

EXECUTIVE SESSION

EXECUTIVE CALENDAR

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

The legislative clerk read the nomination of Mark Wesley Menezes, of Virginia, to be Deputy Secretary of Energy.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

RECOGNITION OF THE DEMOCRATIC LEADER

The PRESIDING OFFICER. The Democratic Leader is recognized.

CORONAVIRUS

Mr. SCHUMER. Mr. President, I just heard the Republican leader speak out on the floor. Leader MCCONNELL is busy giving partisan speeches while for the last 2½ hours Speaker PELOSI, myself, Secretary of Treasury Mnuchin, and Chief of Staff Meadows were sitting in a room working hard, trying to narrow our differences and come to an agreement. We all want to come to an agreement. We know the gravity of the situation demands it. We will continue to work and work at it.

We had a productive meeting. We narrowed some differences. Frankly, there are many that remain, but we must not give up. We must not resort to stark partisanship. We must come together and find a solution.

If I had to characterize the major difference between our side and the Republican side, we believe the gravity of the situation—the economic problems, the health problems—demands a bold, strong, vigorous solution by the Federal Government. We believe we must meet those needs. And it will cost money, but mark my words—if we spend less money now, it will cost us more money later.

We hear from our schools. They very much want to reopen. We hear from the parents of children. They very much want their kids to go back to school, but they want to do it safely. It costs a lot of dollars to make a school safe in this COVID crisis—not only the money for masks and PPE, but you can't sit two kids next to each other on a bus, so there have to be many more bus routes. Because some of the learning will be distant, you need hotspots, and a lot of the kids don't have them in their homes. You may need new ventilating systems because COVID demands it for a healthy classroom. You may need to convert gymnasiums and cafeterias into new classrooms. Teachers may have to teach longer, and we may even

need more teachers. These are very important things we need to do to open schools safely, but they demand more dollars. As we sat in a room today, we discussed our views as to how many dollars are needed.

The same thing with food safety—we Democrats believe that during this crisis, children and adults should not go hungry, and we proposed money to ensure that there are SNAP benefit increases to help people to feed themselves, that there is enough money to feed the kids who used to get school breakfasts and lunches, and that there is enough money at food banks and other places so they can feed their families. That costs money. The Senate Republican proposal here proposed a tax break for a three-martini lunch and a \$20 billion slush fund for big agribusiness but no money for these kids who need to be fed. That is a significant difference. There are many. There are many.

We Democrats believe strongly that we have to have free and fair elections and that the mail must be delivered in a timely way because so many more people are going to vote by mail. So many polling places need to be set up because, with COVID, you can't be close together.

There is a long list of things that are needed. The good news is, our Republican colleagues agree with a few of them, but some they don't agree with, and we are discussing why we think they need them, and they will counter with us in the room—Mnuchin and Meadows. But the discussion is necessary, the discussion is productive, and we will continue it.

Again, the anomaly of the Republican leader making a partisan speech on the floor while we—Speaker PELOSI, myself, Mnuchin, and Meadows—are trying to negotiate and move forward is really a contrast that I think most people see.

So let's keep moving forward. There is a real crisis here. There are people who are unemployed, and they don't deserve a pay cut as they go forward. There are small businesses that need help desperately. There are schools that have to open. There are State and local governments that must have funding. This is not an abstract concept; these are firefighters, our teachers, our healthcare workers, our bus-drivers and sanitation men and women. If the State and local governments don't get money, they are going to be laid off, and services will be much worse.

Again, we have a wide disparity on what kind of dollars and how to deal with treatment. It is our belief that this administration's program on treatment has been a failure, that we don't have enough treatment, and that we have to redouble our efforts to put more money into treatment.

These discussions are continuing because we hope we can reach an agreement. We will keep at it and at it and at it because the Nation demands a so-

lution—a bold, comprehensive solution that will slay this awful virus and its consequences once and for all.

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

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

ONE-YEAR ANNIVERSARY OF EL PASO SHOOTING

Mr. CORNYN. Madam President, 1 year ago, a gunman stormed into an El Paso Walmart and opened fire. There were 46 people shot; 23, tragically, died; and the devastation in this tight-knit community was beyond imagination. The heartbreak and confusion quickly turned to rage when we learned that this out-of-town shooter was a white supremacist whose crime could only be described as domestic terrorism.

As my good friend El Paso Mayor Dee Margo has said many times over the last year, we will not let this evil define us. He wrote in an op-ed this weekend: "El Paso will not be known for tragedy but for our strength and grace in the midst of tragedy."

That strength comes to mind when I reflect on this terrible anniversary. When I visited El Paso the day after the shooting, I saw the makeshift memorial that was created to honor those who died. On that first day, the collection of photos, flowers, and mementos was relatively small—maybe just a few feet wide—but by the time I came back 3 days later, it had grown to over half a mile. This massive memorial, the long line of folks waiting to donate blood, the generous donations made to support the victims and their families, these were the real reminders of the power and resilience of the El Paso community.

As we remember this anniversary amidst a pandemic, there will not be groups of strangers hugging, crying, or holding hands like I witnessed in the days following the shooting. Instead, we will have socially distanced memorials, like the vigil held yesterday, that will allow El Pasoans once again to prove that hate will not win.

Together, we will remember the 23 lives which were lost 1 year ago, as well as those who were wounded, and we stand in solidarity with El Paso, a border community that has looked hate in the eye and unequivocally chosen strength, grace, and love for one another.

CORONAVIRUS

Madam President, with August here and the start of school just around the corner, school districts, colleges, and universities in Texas and Iowa and everywhere else are in the process of making very difficult decisions about how to begin the school year. The teachers, the professors, the faculty, and the administration of these schools

are trying to figure the best way to keep their students safe but, at the same time, provide a quality education for all their students.

As we have seen, there is no one-size-fits-all to the coronavirus when it comes to public health. Our Nation is very diversified, with some highly concentrated populations with multigenerational families and an international travel hub, like New York City, and more rural areas where we, fortunately, have not seen the same sort of impact that we have in some of these concentrated areas.

So, in a country as big and diverse as ours, there has been no one-size-fits-all handbook or rubberstamp response. With COVID-19 surging in some parts of my State and declining in others, decisions, I think, should continue to be made flexibly, which means they should be made locally. Each school district or college knows their challenges, their needs, their capability, and the risks better than anyone else from the outside—certainly from Washington, DC—and they should be the ones, at the local level, to make the decisions how best to safely proceed.

Whether the school year kicks off with in-person, online, or some combination of the two, one thing that has become abundantly clear is that additional Federal support is needed so these schools can safely reopen with the proper protections in place. Congress has already provided \$30 billion in emergency relief for education, including more than \$2.6 billion for Texas alone, which has helped our school districts, colleges, and universities prepare for the start of the new year while filling some holes left by gaps in tuition that has not been collected because students have not been studying in person.

Now, this funding can be used to support things like cleaning services and equipment to protect students and staff returning to the classroom. It could be used for laptops or hot spots for virtual learning.

What we really need is a restoration of confidence that people can continue to get on with their lives, as we all have learned to do, by socially distancing, masking, handwashing, and staying home if you are sick. That is what each of us can do as individual Americans, and that is what students can do in their classroom, as deemed appropriate by local authorities and parents.

Well, we had a strong start in the response to the coronavirus with the legislation that we passed, the repeated bills we passed on a bipartisan basis, virtually unanimously, but now is not the time to take our foot off the gas. The Senate must move quickly to pass additional relief, not only for our students and teachers but for the workers and the industries hit hardest by this pandemic.

Think about our healthcare heroes. These were the truly essential workers who didn't have the choice to work re-

motely; they had to be on the frontline treating the people with the virus.

We have unemployed workers—people who, through no fault of their own, continue to not earn a paycheck—and small businesses that are struggling. Maybe they had a PPP loan and grant but now have continued to see their businesses harmed by lack of customers. Then there are farmers and ranchers and other producers, so many of whom need us to act and act quickly.

Now, Congress is not known for acting with speed and dispatch, and at most times that is actually probably a good thing because you make mistakes when you get in a big hurry, but there is no reason we can't come together and reach an agreement this week and get relief on the way to those who need it most.

The Senate should not recess—we should not go back home for the August break—until the next coronavirus bill is complete. So we really have a choice. We can do this the hard way or we can do it the commonsense and easier way, which is simply to sit down, come together, and work our way through our differences. We know how to do it because we do it all the time, and it is the only way anything gets done.

So we need to put the grandstanding and the posturing and the rhetoric and the politicalization of this pandemic on the shelf for the time being. There is plenty of time for elections. The election is 93 days off from today, but what is urgent and what is needed most is for us to demonstrate that we can lead during a time of crisis. When our constituents, the American people, are in pain and hurting and need our help, we need to demonstrate we can work our differences out and come together and respond to that need.

Despite the immense challenges presented by the virus, tens of millions of essential workers have continued to go to work each day because their communities depend on them. We all depend on them. Right now, our country is depending on us to do our job, and we cannot let them down.

As school leaders make tough decisions today and continue to assess the situation, we need to ensure that they have the resources they need to keep their students healthy and their education on track.

This is not a zero-sum game. It is not one or the other. We have to do both.

The HEALS Act that was introduced by a number of colleagues on this side of the aisle included \$105 billion for education, more than tripling the investment made in the CARES Act, which we passed late in March. The majority of that funding goes to K-12 schools and will support safety measures for students and also provide better access to those studying remotely at home. It will bolster the Higher Education Emergency Relief Fund with an additional \$29 billion to ensure that colleges and universities can make ac-

commodations not only for learning on campus but also the living, eating, and the range of other activities that occur on university campuses.

At least 10 percent of that funding is dedicated to the historically Black colleges and universities and minority-serving institutions.

Keeping Texas children healthy and their education on track is a top priority. It should be a top priority here and for all of us, and the next relief bill must provide the funding for our students and teachers that they need as they head into this new territory this fall.

In addition to supporting our children going back to school, another issue that has reared its head is childcare because, for many parents, if their children are not studying in classrooms, they are studying at home, and they need supervision. Many parents who would like to go back to work, if they can do so safely, need to have childcare available for them to be able to do so.

In 2018, 60 percent of Texas children under the age of 6 had all their available parents in the workforce—60 percent. And prior to COVID-19, many of these working parents relied on daycare so they could go to work.

Of course, the pandemic has changed childcare arrangements for many families. Those who have been able to telework have often pulled double duty as employees and caregivers at the same time, and those who, unfortunately, lost their jobs or were laid off have stayed home with children until they have been able to return to work.

But, really, childcare will be a huge limiting factor for many, many people who want to and can safely return to work. Now that more businesses are reopening, parents are increasingly in need of safe, reliable childcare, and Congress needs to step up and provide relief to childcare providers.

The HEALS Act authorizes short-term assistance to help them so they can safely reopen their doors and parents can safely return to work. This is, I believe, a key to getting more people back to work so we can begin to recover and rebuild our economy.

This legislation builds on another provision in the CARES Act that provided students student loan relief for the more than 43 million Americans with student loan debt. It allowed students to defer student loan payments for up to 6 months with no penalty. I have gotten a lot of positive feedback on that provision from Texans across nearly every part of the State.

With so much economic uncertainty, we can't allow that provision to expire. Student loan debt is a real and growing problem in our country, and families should never be in the situation where they are sacrificing their basic needs just to make those student loan payments, especially during the time of a global emergency.

As we try to find consensus on the next coronavirus response package,

there is no room to compromise on support for our children and teachers.

Another critical provision of supporting our schools is liability protections.

As I mentioned, schools are weighing whether to reopen, and they go through a long list of considerations. The number of cases of COVID virus in their community, new case trends, the risk to student health and teachers, the ability to implement relevant health guidelines—school leaders are weighing all of these factors and more in determining whether to reopen their doors. But even if a school is prepared to take every precaution and make a good-faith effort to protect the health and safety of students and staff, they can still face a mountain of lawsuits.

Let's say a district has carefully considered all of these factors and made the decision to reopen. They are prepared to implement the CDC guidelines and mitigation strategies—things like social distancing, masks, handwashing, reduced class sizes, and cohorting students. They have made changes to the bus routes, classroom seating, and lunch schedules to accommodate social distancing. They have talked to parents about how to identify the symptoms of COVID-19 and have planned for what they should do if a student or staff member tests positive.

Despite taking every precaution and closely following guidelines, the schools could still be sued for COVID-19 exposure. If a child contracts the virus, a parent could file a lawsuit blaming the school. Even though it would be extremely difficult—if not impossible—to prove the school was at fault, the district could be drawn into a costly court battle to defend itself, taking money and time away from classrooms needed to teach our children.

In Arizona, this has arisen as a major issue. The largest insurer for schools announced it will not provide liability coverage for COVID-19 claims. Without action from Congress, many schools may choose not to reopen their doors because the risk of expensive litigation is simply too high.

It is not just litigating and losing that is such a burden. By litigating, you actually can lose even if you win the case because of the cost associated with defending these cases and the time and energy it takes that could be expended on educating our children.

That is why the legislation I have introduced, known as the SAFE Act, which is included in the HEALS Act, is so important. It will prevent schools that make a good-faith effort to safely reopen from facing a wave of opportunistic litigation.

It doesn't provide blanket immunity. It actually incentivizes following public health guidelines and says that only those who engage in willful or grossly negligent conduct can be sued and recovery sought. But it does spell out in black and white that K-12 schools, colleges, and universities will be pro-

tected from COVID-19 exposure claims as long as they make a good-faith effort to comply with mandatory public health guidelines.

This is the targeted and temporary provision. It expires in 2024. This is not an attempt to permanently change the tort laws that apply across the board but only a targeted provision that applies to this pandemic.

Our schools need to know and have confidence that if they are operating in good faith and obeying guidelines, they will not spend the next years in court fighting lawsuits.

In order for our country to recover, these workers and institutions need to be able to open their doors and to do their jobs with confidence. That is precisely what this legislation will provide.

I hope our colleagues on both sides of the aisle will join us in providing this critical funding and the protections our schools need at such a crucial time. I yield the floor.

The PRESIDING OFFICER. The Senator from Arkansas.

TRIBUTE TO GENERAL DAVID L. GOLDFEIN AND CHIEF MASTER SERGEANT KALETH O. WRIGHT

Mr. BOOZMAN. Madam President, I would like to take this opportunity to recognize and congratulate two of my favorite people—Gen. David L. Goldfein and CMSAF Kaleth O. Wright on their upcoming retirement from the U.S. Air Force after a combined 68 years of distinguished military service to our great Nation.

General Goldfein's outstanding 37-year career has culminated as the 21st Chief of Staff of the Air Force. In this role, he has been responsible for the organization, training, and equipping of 685,000 Active-Duty, Guard, Reserve, and Civilian Forces serving all over the world. He has been crucial to strengthening our national security and has led the effort on shaping the Air Force and Joint Force of the future.

General Goldfein launched his career at the Air Force Academy. He graduated in 1983 and continued his training at the United States Air Force Weapons School. He would go on to earn his command pilot rating, accumulating more than 4,200 flying hours in various aircraft, such as the T-37, T-38, F-16, F-117, MQ-9, and MC-12.

He flew combat missions in Operations Desert Shield, Desert Storm, Allied Force and Enduring Freedom. On May 2, 1999, while flying a night mission during Operation Allied Force, then Lieutenant Colonel Goldfein found himself in the skies above Serbia in his F-16 fighter jet. His mission was to bomb targets designed to force the Serbian dictator, Slobodan Milosevic, to withdraw his troops from Kosovo.

Things changed rapidly when an air missile exploded through the belly of his aircraft, forcing him to eject and parachute into enemy territory. He was quickly rescued in Kosovo by the Air Force's elite combat search and rescue team.

His ability to make sound decisions under this extreme pressure and many

other actions throughout his career are why he was the right person to serve as Chief of Staff for the past 4 years. General Goldfein epitomizes the finest qualities of a military leader. His passion for the Air Force, the airmen, and their families—this certainly is a family affair—is unparalleled, and the country owes him a debt of gratitude for his sacrifice and for his service.

I would also like to recognize Chief Master Sergeant of the Air Force Wright for his exceptional 31-year career in the U.S. Air Force. For the past 3½ years, he has served as the senior enlisted advisor to the Air Force Chief of Staff and the Secretary of the Air Force on all issues regarding the welfare, the readiness, the morale, and proper utilization and progress of the enlisted force.

After enlisting in the Air Force in 1989, Chief Wright would go on to serve in various duties in the dental career field. He deployed in support of Operations Desert Shield, Desert Storm, and Enduring Freedom and completed overseas tours in South Korea, Japan, Germany, and Alaska.

As the 18th Chief Master Sergeant of the Air Force, his transparent leadership, character, and natural charisma built a never-before-seen trust with the 410,000 enlisted members. Under his leadership, improvements were made to the enlisted professional military education system, enlisted promotion system, physical training testing, and the enlisted evaluation system. His passion for building a resilient force, suicide prevention, and diversity and inclusion will have lasting positive impacts on the service, the airmen, and their families.

Fittingly, Chief Wright will continue to advocate for airmen as the next CEO of the Air Force Aid Society. As co-chair of the Senate Air Force Caucus and Chairman of the Appropriations subcommittee responsible for ensuring our Armed Forces and their families have the infrastructure and facilities to support their needs, I have met with these Air Force leaders on numerous occasions during their service, as they encouraged congressional support to strengthen Air Force priorities and military readiness. Airmen can be proud of their advocacy and leadership to ensure the United States maintains our air superiority.

On behalf of the U.S. Senate, the Senate Air Force Caucus, and a grateful nation, I extend my deepest appreciation to General Goldfein, Chief Master Sergeant Wright, and their families for their many, many years of exemplary military service and sacrifice. We all wish them nothing but the very best in the future.

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

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

COMMUNICATIONS DECECY ACT

Mr. WICKER. Madam President, for almost 25 years, the internet has grown and thrived under the light-touch regulatory framework established by the Communications Decency Act. I hope we can continue that. I think some changes need to be made.

Passed in 1996, the law that the Communications Decency Act is a part of helped create the internet. Section 230 of that law gives broad liability protections to interactive computer services, such as Facebook, Twitter, and other social media platforms. This provision protects online platforms from being held liable for content posted by their users.

This is a unique protection for online platforms, and not everyone in our country enjoys those protections. For example, newspapers do not enjoy this important protection. But we have done this for internet platforms.

At the same time, section 230 of the Communications Decency Act allows online platforms to censor content that they—the platforms—consider obscene, lewd, harassing, along with several other categories, including the term “otherwise objectionable.”

I am concerned that this term, “otherwise objectionable,” is too broad and ends up protecting online platforms when they remove content that they simply disagree with or dislike or find distasteful personally.

I fear section 230 has enabled big tech companies to censor conservative views and voices, and I am joined by a lot of Americans in that view. As such, this provision has become a loophole for censoring free speech, and it risks negating the values at the very heart of our First Amendment.

In the last few years, reports of online censorship of conservative viewpoints have grown more frequent. In early 2018, for example, an undercover report exposed Twitter for systematically “shadow banning” conservative profiles—meaning users were blocked from the platform without being notified.

More recently, Google threatened to demonetize a conservative news site, The Federalist, for not removing offensive content in their comment section. Based upon information I received, the comments may indeed have been derogatory and unacceptable. But what is noteworthy is that Google’s threat toward the Federalist was hyperselective and a bit hypocritical. Google held the Federalist accountable for comments made by the Federalist readers, but Google does not want to be held responsible for the posts or comments by users on Google’s platforms, including YouTube—a double standard imposed by Google itself. This selective scrutiny reveals what most Americans already believe: that tech companies are politically biased.

According to a 2018 Pew study, 7 out of 10 Americans believed social media

companies censor political viewpoints that they find objectionable. That was 2 years ago. It has only worsened in the 2 years since then.

These concerns come at a time when tech companies wield unprecedented power within our economy and our culture at large, and no one can deny that. A bipartisan chorus of committee members from the other body pointed this out just last week. More and more of our daily business is taking place online, and that trend is only accelerating during the current pandemic.

As we near the 2020 election, Americans have serious concerns about whether online platforms will treat campaigns on both sides of the aisle fairly and equally. Those concerns are warranted. I have those concerns. Americans are right to be worried about interference by politically homogenous tech firms that hold unprecedented sway over our Nation’s political discourse.

After 24 years, it is time for Congress to revisit section 230 of the Communications Decency Act and start with refining—perhaps narrowing—the scope of what counts as otherwise objectionable content subject to censors. There may be other reforms that would be better, but I think it is time for Congress and the committee that I chair to revisit this section of the law.

Last week, the Commerce Subcommittee on Communications, Technology, Innovation, and the Internet convened a hearing to consider exactly this issue, and it was a very good hearing. As chairman of the Commerce Committee, I intend to pursue this matter thoroughly and evaluate what changes are needed to section 230. Congress needs to ensure that the internet remains a forum for a “true diversity of political discourse” that promotes competition and innovation.

I suggest the absence of a quorum.

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

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

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

CHINA

Mrs. BLACKBURN. Mr. President, last week, journalists at ESPN published the results of a bombshell investigation into human rights violations at NBA training academies in China.

When you think about a basketball camp, you probably think of shooting drills or running sprints, but these camps look much different. The investigation focused on training camps located in Xinjiang. This particular region in western China has achieved a certain level of notoriety in recent months for the horrific political violence its government officials inflict on the Uighur Muslim minority. So it is no surprise that the stories told by trainers, coaches, and other NBA employees who helped to run these camps

employ disturbing and familiar imagery.

According to the ESPN investigation, one former league employee compared the atmosphere at the Xinjiang camp to “World War II Germany.”

An American coach, who worked at a similar facility, described it as a “sweat camp for athletes.”

Now, according to the investigation, almost immediately after the NBA launched this program back in 2016, multiple coaches who were staffing the camps reported to high-ranking organization officials that they had witnessed Chinese coaches beating and berating student athletes. Bear in mind that these reports were made in 2016. They also reported that the Chinese Communist Party officials who were in charge of the camp were denying students an education.

In coming to this elite camp, they were to receive both an education and elevated sports training, but the reports, going back to 2016, said the children were being abused, beaten, berated, and denied the education. So why then did the NBA maintain these programs?

Money.

Communist China plays host to an estimated \$4 billion NBA market. They say that China is basketball-obsessed, and NBA execs have used every avenue they can to take advantage of that, and they jealously protect these relationships.

Last October, when Houston Rockets’ General Manager Daryl Morey tweeted in support of the Hong Kong Freedom Fighters, multiple league all-stars, stakeholders, and well-connected employees lashed out in a panic—terrified of retaliation from Beijing.

Team owner and Alibaba co-founder Joe Tsai not only sided with the Chinese Communist Party as it retaliated against the entire league, but he characterized the Hong Kong protesters as leading a separatist movement.

Their over-the-top reactions are proof enough of how fragile the NBA’s relationship with China actually is and who is really in control of this relationship. The control is not with the NBA.

In June, I sent a letter to the NBA, expressing my concerns about the training camps in Xinjiang and the league’s entanglement with the Chinese Communist Party. In their response, they announced that they had closed their facilities in the region and that they had severed their ties to any programs there.

The problem is that the ESPN report I referenced previously disputes that assertion. I am reaching out for clarification on that matter, but in their response, I hope NBA officials express clarity regarding all—each and every one—of their business relationships with China because the NBA and other organizations that maintain close ties to the Chinese Communist Party believe that they are merely taking advantage of a growing consumer market—or that is what they say. To them,