off-campus facilities for start-up companies where technology maturation could occur; and

“(v) revising institution policies to accomplish the goals of this paragraph.

“(8) TEST BEDS.—

“(A) PROGRAM AUTHORIZED.—The Director, acting through the Deputy Director, shall establish a program in the Directorate to award grants, on a competitive basis, to institutions of higher education or consortia described in paragraph (3)(A)(i)(III) to establish test beds and fabrication facilities to advance the operation, integration and, as appropriate, manufacturing of new, innovative technologies in the key technology focus areas, which may include hardware or software. The goal of such test beds and facilities shall be to accelerate the movement of innovative technologies into the commercial market through existing and new companies.

“(B) PROPOSALS.—A proposal submitted under this paragraph shall, at a minimum, describe—

“(i)(I) the 1 or more technologies that will be the focus of the test bed or fabrication facility;

“(II) the goals of the work to be done at the test bed or facility; and

“(III) the expected schedule for completing that work;

“(ii) how the applicant will assemble a workforce with the skills needed to operate the test bed or facility;

“(iii) how the applicant will ensure that work in the test bed or facility will contribute to the commercial viability of any technologies, which may include collaboration and funding from industry partners;

“(iv) how the applicant will encourage the participation of entrepreneurs and the development of new businesses; and

“(v) how the test bed or facility will operate after Federal funding has ended.

“(C) AWARDS.—Grants made under this paragraph—

“(i) shall be for 5 years, with the possibility of one 3-year extension; and

“(ii) may be used for the purchase of equipment, the support of graduate students and postdoctoral researchers, and the salaries of staff.

“(D) REQUIREMENTS.—As a condition of receiving a grant under this paragraph, an institution of higher education or consortium shall publish and share with the public the results of the work conducted under this paragraph.

“(9) INAPPLICABILITY.—Section 5(e)(1) shall not apply to grants, contracts, or other arrangements made under this section.

“(d) BOARD OF ADVISORS.—

“(1) IN GENERAL.—There is established in the Foundation a Board of Advisors for the Directorate (referred to in this section as the ‘Board of Advisors’), which shall provide advice to the Deputy Director pursuant to this subsection. The Board of Advisors shall not have any decision-making authority.

“(2) MEMBERSHIP.—

“(A) COMPOSITION.—The Board of Advisors shall be comprised of 12 members representing scientific leaders and experts from industry and academia, of whom—

“(i) 2 shall be appointed by the majority leader of the Senate;

“(ii) 2 shall be appointed by the minority leader of the Senate;

“(iii) 2 shall be appointed by the Speaker of the House of Representatives;

“(iv) 2 shall be appointed by the minority leader of the House of Representatives; and

“(v) 4 shall be appointed by the Director.

“(B) OPPORTUNITY FOR INPUT.—Before appointing any member under subparagraph (A), the appointing authority shall provide an opportunity for the National Academies of Sciences, Engineering, and Medicine and other entities to provide advice regarding potential appointees.

“(C) QUALIFICATIONS.—

“(i) IN GENERAL.—Each member appointed under subparagraph (A) shall—

“(I) have extensive experience in a field related to the work of the Directorate or other expertise relevant to developing technology roadmaps; and

“(II) have, or be able to obtain within a reasonable period of time, a security clearance appropriate for the work of the Board of Advisors.

“(ii) EXPEDITED SECURITY CLEARANCES.—The process of obtaining a security clearance under clause (i)(II) may be expedited by the head of the appropriate Federal agency to enable the Board to receive classified briefings on the current and future technological capacity of other nations, and on the military implications of civilian technologies.

“(D) DATE.—The appointments of the members of the Board of Advisors shall be made not later than 90 days after the date of enactment of the Endless Frontier Act.

“(3) PERIOD OF APPOINTMENT; VACANCIES.—

“(A) IN GENERAL.—A member of the Board of Advisors shall be appointed for a 3-year term, except that the Deputy Director shall adjust the terms for the first members of the Board of Advisors so that, within each appointment category described in clauses (i) through (v) of paragraph (2)(A), the terms expire on a staggered basis.

“(B) TERM LIMITS.—A member of the Board of Advisors shall not serve for more than 2 full consecutive terms.

“(C) VACANCIES.—Any vacancy in the Board of Advisors—

“(i) shall not affect the powers of the Board of Advisors; and

“(ii) shall be filled in the same manner as the original appointment.

“(4) CHAIRPERSON.—The members of the Board of Advisors shall elect 1 member to serve as the chairperson of the Board of Advisors.

“(5) MEETINGS.—

“(A) INITIAL MEETING.—Not later than 180 days after the date of enactment of the Endless Frontier Act, the Board of Advisors shall hold the first meeting of the Board of Advisors.

“(B) ADDITIONAL MEETINGS.—After the first meeting of the Board of Advisors, the Board of Advisors shall meet upon the call of the chairperson or of the Director, and at least

once every 180 days for the duration of the Board of Advisors.

“(C) MEETING WITH THE NATIONAL SCIENCE BOARD.—The Board of Advisors shall hold a joint meeting with the National Science Board on at least an annual basis, on a date mutually selected by the chairperson of the Board of Advisors and the Chairman of the National Science Board.

“(D) QUORUM.—A majority of the members of the Board of Advisors shall constitute a quorum, but a lesser number of members may hold hearings.

“(6) DUTIES OF BOARD OF ADVISORS.—

“(A) IN GENERAL.—The Board of Advisors shall provide advice—

“(i) to the Deputy Director on programs that could best be carried out to accomplish the purposes of this section;

“(ii) to the Deputy Director to inform the reviews of key technology focus areas required under subsection (c)(2)(B); and

“(iii) on other issues relating to the purposes and responsibilities of the Directorate, as requested by the Deputy Director.

“(B) NO ROLE IN AWARDING GRANTS, CONTRACTS, OR COOPERATIVE AGREEMENTS.—The Board of Advisors shall not provide advice on or otherwise help determine what entities shall receive grants, contracts, or cooperative agreements under this Act.

“(7) POWERS OF BOARD OF ADVISORS.—

“(A) HEARINGS.—The Board of Advisors may hold public or private hearings, sit and act at such times and places, take such testimony and receive such evidence (including classified testimony and evidence), and administer such oaths as may be necessary to carry out the functions of the Board of Advisors under paragraph (6).

“(B) INFORMATION FROM FEDERAL AGENCIES.—

“(i) IN GENERAL.—Each Federal department or agency shall, in accordance with applicable procedures for the handling of classified information, provide reasonable access to documents, statistical data, and other such information that the Deputy Director, in consultation with the chairperson of the Board of Advisors, determines necessary to carry out its functions under paragraph (6).

“(ii) OBTAINING CLASSIFIED INFORMATION.—If the Board of Advisors, acting through the chairperson, seeks classified information from a Federal department or agency, the Deputy Director shall submit a written request to the head of the Federal department or agency for access to classified documents and statistical data, and other classified information described in clause (i), that is under the control of such agency.

“(C) FINANCIAL DISCLOSURE REPORTS.—Each member of the Board of Advisors shall be required to file a financial disclosure report under title I of the Ethics in Government Act of 1978, except that such reports shall be held confidential and exempt from any law otherwise requiring their public disclosure.

“(8) BOARD OF ADVISORS PERSONNEL AND OPERATIONAL MATTERS.—

“(A) COMPENSATION OF MEMBERS.—

“(i) IN GENERAL.—A member of the Board of Advisors shall be compensated at a rate equal to the daily equivalent of the annual rate of basic pay prescribed for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time) during which the member is engaged in the performance of the duties of the Board of Advisors.

“(ii) NO FEDERAL EMPLOYEE MEMBERS.—No member of the Board of Advisors may be an officer or employee of the United States during the member’s term on the Board of Advisors.

“(B) TRAVEL EXPENSES.—A member of the Board of Advisors shall be allowed travel expenses, including per diem in lieu of subsist-

ence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their home or regular places of business in the performance of services for the Board of Advisors.

“(C) STAFF.—The Deputy Director, in consultation with the chairperson of the Board of Advisors, shall assign an employee of the Foundation to serve as an executive director for the Board of Advisors.

“(D) GOVERNMENT EMPLOYEES.—

“(i) IN GENERAL.—Any Federal Government employee may be detailed to the Board of Advisors without reimbursement, and such detail shall be without interruption or loss of civil service status or privilege.

“(ii) EMPLOYEES OF THE LEGISLATIVE BRANCH.—The Deputy Director shall establish procedures and policies to enable an employee of an office, agency, or other entity in the legislative branch of the Government to support the activities of the Board of Advisors.

“(E) PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.—The chairperson of the Board of Advisors, with approval from the Deputy Director, may procure temporary and intermittent services under section 3109(b) of title 5, United States Code, at rates for individuals which do not exceed the daily equivalent of the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of that title.

“(F) ASSISTANCE FROM FEDERAL AGENCIES.—A Federal department or agency may provide to the Board of Advisors such services, funds, facilities, staff, and other support services as the department or agency may determine advisable and as may be authorized by law.

“(9) PERMANENT BOARD.—Section 14 of the Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Board of Advisors.

“(e) AREAS OF FUNDING SUPPORT.—Subject to the availability of funds under subsection (f), the Director shall, for each fiscal year, use—

“(1) not less than 35 percent of funds provided to the Directorate for such year to carry out subsection (c)(6);

“(2) not less than 15 percent of such funds to carry out subsection (c)(5) with the goal of awarding, across the key technology focus areas—

“(A) not fewer than 1,000 post-doctorate fellowships;

“(B) not fewer than 2,000 graduate fellowships and traineeships;

“(C) not fewer than 1,000 undergraduate scholarships; and

“(D) if funds remain after carrying out subparagraphs (A) through (C), grants to institutions of higher education to enable the institutions to fund the development and establishment of new or specialized courses of education for graduate, undergraduate, or technical college students;

“(3) not less than 5 percent of such funds to carry out subsection (c)(7);

“(4) not less than 10 percent of such funds to carry out subsection (c)(8) by establishing and equipping test beds and fabrication facilities; and

“(5) not less than 15 percent of such funds to carry out research and related activities pursuant to subclauses (I) and (II) of subsection (c)(3)(A)(ii).

“(f) AUTHORIZATION OF APPROPRIATIONS.—

“(1) IN GENERAL.—There are authorized to be appropriated for the Directorate, in addition to any other funds made available to the Directorate, a total of \$100,000,000,000 for fiscal years 2021 through 2025, of which—

“(A) \$2,000,000,000 is authorized for fiscal year 2021;

“(B) \$8,000,000,000 is authorized for fiscal year 2022;

“(C) \$20,000,000,000 is authorized for fiscal year 2023;

“(D) \$35,000,000,000 is authorized for fiscal year 2024; and

“(E) \$35,000,000,000 is authorized for fiscal year 2025.

“(2) APPROPRIATIONS LIMITATIONS.—

“(A) HOLD HARMLESS.—No funds shall be appropriated to the Directorate or to carry out this section for any fiscal year in which the total amount appropriated to the Foundation (not including amounts appropriated for the Directorate) is less than the total amount appropriated to the Foundation (not including such amounts), adjusted by the rate of inflation, for the previous fiscal year.

“(B) NO TRANSFER OF FUNDS.—The Director shall not transfer any funds appropriated to any other directorate or office of the Foundation to the Directorate.”.

(d) ANNUAL REPORT ON UNFUNDED PRIORITIES.—

(1) ANNUAL REPORT.—Not later than 10 days after the date on which the budget of the President for a fiscal year is submitted to Congress pursuant to section 1105 of title 31, United States Code, the Director shall submit to the President and to Congress a report on the unfunded priorities of the National Science and Technology Foundation.

(2) ELEMENTS.—Each report submitted under paragraph (1) shall provide—

(A) for each directorate of the National Science Foundation for the most recent, fully completed fiscal year—

(i) the proposal success rate;

(ii) the percentage of proposals that were not funded and that met the criteria for funding; and

(iii) the most promising research areas covered by proposals described in clause (ii); and

(B) a list, in order of priority, of the next activities that should be undertaken in the Major Research Equipment and Facilities Construction account.

SEC. 4. REGIONAL TECHNOLOGY HUB PROGRAM.

(a) DEFINITIONS.—

(1) KEY TECHNOLOGY FOCUS AREAS.—Subsection (a) of section 27 of the Stevenson-Wylder Technology Innovation Act of 1980 (15 U.S.C. 3722) is amended—

(A) by redesignating paragraphs (2) through (4) as paragraphs (3) through (5), respectively; and

(B) by inserting after paragraph (1) the following:

“(2) KEY TECHNOLOGY FOCUS AREAS.—The term ‘key technology focus areas’ means the areas included on the most recent list under section 8A(c)(2) of the Act of May 10, 1950 (64 Stat. 149, chapter 171; 42 U.S.C. 1861 et seq.).”.

(2) VENTURE DEVELOPMENT ORGANIZATIONS.—Paragraph (5) of such subsection, as redesignated by paragraph (1) of this subsection, is amended by striking “purposes of” and all that follows through the period at the end and inserting the following: “purposes of—

“(A) accelerating the commercialization of research;

“(B) strengthening the competitive position of industry through the development, commercial adoption, or deployment of technology; and

“(C) providing financial grants, loans, or direct financial investment to commercialize technology.”.

(b) DESIGNATION OF AND SUPPORT FOR REGIONAL TECHNOLOGY HUBS AS PART OF REGIONAL INNOVATION PROGRAM OF DEPARTMENT OF COMMERCE.—

(1) IN GENERAL.—Such section is amended—

(A) by redesignating subsections (d) through (h) as subsections (e) through (i), respectively; and

(B) by inserting after subsection (c) the following:

“(d) DESIGNATION OF AND GRANTS IN SUPPORT OF REGIONAL TECHNOLOGY HUBS.—

“(1) PROGRAM REQUIRED.—

“(A) IN GENERAL.—As part of the program established under subsection (b), the Secretary shall carry out a program—

“(i) to designate eligible consortia as regional technology hubs that create the conditions, within a region, to facilitate activities that—

“(I) enable United States leadership in a key technology focus area, complementing the Federal research and development investments under section 8A of the Act of May 10, 1950 (64 Stat. 149, chapter 171; 42 U.S.C. 1861 et seq.); and

“(II) support regional economic development that diffuses innovation capacity around the United States, enabling better broad-based growth and competitiveness in key technology focus areas; and

“(ii) to support regional technology hubs designated under clause (i).

“(B) ELIGIBLE CONSORTIA.—For purposes of this section, an eligible consortium is a consortium that—

“(i) includes—

“(I) an institution of higher education;

“(II) a local or Tribal government or other political subdivision of a State;

“(III) a government of a State or the economic development representative of a State; and

“(IV) an economic development organization or similar entity that is focused primarily on improving science, technology, innovation, or entrepreneurship; and

“(ii) may include 1 or more—

“(I) nonprofit entities with relevant expertise;

“(II) venture development organizations;

“(III) financial institutions;

“(IV) educational institutions, including career and technical education schools;

“(V) workforce training organizations;

“(VI) industry associations;

“(VII) firms in the key technology focus areas;

“(VIII) Federal laboratories;

“(IX) Centers (as defined in section 25(a) of the National Institute of Standards and Technology Act (15 U.S.C. 278k(a));

“(X) Manufacturing USA institutes (as described in section 34(d) of the National Institute of Standards and Technology Act (15 U.S.C. 278s(d))); and

“(XI) institutions receiving an award under paragraph (6) or (7) of section 8A(c) of the Act of May 10, 1950 (64 Stat. 149, chapter 171; 42 U.S.C. 1861 et seq.).

“(C) ADMINISTRATION.—The Secretary shall carry out this subsection through the Assistant Secretary of Commerce for Economic Development and the Under Secretary of Commerce for Standards and Technology, jointly.

“(2) DESIGNATION OF REGIONAL TECHNOLOGY HUBS.—

“(A) IN GENERAL.—The Secretary shall use a competitive process for the designation of regional technology hubs under paragraph (1)(A)(i).

“(B) NUMBER OF REGIONAL TECHNOLOGY HUBS.—During the 5-year period beginning on the date of the enactment of the Endless Frontier Act, the Secretary shall designate not fewer than 10 and not more than 15 eligible consortia as regional technology hubs under paragraph (1)(A)(i).

“(C) GEOGRAPHIC DISTRIBUTION.—In conducting the competitive process under subparagraph (A), the Secretary shall ensure geographic distribution in the designation of regional technology hubs—

“(i) aiming to designate regional technology hubs in as many regions of the United States as possible; and

“(ii) focusing on localities that have clear potential and relevant assets for developing a key technology focus area but have not yet become leading technology centers.

“(3) GRANTS.—

“(A) IN GENERAL.—The Secretary shall carry out clause (ii) of paragraph (1)(A) through the award of grants to eligible consortia designated under clause (i) of such paragraph.

“(B) TERM.—Each grant awarded under subparagraph (A) shall be for a period of 5 years, but may be renewed once for an additional period of 5 years.

“(C) MATCHING REQUIRED.—The total Federal financial assistance awarded in a given year to an eligible consortium in support of the eligible consortium’s operation as a regional technology hub under this subsection shall not exceed amounts as follows:

“(i) In fiscal year 2021, 90 percent of the total funding of the regional technology hub in that fiscal year.

“(ii) In fiscal year 2022, 85 percent of the total funding of the regional technology hub in that fiscal year.

“(iii) In fiscal year 2023, 80 percent of the total funding of the regional technology hub in that fiscal year.

“(iv) In fiscal year 2024 and in each fiscal year thereafter, 75 percent of the total funding of the regional technology hub in that fiscal year.

“(D) USE OF GRANT FUNDS.—The recipient of a grant awarded under subparagraph (A) shall use the grant for multiple activities determined appropriate by the Secretary, including—

“(i) the permissible activities set forth under subsection (c)(2); and

“(ii) activities in support of key technology focus areas—

“(I) to develop the region’s skilled workforce through the training and retraining of workers and alignment of career technical training and educational programs in the region’s elementary and secondary schools and institutions of higher education;

“(II) to develop regional strategies for infrastructure improvements and site development in support of the regional technology hub’s plans and programs;

“(III) to support business activity that develops the domestic supply chain and encourages the creation of new business entities;

“(IV) to attract new private, public, and philanthropic investment in the region for developing innovation capacity, including establishing regional venture and loan funds for financing technology commercialization, new business formation, and business expansions;

“(V) to further the development of innovations in the key technology focus areas, including innovations derived from research conducted at institutions of higher education or other research entities, including research conducted by 1 or more university technology centers established under section 8A(c)(6) of the Act of May 10, 1950 (64 Stat. 149, chapter 171; 42 U.S.C. 1861 et seq.), through activities that may include—

“(aa) proof-of-concept development and prototyping;

“(bb) public-private partnerships in order to reduce the cost, time, and risk of commercializing new technologies;

“(cc) creating and funding competitions to allow entrepreneurial ideas from institutions of higher education to illustrate their commercialization potential;

“(dd) facilitating mentorships between local and national business leaders and potential entrepreneurs to encourage successful commercialization;

“(e) creating and funding for-profit or not-for-profit entities that could enable researchers at institutions of higher education and other research entities to further develop new technology prior to seeking commercial financing, through patient funding, advice, staff support, or other means; and

“(ff) providing facilities for start-up companies where technology maturation could occur; and

“(VI) to carry out such other activities as the Secretary considers appropriate to improve United States competitiveness and regional economic development to support a key technology focus area and that would further the purposes of the Endless Frontiers Act.

“(4) APPLICATIONS.—

“(A) IN GENERAL.—An eligible consortium seeking designation as a regional technology hub under clause (i) of paragraph (1)(A) and support under clause (ii) of such paragraph shall submit to the Secretary an application therefor at such time, in such manner, and containing such information as the Secretary may specify.

“(B) CONSULTATION WITH NATIONAL SCIENCE FOUNDATION UNIVERSITY TECHNOLOGY CENTERS.—In preparing an application for submittal under subparagraph (A), an applicant shall, to the extent practicable, consult with one or more university technology centers established under section 8A(c)(6) of the Act of May 10, 1950 (64 Stat. 149, chapter 171; 42 U.S.C. 1861 et seq.) that are either geographically relevant or are conducting research on relevant key technology focus areas.

“(5) CONSIDERATIONS FOR DESIGNATION AND GRANT AWARDS.—In selecting an eligible consortium that submitted an application under paragraph (4)(A) for designation and support under paragraph (1)(A), the Secretary shall consider, at a minimum, the following:

“(A) The potential of the eligible consortium to advance the development of new technologies in a key technology focus area.

“(B) The likelihood of positive regional economic effect, including increasing the number of high wage jobs, and creating new economic opportunities for economically disadvantaged populations.

“(C) How the eligible consortium plans to integrate with and leverage the resources of one or more university technology centers established under section 8A(c)(6) of the Act of May 10, 1950 (64 Stat. 149, chapter 171; 42 U.S.C. 1861 et seq.) in a related key technology focus area.

“(D) How the eligible consortium will engage with the private sector, including small- and medium-sized enterprises to commercialize new technologies and develop new supply chains in the United States in a key technology focus area.

“(E) How the eligible consortium will carry out workforce development and skills acquisition programming, including through the use of apprenticeships, mentorships, and other related activities authorized by the Secretary, to support the development of a key technology focus area.

“(F) How the eligible consortium will improve science, technology, engineering, and mathematics education programs in the identified region in elementary and secondary school and higher education institutions located in the identified region to support the development of a key technology focus area.

“(G) How the eligible consortium plans to develop partnerships with venture development organizations and sources of private investment in support of private sector activity, including launching new or expanding existing companies, in a key technology focus area.

“(H) How the eligible consortium plans to organize the activities of regional partners

in the public, private, and philanthropic sectors in support of the proposed regional technology hub, including the development of necessary infrastructure improvements and site preparation.

“(I) How the eligible consortium plans to address economic inclusion, including ensuring that skill development, entrepreneurial assistance, and other activities focus on economically disadvantaged populations.

“(6) COORDINATION WITH NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY PROGRAMS.—

“(A) DEFINITIONS.—In this paragraph:

“(i) MANUFACTURING EXTENSION CENTER.—The term ‘manufacturing extension center’ has the meaning given the term ‘Center’ in section 25(a) of the National Institute of Standards and Technology Act (15 U.S.C. 278k(a)).

“(ii) MANUFACTURING USA INSTITUTE.—The term ‘Manufacturing USA institute’ means a Manufacturing USA institute described in section 34(d) of the National Institute of Standards and Technology Act (15 U.S.C. 278s(d)).

“(B) COORDINATION REQUIRED.—The Secretary shall coordinate the activities of regional technology hubs designated under this subsection, the Hollings Manufacturing Extension Partnership, and the Manufacturing USA Program with each other to the degree that doing so does not diminish the effectiveness of the ongoing activities of a manufacturing extension center or a Manufacturing USA institute.

“(C) CONDITION OF SUPPORT.—In order to coordinate activities under subparagraph (B), the Secretary may condition the award of a grant or support under this subsection or section 25 or 34 of the National Institute of Standards and Technology Act (15 U.S.C. 278k and 278s) upon submittal to the coordination efforts of the Secretary under subparagraph (B) of this paragraph.

“(D) ELEMENTS.—Coordination by the Secretary under subparagraph (B) may include the following:

“(i) The alignment of activities of the Hollings Manufacturing Extension Partnership with the activities of regional technology hubs designated under this subsection, if applicable.

“(ii) The alignment of activities of the Manufacturing USA Program and the Manufacturing USA institutes with the activities of regional technology hubs designated under this subsection, if applicable.

“(7) INTERAGENCY COLLABORATION.—In assisting regional technology hubs designated under paragraph (1)(A)(i), the Secretary—

“(A) shall collaborate with Federal departments and agencies whose missions contribute to the goals of the regional technology hub;

“(B) may accept funds from other Federal agencies to support grants and activities under this subsection; and

“(C) may establish interagency agreements with other Federal departments or agencies to provide preferential consideration for financial or technical assistance to a regional technology hub designated under this subsection if all applicable requirements for the financial or technical assistance are met.

“(8) PERFORMANCE MEASUREMENT, TRANSPARENCY, AND ACCOUNTABILITY.—

“(A) METRICS, STANDARDS, AND ASSESSMENT.—For each grant awarded under paragraph (3) for a regional technology hub, the Secretary shall—

“(i) develop metrics to assess the effectiveness of the activities funded in making progress toward the purposes set forth under paragraph (1)(A);

“(ii) establish standards for the performance of the regional technology hub that are

based on the metrics developed under clause (i); and

“(iii) 2 years after the initial award under paragraph (3) and each year thereafter until Federal financial assistance under this subsection for the regional technology hub is discontinued, conduct an assessment of the regional technology hub to confirm whether the performance of the regional technology hub is meeting the standards for performance established under clause (ii).

“(B) ANNUAL REPORT.—Not less frequently than once each year, the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Appropriations of the Senate, the Committee on Science, Space, and Technology of the House of Representatives, and the Committee on Appropriations of the House of Representatives an annual report on the results of the assessments conducted by the Secretary under subparagraph (A)(iii) during the period covered by the report.”

(2) INITIAL DESIGNATIONS AND AWARDS.—

(A) COMPETITION REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Commerce shall commence a competition under paragraph (2)(A) of section 27(d) of the Stevenson-Wydler Technology Innovation Act of 1980, as added by paragraph (1).

(B) DESIGNATION AND AWARD.—Not later than 1 year after the date of the enactment of this Act, if the Secretary has received at least 1 application under paragraph (4) of such section from an eligible consortium whom the Secretary considers suitable for designation under paragraph (1)(A)(i) of such section, the Secretary shall—

(i) designate at least 1 regional technology hub under paragraph (1)(A)(i) of such section; and

(ii) award a grant under paragraph (3)(A) of such section to each regional technology hub designated under clause (i) of this subparagraph.

(C) AUTHORIZATION OF APPROPRIATIONS.—Subsection (i) of such section, as redesignated by subsection (c)(1)(A) of this section, is amended—

(1) by striking “From amounts” and inserting the following:

“(1) IN GENERAL.—From amounts”;

(2) in paragraph (1), as redesignated by paragraph (1) of this subsection, by striking “this section” and inserting “the provisions of this section other than subsection (d)”;

and

(3) by adding at the end the following:

“(2) REGIONAL TECHNOLOGY HUBS.—There is authorized to be appropriated to the Secretary to carry out subsection (d) \$10,000,000,000 for the period of fiscal year 2021 through 2025.”

SEC. 5. STRATEGY AND REPORT ON ECONOMIC SECURITY, SCIENCE, RESEARCH, AND INNOVATION TO SUPPORT THE NATIONAL SECURITY STRATEGY.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term “appropriate committees of Congress” means—

(A) the Committee on Appropriations, the Committee on Armed Services, the Committee on Banking, Housing, and Urban Affairs, the Committee on Commerce, Science, and Transportation, the Committee on Energy and Natural Resources, the Committee on Finance, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Appropriations, the Committee on Armed Services, the Committee on Energy and Commerce, the Committee on Financial Services, the Committee on Foreign Affairs, the Committee on Ways

and Means, and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) **KEY TECHNOLOGY FOCUS AREA.**—The term “key technology focus area” means an area included on the most recent list under section 8A(c)(2) of the Act of May 10, 1950 (64 Stat. 149, chapter 171; 42 U.S.C. 1861 et seq.).

(3) **NATIONAL SECURITY STRATEGY.**—The term “national security strategy” means the national security strategy required by section 108 of the National Security Act of 1947 (50 U.S.C. 3043).

(b) **STRATEGY AND REPORT.**—

(1) **IN GENERAL.**—In 2021 and in each year thereafter before the applicable date set forth under paragraph (2), the Director of the Office of Science and Technology Policy, in coordination with the Director of the National Economic Council, the Director of the National Science Foundation, the Secretary of Commerce, the National Security Council, and the heads of other relevant Federal agencies, shall—

(A) review such strategy, programs, and resources as the Director of the Office of Science and Technology Policy determines pertain to United States national competitiveness in science, research, and innovation to support the national security strategy;

(B) develop a strategy for the Federal Government to improve the national competitiveness of the United States in science, research, and innovation to support the national security strategy; and

(C) submit to the appropriate committees of Congress—

(i) a report on the findings of the Director with respect to the review conducted under paragraph (1); and

(ii) the strategy developed or revised under paragraph (2).

(2) **APPLICABLE DATES.**—In each year, the applicable date set forth under this paragraph is as follows:

(A) In 2021, December 31, 2021.

(B) In 2022 and every year thereafter—

(i) in any year in which a new President is inaugurated, October 1 of that year; and

(ii) in any other year, the date that is 90 days after the date of the transmission to Congress in that year of the national security strategy.

(c) **ELEMENTS.**—

(1) **REPORT.**—Each report submitted under subsection (b)(1)(C)(i) shall include the following:

(A) An assessment of public and private investment in civilian and military science and technology and its implications for the geostrategic position and national security of the United States.

(B) A description of the prioritized economic security interests and objectives of the United States relating to science, research, and innovation and an assessment of how investment in civilian and military science and technology can advance those objectives.

(C) An assessment of how regional efforts are contributing and could contribute to the innovation capacity of the United States, including—

(i) programs run by State and local governments; and

(ii) regional factors that are contributing or could contribute positively to innovation.

(D) An assessment of barriers to competitiveness in key technology focus areas and barriers to the development and evolution of start-ups, small and mid-sized business entities, and industries in key technology focus areas.

(E) An assessment of the effectiveness of the Federal Government, federally funded research and development centers, and national labs in supporting and promoting technology commercialization and tech-

nology transfer, including an assessment of the adequacy of Federal research and development funding in promoting competitiveness and the development of new technologies.

(F) An assessment of manufacturing capacity, logistics, and supply chain dynamics of major export sectors, including access to a skilled workforce, physical infrastructure, and broadband network infrastructure.

(2) **STRATEGY.**—Each strategy submitted under subsection (b)(1)(C)(ii) shall include the following:

(A) A plan to utilize available tools to address or minimize the leading threats and challenges and to take advantage of the leading opportunities, including the following:

(i) Specific objectives, tasks, metrics, and milestones for each relevant Federal agency.

(ii) Specific plans to support public and private sector investment in research, technology development, and domestic manufacturing in key technology focus areas supportive of the national economic competitiveness of the United States and to foster the prudent use of public-private partnerships.

(iii) Specific plans to promote environmental stewardship and fair competition for United States workers.

(iv) A description of—

(I) how the strategy submitted under subsection (b)(3)(B) supports the national security strategy; and

(II) how the strategy submitted under such subsection is integrated and coordinated with the most recent national defense strategy under section 113(g) of title 10, United States Code.

(v) A plan to encourage the governments of countries that are allies or partners of the United States to cooperate with the execution of the strategy submitted under subsection (b)(3)(B), where appropriate.

(vi) A plan to encourage certain international and multilateral organizations to support the implementation of such strategy.

(vii) A plan for how the United States should develop local and regional capacity for building innovation ecosystems across the nation by providing Federal support.

(viii) A plan for strengthening the industrial base of the United States.

(B) An identification of additional resources, administrative action, or legislative action recommended to assist with the implementation of such strategy.

(d) **FORM OF REPORTS AND STRATEGIES.**—Each report and strategy submitted under subsection (b) shall be submitted in unclassified form, but may include a classified annex.

SEC. 6. CONFORMING AMENDMENTS.

(a) **SCIENTIFIC AND ADVANCED-TECHNOLOGY ACT OF 1992.**—The Scientific and Advanced-Technology Act of 1992 (42 U.S.C. 1862h et seq.) is amended—

(1) in section 2(a)(5) (42 U.S.C. 1862h(a)(5)), by striking “National Science Foundation” and inserting “National Science and Technology Foundation”; and

(2) in section 3 (42 U.S.C. 1862i), by striking “National Science Foundation” each place the term appears and inserting “National Science and Technology Foundation”.

(b) **NATIONAL SCIENCE FOUNDATION AUTHORIZATION ACT OF 1998.**—The National Science Foundation Authorization Act of 1998 (42 U.S.C. 1862k et seq.) is amended—

(1) in each of paragraphs (1) and (2) of section 2 (112 Stat. 869), by striking “National Science Foundation established” and inserting “National Science and Technology Foundation established”; and

(2) in section 101(a)(6) (42 U.S.C. 1862k(a)(6)), by striking “National Science

Foundation” each place the term appears and inserting “National Science and Technology Foundation”.

(c) **NATIONAL SCIENCE FOUNDATION AUTHORIZATION ACT OF 2002.**—The National Science Foundation Authorization Act of 2002 (42 U.S.C. 1862n et seq.) is amended—

(1) in section 2 (42 U.S.C. 1862n note), by striking “National Science Foundation” each place the term appears and inserting “National Science and Technology Foundation”;

(2) in each of paragraphs (4) and (7) of section 4 (42 U.S.C. 1862n note), by striking “National Science Foundation established” and inserting “National Science and Technology Foundation established”;

(3) in section 10A (42 U.S.C. 1862n-1a)—

(A) in the section heading, by inserting “AND TECHNOLOGY” after “NATIONAL SCIENCE”;

(B) in the subsection heading of subsection (e), by inserting “AND TECHNOLOGY” after “NATIONAL SCIENCE”;

(C) by striking “National Science Foundation” each place the term appears and inserting “National Science and Technology Foundation”.

(d) **AMERICA COMPETES ACT.**—The America COMPETES Act (Public Law 110-69; 121 Stat. 572) is amended—

(1) in each of sections 1006(c)(1)(K) (15 U.S.C. 3718(c)(1)(K)), 4001 (33 U.S.C. 893), and 5003(b)(1), by striking “National Science Foundation” and inserting “National Science and Technology Foundation”;

(2) in section 7001(5) (42 U.S.C. 1862o note), by striking “National Science Foundation” and inserting “National Science and Technology Foundation”;

(3) in the title heading for title VII, by inserting “AND TECHNOLOGY” after “NATIONAL SCIENCE”.

(e) **NATIONAL SCIENCE AND TECHNOLOGY POLICY, ORGANIZATION, AND PRIORITIES ACT OF 1976.**—The National Science and Technology Policy, Organization, and Priorities Act of 1976 (42 U.S.C. 6601 et seq.) is amended—

(1) in section 205(b)(2) (42 U.S.C. 6614(b)(2)), by striking “National Science Foundation” and inserting “National Science and Technology Foundation”;

(2) in section 206 (42 U.S.C. 6615), by striking “National Science Foundation” each place the term appears and inserting “National Science and Technology Foundation”.

(f) **AMERICA COMPETES REAUTHORIZATION ACT OF 2010.**—The America COMPETES Reauthorization Act of 2010 (Public Law 111-358; 124 Stat. 3982) is amended—

(1) in the subtitle heading of subtitle A of title V, by inserting “and Technology” after “National Science”;

(2) in section 502 (42 U.S.C. 1862p note)—

(A) in paragraph (1), by striking “National Science Foundation” and inserting “National Science and Technology Foundation”;

(B) in paragraph (3), by striking “National Science Foundation established” and inserting “National Science and Technology Foundation established”;

(3) in the section heading of section 506 (42 U.S.C. 1862p-1), by inserting “AND TECHNOLOGY” after “NATIONAL SCIENCE”;

(4) in section 517 (42 U.S.C. 1862p-9)—

(A) in paragraph (2) of subsection (a), by striking “National Science Foundation” each place the term appears and inserting “National Science and Technology Foundation”;

(B) in each of subsections (a)(4), (b), and (c)(2), by striking “National Science Foundation” and inserting “National Science and Technology Foundation”;

(5) in section 518 (124 Stat. 4015), by striking “Foundation.” and inserting “and Technology Foundation.”;

(6) in section 519 (124 Stat. 4015)—
 (A) in the section heading, by inserting “**AND TECHNOLOGY**” after “**NATIONAL SCIENCE**”; and
 (B) by striking “National Science Foundation” each place the term appears and inserting “National Science and Technology Foundation”;
 (7) in section 520 (42 U.S.C. 1862p–10)—
 (A) by striking “National Science Foundation” each place the term appears and inserting “National Science and Technology Foundation”; and
 (B) in the subsection heading of subsection (b), by striking “NSF” and inserting “NSTF”;
 (8) in section 522 (42 U.S.C. 1862p–11)—
 (A) in the section heading, by striking “NSF” and inserting “NSTF”; and
 (B) by striking “National Science Foundation” and inserting “National Science and Technology Foundation”;
 (9) in section 524 (42 U.S.C. 1862p–12), by striking “National Science Foundation” each place the term appears and inserting “National Science and Technology Foundation”; and
 (10) in section 555(5) (20 U.S.C. 9905(5)), by inserting “and Technology” after “National Science”;
 (g) STEM EDUCATION ACT OF 2015.—Each of sections 2 and 3 of the STEM Education Act of 2015 (42 U.S.C. 6621 note; 1862q) are amended by striking “National Science Foundation” and inserting “National Science and Technology Foundation”;
 (h) RESEARCH EXCELLENCE AND ADVANCEMENTS FOR DYSLEXIA ACT.—The Research Excellence and Advancements for Dyslexia Act (Public Law 114–124; 130 Stat. 120) is amended by striking “National Science” each place the term appears and inserting “National Science and Technology”;
 (i) AMERICAN INNOVATION AND COMPETITIVENESS ACT.—The American Innovation and Competitiveness Act (42 U.S.C. 1862s et seq.) is amended—
 (1) in section 2 (42 U.S.C. 1862 note), by inserting “and Technology” after “National Science”; and
 (2) in section 601(a)(1) (42 U.S.C. 1862s–8(a)(1)), by striking “National Science” each place the term appears and inserting “National Science and Technology”;
 (j) NATIONAL SCIENCE FOUNDATION AUTHORIZATION ACT, 1976.—The National Science Foundation Authorization Act, 1976 (Public Law 94–86) is amended—
 (1) in section 2(b) (42 U.S.C. 1869a), by striking “National Science Foundation” each place the term appears and inserting “National Science and Technology Foundation”; and
 (2) in section 6(a) (42 U.S.C. 1881a(a)), by striking “National Science Foundation” and inserting “National Science and Technology Foundation”;
 (k) NATIONAL SCIENCE FOUNDATION AUTHORIZATION ACT, 1977.—Section 8 of the National Science Foundation Authorization Act, 1977 (42 U.S.C. 1883) is amended by striking “National Science Foundation” each place the term appears and inserting “National Science and Technology Foundation”;
 (l) NATIONAL SCIENCE FOUNDATION AUTHORIZATION ACT, FISCAL YEAR 1978.—Section 8 of the National Science Foundation Authorization Act, Fiscal Year 1978 (42 U.S.C. 1869b) is amended by inserting “and Technology” after “National Science”;
 (m) ACT OF AUGUST 25, 1959.—The first section of the Act of August 25, 1959 (42 U.S.C. 1880) is amended by inserting “and Technology” after “National Science”;
 (n) NATIONAL SCIENCE FOUNDATION AUTHORIZATION ACT FOR FISCAL YEAR 1980.—Section 9 of the National Science Foundation Authorization Act for Fiscal Year 1980 (42

U.S.C. 1882) is amended by striking “National Science Foundation” each place the term appears and inserting “National Science and Technology Foundation”;
 (o) NATIONAL AERONAUTICS AND SPACE ADMINISTRATION AUTHORIZATION ACT OF 2005.—Section 721 of the National Aeronautics and Space Administration Authorization Act of 2005 (42 U.S.C. 1886a) is amended by striking “The National Science Foundation” and inserting “The National Science and Technology Foundation”;
 (p) NATIONAL SCIENCE FOUNDATION AUTHORIZATION ACT FOR FISCAL YEAR 1986.—Section 108 of the National Science Foundation Authorization Act for Fiscal Year 1986 (42 U.S.C. 1886) is amended by inserting “and Technology” after “National Science”;
 (q) NATIONAL QUANTUM INITIATIVE ACT.—The National Quantum Initiative Act (Public Law 115–368) is amended—
 (1) in the table of contents in section 2, by striking the item relating to title III and inserting the following:
 “TITLE III—NATIONAL SCIENCE AND TECHNOLOGY FOUNDATION QUANTUM ACTIVITIES”;
 (2) in section 102(a)(2)(A) (15 U.S.C. 8812(a)(2)(A)), by inserting “and Technology” after “National Science”;
 (3) in section 103 (15 U.S.C. 8813), by striking “National Science Foundation” each place the term appears and inserting “National Science and Technology Foundation”;
 (4) in the title heading for title III, by inserting “**AND TECHNOLOGY**” after “**NATIONAL SCIENCE**”; and
 (5) in each of sections 301 and 302 (15 U.S.C. 8841, 8842), by striking “National Science Foundation” each place the term appears and inserting “National Science and Technology Foundation”;
 (r) CYBERSECURITY ENHANCEMENT ACT OF 2014.—The Cybersecurity Enhancement Act of 2014 (15 U.S.C. 7421 et seq.) is amended—
 (1) in section 201 (15 U.S.C. 7431), by striking “National Science Foundation” each place the term appears and inserting “National Science and Technology Foundation”; and
 (2) in each of sections 301 and 302 (15 U.S.C. 7441, 7442), by striking “National Science Foundation” each place the term appears and inserting “National Science and Technology Foundation”;
 (s) HIGH-PERFORMANCE COMPUTING ACT OF 1991.—The High-Performance Computing Act of 1991 (15 U.S.C. 5501 et seq.) is amended—
 (1) in section 101(a)(3)(C)(xi) 15 U.S.C. 5511(a)(3)(C)(xi), by inserting “and Technology” after “National Science”; and
 (2) in section 201 (15 U.S.C. 5521)—
 (A) in the section heading, by inserting “**AND TECHNOLOGY**” after “**NATIONAL SCIENCE**”; and
 (B) by striking “National Science Foundation” each place the term appears and inserting “National Science and Technology Foundation”;
 (t) ARCTIC RESEARCH AND POLICY ACT OF 1984.—The Arctic Research and Policy Act of 1984 (15 U.S.C. 4101 et seq.) is amended—
 (1) in each of sections 102(b)(3) and 103(b)(1) (15 U.S.C. 4101(b)(3), 4102(b)(1)), by inserting “and Technology” after “National Science”; and
 (2) in section 107 (15 U.S.C. 4106)—
 (A) in the subsection heading of subsection (a), by inserting “**AND TECHNOLOGY**” after “**NATIONAL SCIENCE**”; and
 (B) by striking “National Science Foundation” each place the term appears and inserting “National Science and Technology Foundation”;
 (u) STEVENSON-WYDLER TECHNOLOGY INNOVATION ACT OF 1980.—The Stevenson-Wydlar Technology Innovation Act of 1980 (15 U.S.C. 3701 et seq.) is amended—

(1) in each of sections 4(5), 5(a)(2)(A), 20, and 21(d) (15 U.S.C. 3703(5), 3704(a)(2)(A), 3712, and 3713(d)), by inserting “and Technology” after “National Science”;
 (2) in section 9 (15 U.S.C. 3707)—
 (A) in the section heading, by inserting “**AND TECHNOLOGY**” after “**NATIONAL SCIENCE**”;
 (B) in each of subsections (a) and (b), by striking “National Science Foundation” and inserting “National Science and Technology Foundation”; and
 (C) in subsection (c)—
 (i) by striking “National Science Foundation in” and inserting “National Science and Technology Foundation in”; and
 (ii) by striking “National Science Foundation under” and inserting “National Science and Technology Foundation under”; and
 (3) in section 10 (15 U.S.C. 3708), by striking “National Science Foundation” each place the term appears and inserting “National Science and Technology Foundation”;
 (v) CYBER SECURITY RESEARCH AND DEVELOPMENT ACT.—The Cyber Security Research and Development Act (15 U.S.C. 7401 et seq.) is amended—
 (1) in section 3(1) (15 U.S.C. 7402(1)), by inserting “and Technology” after “National Science”;
 (2) in section 5 (15 U.S.C. 7404)—
 (A) in the section heading, by inserting “**AND TECHNOLOGY**” after “**NATIONAL SCIENCE**”;
 (B) in subsection (c)(4), by inserting “and Technology” after “National Science”; and
 (C) in subsection (d), by striking “National Science Foundation’s” and inserting “National Science and Technology Foundation’s”; and
 (3) in section 13 (15 U.S.C. 7409), by striking “National Science Foundation” each place the term appears and inserting “National Science and Technology Foundation”;
 (w) NATIONAL SUPERCONDUCTIVITY AND COMPETITIVENESS ACT OF 1988.—Section 6 of the National Superconductivity and Competitiveness Act of 1988 (15 U.S.C. 5205) is amended by inserting “and Technology” after “National Science”;
 (x) WEATHER RESEARCH AND FORECASTING INNOVATION ACT OF 2017.—Each of sections 105 and 402(a)(1) of the Weather Research and Forecasting Innovation Act of 2017 (15 U.S.C. 8515, 8542(a)(1)) are amended by inserting “and Technology” after “National Science”.

By Mr. THUNE:

S.J. Res. 74. A joint resolution requesting the Secretary of the Interior to authorize a unique and 1-time arrangement for certain displays on Mount Rushmore National Memorial relating to the centennial of the ratification of the 19th Amendment to the Constitution of the United States during the period beginning August 18, 2020, and ending on September 30, 2020; to the Committee on Energy and Natural Resources.

Mr. THUNE. Mr. President, I ask unanimous consent that the text of the joint resolution be printed in the RECORD.

There being no objection, the text of the joint resolution was ordered to be printed in the RECORD, as follows:

S.J. RES. 74

Whereas, on May 21, 1919, the House of Representatives adopted House Joint Resolution 1, 66th Congress, proposing an amendment to the Constitution extending the right of suffrage to women;

Whereas, on June 4, 1919, the Senate adopted House Joint Resolution 1, 66th Congress, sending to the States for ratification the 19th Amendment to the Constitution of the United States;

Whereas, on August 18, 1920, the 36th State approved the 19th Amendment to the Constitution of the United States, satisfying the constitutional threshold of passage in 3/4 of the States;

Whereas, on August 26, 1920, Secretary of State Bainbridge Colby certified the 19th Amendment to the Constitution of the United States;

Whereas section 431(a)(3) of the Department of the Interior, Environment, and Related Agencies Appropriations Act, 2017 (Public Law 115-31; 131 Stat. 502), enacted into law S. 847, 115th Congress (as introduced on April 5, 2017), which established the Women's Suffrage Centennial Commission "to ensure a suitable observance of the centennial of the passage and ratification of the 19th Amendment to the Constitution of the United States providing for women's suffrage";

Whereas August 18, 2020, marks the centennial of the ratification of the 19th Amendment to the Constitution of the United States by 3/4 of the States;

Whereas August 26, 2020, marks the centennial of the 19th Amendment becoming a part of the Constitution of the United States; and

Whereas the centennial anniversary of the ratification of the 19th Amendment to the Constitution of the United States providing for women's suffrage should be honored and celebrated: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Congress—

(1) requests the Secretary of the Interior to authorize a unique and 1-time arrangement to commemorate the centennial of the passage of the 19th Amendment to the Constitution of the United States entitled "LOOK UP TO HER at Mount Rushmore" with a display of historical artifacts, digital content, film footage, and associated historical audio and imagery in and around the vicinity of the Mount Rushmore National Memorial, including projected onto the surface of the Mount Rushmore National Memorial to the left and right of the sculpture for 14 nights of public display during the period beginning on August 18, 2020, and ending on September 30, 2020; and

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

(A) the Secretary of the Interior; and
(B) the Lincoln Borglum Museum at the Mount Rushmore National Memorial.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 594—CALLING FOR THE PAYMENTS TO STATES FOR THE CHILD CARE AND DEVELOPMENT BLOCK GRANT PROGRAM TO BE SUFFICIENT TO COVER LOSSES EXPERIENCED BY CHILD CARE PROVIDERS DUE TO THE COVID-19 PANDEMIC

Mrs. LOEFFLER (for herself and Ms. ERNST) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 594

Whereas the COVID-19 pandemic has disrupted the child care market and has resulted in decreased demand for child care, closures of child care providers, and unemployment for parents;

Whereas before the pandemic, many working families faced challenges of increasing

costs of child care, and a lack of access to child care, including a lack of access in child care deserts;

Whereas in the months before the pandemic, the Child Care and Development Block Grant program provided access to affordable child care each month to nearly 850,000 families, and over 1,400,000 children;

Whereas child care providers have lost significant income from families who cannot pay and from reduced State reimbursements;

Whereas in March 2020, in a nationwide survey of child care providers, 30 percent of the child care providers said they would not withstand a closure of more than 2 weeks without significant public investment and support, an additional 17 percent of the child care providers said they would not withstand a closure of any amount of time without that investment and support, and only 11 percent of the child care providers were confident they could withstand a closure of an indeterminate length without that investment and support;

Whereas child care providers that remain open are supporting our Nation's front line of defense by providing child care for essential workers who are first responders, health care, public transit, and grocery store workers, and workers in essential industries, and who have an estimated 6,000,000 children under the age of 13 in need of emergency care;

Whereas those providers are facing challenges of increased costs for cleaning their facilities and providing a safe environment for children;

Whereas the CARES Act provided \$3,500,000,000 for the Child Care and Development Block Grant program and much-needed relief for families and businesses;

Whereas an estimated additional \$25,000,000,000 is still needed for the Child Care and Development Block Grant program to provide minimum sufficient funds to States, ensuring that many child care providers remain open and many others are able to reopen their facilities; and

Whereas the United States is beginning to recover and accessible child care is crucial for working parents to return to work: Now, therefore, be it

Resolved, That the Senate calls for—

(1) significant funds, in addition to the amount provided under the CARES Act (Public Law 116-136), to be made available through payments to States for the Child Care and Development Block Grant program; and

(2) those funds to be used for the purposes of making maintenance grants for eligible child care providers under the Child Care and Development Block Grant Act (42 U.S.C. 9858 et seq.)—

(A) to support the providers in paying costs associated with closures, or decreased attendance or enrollment, related to coronavirus; and

(B) to assure the providers are able to remain open or reopen as appropriate.

SENATE RESOLUTION 595—RECOGNIZING WIDENING THREATS TO FREEDOMS OF THE PRESS AND EXPRESSION AROUND THE WORLD, REAFFIRMING THE CENTRALITY OF A FREE AND INDEPENDENT PRESS TO THE HEALTH OF FREE SOCIETIES AND DEMOCRACIES, AND REAFFIRMING FREEDOM OF THE PRESS AS A PRIORITY OF THE UNITED STATES IN PROMOTING DEMOCRACY, HUMAN RIGHTS, AND GOOD GOVERNANCE IN COMMEMORATION OF WORLD PRESS FREEDOM DAY ON MAY 3, 2020

Mr. MENENDEZ (for himself, Mr. RUBIO, Mr. CARDIN, Mr. TILLIS, Mr. KAINE, Mr. BOOZMAN, Mr. COONS, Mr. CORNYN, Mr. MARKEY, Mrs. BLACKBURN, Mr. MERKLEY, Ms. COLLINS, and Mr. CASEY) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 595

Whereas Article 19 of the Universal Declaration of Human Rights, adopted in Paris December 10, 1948, states, "Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.";

Whereas, in 1993, the United Nations General Assembly proclaimed May 3rd of each year as "World Press Freedom Day"—

(1) to celebrate the fundamental principles of freedom of the press;

(2) to evaluate freedom of the press around the world;

(3) to defend the media against attacks on its independence; and

(4) to pay tribute to journalists who have lost their lives while working in their profession;

Whereas, on December 18, 2013, the United Nations General Assembly adopted Resolution 68/163, regarding the safety of journalists and the issue of impunity for crimes against journalists, which unequivocally condemns all attacks on, and violence against, journalists and media workers, including torture, extrajudicial killing, enforced disappearance, arbitrary detention, and intimidation and harassment in conflict and nonconflict situations;

Whereas Thomas Jefferson, who recognized the importance of the press in a constitutional republic, wisely declared, "were it left to me to decide whether we should have a government without newspapers, or newspapers without a government, I should not hesitate a moment to prefer the latter.";

Whereas the First Amendment to the United States Constitution and various State constitutions protect freedom of the press in the United States;

Whereas the Daniel Pearl Freedom of the Press Act of 2009 (Public Law 111-166; 22 U.S.C. 2151 note), which was passed by unanimous consent in the Senate and signed into law by President Barack Obama in 2010, expanded the examination of the freedom of the press around the world in the annual *Country Reports on Human Rights Practices* of the Department of State;

Whereas a vigilant commitment to freedom of the press is especially necessary in the wake of the COVID-19 pandemic—

(1) as governments around the world are using emergency laws to restrict access to information, impose press restrictions, and suppress free speech; and

(2) as journalists around the world are being censored and imprisoned for their reporting on the virus;

Whereas in China, Chen Qiushi was disappeared after reporting on the Government of the People's Republic of China's COVID-19 response in February 2020, Xu Zhiyong was reportedly detained in February 2020 during a COVID-19 prevention check after criticizing Chinese authorities, and reporters from The New York Times, Wall Street Journal, The Washington Post, Voice of America, and Time were expelled in March 2020;

Whereas authorities in numerous countries, including Russia, Iran, Cuba, Burma (Myanmar), and Venezuela have—

- (1) restricted journalist movement;
- (2) hindered access to information;
- (3) removed content; and
- (4) threatened, harassed, attacked, and arrested journalists for their reporting on the COVID-19 pandemic;

Whereas, even prior to the COVID-19 pandemic, freedom of the press remained under considerable pressure throughout the world;

Whereas Reporters Without Borders found that, as of April 20, 2020, at least 229 journalists, 116 citizen journalists, and 14 media assistants were imprisoned worldwide;

Whereas according to the Committee to Protect Journalists, at least 25 journalists were killed around the world for their work in 2019;

Whereas Freedom House's publication "Freedom in the World 2020" noted that global freedom of expression has declined every year for the past 14 years;

Whereas, according to the Committee to Protect Journalists, the world's most censored countries include Eritrea, North Korea, Turkmenistan, Saudi Arabia, China, Vietnam, Iran, Equatorial Guinea, Belarus, and Cuba;

Whereas the Government of the Philippines has waged a campaign of judicial harassment against a variety of independent press outlets, including the news website *Rappler* and its editor, Maria Ressa, who has been arrested twice;

Whereas in Russia, Crimean Tatar freelance journalist Nariman Memedeminov was sentenced to 30 months in prison for reporting on human rights violations by Russian authorities in Crimea;

Whereas in Cuba, the Committee to Protect Journalists and Amnesty International have written to the Cuban authorities to request the immediate release of journalist Roberto Quiñones, who has been imprisoned since September 2019;

Whereas in Venezuela, freelance journalist Darvinson Rojas has been detained since March 21, 2020, for reporting on presumed COVID-19 cases that were unacknowledged by the Government of Venezuela;

Whereas in Mexico, *Quinto Poder de Veracruz* founder María Elena Ferral, *El Grafico* reporter Jorge Celestino Ruiz Vázquez, and journalists Nevith Condes Jaramilla, Rogelio Barragán Pérez, and Norma Sarabia were all murdered between June 2019 and March 2020;

Whereas in Niger, independent journalist Kaka Touda Mamane Goni was arrested on March 5, 2020, and faces up to 3 years in prison for publishing news reports on social media about potential COVID-19 cases;

Whereas in Burundi, Iwacu journalists Christine Kamikazi, Agnès Ndirubusa, Egide Harerimana, and TERENCE MPOZENZI were convicted on charges of attempting to undermine state security and sentenced to 2½ years in prison;

Whereas in Tanzania, journalist Azory Gwanda has been missing since November 2017;

Whereas Turkey remains 1 of the top jailers of independent journalists around the

world, and the Government of Turkey closed down more than 100 news outlets during 2019;

Whereas in Egypt, prominent blogger and activist Alaa Abdelfattah was rearrested in September 2019, human rights activist and journalist Esraa Abdel Fattah was rearrested in October 2019, and *Guardian* reporter Ruth Michaelson's press credentials were withdrawn for questioning official COVID-19 figures on March 16, 2020;

Whereas American journalist Austin Tice has been detained in Syria since August 14, 2012;

Whereas female journalists and writers in Saudi Arabia face harsh personal consequences for their work, and Zana Al-Shari of the daily *Al-Riyadh*, Maha al-Rafidi al-Qahtani of the daily *Al-Watan*, and recipients of the 2019 PEN/Barbey Freedom to Write Award Nouf Abdulaziz, Loujain Al-Hathloul, and Eman Al-Nafjan remain missing, imprisoned, or on trial due to their writing and outspoken women's rights advocacy;

Whereas the Senate has concluded that Washington Post journalist and United States resident Jamal Khashoggi was murdered by a team of Saudi operatives at the behest of Crown Prince Mohammed Bin Salman;

Whereas, under the auspices of the United States Agency for Global Media, the United States Government provides financial assistance to several editorially independent media outlets, including Voice of America, Radio Free Europe/Radio Liberty, Radio Free Asia, Radio, the Office of Cuba Broadcasting, and the Middle East Broadcast Networks—

(1) which report and broadcast news, information, and analysis in critical regions around the world; and

(2) whose journalists regularly face harassment, fines, and imprisonment for their work; and

Whereas freedom of the press is a key element of public transparency, civil society participation, socioeconomic development, and democratic governance: Now, therefore, be it

Resolved, That the Senate—

(1) declares that a free press—

(A) is a central component of free societies, democratic governance, and contributes to an informed civil society, and government accountability;

(B) helps expose corruption, and enhances public accountability and transparency of governments at all levels; and

(C) disseminates information essential to improving public health and safety;

(2) condemns threats to freedom of the press and free expression around the world; and

(3) in remembrance of journalists who have lost their lives carrying out their vital work—

(A) calls on governments abroad to implement United Nations General Assembly Resolution 68/163 (2013) by thoroughly investigating and seeking to resolve outstanding cases of violence against journalists, including murders and kidnappings, while ensuring the protection of witnesses;

(B) condemns all actions around the world that suppress freedom of the press;

(C) calls for the unconditional and immediate release of all imprisoned journalists;

(D) reaffirms the centrality of freedom of the press to efforts of the United States Government to support democracy, mitigate conflict, and promote good governance domestically and around the world; and

(E) calls upon the President and the Secretary of State—

(i) to preserve and build upon the leadership of the United States on issues relating to freedom of the press, on the basis of the protections afforded the American people

under the First Amendment to the Constitution of the United States;

(ii) to improve the rapid identification, publication, and response by the United States Government to threats against freedom of the press around the world;

(iii) to urge foreign governments to protect the free flow of information and to transparently investigate and bring to justice the perpetrators of attacks against journalists; and

(iv) to promote the respect and protection of freedom of the press around the world.

SENATE RESOLUTION 596—EX-PRESSING THE SENSE OF THE SENATE THAT THE HONG KONG NATIONAL SECURITY LAW PROPOSED BY THE GOVERNMENT OF THE PEOPLE'S REPUBLIC OF CHINA WOULD VIOLATE THE OBLIGATIONS OF THAT GOVERNMENT UNDER THE 1984 SINO-BRITISH JOINT DECLARATION AND THE HONG KONG BASIC LAW AND CALLING UPON ALL FREE NATIONS OF THE WORLD TO STAND WITH THE PEOPLE OF HONG KONG

Mr. HAWLEY (for himself, Mr. LEE, Mr. COTTON, Mrs. BLACKBURN, Ms. MCSALLY, Mr. PETERS, Mr. WICKER, Mrs. LOEFFLER, Mr. SULLIVAN, Mr. RUBIO, Mr. INHOFE, and Mr. DAINES) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 596

Whereas the Government of the People's Republic of China has proposed a new national security law for Hong Kong that would ban secession, subversion of state power, and foreign interference, as defined by the Government of the People's Republic of China;

Whereas, if the new national security law is passed, the Government of the People's Republic of China is expected to use this law to justify and facilitate an expanded crackdown against peaceful protests and other forms of nonviolent protest by the people of Hong Kong;

Whereas this proposed law constitutes a significant escalation in the campaign by the Government of the People's Republic of China and its proxies in Hong Kong to erase the basic liberties and human rights promised to the people of Hong Kong under the 1984 Sino-British Joint Declaration and the Hong Kong Basic Law;

Whereas the announcement by the Government of the People's Republic of China of its intent to pass this new national security law reflects that government's fundamental opposition not only to the basic rights and liberties of free persons championed by the people of Hong Kong and the United States, but also to upholding its obligations under international law; and

Whereas the efforts by the Government of the People's Republic of China to silence peaceful protestors in Hong Kong are part and parcel of a broader hegemonic vision that would see the Government of the People's Republic of China impose its will upon all free people of Asia and beyond: Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) the Hong Kong national security law proposed by the Government of the People's Republic of China would violate the legal obligations of that government under—

(A) the 1984 Sino-British Joint Declaration, which guarantees for 50 years the protection of the basic rights and freedoms of the people of Hong Kong, including those of speech, press, assembly, association, travel, movement, correspondence, and strike; and

(B) the Hong Kong Basic Law, which reserves the authority for enacting laws prohibiting treason, secession, sedition, subversion, and foreign interference to the Government of the Hong Kong Special Administrative Region; and

(2) the United States Government should use all diplomatic means available, including targeted sanctions, to—

(A) dissuade the Government of the People's Republic of China from passing the proposed Hong Kong national security law;

(B) compel the Government of the People's Republic of China to rescind the proposed Hong Kong national security law, if it is passed; and

(C) rally all free nations to stand with the people of Hong Kong against increasingly severe violations by the Government of the People's Republic of China of the rights and liberties guaranteed to them under the 1984 Sino-British Joint Declaration and the Hong Kong Basic Law.

SENATE RESOLUTION 597—DESIGNATING MAY 2020 AS “OLDER AMERICANS MONTH”

Ms. COLLINS (for herself, Mr. JONES, Mr. SCOTT of South Carolina, Mr. CASEY, Mr. BURR, Mrs. GILLIBRAND, Ms. MCSALLY, Mr. BLUMENTHAL, Mr. RUBIO, Ms. WARREN, Mr. HAWLEY, Ms. SINEMA, Mr. BRAUN, Ms. ROSEN, Mr. SCOTT of Florida, and Mr. GRASSLEY) submitted the following resolution; which was considered and agreed to:

S. RES. 597

Whereas President John F. Kennedy first designated May as “Senior Citizens Month” in 1963;

Whereas, in 1963, only approximately 17,778,000 individuals living in the United States were 65 years of age or older, approximately 1/3 of those individuals lived in poverty, and few programs existed to meet the needs of older individuals in the United States;

Whereas, in 2019, there were more than 55,030,278 individuals who were 65 years of age or older in the United States, and those individuals accounted for 16.7 percent of the total population of the United States;

Whereas approximately 10,000 individuals in the United States turn 65 years of age each day;

Whereas, in 2019, more than 9,056,000 veterans of the Armed Forces were 65 years of age or older;

Whereas older individuals in the United States rely on Federal programs, such as programs under the Social Security Act (42 U.S.C. 301 et seq.), including the Medicare program under title XVIII of that Act (42 U.S.C. 1395 et seq.) and the Medicaid program under title XIX of that Act (42 U.S.C. 1396 et seq.), for financial security and high-quality affordable health care;

Whereas the Older Americans Act of 1965 (42 U.S.C. 3001 et seq.) provides—

(1) supportive services to help individuals in the United States who are 60 years of age or older maintain maximum independence in the homes and communities of those individuals; and

(2) funding for programs, including nutrition services, transportation, and care management, to assist more than 10,798,199 older individuals in the United States each year;

Whereas, compared to older individuals in the United States in past generations, older individuals in the United States in 2020 are working longer, living longer, and enjoying healthier, more active, and more independent lifestyles;

Whereas, in 2019, an estimated 6,422,000 individuals in the United States who were 65 years of age or older continued to work as full-time, year-round employees;

Whereas older individuals in the United States play an important role in society by continuing to contribute their experience, knowledge, wisdom, and accomplishments;

Whereas older individuals in the United States play vital roles in their communities and remain involved in volunteer work, the arts, cultural activities, and activities relating to mentorship and civic engagement; and

Whereas a society that recognizes the success of older individuals and continues to enhance the access of older individuals to quality and affordable health care will—

(1) encourage the ongoing participation and heightened independence of older individuals; and

(2) ensure the continued safety and well-being of older individuals: Now, therefore, be it

Resolved, That the Senate—

(1) designates May 2020 as “Older Americans Month”; and

(2) encourages the people of the United States to provide opportunities for older individuals to continue to flourish by—

(A) emphasizing the importance and leadership of older individuals through public recognition of the ongoing achievements of older individuals;

(B) presenting opportunities for older individuals to share their wisdom, experience, and skills with younger generations; and

(C) recognizing older individuals as valuable assets in strengthening communities across the United States.

SENATE RESOLUTION 598—RECOGNIZING NATIONAL FOSTER CARE MONTH AS AN OPPORTUNITY TO RAISE AWARENESS ABOUT THE CHALLENGES OF CHILDREN IN THE FOSTER CARE SYSTEM, AND ENCOURAGING CONGRESS TO IMPLEMENT POLICIES TO IMPROVE THE LIVES OF CHILDREN IN THE FOSTER CARE SYSTEM

Mr. GRASSLEY (for himself, Ms. STABENOW, Mr. JONES, Mr. LANKFORD, Mr. KAIN, Mr. KING, Mr. VAN HOLLEN, Mr. ROBERTS, Mr. BLUMENTHAL, Mr. TILLIS, Ms. KLOBUCHAR, Mr. BLUNT, Mr. BROWN, Mr. BOOZMAN, Mr. SULLIVAN, Mr. SCOTT of South Carolina, Mr. WICKER, Ms. HARRIS, Mr. CASEY, Mr. CASSIDY, Mr. WYDEN, Ms. SINEMA, Mr. YOUNG, Mr. INHOFE, Mrs. FEINSTEIN, Mr. MANCHIN, Ms. ERNST, and Mr. ENZI) submitted the following resolution; which was considered and agreed to:

S. RES. 598

Whereas National Foster Care Month was established more than 30 years ago to—

(1) bring foster care issues to the forefront;

(2) highlight the importance of permanency for every child; and

(3) recognize the essential role that foster parents, social workers, and advocates have in the lives of children in foster care throughout the United States;

Whereas all children deserve a safe, loving, and permanent home;

Whereas the primary goal of the foster care system is to ensure the safety and well-

being of children while working to provide a safe, loving, and permanent home for each child;

Whereas there are approximately 437,000 children living in foster care;

Whereas there were approximately 263,000 youth that entered the foster care system in 2018, while more than 71,000 youth were eligible and awaiting adoption at the end of 2018;

Whereas the number of children living in foster care has increased dramatically in recent years;

Whereas more than 94,000 children entered foster care in 2018 due to parental drug abuse;

Whereas children of color are more likely to stay in the foster care system for longer periods of time and are less likely to be reunited with their biological families;

Whereas foster parents—

(1) are the front-line caregivers for children who cannot safely remain with their biological parents;

(2) provide physical care, emotional support, and education advocacy; and

(3) are the largest single source of families providing permanent homes for children leaving foster care to adoption;

Whereas, compared to children in foster care who are placed with nonrelatives, children in foster care who are placed with relatives have more stability, including fewer changes in placements, have more positive perceptions of their placements, are more likely to be placed with their siblings, and demonstrate fewer behavioral problems;

Whereas some relative caregivers receive less financial assistance and support services than do foster caregivers;

Whereas an increased emphasis on prevention and reunification services is necessary to reduce the number of children that are forced to remain in the foster care system;

Whereas almost 18,000 youth “aged out” of foster care in 2018 without a legal permanent connection to an adult or family;

Whereas children who age out of foster care lack the security or support of a biological or adoptive family and frequently struggle to secure affordable housing, obtain health insurance, pursue higher education, and acquire adequate employment;

Whereas foster care is intended to be a temporary placement, but children remain in the foster care system for an average of 19 months;

Whereas 34 percent of children in foster care experience more than 2 placements while in foster care, which often leads to disruption of routines and the need to change schools and move away from siblings, extended families, and familiar surroundings;

Whereas youth in foster care are much more likely to face educational instability, with 1 study showing that 75 percent of foster youth experienced an unscheduled school change during a school year, compared to 21 percent of youth not in foster care;

Whereas children entering foster care often confront the widespread misperception that children in foster care are disruptive, unruly, and dangerous, even though placement in foster care is based on the actions of a parent or guardian, not the child;

Whereas 30 percent of children in foster care are taking at least 1 antipsychotic medication, and 34 percent of those children are not receiving adequate treatment planning or medication monitoring;

Whereas, due to heavy caseloads and limited resources, the average turnover rate for child welfare workers is 30 percent;

Whereas States, localities, and communities should be encouraged to invest resources in preventative and reunification services and postpermanency programs to ensure that more children in foster care are

provided with safe, loving, and permanent placements;

Whereas, in 2018, Congress passed the Family First Prevention Services Act (Public Law 115-123; 132 Stat. 232), which provided new investments in prevention and family reunification services to help more families stay together and ensure that more children are in safe, loving, and permanent homes;

Whereas Federal legislation over the past 3 decades, including the Adoption Assistance and Child Welfare Act of 1980 (Public Law 96-272; 94 Stat. 500), the Adoption and Safe Families Act of 1997 (Public Law 105-89; 111 Stat. 2115), the Fostering Connections to Success and Increasing Adoptions Act of 2008 (Public Law 110-351; 122 Stat. 3949), the Child and Family Services Improvement and Innovation Act (Public Law 112-34; 125 Stat. 369), and the Preventing Sex Trafficking and Strengthening Families Act (Public Law 113-183; 128 Stat. 1919), provided new investments and services to improve the outcomes of children in the foster care system;

Whereas May 2020 is an appropriate month to designate as National Foster Care Month to provide an opportunity to acknowledge the accomplishments of the child welfare workforce, foster parents, the advocacy community, and mentors for their dedication and accomplishments and the positive impact they have on the lives of children; and

Whereas much remains to be done to ensure that all children have a safe, loving, nurturing, and permanent family, regardless of age or special needs: Now, therefore, be it

Resolved, That the Senate—

(1) supports the designation of National Foster Care Month;

(2) recognizes National Foster Care Month as an opportunity to raise awareness about the challenges that children face in the foster care system;

(3) encourages Congress to implement policies to improve the lives of children in the foster care system;

(4) acknowledges the unique needs of children in the foster care system;

(5) recognizes foster youth throughout the United States for their ongoing tenacity, courage, and resilience while facing life challenges;

(6) acknowledges the exceptional alumni of the foster care system who serve as advocates and role models for youth who remain in foster care;

(7) honors the commitment and dedication of the individuals who work tirelessly to provide assistance and services to children in the foster care system;

(8) supports the designation of May 31, 2020, as National Foster Parent Appreciation Day;

(9) recognizes National Foster Parent Appreciation Day as an opportunity—

(A) to recognize the efforts of foster parents to provide safe and loving care for children in need; and

(B) to raise awareness about the increasing need for foster parents to serve in their communities; and

(10) reaffirms the need to continue working to improve the outcomes of all children in the foster care system through parts B and E of title IV of the Social Security Act (42 U.S.C. 601 et seq.) and other programs designed to—

(A) support vulnerable families;

(B) invest in prevention and reunification services;

(C) promote adoption in cases where reunification is not in the best interests of the child;

(D) adequately serve children brought into the foster care system; and

(E) facilitate the successful transition into adulthood for children that “age out” of the foster care system.

SENATE RESOLUTION 599—HONORING THE LIFE AND LEGACY OF JUDGE LEE ROY WEST

Mr. LANKFORD (for himself and Mr. INHOFE) submitted the following resolution; which was considered and agreed to:

S. RES. 599

Whereas Judge Lee Roy West was born in Clayton, Oklahoma, on November 26, 1929, and died on April 24, 2020, in Muskogee, Oklahoma;

Whereas Judge Lee Roy West was the youngest of 4 children in a family he called “too poor to paint and too proud to white-wash”;

Whereas Judge Lee Roy West graduated from Antlers High School in 1948 and hitchhiked to Norman, Oklahoma, to attend the University of Oklahoma;

Whereas Judge Lee Roy West received a bachelor of arts degree from the University of Oklahoma in 1952;

Whereas Judge Lee Roy West graduated from Harvard Law School with a juris doctor in 1956 and later earned a master of laws from Harvard Law School in 1963;

Whereas Judge Lee Roy West served the United States with the 3rd Marine Division in Japan and the 1st Marine Division in Korea;

Whereas Judge Lee Roy West practiced law—

(1) in Ada, Oklahoma, from 1956 to 1961 and from 1963 to 1965; and

(2) in Tulsa, Oklahoma, from 1978 to 1979;

Whereas Judge Lee Roy West taught law at the University of Oklahoma College of Law from 1961 to 1962 and was a Ford Foundation fellow at Harvard Law School from 1962 to 1963;

Whereas Governor Henry Bellmon appointed Judge Lee Roy West to serve as a State court judge for the 22nd Judicial District of Oklahoma, where he served from 1965 to 1973;

Whereas, in 1973, President Richard Nixon appointed Judge Lee Roy West to the Civil Aeronautics Board in Washington, D.C.;

Whereas, on September 28, 1979, President Jimmy Carter nominated Judge Lee Roy West to serve on the United States District Court for the Western District of Oklahoma;

Whereas the Senate confirmed the nomination of Judge Lee Roy West on October 31, 1979;

Whereas Judge Lee Roy West served as chief justice of the United States District Court for the Western District of Oklahoma from 1993 to 1994;

Whereas Judge Lee Roy West served on the Federal bench in Oklahoma City for nearly 40 years; and

Whereas Judge Lee Roy West was inducted into—

(1) the Field Trial Hall of Fame in Grand Junction, Tennessee in 2004; and

(2) the Oklahoma Hall of Fame in 2012: Now, therefore, be it

Resolved, That the Senate honors—

(1) the life and legacy of Judge Lee Roy West; and

(2) the commitment of Judge Lee Roy West to his family, the law, Oklahoma, and the United States.

SENATE RESOLUTION 600—RECOGNIZING WIDENING THREATS TO FREEDOM OF THE PRESS AND EXPRESSION AROUND THE WORLD, REAFFIRMING THE CENTRALITY OF A FREE AND INDEPENDENT PRESS TO THE HEALTH OF FREE SOCIETIES AND DEMOCRACIES, AND REAFFIRMING FREEDOM OF THE PRESS AS A PRIORITY OF THE UNITED STATES IN PROMOTING DEMOCRACY, HUMAN RIGHTS, AND GOOD GOVERNANCE IN COMMEMORATION OF WORLD PRESS FREEDOM DAY ON MAY 3, 2020

Mr. MENENDEZ (for himself, Mr. RUBIO, Mr. CARDIN, Mr. TILLIS, Mr. KAINE, Mr. BOOZMAN, Mr. COONS, Mr. CORNYN, Mr. MARKEY, Mrs. BLACKBURN, Mr. MERKLEY, Ms. COLLINS, and Mr. CASEY) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 600

Whereas Article 19 of the Universal Declaration of Human Rights, adopted in Paris December 10, 1948, states, “Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.”;

Whereas, in 1993, the United Nations General Assembly proclaimed May 3rd of each year as “World Press Freedom Day”—

(1) to celebrate the fundamental principles of freedom of the press;

(2) to evaluate freedom of the press around the world;

(3) to defend the media against attacks on its independence; and

(4) to pay tribute to journalists who have lost their lives while working in their profession;

Whereas, on December 18, 2013, the United Nations General Assembly adopted Resolution 68/163, regarding the safety of journalists and the issue of impunity for crimes against journalists, which unequivocally condemns all attacks on, and violence against, journalists and media workers, including torture, extrajudicial killing, enforced disappearance, arbitrary detention, and intimidation and harassment in conflict and nonconflict situations;

Whereas Thomas Jefferson, who recognized the importance of the press in a constitutional republic, wisely declared, “were it left to me to decide whether we should have a government without newspapers, or newspapers without a government, I should not hesitate a moment to prefer the latter.”;

Whereas the First Amendment to the United States Constitution and various State constitutions protect freedom of the press in the United States;

Whereas the Daniel Pearl Freedom of the Press Act of 2009 (Public Law 111-166; 22 U.S.C. 2151 note), which was passed by unanimous consent in the Senate and signed into law by President Barack Obama in 2010, expanded the examination of the freedom of the press around the world in the annual *Country Reports on Human Rights Practices* of the Department of State;

Whereas a vigilant commitment to freedom of the press is especially necessary in the wake of the COVID-19 pandemic—

(1) as governments around the world are using emergency laws to restrict access to information, impose press restrictions, and suppress free speech; and

(2) as journalists around the world are being censored and imprisoned for their reporting on the virus;

Whereas in China, Chen Qiushi was disappeared after reporting on the Government of the People's Republic of China's COVID-19 response in February 2020, Xu Zhiyong was reportedly detained in February 2020 during a COVID-19 prevention check after criticizing Chinese authorities, and reporters from The New York Times, Wall Street Journal, The Washington Post, Voice of America, and Time were expelled in March 2020;

Whereas authorities in numerous countries, including Russia, Iran, Cuba, Burma (Myanmar), and Venezuela have—

- (1) restricted journalist movement;
- (2) hindered access to information;
- (3) removed content; and
- (4) threatened, harassed, attacked, and arrested journalists for their reporting on the COVID-19 pandemic;

Whereas, even prior to the COVID-19 pandemic, freedom of the press remained under considerable pressure throughout the world;

Whereas Reporters Without Borders found that, as of April 20, 2020, at least 229 journalists, 116 citizen journalists, and 14 media assistants were imprisoned worldwide;

Whereas according to the Committee to Protect Journalists, at least 25 journalists were killed around the world for their work in 2019;

Whereas Freedom House's publication "Freedom in the World 2020" noted that global freedom of expression has declined every year for the past 14 years;

Whereas, according to the Committee to Protect Journalists, the world's most censored countries include Eritrea, North Korea, Turkmenistan, Saudi Arabia, China, Vietnam, Iran, Equatorial Guinea, Belarus, and Cuba;

Whereas the Government of the Philippines has waged a campaign of judicial harassment against a variety of independent press outlets, including the news website *Rappler* and its editor, Maria Ressa, who has been arrested twice;

Whereas in Russia, Crimean Tatar freelance journalist Nariman Memedeminov was sentenced to 30 months in prison for reporting on human rights violations by Russian authorities in Crimea;

Whereas in Cuba, the Committee to Protect Journalists and Amnesty International have written to the Cuban authorities to request the immediate release of journalist Roberto Quiñones, who has been imprisoned since September 2019;

Whereas in Venezuela, freelance journalist Darvinson Rojas has been detained since March 21, 2020, for reporting on presumed COVID-19 cases that were unacknowledged by the Government of Venezuela;

Whereas in Mexico, *Quinto Poder de Veracruz* founder María Elena Ferral, *El Grafico* reporter Jorge Celestino Ruiz Vázquez, and journalists Nevith Condes Jaramilla, Rogelio Barragán Pérez, and Norma Sarabia were all murdered between June 2019 and March 2020;

Whereas in Niger, independent journalist Kaka Touda Mamane Goni was arrested on March 5, 2020, and faces up to 3 years in prison for publishing news reports on social media about potential COVID-19 cases;

Whereas in Burundi, Iwaco journalists Christine Kamikazi, Agnès Ndirubusa, Egide Harerimana, and TERENCE MPOZENZI were convicted on charges of attempting to undermine state security and sentenced to 2½ years in prison;

Whereas in Tanzania, journalist Azory Gwanda has been missing since November 2017;

Whereas Turkey remains 1 of the top jailers of independent journalists around the world,

and the Government of Turkey closed down more than 100 news outlets during 2019;

Whereas in Egypt, prominent blogger and activist Alaa Abdelfattah was rearrested in September 2019, human rights activist and journalist Esraa Abdel Fattah was rearrested in October 2019, and *Guardian* reporter Ruth Michaelson's press credentials were withdrawn for questioning official COVID-19 figures on March 16, 2020;

Whereas American journalist Austin Tice has been detained in Syria since August 14, 2012;

Whereas female journalists and writers in Saudi Arabia face harsh personal consequences for their work, and Zana Al-Shari of the daily *Al-Riyadh*, Maha al-Rafidi al-Qahtani of the daily *Al-Watan*, and recipients of the 2019 PEN/Barbey Freedom to Write Award Nouf Abdulaziz, Loujain Al-Hathloul, and Eman Al-Nafjan remain missing, imprisoned, or on trial due to their writing and outspoken women's rights advocacy;

Whereas the Senate has concluded that Washington Post journalist and United States resident Jamal Khashoggi was murdered by a team of Saudi operatives at the behest of Crown Prince Mohammed Bin Salman;

Whereas, under the auspices of the United States Agency for Global Media, the United States Government provides financial assistance to several editorially independent media outlets, including Voice of America, Radio Free Europe/Radio Liberty, Radio Free Asia, Radio, the Office of Cuba Broadcasting, and the Middle East Broadcast Networks—

(1) which report and broadcast news, information, and analysis in critical regions around the world; and

(2) whose journalists regularly face harassment, fines, and imprisonment for their work; and

Whereas freedom of the press is a key element of public transparency, civil society participation, socioeconomic development, and democratic governance: Now, therefore, be it

Resolved, That the Senate—

(1) declares that a free press—

(A) is a central component of free societies, democratic governance, and contributes to an informed civil society, and government accountability;

(B) helps expose corruption, and enhances public accountability and transparency of governments at all levels; and

(C) disseminates information essential to improving public health and safety;

(2) condemns threats to freedom of the press and free expression around the world; and

(3) in remembrance of journalists who have lost their lives carrying out their vital work—

(A) calls on governments abroad to implement United Nations General Assembly Resolution 68/163 (2013) by thoroughly investigating and seeking to resolve outstanding cases of violence against journalists, including murders and kidnappings, while ensuring the protection of witnesses;

(B) condemns all actions around the world that suppress freedom of the press;

(C) calls for the unconditional and immediate release of all imprisoned journalists;

(D) reaffirms the centrality of freedom of the press to efforts of the United States Government to support democracy, mitigate conflict, and promote good governance domestically and around the world; and

(E) calls upon the President and the Secretary of State—

(i) to preserve and build upon the leadership of the United States on issues relating to freedom of the press, on the basis of the protections afforded the American people

under the First Amendment to the Constitution of the United States;

(ii) to improve the rapid identification, publication, and response by the United States Government to threats against freedom of the press around the world;

(iii) to urge foreign governments to protect the free flow of information and to transparently investigate and bring to justice the perpetrators of attacks against journalists; and

(iv) to promote the respect and protection of freedom of the press around the world.

AUTHORITY FOR COMMITTEES TO MEET

Mr. HOEVEN. Mr. President, I have 3 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 FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Thursday, May 21, 2020, at 10:30 a.m., to conduct a hearing.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Thursday, May 21, 2020, at 2:30 p.m., to conduct a hearing on the nomination of Justin R. Walker, to be U.S. Circuit Judge for District of Columbia Circuit.

SPECIAL COMMITTEE ON AGING

The Special Committee on Aging is authorized to meet during the session of the Senate on Thursday, May 21, 2020, at 9:30 a.m., to conduct a hearing.

UNITED STATES FOREIGN SERVICE DAY

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration and the Senate now proceed to S. Res 556.

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

The clerk will report.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 556) designating May 1, 2020, as the "United States Foreign Service Day" in recognition of the men and women who have served, or are presently serving, in the Foreign Service of the United States, and honoring the members of the Foreign Service who have given their lives in the line of duty.

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

Mr. McCONNELL. Mr. President, 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. 556) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of May 4, 2020, under "Submitted Resolutions.")

RESOLUTIONS SUBMITTED TODAY

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate now proceed to the en bloc consideration of the following Senate resolutions, which were submitted earlier today: S. Res. 597 through S. Res. 599.

There being no objection, the Senate proceeded to consider the resolutions en bloc.

Mr. McCONNELL. Mr. President, I know of no further debate on the resolutions.

The PRESIDING OFFICER. Is there further debate?

Hearing none, the question is on agreeing to the resolutions, en bloc.

The resolutions were agreed to.

Mr. McCONNELL. I ask unanimous consent that the preambles be agreed to and that the motions to reconsider be considered made and laid upon the table, all en bloc.

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

The preambles were agreed to.

(The resolutions, with their preambles, are printed in today's RECORD under "Submitted Resolutions.")

MEASURES READ THE FIRST TIME—S. 3833 AND H.R. 6800

Mr. McCONNELL. Mr. President, I understand there are two bills at the desk, and I ask for their first reading en bloc.

The PRESIDING OFFICER. The clerk will read the bills by title for the first time en bloc.

The senior assistant legislative clerk read as follows:

A bill (S. 3833) to extend the loan forgiveness period for the paycheck protection program, and for other purposes.

A bill (H.R. 6800) making emergency supplemental emergency appropriations for the fiscal year ending September 30, 2020, and for other purposes.

Mr. McCONNELL. Mr. President, I now ask for a second reading, and I object to my own request, all en bloc.

The PRESIDING OFFICER. The objection having been heard, the bills will receive their second reading on the next legislative day.

ORDERS FOR FRIDAY, MAY 22, 2020, THROUGH MONDAY, JUNE 1, 2020.

Mr. McCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn to then convene for pro forma sessions only, with no business being conducted on the following dates and times, and that following each pro forma session, the Senate adjourn until the next pro forma session: Friday, May 22, 9 a.m.; Tuesday, May 26, 9:30 a.m.; Thursday, May 28, 11 a.m.

I further ask unanimous consent that when the Senate adjourns on Thursday, May 28, it next convene at 3 p.m. Monday, June 1, and that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings 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, upon the closing of morning business, the Senate proceed to executive session to resume consideration of the Tipton nomination; further, that at 5:30 p.m., the Senate resume consideration of the Badalamenti nomination under the previous order; finally, notwithstanding the provisions of rule XXII, Monday, June 1, count as the intervening day with respect to cloture motions filed during today's session of the Senate.

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

ORDER FOR ADJOURNMENT

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

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

The PRESIDING OFFICER. The Senator from Alaska.

TRIBUTE TO SHARON LONG

Mr. SULLIVAN. Mr. President, it is Thursday, one of my favorite times of the week, because it is the time I get to come to the Senate floor and recognize an extraordinary Alaskan whom we refer to as the Alaskan of the Week.

Now, Memorial Day is fast approaching. It is certainly one of the most sacred days in our Nation throughout the year. For this week's Alaskan of the Week, Sharon Long, it is a day that is a particularly profound day.

Sharon Long is a Gold Star mother who lives in Anchorage, and she remembers her son, Grant Fraser, every day of the year. For her and her family and for so many people who knew Grant and who served with Grant, Memorial Day is a day when his memory is particularly honored.

Before I get into Sharon Long's story, as well as the remarkable story of her son Grant, let me talk a little bit about what is going on in Alaska right now as we, in our country, continue to face the challenges of this pandemic.

We are doing pretty well in our State, medically, certainly. Things could, of course, change quickly. We remain vigilant as a State, but the number of people infected by the virus is very low. Businesses are starting to reopen. Life, by no means, is back to normal, and there is much that we are going to need to do to recover from this virus and pandemic, which has very, very negatively impacted so

many parts of the great State of Alaska's economy—the energy sector, tourism sector, fishery sector. We will get through this stronger and more resilient, but it is a challenging time.

As you know, Memorial Day weekend commemorates many virtues in our Nation: service, selflessness, and, of course, sacrifice. But Memorial Day also commemorates and inspires hope. I know hope can be a bit hard to come by during these challenging times, but I don't think we have to go very far to see signs of hope.

In our great Nation and in my great State, hope is in the faces of those we love. In Alaska, it is in our mountains and our glaciers and our clear waters. It is also woven into the fabric of our country and the soul of our Nation. It is at the very heart of who we are, and it has been so throughout our history, often manifesting itself in the battles that have shaped our Nation over decades and over centuries that define so much of the American character and the people who fought those battles and died defending their Nation whom we commemorate this weekend. Hope is what Sharon Long and other Gold Star mothers throughout our State and Nation who have lost a child while defending America have to offer us.

So let me tell you about Sharon's story and about her son, Marine Corps LCpl Grant Fraser, who gave his life for this Nation. From Seattle, Sharon moved to our State to live with her aunt and uncle when she was just 16 years old. She graduated from West High School in Anchorage, studied political science at Alaska Methodist University, which is now Alaska Pacific University, and embraced the great State of Alaska with everything she had.

It was a heady and exciting time in Alaska. Prudhoe Bay Oil Field on the North Slope was just discovered—the biggest oilfield in North America. This is the late 1960s, early 1970s. The Alaska Native Claims Settlement Act, one of the biggest land claims acts in U.S. history, was being debated and then passed right here on the floor of the U.S. Senate.

Sharon said: Alaska was a wide open place that wanted the energy of my generation. She got to work. She worked at the Department of Natural Resources, an agency that I had the honor of being the former commissioner of. She worked for the Joint Federal-State Land Use Planning Commission for Alaska, inventorying the abundant world-class natural resources we have in our State.

Then she and a girlfriend traveled the world for a year and landed at the end of her tour in DC. She was young, broke, on a friend's couch, and she came here and asked for and got a job with former Alaska U.S. Senator Mike Gravel. Some might remember Senator Gravel here in the Senate. She worked on natural resource issues for him.

Eventually, she made her way back home to Alaska and met her husband,

an Air Force anesthesiologist, James Fraser, who made his way into private practice. Sharon helped run the office, and they had two wonderful children, Grant and Victoria.

So who is Grant Fraser? Her son. He was popular at Service High School in Anchorage, where he graduated. He was an actor who loved the works of Homer and Shakespeare. He was a mountain biker, a skier, a pianist, a scuba diver, a rock climber, and a tennis player. He was lighthearted and mischievous, and according to his marine brothers, the only thing that could really rile him up was when they talked about his sister the way in which sometimes marines, unfortunately, have the habit of doing. He was a fiercely loyal brother. You could not joke about his sister Victoria, who, by the way, now is a professional soprano singer who has performed all over the world.

So Sharon and her husband James assumed that Grant would become an athlete, maybe, or a scholar. He was a very, very smart young man. But shortly after 9/11, like so many patriotic young Americans across our Nation, he surprised his family and his friends when he announced he was joining the marines. “No, no, no, no,” Sharon told her son. “That isn’t the plan. You are going to school now.”

He told his mom: “Mom, this isn’t my scholarly time of life. I am ready to serve and fight for my country, if need be.”

He knew he would thrive in the Marines, and he did. He planned on coming back home in Anchorage to work as a paramedic with the fire department. Grant and I briefly overlapped in the Marine Corps unit. We both served in Alaska, Echo Company, 4th Reconnaissance Battalion, which was later deployed to Iraq in 2005.

On August 3, 2005, in Anbar Province, Iraq, Grant was on a mission, Operation Quick Strike, to avenge the killing of his fellow marines that had happened just a few days earlier. He was riding in an AmTrac vehicle on an attack into the city, hit a massive improvised explosive device, and was 22 years old when he made the ultimate sacrifice for our Nation.

Now, I love our military, but let’s face it; sometimes it can be bureaucratic and boneheaded. It took 11 years and tenacious work on the part of Grant’s amazing mother Sharon to finally get her son an appropriate burial across the street at Arlington.

Just 2 days before the funeral, I was sitting next to Gen. Joe Dunford, the Marine Corps Chairman of the Joint Chiefs of Staff, at a dinner. I told General Dunford about Grant’s heroism and about Sharon Long’s heroic perseverance to get her son appropriately honored with a burial at Arlington.

On an overcast day, September 30, 2016, Grant Fraser was put to rest among his brothers and sisters, our Nation’s heroes, whom we honor this weekend at Arlington National Cemetery. Family, friends, and especially

U.S. marines from all across America came to that service to say goodbye to their friend. I was there, and when I got there, I was honored to see many marines. One, in particular, came to the funeral early and stayed till the very end. The Chairman of the Joint Chiefs, General Dunford, attended in his dress blues out of respect for this young Marine Corps lance corporal.

He later told me that when he read about what happened with Grant, he couldn’t sleep. He wanted to be at the funeral to honor Grant’s sacrifice and that of his family, especially his mother Sharon. General Dunford stayed after most others had left to talk to Sharon Long, Grant’s mother, and his Marine Corps brothers. “I don’t live very far from here,” the General told Sharon. “I will be checking in on Grant from time to time.”

Now, I have been to a lot of funerals in my Marine Corps career, but this was the most moving funeral I have ever attended. It was not because of the presence of a four-star general and Chairman of the Joint Chiefs, General Dunford, the most powerful U.S. military officer in America—in the world, really—and not because of the serendipitous presence of the Marine captain in charge of the Arlington burial honor guard, whose twin brother was one of the fallen marines whom Grant Fraser had been sent to avenge the day he was killed 11 years earlier. It was so moving on that day because, on that day, rank didn’t matter, and medals didn’t matter. That day we were all just Americans grieving the loss of one of our own: mischievous, smart, Marine Corps LCpl Grant Fraser, an actor, an Alaskan, a brother, a son. It was so moving because of the dignity, grace, and beautiful determination exhibited by Sharon Long, who epitomizes the love, suffering, and quiet sacrifice of so many Gold Star mothers across our country, especially this weekend.

Sharon stays in touch with Grant’s Marine Corps brothers. They call her on Mother’s Day. They send her flowers, invite her to their weddings and to their kids’ birthday parties. Two of them showed up at their family home when Sharon’s daughter, Victoria, whom we already talked about, and her date were headed to prom. They needed to make sure Grant would have approved of Victoria’s date. I am sure Victoria appreciated that.

Grant would have been in the same place in life as these young men are now. As one of them said to Sharon: I came back home from Iraq to live the life Grant couldn’t.

Sharon is proud of all the men and women who have served, who served with Grant and continue to serve. She understands their calling. She understands their camaraderie. These incredible warriors in our Nation give her hope.

With men and women like these, Sharon said: “How can you not be proud of this country? How can you not be optimistic about this country?”

The lives of hundreds of thousands of America’s sons and daughters have been lost in fighting for our great Nation, and on Memorial Day, they are in the hearts of all Americans. They are in the hearts of all Alaskans. They are in the hearts of all Gold Star families, and they are in the hearts of Sharon Long and her family.

Like Gold Star mothers all across the country and in our great State, Sharon was fiercely determined to advocate for her son. She sacrificed much but never gave up, and neither will we ever give up on them, on him, or their memory, which we commemorate this weekend.

Sharon Long’s actions recalled the Memorial Day words of President Reagan in 1985 after placing a wreath on the Tomb of the Unknown Soldier, a place that is not far from Grant Fraser’s eternal resting place. As President Reagan said:

If words cannot repay the debt we owe these men [and women], surely with our actions we must strive to keep faith with them and with the vision that led them to battle and final sacrifice.

Our first obligation to them and ourselves is plain enough: The United States and the freedom for which it stands, the freedom for which they died, must endure and prosper. Their lives remind us that freedom is not bought cheaply. It has a cost; it imposes a burden. And just as they whom we commemorate were willing to sacrifice so much, so too must we—in a less final, less heroic way—be willing to give of ourselves [for our Nation].

Thank you, Sharon Long, for your brave sacrifice, for your dignified determination, and for your hope, which gives us hope. As we head into another sacred Memorial Day weekend, thank you for being our Alaskan of the Week.

DUE PROCESS PROTECTIONS ACT

Mr. SULLIVAN. Mr. President, I will speak now about the Due Process Protections Act, which was sponsored by myself and Senator DURBIN from Illinois and which passed the U.S. Senate last night unanimously. I thank my colleagues for their support for this simple but important bill.

In fact, the Due Process Protections Act is so simple that it really probably shouldn’t be necessary, but believe me, it is necessary. Unfortunately, it is necessary. I was pleased that this body passed it last night.

Let me explain. The due process clause of the U.S. Constitution, as interpreted by the U.S. Supreme Court in the landmark decision, *Brady v. Maryland*, requires that prosecutors turn over all material evidence favorable to the defense. That is what a fair trial is about. If the prosecutor has exculpatory evidence, as we call it, you need to make sure the defense has it. This is such a bedrock element of our criminal justice system and constitutional due process that the name of this kind of evidence is simply now called “Brady evidence” after the case *Brady v. Maryland*.

Now, the vast majority of Federal prosecutors—and, by the way, FBI agents—who work in our criminal justice system are patriots. Many are veterans, and they work day in and day out to keep us safe and abide by their constitutional duties and obligations. They do turn Brady evidence over to the defense, as they are required to do by the Constitution.

The sad fact is, some prosecutors don't do this. Some choose instead to win at all costs by taking shortcuts—not justice, but shortcuts. And when I say shortcuts, I am talking about violating a defendant's constitutional rights. The prevalence of these violations is not easy to quantify—these Brady violations, as we call them.

One study—and I am not vouching for the accuracy, and this was a study called the National Registry of Exonerations—stated that from 1989 to 2017, prosecutors concealed exculpatory evidence at trial in half of all murder exonerations. If that statistic is even remotely true, it is outrageous and needs to stop.

Such potential Brady violations have, once again, been in the news with the prosecution of former National Security Advisor Michael Flynn—GEN Michael Flynn. There are all kinds of articles now out there. I recently wrote the head of the FBI on this very issue about the potential Brady violations by Federal prosecutors that appear to have taken place in this prosecution. What that has done in my State is that it has opened old wounds—old wounds—and difficult memories.

My colleagues here—every single one of them—remember the late, great Senator Ted Stevens of Alaska. As a matter of fact, his portrait is right off of the Senate floor, an incredible new portrait that we just put there recently. He was charged by Federal prosecutors with making false statements and was convicted prior to his reelection, which he lost because of the conviction by prosecutors.

Not long after the conviction, it started to become apparent that there was prosecutorial misconduct in that very high-profile case, so the trial judge in that case appointed a special prosecutor to investigate this. There was a report that came out in 2012 by the Justice Department, by the special prosecutor, that was highly critical of the prosecutors' and the FBI's conduct. In particular, they withheld all kinds of Brady evidence.

Just 6 months after Senator Stevens' conviction, it was revealed that Federal prosecutors had concealed numerous pieces of evidence that very likely could have resulted in his acquittal. Among the more egregious examples—and there were many—rather than call a witness whose testimony would have supported Senator Stevens, the government flew the witness home to Alaska. That is pretty pathetic.

The prosecution also concealed that its star witness, who was testifying against Senator Stevens, had an illegal

sexual relationship with an underage woman whom he had asked to lie about the relationship. And to this day—to this very day—there are still questions about whether the Federal Government offered that star witness, in exchange for his testimony, leniency on not prosecuting him for violating the Mann Act. There are still questions to this day.

The special prosecutor that the district judge appointed to investigate the prosecutorial misconduct in the Stevens case found that the Justice Department lawyers had committed “deliberate and ‘systematic’ ethical violations by withholding critical evidence pointing to Senator Stevens’ innocence.” That is the Justice Department special prosecutor determining just how corrupt the Justice Department was in prosecuting and convicting Ted Stevens.

Yet the special prosecutor, who investigated all of this also, found that the district court judge was powerless to act against the wrongdoers—the corrupt prosecutors—because the district court had not issued a direct, written court order at the beginning of the trial, requiring the prosecutors to abide by their ethical and constitutional obligations as laid out in *Brady v. Maryland*.

It is a bit remarkable because every law student knows you learn *Brady v. Maryland* the first year of law school. But somehow these prosecutors across the street over at the Justice Department forgot about it, and they were going to be punished. But the system of justice said that you couldn't punish them because they didn't know because the judge didn't tell them.

Again, I am not sure we even need a law to deal with this, but, as I said, unfortunately, we do.

As you can imagine, it was maddening to the people of Alaska that those who violated Senator Stevens' constitutional rights—and, by the way, forever changed the political landscape, not just in Alaska but in America; don't get me going about what happened there—these prosecutors couldn't even be held accountable and were not held accountable because they weren't instructed by the district court about the Brady evidence requirements that they learned in law school in their first year.

So in response to the Stevens case and due to growing concerns about the unfortunate frequency of Brady evidence violations by prosecutors, a number of Federal district judges began issuing specific local rules or standing orders that explicitly remind prosecutors of what they learned their first year of law school, which is that you have to turn over Brady evidence.

But the Federal Judicial Conference's Advisory Committee on the Rules of Criminal Procedure—so, essentially, the judges who advise on the rules—has consistently declined to require all Federal courts to do the same. So right now, all Federal courts don't

have to issue instructions on Brady evidence.

Well, today, Congress is beginning to change all of this. My bill, which passed last night unanimously—the Due Process Protections Act—codifies this practice and requires it of every Federal judge nationwide by amending rule 5 of the Federal Rules of Criminal Procedure to require that a judge “issue an oral or written order to prosecution and defense counsel that confirms the disclosure obligation of the prosecutor under *Brady v. Maryland* . . . and its progeny”—that is quoting from my bill—at the beginning of every criminal case.

Our bill allows each judicial district flexibility to promulgate their own model rule, but they have to do it. Congress is telling them they have to do it, so they will do it.

Having this standing order in place will explicitly remind the prosecution of their obligations—making it a priority to protect the due process of all Americans, including defendants—and it will provide for quicker recourse upon discovering any Brady violations that occur.

We obviously can't undo what happened to the late, great Senator Stevens, nor can we undo all the harm it caused to my State, my constituents, and, really, the people across America who have also been victims of these kinds of violations because it undermines trust in our system of justice. But going forward, we can work to stem the corrosive effects to our democracy when prosecutors don't abide by their constitutional obligations. We can work to ensure our system of justice—the foundation of American democracy—is stronger and fairer for all, and that is what the Due Process Protections Act will do.

I want to thank chairman of the Judiciary Committee, LINDSEY GRAHAM, for helping to facilitate this bill's passage; my colleague Senator DURBIN, who was my original cosponsor of this bill; and the other cosponsors: Senators LEE from Utah, BOOKER from New Jersey, CORNYN from Texas, WHITEHOUSE from Rhode Island, and PAUL from Kentucky. I say to the Presiding Officer, you know those Senators. That is about as broad a political array in terms of the political spectrum in America and the U.S. Senate—Democrats and Republicans who believe in this issue, and that is why I think it is so important.

Our system of justice will be fairer once that bill passes the House and is signed into law by the President. I just want to thank my colleagues—all of my colleagues—who voted for this necessary and important and simple piece of legislation that, unfortunately, we need in America today.

I yield the floor.

ADJOURNMENT UNTIL 9 A.M.
TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until tomorrow at 9 a.m.

Thereupon, the Senate, at 5:48 p.m., adjourned until Friday, May 22, 2020, at 9 a.m.

NOMINATIONS

Executive nominations received by the Senate:

THE JUDICIARY

LIAM P. HARDY, OF VIRGINIA, TO BE A JUDGE OF THE UNITED STATES COURT OF APPEALS FOR THE ARMED FORCES FOR THE TERM OF FIFTEEN YEARS TO EXPIRE ON THE DATE PRESCRIBED BY LAW, VICE MARGARET A. RYAN, RETIRING.

AMTRAK BOARD OF DIRECTORS

SARAH E. FEINBERG, OF WEST VIRGINIA, TO BE A DIRECTOR OF THE AMTRAK BOARD OF DIRECTORS FOR A TERM OF FIVE YEARS, VICE YVONNE BRATHWAITE BURKE, TERM EXPIRED.

CHRIS KOOS, OF ILLINOIS, TO BE A DIRECTOR OF THE AMTRAK BOARD OF DIRECTORS FOR A TERM OF FIVE YEARS, VICE THOMAS C. CARPER, TERM EXPIRED.

DEPARTMENT OF STATE

J. MARK BURKHALTER, OF GEORGIA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE KINGDOM OF NORWAY.

WILLIAM A. DOUGLASS, OF FLORIDA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE COMMONWEALTH OF THE BAHAMAS.

OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE

PATRICK HOVAKIMIAN, OF CALIFORNIA, TO BE GENERAL COUNSEL OF THE OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE, VICE JASON KLITENIC, RESIGNED.

THE JUDICIARY

AILEEN MERCEDES CANNON, OF FLORIDA, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF FLORIDA, VICE KENNETH A. MARRA, RETIRED.

TOBY CROUSE, OF KANSAS, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF KANSAS, VICE CARLOS MURGUIA, RESIGNED.

DIRK B. PALOUTZIAN, OF CALIFORNIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF CALIFORNIA, VICE MORRISON C. ENGLAND, JR., RETIRED.

RODERICK C. YOUNG, OF VIRGINIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF VIRGINIA, VICE REBECCA BEACH SMITH, RETIRED.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

KATHERINA B. DONOVAN

IN THE ARMY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

CHAD M. ABTS
JUAN B. ALVAREZ
KELLY D. AMBROSE
CHRISTOPHER J. AMOS
ERICH H. BABBITT
PATRICIA G. BAKER
WILLIAM C. BALLINGER
GORDON L. BARKSDALE, JR.
ROBERT L. BARTRAN III
MICHAEL L. BECK
MICHAEL J. BECKNER
BARBARA J. BEEGLES
JADE E. BEEHLER
SEAN P. BEGLEY
JAMEE L. BELSHA
KEVIN M. BERRY
BRIAN S. BISCHOFF
GARY A. BLAGBURN
WILLIAM H. BONO
MICHAEL B. BOOKER
ROSS E. BRASHEARS
TIMOTHY M. BROWER
WILLIAM M. BROWN, JR.
CHARLES R. BRUNDRETT, JR.
GEOFFREY T. BUCHANAN
MARION A. BULWINKLE III
REGINA A. CARUSO
KENT D. CAVALLINI
GEORGE T. CHRISTENSON

EDWARD R. CLEMENTS
JEFFREY J. CLEMENTS
BRADLEY M. COMPTON
JEFFREY S. COOMLER
PATRICK D. CORNWELL
MICHAEL J. COURVILLE
JOHN C. CRAFT
JEFFREY M. CRANE
RUTH A. CRESENZO
STEVEN M. DAVENPORT
KEVIN R. DEJONG
KRISTIN L. DERDA
PHILIP T. DERING IV
JOHN C. DETLING
ANDREW R. DIEDERICH
WILLIAM M. DIPROFIO
JOHN P. DORIN
JOSHUA E. DOSCINSKI
MICHAEL J. EASTRIDGE
STANLEY ECHOLS
KAREY L. ELIAS
RANDY J. ERICKSON
HARMON C. ESPLIN
MICHAEL T. FAATZ
JENNIFER L. FADELEY
JOSEPH P. FAIRFAX II
BRYAN C. FILLINGER
ERIC S. FINCH
COLIN M. FLEMING
CHRISTOPHER B. FLETCHER
NOLAND I. FLORES
ROBERT B. FRAZER, JR.
THOMAS B. FULLER
TONY J. GAGNON
LOUIS S. GANSELL
JERRY B. GLASS
TODD M. GOPF
SCOTT E. GRANGER
KRISTINA E. GRAY
TALON E. GREFF
MATTHIAS E. GREENE
BARRY W. GROTON, JR.
STEPHEN T. GUERTIN
CHRISTOPHER M. GUILMETTE
MATTHEW J. HANDELY
JUSTIN J. HANSEN
SEAN M. HARMON
EVERETT R. HAWK II
WILLIAM L. HENRY
JOSEPH B. HENSON
DOUG A. HOUSTON
ERIC D. HUNSBERGER
JONATHAN A. M. ISHIKAWA
GREGORY S. JACKELS
BRIAN D. JACKETTA
NATHLON N. JACKSON
KEVIN W. JAMES
MATTHEW R. JAMES
FRANKLIN L. JONES
PATRICIA L. JONESJOHNSON
PAUL C. JUDGE
ROBERT C. KEMP III
JASON W. KETTIG
AARON S. KING
JOHN C. KINTON
RUSSELL W. KINZIE
KURT K. KOBERNIK
JEFFREY D. KORANDO
DOMINIC L. KOTZ
CHARLES H. LAMPE
LEON M. LAPPOINT
CHRIS A. LARSON
RANDY L. LAU
BRADLEY A. LEONARD
JOHN R. LEWIS
DOUGLAS J. LINEBERRY
JOHN M. LIPSCOMB
CHRISTOPHER J. LOWMAN
JOHN S. MACDONALD
REGINALD B. MADDOX
CAMERON L. MAGEE
DON T. MAKAY
BRIAN G. MALECHA
MICHAEL P. MANNING
JONATHAN E. MARION
JAMES A. MARTIN
ROBERT W. MATHEWS
EUGENE P. MAXWELL
ROSA D. MAYNARD
RONALD W. MCBAY
MICHAEL J. MCCANN
DAVID J. MCDILL
J. W. MCKEOWN
BRIAN L. MEDCALF
PETER J. MEHLING
VICTOR R. MILLAN
JAMES A. MILLS
LARRY C. MINASIAN
PATRICK E. MOORE
JOHN N. MORELOS
MICHAEL P. MORICAS
MIKE A. NAVARRO
DONALD P. NELSON
CORY M. NEWCOMB
LESSLIE I. NIEVES
JASO D. OBERTON
WILLIAM E. OCONNOR
JASON F. OSBERG
JON M. PALADINI
JOSEPH PALADINO
HENRY A. PALMER
CARLTON B. PARIS
CHRISTOPHER T. PATTERSON
GARLAND A. PENNINGTON
MARK E. PICKETT
BRYAN W. PROCTOR
JOHN A. RANSOM

WILLIAM D. RASOR
PATRICK A. REESE
MARC A. REYHER
BRADLEY D. RITTENHOUSE
JAMES O. ROBINSON
PHILLIP D. ROBINSON
STEVEN S. RODGERS
MANUEL RODRIGUEZ, JR.
RAUL RODRIGUEZMEDELLIN
SCOTT J. ROHWEDER
PAUL E. ROITSCH
KURT A. RORVIK
ARTHUR C. ROSCOE, JR.
JASON E. ROSE
CHAD M. ROUDEBUSH
DANIEL K. RUNYON
CRAIG H. RUSSELL
BRANDI J. SASSERUSSELL
TERRY A. SAUL
TIMOTHY A. SCHLOTTERBACK
CHRISTOPHER W. SCHWENDIMANN
KEIR A. SCUBES
JEFFREY S. SETSER
BARRY B. SIMMONS
DAVID L. SKALON
ALICE H. SMITH
BENNY W. SMITH, JR.
ERIC E. SMITH
KATHLEEN K. SMITH
DESIREE G. SOUMOY
PATRICK S. SPEEDY
ERIC S. SPRINGS
RAYMOND J. STEMITZ
PAUL E. STRYKER
TIMOTHY J. SULZNER
DIRK J. THIBODEAUX
WAYNE A. THOMAS
LEIF C. THOMPSON
PATRICK K. THOMPSON
STEVEN R. TODD
EDUARDO TORO
LESLIE J. TOWRY
JASON E. TURNER
MATTHEW A. VALAS
GEOFFREY G. VALLEE
TADD E. VANYO
KENNETH R. WALKER, JR.
WILLIAM M. WALLEY
SHY M. WARNER
DEREK G. WEBB
SHAE D. WEIDE
JOHN M. WHEELER
TODD W. WHEELER
WILLIAM A. WHIGHAM
LINDY I. WHITE
HAZEL WILLIAMS, JR.
JEFFREY P. WINN
ERIC P. WINNICKY
SHAWN WINTERBOTTOM
RUSSELL J. WOLF
WILLIAM L. WOODARD, JR.
SHAWN K. WORKMAN
STEVEN D. YARNELL
JOSEPH E. YAWN
BENJAMIN P. YORK
ROGER B. ZEIGLER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

DANIEL P. ALLEN
HEIDI M. ANDERSON
RYAN L. AVERBECK
ROLAND H. BEASON
PAUL J. BENENATO
KEVIN E. BOGHE
BRYAN D. BOGLE
MARCO A. BONGIOANNI
MARK E. BRASWELL
BRIAN M. BRZEZINSKI
LAURA C. BUDDENMEYER
STEVE W. CACERES
ROBERT C. CALAHAN
GARY A. CAMPBELL
CAROLYN J. CARDEN
KEVIN T. CARROLL
ANTIONETTE N. CHASE
ALLEN D. CHEEK
MICHAEL E. CHLD
MATTHEW L. CLOUD
MAURICE COOK
PAUL E. CREAL
SARA J. DECHANT
PETER R. DEGUZMAN
ERIC DELELLIS
JOSEPH A. DERYDYER, JR.
IAN C. DOIRON
JACKIE R. EAST
CHRISTOPHER L. ENG
FRANKLIN J. ESTES
CHARLES E. FAIRBANKS
ROBERT A. FALCONE
PAUL R. FERREIRA
JEFFREY A. FIDLER
ALEXIA N. FIELDS
BRIAN M. GATTI
KEITH G. GAWRYS
RICHARD J. GIARUSSO
BENJAMIN K. GRABBSKI
DAVID L. GRAVES
LANNY V. GRIFFIN
JASON C. GUERRERO
JOHN W. HALL
MATTHEW S. HAMPTON
TODD C. HERRICK

MICHAEL H. HILL
 MICHAEL C. HILLER
 GREGORY T. HINTON II
 SHANNON L. HORNE
 MICHAEL J. HULTS
 WILLIAM R. HUMES
 SAMUEL F. HUNTER III
 NATHAN C. HURT
 QUENTIN S. HYDE
 GEORGE T. JACKSON
 CHRISTOPHER L. JENKINS
 DAWN M. JOHNSON
 JEREMY D. JOHNSON
 AARON T. JONES
 WILLIAM A. JONES IV
 HERBERT L. JUDON, JR.
 JOE D. M. JUNGUZZA
 DANIEL E. JUSTUS
 MICHAEL J. KELLEY, JR.
 DONALD S. KETTERING
 SIMON KIM
 WILLIAM A. KRUFFT
 VIVEK KSHETRAPAL
 TAMARA R. KUREY
 MARK C. LANE
 MATTHEW S. LAWSON
 RANDOLPH W. LEACH
 CHRISTOPHER A. LECRON
 RUSTY J. LEPLEY
 MOE LIU
 DAVID L. LOWBER
 SEAN T. MALIS
 ANTHONY C. MANCARI
 ANTONIO MARTINEZ
 TORYA N. MATHESEVANS
 MYLES A. MCHUGH
 SAMUEL D. MEHAFFEY
 EDWARD L. MIKULA
 BRADLEY J. MILLER
 PATRICK H. MORGAN
 ANDREW S. MORRIS
 SHAWN R. MORRIS
 JOHN D. MYHRE
 DAVID M. NEWMAN
 DAVID M. NEWMAN
 DUC D. NGUYEN
 DAVID G. NOWICKI
 CROCKETT W. OAKS III
 JOHN A. OCHWATT
 CHRISTOPHER B. OTOOLE
 KARL J. OTTMAR
 CHRISTIAN M. PAJAK
 TIMOTHY E. PALUMMO
 JORDAN G. PAPKOV
 KEVIN K. PARKER
 RICKY L. PEAK
 SETH C. PEDERSEN
 KATIE S. PIERCE
 JOSEPH N. PIERRE
 PATRICK L. POLLAK
 DAVID W. PORTER
 MURRAY S. POWELL
 DYLAN W. PRESLEY
 TRAVIS L. QUESENBERRY
 COURTNEY T. RAY
 JASON M. REHERMAN
 ANDREW M. RISH
 MICHAEL A. ROBBINS
 JEFFREY N. ROBERTS
 ANDREW H. ROBERTSON
 WILLIAM R. ROBERTSON
 PEDRO L. ROSARIO III
 DANE M. SANDERSEN
 BRYAN S. SCHILLER
 ANDRE H. SCHLAPPE
 KEVIN R. SCHOOLER
 DAVID P. SCHWARTZ
 AMER SHAH
 BRIAN D. SHERIDAN
 MICHAEL B. SHERIDAN
 JENNIFER M. SIEGEL
 TANYA E. SIMMONS
 BRIAN J. SLAUGHTER
 JAMES C. SLAUGHTER
 RYAN T. SMITH
 WILLIAM J. SMITH, JR.
 RICHARD K. SNODGRASS
 SHANNA R. SPEARS
 BRENT R. STALDER
 PETER M. STEMNISKI
 DANIEL A. STILL
 ADAM C. STRAUB
 JASON M. SWAIM
 BRADLEY S. D. TALLEY
 PETER P. THIEDE
 KEVIN C. TRUSLOW
 MICHAEL J. TUCKER
 CRAIG V. UTLEY
 CHANDA O. VALENTINE
 ANGEL D. VEGAMONTANEZ
 JONATHAN E. VELASQUEZ
 MICHELLE M. VERGARA
 JAMES W. WALDROP
 JAMES A. WALTON
 THOMAS J. WESTRICK, JR.
 BLAINE A. WHITE
 CALVIN L. WILLIAMS
 LAWRENCE E. WILLIAMS
 RICKY L. WILLIAMS
 GARY C. WONG

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

BRIAN E. BART

PORTIA J. BENSON
 MARIO D. CALAD
 WILLIAM J. CLAYBROOKS, JR.
 SCOTT S. COLE
 PATRICK J. DILLON
 DONYA T. DUGAN
 ROBERT L. B. EDWARDS
 DAVID R. GARCIAMONTANO
 DAVID H. HAIGLER, JR.
 CONRAD J. JAKUBOW
 BYRON J. JONES
 MICHAEL S. KAVADIAS
 CARL S. KELLER
 TRACY L. KENNEPP
 STEVEN M. KING
 CHAD E. LAYMAN
 KELLY A. LELITTO
 DENNIS S. LENE
 MARTIN D. LEPAK
 DOUGLAS A. LUDWICK
 RHASAAAN L. LYMON
 VERMELE S. MARTINEZ
 LAWRENCE T. MCKIERNAN
 TRACIE L. MCMILLIAN
 SUNNY K. MITCHELL
 WILKEM D. MOLLFULEDA
 ROBERT J. MURACH
 EDMUND G. NAUGHTON
 MATTHEW L. NELSON
 ADAMS Z. Z. ORTEGA
 JASON P. PARKER, JR.
 ROBERT L. PERRYMAN, JR.
 MERITT L. PHILLIPS
 DAPHANY L. PREWITT
 RUSTY G. RHOADS
 REBECCA C. RICHTER
 JAMES E. RIVENBARK, JR.
 MARSHALL S. SCANTLIN
 MICHAEL SHANLEY
 ALAN L. SIMPKINS
 HEATHER L. SMIGOWSKI
 JESSE H. STALDER
 TRAVIS O. TRAYLOR
 KRISTA H. VAUGHAN
 CLAYTON A. WHITE
 JOHN M. V. WILDERMANN
 MITCHELL J. WISNIEWSKI

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be major

NATHANIEL A. STONE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be major

MARGARET C. BRAINARDBLAND

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

MICHAEL B. MCGUIRE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be major

RALPH PEAN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY JUDGE ADVOCATE GENERAL'S CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 7064:

To be lieutenant colonel

CHRISTOPHER M. HARTLEY

DISCHARGED NOMINATIONS

The Senate Committee on Environment and Public Works was discharged from further consideration of the following nominations by unanimous consent and the nominations were confirmed:

DAVID A. WRIGHT, OF SOUTH CAROLINA, TO BE A MEMBER OF THE NUCLEAR REGULATORY COMMISSION FOR THE TERM OF FIVE YEARS EXPIRING JUNE 30, 2025.

CHRISTOPHER T. HANSON, OF MICHIGAN, TO BE A MEMBER OF THE NUCLEAR REGULATORY COMMISSION FOR THE TERM OF FIVE YEARS EXPIRING JUNE 30, 2024.

CONFIRMATIONS

Executive nominations confirmed by the Senate May 21, 2020:

OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE

JOHN L. RATCLIFFE, OF TEXAS, TO BE DIRECTOR OF NATIONAL INTELLIGENCE.

DEPARTMENT OF DEFENSE

KENNETH J. BRAITHWAITE, OF PENNSYLVANIA, TO BE SECRETARY OF THE NAVY.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10 U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. SCOTT L. PLEUS

THE FOLLOWING NAMED AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be brigadier general

COL. DANIEL D. BOYACK

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. JOSEPH T. GUASTELLA, JR.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. GREGORY M. GUILLOT

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be major general

BRIG. GEN. DAGVIN R. M. ANDERSON
 BRIG. GEN. DEANNA M. BURT
 BRIG. GEN. CASE A. CUNNINGHAM
 BRIG. GEN. MICHELE C. EDMONDSON
 BRIG. GEN. KENNETH P. EKMAN
 BRIG. GEN. DEREK C. FRANCE
 BRIG. GEN. PHILIP A. GARRANT
 BRIG. GEN. ANDREW J. GEBARA
 BRIG. GEN. SAMUEL C. HINOTE
 BRIG. GEN. WILLIAM G. HOLT II
 BRIG. GEN. JOEL D. JACKSON
 BRIG. GEN. MICHAEL G. KOSCHESKI
 BRIG. GEN. JOHN D. LAMONTAGNE
 BRIG. GEN. LEAH G. LAUDERBACK
 BRIG. GEN. RODNEY D. LEWIS
 BRIG. GEN. JOHN J. NICHOLS
 BRIG. GEN. JAMES D. PECCIA III
 BRIG. GEN. LANSING R. PILGH
 BRIG. GEN. JAMES R. SEARS, JR.
 BRIG. GEN. DONNA D. SHIPTON
 BRIG. GEN. DANIEL L. SIMPSON
 BRIG. GEN. MARK H. SLOCUM
 BRIG. GEN. PHILLIP A. STEWART
 BRIG. GEN. EDWARD W. THOMAS, JR.

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. DENNIS S. MCKEAN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. JOHN S. KOLASHESKI

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. ROGER L. CLOUTIER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be major general

BRIG. GEN. MICHAEL L. PLACE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. RAYMOND S. DINGLE

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral

REAR ADM. (LH) SHOSHANA S. CHATFIELD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. CYNTHIA A. KUEHNER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

REAR ADM. YANCY B. LINDSEY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

VICE ADM. LISA M. FRANCHETTI

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS VICE CHIEF OF NAVAL OPERATIONS AND APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTIONS 601 AND 8035:

To be admiral

VICE ADM. WILLIAM K. LESCHER

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. DENNIS A. CRALL

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. MARK R. WISE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. STEVEN R. RUDDER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. LEWIS A. CRAPAROTTA

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. KARSTEN S. HECKL

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COL. ADAM L. CHALKLEY
COL. KYLE B. ELLISON
COL. PHILLIP N. FRIETZE
COL. PETER D. HUNTLEY
COL. JULIE L. NETHERCOT
COL. FORREST C. POOLE III
COL. RYAN S. RIDEOUT
COL. GEORGE B. ROWELL IV
COL. FARRELL J. SULLIVAN

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COL. JEANNINE M. RYDER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COL. NORMAN S. WEST

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

BRIG. GEN. SAMUEL C. HINOTE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. SHAWN Q. MORRIS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. KIRK W. SMITH

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

LT. GEN. KENNETH S. WILSBACH

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. DAVID G. BASSETT

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. THOMAS H. TODD III

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be brigadier general

COL. JEMAL J. BEALE

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

VICE ADM. STUART B. MUNSCH

IN THE COAST GUARD

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES COAST GUARD TO THE GRADE INDICATED UNDER TITLE 14 U.S.C., SECTION 2121(D):

To be rear admiral

REAR ADM. (LH) THOMAS G. ALLAN
REAR ADM. (LH) LAURA M. DICKEY
REAR ADM. (LH) DOUGLAS M. FEARS
REAR ADM. (LH) JOHN W. MAUGER
REAR ADM. (LH) NATHAN A. MOORE
REAR ADM. (LH) BRIAN K. PENOYER
REAR ADM. (LH) MATTHEW W. SIBLEY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES COAST GUARD TO THE GRADE INDICATED UNDER TITLE 14 U.S.C., SECTION 2121(E):

To be rear admiral (lower half)

CAPT. CHRISTOPHER A. BARTZ
CAPT. SCOTT W. CLENDENIN
CAPT. MARK J. FEDOR
CAPT. SHANNON N. GILREATH
CAPT. JONATHAN P. HICKEY

IN THE AIR FORCE

AIR FORCE NOMINATION OF KURT W. HELFRICH, TO BE MAJOR.

AIR FORCE NOMINATIONS BEGINNING WITH JOSEPH B. LORKOWSKI AND ENDING WITH BROCK L. YELTON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 4, 2020.

AIR FORCE NOMINATION OF JONATHAN L. ARNHOLT, TO BE COLONEL.

AIR FORCE NOMINATION OF ANDREW N. PIKE, TO BE COLONEL.

AIR FORCE NOMINATIONS BEGINNING WITH CHELSEY L. BUCHANAN AND ENDING WITH ZACHARY R. STROMAN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 4, 2020.

AIR FORCE NOMINATIONS BEGINNING WITH RENI B. ANGELOVA AND ENDING WITH GRANT W. WISNER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 4, 2020.

AIR FORCE NOMINATIONS BEGINNING WITH RICARDO ANTONIO ALDAHONDO AND ENDING WITH NOAH C. WOOD, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 4, 2020.

AIR FORCE NOMINATIONS BEGINNING WITH YVONNE E. ABEIDI AND ENDING WITH JENNIFER L. ZANZIG, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 4, 2020.

AIR FORCE NOMINATION OF JAMES B. HALL, TO BE COLONEL.

AIR FORCE NOMINATION OF ANTHONY R. GEORGE, TO BE LIEUTENANT COLONEL.

AIR FORCE NOMINATION OF MATTHEW D. BRILL, TO BE LIEUTENANT COLONEL.

AIR FORCE NOMINATIONS BEGINNING WITH LAURA A. ABBOTT AND ENDING WITH ANDREW P. ZWIRLEIN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 11, 2020.

AIR FORCE NOMINATIONS BEGINNING WITH RYAN S. COMBEST AND ENDING WITH RACHEL S. VAN SCIVER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 11, 2020.

AIR FORCE NOMINATION OF MEGAN A. SHERWOOD, TO BE MAJOR.

AIR FORCE NOMINATIONS BEGINNING WITH JONAH R. BROWN AND ENDING WITH JAKE D. WHITLOCK, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 11, 2020.

AIR FORCE NOMINATION OF MELANIE C. MARTIN, TO BE LIEUTENANT COLONEL.

IN THE ARMY

ARMY NOMINATIONS BEGINNING WITH SAMUEL C. HORTON AND ENDING WITH TIMOTHY C. MONTGOMERY, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 4, 2020.

ARMY NOMINATIONS BEGINNING WITH GARY A. ANDERSON, JR. AND ENDING WITH RODNEY J. STAGGERS, JR., WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 4, 2020.

ARMY NOMINATION OF LAUREN A. SCHERER, TO BE MAJOR.

ARMY NOMINATION OF SHULA M. CLARK, TO BE MAJOR. ARMY NOMINATION OF JASON M. WINDHAM, TO BE MAJOR.

ARMY NOMINATION OF TINA N. SYFERT, TO BE LIEUTENANT COLONEL.

ARMY NOMINATION OF STEVEN G. WARD, TO BE MAJOR.

ARMY NOMINATIONS BEGINNING WITH ALEKSANDR BARON AND ENDING WITH RODGER I. VOLTIN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 4, 2020.

ARMY NOMINATION OF PATRICIA H. PASSMAN, TO BE LIEUTENANT COLONEL.

ARMY NOMINATION OF MARK A. WHITE, TO BE LIEUTENANT COLONEL.

ARMY NOMINATION OF CORY J. YOUNG, TO BE COLONEL.

ARMY NOMINATION OF EDWARD K. GRAYBILL, TO BE COLONEL.

ARMY NOMINATION OF JAVIER E. SOSTRECINTRON, TO BE LIEUTENANT COLONEL.

ARMY NOMINATION OF JASON C. DEROSA, TO BE LIEUTENANT COLONEL.

ARMY NOMINATION OF MARK C. MORETTI, TO BE LIEUTENANT COLONEL.

ARMY NOMINATION OF ROCKWELL ALLEN, TO BE MAJOR.

ARMY NOMINATION OF YONG YI, TO BE LIEUTENANT COLONEL.

ARMY NOMINATION OF JULIAN P. GILBERT, TO BE MAJOR.

ARMY NOMINATION OF JULLIET O. THOMAS, TO BE MAJOR.

ARMY NOMINATIONS BEGINNING WITH PHILIP R. DEMONTIGNY AND ENDING WITH LAURA A. WOODSON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 11, 2020.

ARMY NOMINATION OF KODJO S. KNOXIMBACKER, TO BE COLONEL.

IN THE MARINE CORPS

MARINE CORPS NOMINATION OF ANTHONY C. TRIVISO, TO BE LIEUTENANT COLONEL.

MARINE CORPS NOMINATION OF CHRISTOPHER R. YANITY, TO BE LIEUTENANT COLONEL.

MARINE CORPS NOMINATION OF BENJAMIN C. KESSLER, TO BE MAJOR.

IN THE NAVY

NAVY NOMINATION OF MATTHEW J. MCGIRR, TO BE LIEUTENANT COMMANDER.

NAVY NOMINATION OF THOMAS M. VANSOTEN, TO BE CAPTAIN.

NAVY NOMINATION OF JAMES S. CARMICHAEL, TO BE CAPTAIN.

NAVY NOMINATION OF LA HESH A. GRAHAM, TO BE CAPTAIN.

NAVY NOMINATION OF JACQUELYN M. L. KETRING, TO BE LIEUTENANT COMMANDER.

NAVY NOMINATION OF LESLIE D. SOBOL, TO BE CAPTAIN.

NAVY NOMINATION OF KRISTEN K. PARSONS, TO BE LIEUTENANT COMMANDER.

NAVY NOMINATION OF SATIN L. IBRAHIM, TO BE LIEUTENANT COMMANDER.

NAVY NOMINATION OF SANTHOSH K. SHIVASHANKAR, TO BE COMMANDER.

NAVY NOMINATION OF ALEJANDRO B. SANCHEZ, TO BE LIEUTENANT COMMANDER.

NAVY NOMINATION OF CHARLENE G. ECHAGUE, TO BE LIEUTENANT COMMANDER.

NAVY NOMINATION OF ANTHONY M. PECORARO, TO BE CAPTAIN.

NAVY NOMINATION OF MICHAEL R. SYAMKEN, TO BE COMMANDER.

NAVY NOMINATION OF JAVIER N. DELUCA-JOHNSON, TO BE LIEUTENANT COMMANDER.

NAVY NOMINATION OF DANIEL L. CROOM, TO BE LIEUTENANT COMMANDER.

NAVY NOMINATION OF BRADLEY R. YINGST, TO BE LIEUTENANT COMMANDER.

NAVY NOMINATION OF SCOTT D. STAHL, TO BE CAPTAIN.

NAVY NOMINATION OF BRIAN J. MILLER, TO BE CAPTAIN.

NAVY NOMINATIONS BEGINNING WITH PETER N. ALEXAKOS AND ENDING WITH MICHAEL W. WISSEHR, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 11, 2020.

NUCLEAR REGULATORY COMMISSION

DAVID A. WRIGHT, OF SOUTH CAROLINA, TO BE A MEMBER OF THE NUCLEAR REGULATORY COMMISSION FOR THE TERM OF FIVE YEARS EXPIRING JUNE 30, 2025.

CHRISTOPHER T. HANSON, OF MICHIGAN, TO BE A MEMBER OF THE NUCLEAR REGULATORY COMMISSION FOR THE TERM OF FIVE YEARS EXPIRING JUNE 30, 2024.

Daily Digest

HIGHLIGHTS

Senate confirmed the nomination of John L. Ratcliffe, of Texas, to be Director of National Intelligence.

Senate

Chamber Action

Routine Proceedings, pages S2563–S2616

Measures Introduced: Fifty-three bills and eight resolutions were introduced, as follows: S. 3792–3844, S.J. Res. 74, and S. Res. 594–600.

Pages S2584–86

Measures Passed:

United States Foreign Service Day: Committee on the Judiciary was discharged from further consideration of S. Res. 556, designating May 1, 2020, as the “United States Foreign Service Day” in recognition of the men and women who have served, or are presently serving, in the Foreign Service of the United States, and honoring the members of the Foreign Service who have given their lives in the line of duty, and the resolution was then agreed to.

Pages S2609–10

Older Americans Month: Senate agreed to S. Res. 597, designating May 2020 as “Older Americans Month”.

Page S2610

National Foster Care Month: Senate agreed to S. Res. 598, recognizing National Foster Care Month as an opportunity to raise awareness about the challenges of children in the foster care system, and encouraging Congress to implement policies to improve the lives of children in the foster care system.

Page S2610

Honoring Judge Lee Roy West: Senate agreed to S. Res. 599, honoring the life and legacy of Judge Lee Roy West.

Page S2610

Smithsonian Institution Board of Regents—Agreement: A unanimous-consent agreement was reached providing that the actions of the Senate with respect to 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, be vitiated.

Page S2564

Pro Forma Sessions—Agreement: A unanimous-consent agreement was reached providing that the Senate adjourn, to then convene for pro forma sessions only, with no business being conducted, on the following dates and times, and that following each pro forma session, the Senate adjourn until the next pro forma session: Friday, May 22, 2020, at 9 a.m.; Tuesday, May 26, 2020, at 9:30 a.m.; Thursday, May 28, 2020, at 11 a.m.; and that when the Senate adjourns on Thursday, May 28, 2020, it next convene at 3 p.m., on Monday, June 1, 2020.

Page S2610

Badalamenti Nomination: Senate resumed consideration of the nomination of John Leonard Badalamenti, to be United States District Judge for the Middle District of Florida.

Pages S2572–74

During consideration of this nomination today, Senate also took the following action:

By 65 yeas to 28 nays (Vote No. EX. 102), Senate agreed to the motion to close further debate on the nomination.

Pages S2573–74

Mercado Nomination—Cloture: Senate began consideration of the nomination of Victor G. Mercado, of California, to be an Assistant Secretary of Defense.

Page S2574

A motion was entered to close further debate on the nomination, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur upon disposition of the nomination of John Leonard Badalamenti, to be United States District Judge for the Middle District of Florida.

Page S2574

Prior to the consideration of this nomination, Senate took the following action:

Senate agreed to the motion to proceed to Legislative Session.

Page S2574

Senate agreed to the motion to proceed to Executive Session to consider the nomination.

Page S2574

Miller Nomination—Cloture: Senate began consideration of the nomination of Brian D. Miller, of Virginia, to be Special Inspector General for Pandemic Recovery. **Page S2574**

A motion was entered to close further debate on the nomination, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur upon disposition of the nomination of Victor G. Mercado, of California, to be an Assistant Secretary of Defense. **Page S2574**

Prior to the consideration of this nomination, Senate took the following action:

Senate agreed to the motion to proceed to Legislative Session. **Page S2574**

Senate agreed to the motion to proceed to Executive Session to consider the nomination. **Page S2574**

Anderson Nomination—Cloture: Senate began consideration of the nomination of James H. Anderson, of Virginia, to be a Deputy Under Secretary of Defense. **Page S2574**

A motion was entered to close further debate on the nomination, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur upon disposition of the nomination of Brian D. Miller, of Virginia, to be Special Inspector General for Pandemic Recovery. **Page S2574**

Prior to the consideration of this nomination, Senate took the following action:

Senate agreed to the motion to proceed to Legislative Session. **Page S2574**

Senate agreed to the motion to proceed to Executive Session to consider the nomination. **Page S2574**

Tipton Nomination—Cloture: Senate began consideration of the nomination of Drew B. Tipton, of Texas, to be United States District Judge for the Southern District of Texas. **Page S2574**

A motion was entered to close further debate on the nomination, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur upon disposition of the nomination of James H. Anderson, of Virginia, to be a Deputy Under Secretary of Defense. **Page S2574**

Prior to the consideration of this nomination, Senate took the following action:

Senate agreed to the motion to proceed to Legislative Session. **Page S2574**

Senate agreed to the motion to proceed to Executive Session to consider the nomination. **Page S2574**

A unanimous-consent agreement was reached providing that at approximately 3 p.m., on Monday, June 1, 2020, Senate resume consideration of the nomination; further that at 5:30 p.m., Senate resume

consideration of the nomination of John Leonard Badalamenti, to be United States District Judge for the Middle District of Florida; and that notwithstanding the provisions of Rule XXII, Monday, June 1, 2020 count as the intervening day with respect to the motions to invoke cloture filed on Thursday, May 21, 2020. **Page S2610**

Nominations Confirmed: Senate confirmed the following nominations:

By 49 yeas 44 nays (Vote No. EX. 101), John L. Ratcliffe, of Texas, to be Director of National Intelligence. **Pages S2564–72**

Kenneth J. Braithwaite, of Pennsylvania, to be Secretary of the Navy. **Page S2578**

Christopher T. Hanson, of Michigan, to be a Member of the Nuclear Regulatory Commission for the term of five years expiring June 30, 2024.

David A. Wright, of South Carolina, to be a Member of the Nuclear Regulatory Commission for the term of five years expiring June 30, 2025. **Pages S2578–79**

34 Air Force nominations in the rank of general.

8 Army nominations in the rank of general.

12 Coast Guard nominations in the rank of admiral.

14 Marine Corps nominations in the rank of general.

6 Navy nominations in the rank of admiral.

Routine lists in the Air Force, Army, Marine Corps, and Navy. **Pages S2579–81**

Nominations Received: Senate received the following nominations:

Liam P. Hardy, of Virginia, to be a Judge of the United States Court of Appeals for the Armed Forces for the term of fifteen years to expire on the date prescribed by law.

Sarah E. Feinberg, of West Virginia, to be a Director of the Amtrak Board of Directors for a term of five years.

Chris Koos, of Illinois, to be a Director of the Amtrak Board of Directors for a term of five years.

J. Mark Burkhalter, of Georgia, to be Ambassador to the Kingdom of Norway.

William A. Douglass, of Florida, to be Ambassador to the Commonwealth of The Bahamas.

Patrick Hovakimian, of California, to be General Counsel of the Office of the Director of National Intelligence.

Aileen Mercedes Cannon, of Florida, to be United States District Judge for the Southern District of Florida.

Toby Crouse, of Kansas, to be United States District Judge for the District of Kansas.

Dirk B. Paloutzian, of California, to be United States District Judge for the Eastern District of California.

Roderick C. Young, of Virginia, to be United States District Judge for the Eastern District of Virginia.

Routine lists in the Air Force and Army.

Pages S2613–14

Measures Read the First Time: **Page S2584**

Executive Reports of Committees: **Page S2584**

Additional Cosponsors: **Pages S2586–88**

Statements on Introduced Bills/Resolutions:
Pages S2588–S2609

Additional Statements: **Pages S2583–84**

Authorities for Committees to Meet: **Page S2609**

Record Votes: Two record votes were taken today.
(Total—102) **Pages S2572–74**

Adjournment: Senate convened at 10 a.m. and adjourned at 5:48 p.m., until 9 a.m. on Friday, May 22, 2020. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S2610.)

Committee Meetings

(Committees not listed did not meet)

BUSINESS MEETING

Committee on Foreign Relations: Committee ordered favorably reported the following business items:

S. 238, to amend the State Department Basic Authorities Act of 1956 to monitor and combat anti-Semitism globally, with an amendment in the nature of a substitute;

S. 712, to provide assistance for United States citizens and nationals taken hostage or unlawfully or wrongfully detained abroad, with an amendment in the nature of a substitute;

S. 3176, 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, with an amendment in the nature of a substitute;

H.R. 192, to establish an interagency program to assist countries in North and West Africa to improve immediate and long-term capabilities to counter terrorist threats, H.R. 4331, to modify and reauthorize the Tibetan Policy Act of 2002, with an amendment in the nature of a substitute;

S. Res. 567, commending career professionals at the Department of State for their extensive efforts to

repatriate United States citizens and legal permanent residents during the COVID-19 pandemic;

S. Res. 148, supporting efforts by the Government of Colombia to pursue peace and regional stability, with an amendment in the nature of a substitute;

S. Res. 392, recognizing the importance of the Young Southeast Asian Leaders Initiative to the relationship between the United States and the member states of the Association of Southeast Asian Nations and to advancing the policy of the United States in the Indo-Pacific region, with an amendment in the nature of a substitute;

S. Res. 406, recognizing that for 50 years, the Association of South East Asian Nations (ASEAN) and its ten members, Brunei, Cambodia, Indonesia, Laos, Malaysia, Myanmar, the Philippines, Singapore, Thailand, and Vietnam, have worked with the United States toward stability, prosperity, and peace in Southeast Asia, and expressing the sense of the Senate that the United States will continue to remain a strong, reliable, and active partner in the ASEAN region, with an amendment in the nature of a substitute;

S. Res. 454, calling for the immediate release of Cuban democracy activist Jose Daniel Ferrer and commending the efforts of Jose Daniel Ferrer to promote human rights and fundamental freedoms in Cuba, with an amendment in the nature of a substitute;

S. Res. 502, recognizing the 75th anniversary of the amphibious landing on the Japanese island of Iwo Jima during World War II and the raisings of the flag of the United States on Mount Suribachi;

S. Res. 511, supporting the role of the United States in helping save the lives of children and protecting the health of people in developing countries with vaccines and immunization through GAVI, the Vaccine Alliance, with an amendment in the nature of a substitute;

S. Res. 523, recognizing the 199th anniversary of the independence of Greece and celebrating democracy in Greece and the United States;

S. Res. 525, expressing the sense of the Senate that the United States should continue to support the people of Nicaragua in their peaceful efforts to promote the restoration of democracy and the defense of human rights, and use the tools under United States law to increase political and economic pressure on the government of Daniel Ortega, with amendments;

S. Res. 533, supporting the goals of International Women's Day, S. Res. 542, commemorating the 75th anniversary of the liberation of the Dachau concentration camp during World War II, with an amendment in the nature of a substitute;

S. Res. 542, commemorating the 75th anniversary of the liberation of the Dachau concentration camp during World War II, with an amendment in the nature of a substitute; and

The nomination of Michael Pack, of Maryland, to be Chief Executive Officer of the Broadcasting Board of Governors.

COVID-19

Special Committee on Aging: Committee concluded a hearing to examine caring for seniors amid the COVID-19 crisis, after receiving testimony from Mark J. Mulligan, New York University Langone Vaccine Center, New York, New York; R. Tamara Konetzka, University of Chicago Departments of Public Health Sciences and Medicine, Chicago, Illinois; and Steven H. Landers, Visiting Nurses Association Health Group, Holmdel, New Jersey.

House of Representatives

Chamber Action

The House was not in session today. The House is scheduled to meet at 11 a.m. on Friday, May 22, 2020.

Committee Meetings

No hearings were held.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR FRIDAY, MAY 22, 2020

(Committee meetings are open unless otherwise indicated)

Senate

No meetings/hearings scheduled.

House

No hearings are scheduled.

Next Meeting of the SENATE

9 a.m., Friday, May 22

Senate Chamber

Program for Friday: Senate will meet in a pro forma session.

Next Meeting of the HOUSE OF REPRESENTATIVES

11 a.m., Friday, May 22

House Chamber

Program for Friday: House will meet in Pro Forma session at 11 a.m.



Congressional Record

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