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House of Representatives

The House was not in session today. Its next meeting will be held on Sunday, December 20, 2020, at 12 p.m.

Senate

SATURDAY, DECEMBER 19, 2020

The Senate met at 11 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.

Almighty God, our souls long for You, for we find strength and joy in Your presence. The Heavens keep telling of your wonders, and the skies declare what You have done. We thank You for the star of Bethlehem.

Guide our lawmakers to put their trust in You, seeking in every undertaking to know and do Your will. Lord, when our Senators go through difficulties, may they remember that with Your help, they can accomplish the seemingly impossible. Inspire them to find strength and courage from Your guidance, as they trust You to direct their steps.

We pray in Your strong 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 (Mr. CASSIDY). The Senator from Iowa.

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

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

2020 ELECTION

Mr. GRASSLEY. Mr. President, in this town, political arguments often change places very quickly. Actually, observers could get whiplash when that happens.

Now, just think about just a few months back. Before this election, we had elected Democrats scaring voters with irresponsible conspiracy theories that President Trump was going to somehow use his office to interfere with State elections or that he was in cahoots with the Postal Service not to deliver ballots.

Remember back after the 2016 election, the irresponsibly worded talking point was that Russia “hacked our elections,” leading to polls 2 years later showing that 67 percent of Democrats believed falsely that “Russia tampered with vote tallies in order to get Donald Trump elected.”

Now let’s turn to the 2020 election just completed. Those same people are now earnestly warning of the dangers of Americans questioning certified election results. Think just for a minute. Those who supported hashtag “resist” after Trump’s election are now lecturing others about the need for faith in elections.

It is kind of disturbing to me—the hutzpah of some of the people around here, what they said in 2016 and after versus what they are saying now.

I yield the floor.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

CORONAVIRUS

Mr. MCCONNELL. Mr. President, our Nation stands at a crossroads in our months-long battle with the new coronavirus. Tracking recent developments lately has felt like watching a split-screen television. On the one hand, Operation Warp Speed has fostered a modern medical miracle. The genius of science has brought forward safe and effective vaccines at a pace which, just months ago, many claimed would be impossible. For about 9 months now, our Nation has been treading water altogether. Now the road to victory is in sight.

But at the same time, even as we see this hopeful sunrise on the horizon, in the here and now, we are still facing an ongoing five-alarm national crisis. The virus is surging across our country. Two days ago, my home State of Kentucky set another bleak new record—the most Kentuckians lost in a single day of this pandemic so far. Nationwide, since the start of December, we have lost around 3,000 of our fellow Americans to this disease every single day.

Meanwhile, although the American people have built our economic recovery with more speed and resilience than anyone had anticipated, we have known all along that recovering prosperity would come hand-in-hand with defeating the virus. Thus, millions of working families across the Nation are still under terrible strain.

Last week, economists thought we would see a slight downward tick in new unemployment claims. Instead, the numbers shot up, logging 885,000 new claims in just 1 week—almost

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



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900,000 newly laid-off Americans in 1 week alone.

Senators on both sides know what we need to do. In the springtime, when the country needed a bridge, we passed the largest rescue package in American history on a unanimous, bipartisan basis. Now what Americans need is another bridge. Fortunately, this time we do not need a bridge over an unknown and frightening future but a bridge through the next several months, while the lifesaving vaccines can flow throughout our country.

Frontline healthcare workers are receiving the vaccine as we speak. Yesterday, Vice President PENCE, Speaker PELOSI, and I all received first doses of vaccines pursuant to preexisting plans for the continuity of our government.

These vaccines are safe. They are effective. They are our Nation's path out of this hellish chapter. So the first lines of the cavalry are already arriving. We just need to help American families hold on while reinforcements continue to pour in: more paycheck protection loans for the hardest hit businesses, more additional Federal unemployment aid, more direct assistance for families, a lot more funding for K-12 schools to reopen safely and get our kids' educations back on track, and, perhaps most important of all, a huge amount of funding for vaccine distribution so that we aren't just helping Americans endure this battle, but we are helping them win the battle as fast as possible.

GOVERNMENT FUNDING

Mr. MCCONNELL. Mr. President, last night, we extended government funding for 2 additional days. The Senate and the House need to finalize another rescue package containing all the policies I just named and many more. We need to finalize government funding legislation for next year, and we need to pass these measures with a big, bipartisan vote and get them signed into law without further delay.

We need cooperation and focus from all sides. There is a kind of gravitational pull here in Congress, where, unless we are careful, any major negotiation can easily slide into an unending catalogue of disagreements. Let's guard against that.

The American people have already waited for more assistance longer than they could afford. In my judgment, they have waited far too long for a relief package of the same general size and scope that Senate Republicans have been proposing literally since last summer. Every one of us in the Senate and the House represent American families who simply cannot wait any longer for Congress to conclude these discussions. Every day that we delay may very well cost more small businesses their survival, cost more American workers their jobs, and, yes, cost more Americans their very lives.

We have had productive discussions this week. I appreciate the good-faith

spirit that has characterized my talks with the Democratic leader, Speaker PELOSI, Leader MCCARTHY, and Secretary Mnuchin, but the American people cannot feed their families or pay their bills with Congress's good-faith discussions. They need us to act. We need to conclude our talks, draft legislation, and land this plane.

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 shall report.

The legislative clerk read the nomination of Thompson Michael Dietz, of New Jersey, to be a Judge of the United States Court of Federal Claims for a term of fifteen years.

Mr. MCCONNELL. 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 MINORITY LEADER

The Democratic leader is recognized.

CORONAVIRUS

Mr. SCHUMER. Mr. President, ever since a remarkable bipartisan rescue package in March, the CARES Act, and a subsequent bill to replenish those programs, getting further aid to the American people has been a long and arduous effort. It is no secret that for much of the year, our Republican colleagues were opposed to spending any more money to help the American people during a once-in-a-century pandemic. Thankfully, the Republican leadership recently accepted the bipartisan Gang of 8's framework as the basis for negotiations for an emergency bill, which Speaker PELOSI and I have suggested, unlocking the current round of talks.

Even now, at the end of this painstaking process, there have been some final hurdles. Crafting a \$1 trillion relief package over the matter of a few days was always going to have its difficulties, but we are running out of time.

After passing yet another continuing resolution yesterday evening, we have

until Sunday at midnight to secure a final agreement, draft the legislation, and move it through both Chambers of Congress with alacrity. I agree with the Republican leader on this: We need to deliver an outcome and deliver it quickly.

We continue to make progress. I believe there is good faith from all four corners of congressional leadership to finalize an agreement very soon. Even though there are several issues that haven't been closed out yet, we continue to make good progress on all issues but one.

The No. 1 outstanding issue is a proposal by the Republican Senator from Pennsylvania. This proposal is a new entrant. It hadn't been an important feature of our negotiations over the past few weeks. Only in the past few days have Senator TOOMEY and Senator MCCONNELL introduced this specific provision and made it clear they feel strongly about it.

Senator TOOMEY's new proposal would potentially prohibit the Treasury and the Fed from setting up new emergency lending facilities moving forward, greatly reducing their ability to respond to economic crises. Again, this is something that materialized only in the past few days and would leave the Treasury and the Fed with less authority than it had even prior to the pandemic.

Quite simply, Senator TOOMEY's proposal would do more than just prevent the next Treasury Secretary and Fed Chair from using the emergency lending programs that saved our economy and stabilized markets back in March and April. It could potentially prevent them from setting up new facilities that look, or even smell like, those programs moving forward.

Democrats do not agree with it. Economists from across the political spectrum warned that Senator TOOMEY's legislation would cripple our government's ability to respond to a deteriorating economy. The Chair of the Federal Reserve, Jay Powell, hardly a flaming liberal, is likewise strongly opposed to the Toomey provision.

Senator TOOMEY's proposal goes way beyond what Leader MCCONNELL proposed in his HEALS Act. The worry that this Toomey proposal is supposed to address is the need to prevent the Treasury and Fed from using their authority willy-nilly to do whatever the new President wanted. That worry is unfounded. In order to create a new emergency facility under the present law, you would need the support of Chairman Powell, a conservative man, and the five members of the Fed Board, a conservative body.

Under current law, an emergency lending facility could get approval only in a true emergency. Senator TOOMEY's legislation creates barriers to emergency lending that go far beyond current law and tries to solve a problem that doesn't exist.

Publicly, Senator TOOMEY—I read an article in POLITICO—has expressed his

concern only about winding down the emergency lending facilities established in the CARES Act. If that is what he is genuinely concerned about, there is a path to compromise. But his proposal goes much further and includes prohibitions on the Treasury and the Fed's authority that would handicap our recovery efforts moving forward—not just during this crisis but any future crisis. We cannot agree to that, nor is it what the Senator from Pennsylvania says he cares about. What he is proposing is not about COVID or helping the American people; it is about tying the hands of the next Treasury Secretary and the next Fed Chairman in a true emergency. So I hope our Republican friends can agree to compromise here. Senator TOOMEY's legislation is the only significant hurdle to completing an agreement, and Republicans need to make a decision.

We are quickly approaching an all-or-nothing situation. Everybody needs to make a decision about whether we are going to pass this much needed relief or not and about eleventh hour demands and whether they are worth holding up the entire bill.

We made great strides and great progress over a few days. You can use whatever football analogy you want—we are on the 5-yard line or the 1-yard line or whatever. The truth is simple: We are close to an agreement, but we need to finalize it. We need to finalize it, and only the Toomey provision stands in the way.

We are ready to deliver a desperately needed extension to the historic unemployment benefits the Democrats secured in March; direct survival checks to millions of American families on the brink of financial collapse; crucial relief to our schools, our small businesses, and our healthcare system; and funding to support the production and distribution of a vaccine.

If we do our jobs, we will deliver the second largest Federal stimulus in our Nation's history, second only to the CARES Act earlier this year. It is still not as large or as comprehensive as the country needs or as our side wants, but it will be larger than even the Recovery Act, called ARRA, in the wake of the last financial crisis.

We have given ourselves already an extension to finish our work. Let's not ask for another one. It is time for a conclusion. We have 2 days to cross the t's, dot the i's, and come to an agreement. The country expects us to finish our work and deliver a result for the American people.

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

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

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the mandatory quorum call be waived.

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

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 bill 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 Thompson Michael Dietz, of New Jersey, to be a Judge of the United States Court of Federal Claims for a term of fifteen years.

Mitch McConnell, Chuck Grassley, Mike Crapo, Shelley Moore Capito, John Cornyn, Cindy Hyde-Smith, Steve Daines, Mike Lee, Ron Johnson, Thom Tillis, Richard Burr, Pat Roberts, Cory Gardner, Tom Cotton, John Boozman, John Hoeven, Lindsey Graham.

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 Thompson Michael Dietz, of New Jersey, to be a Judge of the United States Court of Federal Claims for a term of fifteen years, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Missouri (Mr. BLUNT), the Senator from North Carolina (Mr. BURR), the Senator from Texas (Mr. CRUZ), the Senator from Wyoming (Mr. ENZI), the Senator from Iowa (Ms. ERNST), the Senator from Nebraska (Mrs. FISCHER), the Senator from Georgia (Mrs. LOEFFLER), the Senator from Kentucky (Mr. PAUL), the Senator from Georgia (Mr. PERDUE), the Senator from Ohio (Mr. PORTMAN), the Senator from Idaho (Mr. RISCH), and the Senator from South Dakota (Mr. ROUNDS).

Mr. DURBIN. I announce that the Senator from California (Ms. HARRIS) is necessarily absent.

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

The yeas and nays resulted—yeas 50, nays 37, as follows:

[Rollcall Vote No. 275 Ex.]

YEAS—50

Alexander	Graham	Menendez
Barrasso	Grassley	Moran
Blackburn	Hassan	Murkowski
Booker	Hawley	Roberts
Boozman	Hoeven	Romney
Braun	Hyde-Smith	Rosen
Capito	Inhofe	Rubio
Cassidy	Johnson	Sasse
Collins	Kelly	Scott (FL)
Cornyn	Kennedy	Scott (SC)
Cotton	King	Shelby
Cramer	Lankford	Sinema
Crapo	Lee	Sullivan
Daines	Manchin	Thune
Gardner	McConnell	

Tillis	Warner	Wicker
Toomey	Whitehouse	Young

NAYS—37

Baldwin	Gillibrand	Sanders
Bennet	Heinrich	Schatz
Blumenthal	Hirono	Schumer
Brown	Jones	Shaheen
Cantwell	Kaine	Smith
Cardin	Klobuchar	Stabenow
Carper	Leahy	Tester
Casey	Markey	Udall
Coons	Merkley	Van Hollen
Cortez Masto	Murphy	Warren
Duckworth	Murray	Wyden
Durbin	Peters	
Feinstein	Reed	

NOT VOTING—13

Blunt	Fischer	Portman
Burr	Harris	Risch
Cruz	Loeffler	Rounds
Enzi	Paul	
Ernst	Perdue	

The PRESIDING OFFICER. On this vote, the yeas are 50, the nays are 37.

The motion is agreed to.

The Senator from Texas.

CORONAVIRUS

Mr. CORNYN. Mr. President, as we all know by now, yesterday brought even more great news on the vaccine front. The FDA has now issued an emergency approval for a second COVID-19 Vaccine. This one will be developed by the American biotech company Moderna and millions of doses will be distributed across the country. I should say millions more doses will be distributed across the country in the coming days.

As we know, the first vaccine approved, which was created by Pfizer and BioNTech, was approved just over a week ago, and already thousands of healthcare workers have been vaccinated. In my State, we expect a million people—a million Texans—to be vaccinated by the end of this month, which is a remarkable achievement and one we ought to celebrate.

Both of these vaccines will be extraordinarily effective, estimated to be 95 percent effective. If you think about the seasonal flu vaccine, for example, it is, generally speaking, no more than 60 percent effective and many times far less. So 95 percent represents an amazing accomplishment. So the American people have every reason to be optimistic about our ability to put this virus in the rearview mirror, once and for all.

As we now know, the first round of Pfizer vaccines were sent to major hospitals across the country, including more than 100 in my State. Unfortunately, rural areas were almost entirely excluded. This is largely because of the infrastructure required to use the Pfizer vaccine, which must be kept at a negative 94 degrees Fahrenheit, which is significantly colder than the average freezer. While you are likely to find these ultra-low-temperature freezers in major hospitals and major research labs, they are far less likely to be found in smaller, rural hospitals. So when the first round of Pfizer vaccines went out the door, they were only sent to hospitals with the necessary equipment and a large number of workers who needed the vaccine. As a result,

the healthcare heroes in rural areas, who have been fighting the same virus, often with fewer staff, fewer resources, and fewer treatments, were left waiting. But we have every reason to believe that this will change with the approval of the Moderna vaccine. This doesn't require the same low temperature storage and can be kept at around 40 degrees Fahrenheit for 30 days. This will make it easier to safely transport these vaccines from manufacturing sites to rural parts of Texas and the rest of the country and ensure that all of our healthcare heroes, our frontline workers, and, eventually, the general public will not be left behind.

There is no reason why rural healthcare workers in Texas or anywhere should be denied this lifesaving vaccine when their peers in larger urban areas are already receiving it. This is yet another reason to celebrate the approval of the second successful vaccine, and I am eager for the Moderna vaccine to arrive in healthcare facilities across Texas.

Mr. President, that brings me to the business that remains before the Senate today and, likely, for the next couple of days. After months of trying to come together on coronavirus legislation—months—the last several days have given the American people a lot of reason to hope. First of all, it seems like, for the first time in months, there is actually bipartisan interest in achieving an agreement. That wasn't the case in the runup to the election, where we had at least three or more cloture votes fail in the Senate.

So for months additional coronavirus relief was defeated by our Democratic colleagues who weren't even interested in the runup to the election on providing additional relief after the CARES Act passed last March. But, hopefully, that has all changed now after the election. Negotiators are working around the clock to reach an agreement that will gain the support of both parties and reach the President's desk before we gavel out for the holidays. But the days are dragging on, the clock is ticking, and the time is running out.

I want to mention two things—one about the process, and the other is about the substance included in whatever the package will look like.

First of all, given the way that this is being negotiated, basically there are four people who are negotiating this massive spending package on behalf of the 535 Members of Congress, and essentially, because this has been pushed off until these last days of the 116th session of Congress, the only thing most rank-and-file Members will be able to do is to vote up or down. In other words, there is no opportunity to amend it through regular order.

I just have to say, this is a terrible way to do business, and in the future, I hope we do better because this is almost the worst of all worlds when it comes to legislating. But we know our backs are against the wall because of

the politics leading up to the election, where we haven't been able to do more since March, and so we have to do what we have to do.

The second thing I want to mention, which is more about substance, is about the Paycheck Protection Program and the deductibility of ordinary business expenses. I believe the Paycheck Protection Program has been one of the most successful parts of our COVID-19 economic relief. The goal, of course, was to provide small businesses access to low-interest loans, which could be converted into grants based upon their willingness to maintain their payroll and keep their employees connected with the business.

The hope was that these businesses would survive and would rebound after we got the virus in the rearview mirror. We didn't know how long that was going to last, and, indeed, it has lasted longer than any of us would have wanted or had planned. But it is important that this Paycheck Protection Program be revived because time is running out.

In my State, roughly \$41 billion has been granted or—excuse me—loaned with potential for grants to about 417,000 businesses. This has been an essential part of our response to COVID-19 and the economic fallout associated with it. But when we passed the PPP program in March, we expected—the Congress expected that businesses that got the loans that were converted to grants would be able to deduct their ordinary business expenses in the year 2020.

Now, I know that may not be the best tax policy in the world, but we could choose one of two ways to get financial relief to the small businesses. We can shovel money in the front door, or we can allow them to deduct their ordinary business expenses even though they received a grant from the Federal Government.

The reason why I say I know this was part of the understanding in March when we passed the bill is because I have now—because of the Treasury Department's opposition to the deductibility of ordinary business expenses for the recipients of the PPP grant, because of the Treasury Department's position that those are not deductible, we have had to file legislation which will override the Treasury Department's guidance and allow for that deductibility.

Again, this is not an ideal way to write tax policy, but under the exigent circumstances here, I think it makes perfect sense. Again, you can either write more checks on the front end, or you can allow businesses financial relief by deducting their ordinary expenses on the back end.

What I fear will happen, because of the opposition of the Treasury Department, is that, come January, the businesses that have received this incredibly important PPP benefit will find themselves having to pick up—having a tax bill, which will reverse, if not ne-

gate, the benefit that we intended by developing the PPP program in the first place. This will happen as early as January when many businesses have to pay their estimated tax. There will be an incredible backlash, I believe, because I think the recipients of the PPP loans and grants have every reason to expect, as Congress intended, that they would be able to deduct their ordinary business expenses.

What is going to happen if we don't fix that in this underlying bill? Well, we are going to end up doing it next year, I promise you, because I think the backlash we are going to feel here from the businesses that have been suffering, have been hanging on by a thread—that all of a sudden, they have an unexpected tax bill of roughly, according to the Wall Street Journal, about \$120 billion worth.

We ultimately are going to have to fix that, so we might as well fix it on the front end rather than on the back end after our constituents who have been the recipients of the PPP grants rise up in outrage, really, that we haven't taken care of this now when we should. So I hope that in the negotiations on this COVID-19 relief bill, we include the deductibility of ordinary business expenses for recipients of PPP grants.

The funding we provided earlier this year for vaccine distribution has already been depleted, and States are dipping into other sources of funding to ensure they have the capabilities to carry out the widespread vaccination effort. That is another reason why we need to pass this COVID-19 relief bill as soon as possible.

Workers lost bolstered Federal unemployment benefits at the end of July, and they are set to lose additional benefits the day after Christmas.

Small businesses, as I said, are struggling to stay afloat, especially as the winter weather hampers outdoor dining and events. I saw the snow that hit New York, where many of the restaurants—because they have been shut down, indoor dining has been shut down. They tried to build up some infrastructure outside their restaurants, but now even those have been closed down because of the weather.

People are hurting and need help. Parents and teachers are wondering when their children will be able to return to in-person learning and how schools will be able to keep them safe when they do.

The list goes on and on.

Earlier this year, we made a \$3 trillion investment in our war against COVID-19, and that funding has been critical, not only to get us to where we are today in terms of therapeutics and vaccines but also to keep our economy from tanking entirely. But those funds are drying up, programs are expiring, and the American people are counting on us once again to provide the support they need.

There appear to be a few remaining sticking points in the negotiations, but

there is no reason why Congress shouldn't be able to reach an agreement. The steady drip of information from congressional leaders is encouraging, but progress doesn't pay the bills.

Enough time has been wasted this year on partisanship and political posturing. We have reached a make-it-or-break-it moment, and there is no room for inaction. The American people are looking to us to protect their health and their livelihoods, and we cannot let them down.

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

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

Mr. LEAHY. Mr. President, I am going to be speaking just a few minutes on another matter, and I believe I will have time at 1 o'clock.

With nobody else seeking the floor at the moment, I would just add to what the distinguished Senator from Texas just said. I discussed this with him off the floor after he spoke.

There is a concern about what might be in the omnibus bill and in the COVID bill, and here on a Saturday and tomorrow, Sunday, or whatever, we are finished, and we are rushing it through. I would remind everybody that we were ready to bring up the appropriations bills that make up the omnibus in July. The House of Representatives had sent over—in June, it sent over their COVID bill. We could have brought it up then. We could have started having a series of votes. It might have taken us 2 or 3 weeks to have votes every day on different parts of their proposal—Democrats' proposals, Republicans' proposals, the Appropriations' proposals—and vote them up or down. I had urged that.

Republicans have the majority in the U.S. Senate. If they didn't like proposals the Democrats had, they could vote them down. But instead they seemed almost terrified to vote.

Ah, but there was a reason. We would have had to take 2 or 3 weeks to vote all of this up or down, but we had to take, instead, the time to put through lifetime judgeships of people who have been recommended by special interest groups. That is beneath the U.S. Senate.

But, unfortunately, while these people got lifetime jobs with high pay, hundreds of thousands and millions of Americans have lost their jobs, have lost their places to live, are unable to educate their children, and hundreds of thousands have lost their lives. This is not the U.S. Senate's finest hour.

We should have been doing our job and voting these things up or down. I know some may be afraid of what they had to vote, but so what? I have cast

over 16,000 votes. Not all of them were easy, but I never thought there was any question about whether I would vote.

(Mrs. HYDE-SMITH assumed the Chair.)

DEPARTMENT OF JUSTICE

Now, Madam President, the hour of 1 o'clock has arrived. I will claim my time, and I am going to speak about the Department of Justice and the Office of the Attorney General.

William Barr's second tenure as Attorney General is coming to an end. At this time, it is important for the Senate to reflect upon his legacy and upon the challenges now facing the Department of Justice.

As we all know, the Office of Attorney General fills a unique role within our system of government. It was created by the Judiciary Act of 1789, and in its creation, it was obvious the Attorney General is not a traditional member of the President's Cabinet.

Supreme Court Justice James Iredell observed in 1792 that the position "is not called the Attorney General of the President, but Attorney General of the United States." This is because an Attorney General's client is not the President; the Attorney General's client is the American people—all of us, all of us.

An Attorney General's duty is not to defend the President but to uphold the rule of law and do so with integrity and independence.

Now, we know that President Trump has a very different view. He views the Office of Attorney General as an extension of his political power to be wielded like a weapon to further his agenda. He believes it exists to benefit him personally, to target his opponents, and to protect him and his friends. His view stands in stark contrast to everything the Attorney General is supposed to represent.

It came as no surprise, then, that during his nomination hearing, Mr. Barr was questioned about which type of Attorney General he would be—the President's lawyer or an impartial pursuer of justice.

Mr. Barr was adamant in that hearing that while he may sympathize with the President's policy choices, his role as a policy advisor would be distinct from that of the Nation's chief law enforcement officer. If confirmed, he assured all of us, his job would not be to protect the President.

Thirty years ago, I voted for Mr. Barr to serve as Attorney General to then-President George H. W. Bush. I had my disagreements with him at that time—in fact, several. But I voted for him.

When I heard in late 2018 that President Trump intended to nominate him for a second tenure as Attorney General, frankly, I was hopeful. After the short, yet disastrous, tenure of a totally unqualified Acting Attorney General who eagerly bent to the will of President Trump, I was hopeful that Mr. Barr would restore some independence to the office.

But after careful consideration and listening to his testimony at his nomination hearing, I voted no on his confirmation.

Mr. Barr has long-held, expansive views of Executive power. And prior to his nomination—he shared those views with the President in a bizarre, 19-page memorandum, making the case that a President can obstruct a criminal investigation with near impunity. It was clear to me that Mr. Barr's views would be weaponized by President Trump—a man who derides any limits on his authority. The President, I said at that time, needs a much tighter leash.

By any measure, the last 2 years have been worse than I feared. Time and again, Attorney General Barr has acted in the best interests of Donald Trump, not in the best interests of the country. He has intervened and he has overruled career prosecutors only in cases to benefit the President and his friends. He has departed from Department norms. He has misrepresented the Department's work. He has eroded public trust in the Department as a result. I will speak to just a handful of examples.

In late 2019, a jury, with overwhelming evidence, convicted former Trump campaign adviser Roger Stone for obstructing a bipartisan congressional investigation and lying under oath and witness tampering. The evidence was overwhelming. The jury convicted him. So, consistent with sentencing guidelines that apply to everybody, prosecutors recommended a 7- to 9-year sentence.

President Trump immediately took to Twitter to criticize the prosecution, and just hours later—after he had tweeted his objections—Attorney General Barr intervened. He overruled the prosecutors. He disregarded the sentencing guidelines that are supposed to apply to anybody.

What happened next reminded me of something Judge Michael Mukasey said when he testified in support of Mr. Barr at his confirmation hearing. Judge Mukasey said if Mr. Barr ever failed to serve with independence, he would "find a mound of resignations on his desk." Well, in this instance, all four career prosecutors withdrew from the case. In fact, two resigned from the Justice Department altogether. And at sentencing, Judge Amy Berman Jackson took the rare step of defending both the career prosecutors and their sentencing recommendation. She stated that it was "true to the record" and "in accordance with law and [Department of Justice] policy."

Attorney General Barr's intervention left me with just one question: Could anyone, other than the President's close friend—a man who, according to Judge Jackson, broke the law and "was prosecuted for covering up for the President"—receive such leniency from the Attorney General? I think the answer is pretty obvious. If you are a

friend of the President, the Attorney General is going to try to cover for you.

Then there is former National Security Advisor Michael Flynn. The Attorney General's intervention in the Flynn case went a step further. Despite the fact that Flynn had twice pled guilty—pled guilty—to lying to the FBI, Mr. Barr's Justice Department moved to dismiss the case altogether, prompting the lead prosecutors to withdraw.

The sentencing judge, Emmet Sullivan, ordered a review of the motion to drop the charges. He appointed a former Federal judge, John Gleeson, to serve as an amicus curiae. Well, Judge Gleeson didn't mince words. He advised the court that Mr. Barr's grounds for seeking dismissal were "conclusively disproven" and amounted to an "unconvincing effort to disguise as legitimate a decision to dismiss that is based solely on the fact that Flynn is a political ally of President Trump." Not long afterward, President Trump fully pardoned Mr. Flynn from his conviction of the crime of lying.

Now, many of Attorney General Barr's departures from Department norms originated with his now-infamous handling of the special counsel's report on Russian interference. The Mueller report amounted to a 448-page presentment of misconduct that reached the highest levels of the Trump campaign and administration. But the Attorney General's summary of the report—in fact, the only information he allowed the public to seek for weeks—left Americans with the opposite impression: The report effectively exonerated the President, even though it did not.

Special Counsel Mueller wrote to the Attorney General at the time, concerned that the Attorney General failed to capture his conclusion and created confusion that undermined public confidence in the investigation.

Indeed, that appears to have been the Attorney General's intent, and many others agreed. Federal Judge Reggie Walton wrote that the inconsistencies between his statements and the report "cause the Court to seriously question whether Attorney General Barr made a calculated attempt to influence public discourse about the Mueller Report in favor of President Trump despite certain findings in the redacted version of the Mueller Report to the contrary." This remarkable statement from a sitting Federal judge about a sitting Attorney General is about as damning as it gets.

Soon after, the Attorney General began falsely claiming that the investigation was started "without any basis" and was politically motivated. That is despite the fact that an exhaustive inspector general's report refuted both of his claims.

The Attorney General was not content with simply mischaracterizing the Russia investigation. He launched counterinvestigations into the Justice

Department's own investigators. He personally traveled to Italy in a desperate attempt to dig up exculpatory evidence. Ignoring Department policies, he regularly commented on the ongoing investigation led by U.S. Attorney John Durham. And documents from the Durham investigation were even shared with the White House, according to the President's Chief of Staff. Then Durham's top aide abruptly resigned, reportedly due to pressure to release their findings before the election. In other words, they just broke all procedures because they wanted to help Donald Trump.

On top of that, the Attorney General did all this while he was ignoring a subpoena from the House of Representatives to obtain an unredacted copy of the Mueller report.

In fact, Attorney General Barr has evaded transparency. He has impeded once-standard congressional oversight, no matter the topic. He refused to testify before the House. He was held in contempt for refusing to respond to House subpoenas related to the administration's pretextual justification for adding a citizenship question to the census. He supported efforts to cover up President Trump's Ukraine scandal, for which the President was impeached. He supported the unprecedented purging of multiple independent inspectors general, and he rebuffed congressional oversight at every turn.

Now, this may not bother some of my friends on the other side of the aisle now, but the political winds have already shifted, and it harms all of us when congressional prerogatives are so blatantly disregarded.

While Attorney General Barr has defended President Trump at seemingly every turn, he went a step further in September by attempting to literally defend the President's personal interests. The Attorney General moved to intervene and dismiss a civil defamation case that alleged that President Trump lied about a decades-old sexual assault. A Federal court flatly rejected the attempt.

Attorney General Barr's interventions on behalf of the President extended beyond legal issues to PR issues as well. At the height of a national reckoning on issues of racial injustice, the White House stated it was the Attorney General who ordered the clearing of peaceful protesters in Lafayette Square. Barr denied he gave the order, but he did not deny that he encouraged it. Peaceful protesters were cleared with rubber bullets and tear gas so that the President could stage a photo op in front of St. John's Church. It was a grotesque display of unnecessary force.

Most recently, the Attorney General's obedience to the President resulted in him falsely claiming that mail-in ballots, which have been used since the Civil War and relied upon by millions of Americans during this pandemic, "opened the floodgates" to widespread fraud.

Voting experts described his claims as farcical. In echoing the President's

conspiracy theories, the Attorney General revealed how little he knew about basic election laws and the safeguards in place. His apparent intent was not to inform the public but to sow doubt among the public in the integrity of their vote.

Attorney General Barr then rewrote the Department's policy on election-related investigations, prompting the head of the Department's election crimes branch to resign his post in protest.

For each of these actions, Attorney General Barr was publicly badgered by President Trump to act—publicly badgered by President Trump to act. Now, it may be that Attorney General Barr believes he withstood the pressure. There may be some lines he declined to cross, such as fabricating evidence of widespread voter fraud, but we can never excuse all the lines he did cross.

Critically, when a President pressures an Attorney General to serve their personal interests, it is all the more incumbent on the Nation's top law enforcement officer to avoid any appearance of impropriety and refuse the request—not to meet him halfway.

Now, it brings me no joy to say this. I have known Attorney General Barr for a long time, but he has failed in his duty to impartially and equally uphold the rule of law. The Attorney General represents the United States and all of its 330 million Americans. Too often, the Attorney General felt he was going to only represent the interests of just one person.

By serving as a yes-man when the law and the country and the Department needed him to say no, Attorney General Barr has damaged the hallowed office that he has temporarily occupied.

Now the hard work to repair the damage has to begin. In November, the country voted, the American people voted, to take the country in a different direction.

I served alongside President-Elect Biden for decades in the Senate and on the Judiciary Committee. He understands the unique role of the Justice Department. I am convinced that President-Elect Biden would never rely on the Justice Department to do his personal bidding the way President Trump has. No matter whom the President-elect chooses as the next Attorney General, I have no doubt that he or she will operate with the utmost integrity, guided by the law and the facts.

So as we begin to close the book on this dark chapter in our Nation's history, with a pandemic that has left more than 310,000 Americans dead, with the outgoing President's relentless attacks on the foundations of our democracy, I am hopeful that brighter days are ahead. I am confident we will again have government leaders focused on following the evidence and adhering to the rule of law, pursuing equal justice, and acting in the best interests of the Nation—all of us, not just of one person.

The thousands of hard-working, dedicated men and women of the Justice Department deserve at least this much, as do all Americans. Indeed, the founding principles and traditions of the 230-year-old Office of the Attorney General demand nothing less.

If there is nobody else seeking the floor right at the moment, let me just mention a personal observation. As a young law student at Georgetown, I was invited, along with three or four other law students from different leading law schools, to meet with the then-Attorney General. We were probably diverse in our opinions, but we were asked to be there because of our academic standing in our classes.

I remember sitting there with the Attorney General like it was yesterday. He talked about the meaning of the Department of Justice and how we have to represent the whole country, how it has to stand for the law.

One of us—and it may have been the young law student from Vermont—asked the question: What if you had somebody who had broken the law but they were close to the President? What would you do?

He said: If they had broken the law, we would prosecute them. He said: I might not be welcome at family gatherings for a while thereafter. He said that because that Attorney General was Robert Kennedy. His brother was the President. And actually that happened—a man very close and important to his brother's election as President. The matter was brought to Attorney General Kennedy, recommending his prosecution, and of course he was prosecuted. That is what an Attorney General should be.

I declined his offer to join the Department of Justice because my wife, myself, and I wanted to go back home to Vermont, and I thought probably I would never be involved with law enforcement after that.

A few years later, I was with the State's attorney of a county that had about a quarter of our population, and I was quickly faced with prosecuting leading Democrats and leading Republicans in our State.

I remembered what Attorney General Kennedy said. A prosecutor has to represent everybody. A prosecutor has to uphold the law. And I prosecuted those people. I have never regretted that.

I have always been supportive of Attorneys General who uphold the law—uphold the law because they are there to represent all Americans.

As long as I am in the Senate, I will always speak out when an Attorney General does not do the job they are supposed to do and when the Attorney General does not apply the law equally and fairly to all people—applying the law, not politics.

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

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

PENSIONS

Mr. BROWN. Madam President, another Congress is ending, a President's term is coming to a close, and, yet again, this Senate, the President, Washington have failed to address the pension crisis facing far too many workers.

The American people are tired of waiting for us to do our jobs, and they are tired of being told by Leader McConnell and President Trump: You are on your own.

The House has twice passed legislation that would address the multiemployer pension crisis, but under Leader McConnell the Senate has failed these Americans. As for the White House, I don't even think President Trump knows, much less cares, about the multiemployer pension crisis.

We ought to be working to support all the workers and retirees around the country whose lives have been upended during this pandemic, and that should include more than a million Americans in multiemployer pension system. After a lifetime of hard work and service to our country, they have already waited too long for Congress to do its job and to protect the benefits that these workers earned through a lifetime of work.

We have been trying to solve this crisis for years. The House has done its part. They passed the solution multiple times now. MITCH McCONNELL, the leader of the Senate, is deliberately blocking it, and his party and his Members and the President support him in blocking it.

Senate Republicans said this week that after a year of negotiating and talking to stakeholders, they made substantial progress toward a common ground, but then they released legislation that walked back all the progress that we had made. It is a betrayal of the people whom we serve.

This pension crisis affects retirees across the country of all political parties. Unions, chambers of commerce, and small businesses pretty much all agree that we need to get this done. Unfortunately, MITCH McCONNELL doesn't.

There is no excuse for Senate Republicans standing in the way of a deal. This only gets more expensive the longer we wait. The longer we wait, the harder it will be to solve this. We waited year after year after year while Senator McConnell has simply twiddled his thumbs.

The public health crisis and the economic crisis we are facing right now are not happening in a vacuum. The damage caused by the pandemic and the President's failures is layered on top of all the existing problems in our country, including the crisis facing these workers and retirees who are in danger of losing the retirement secu-

rity that they earned. I always emphasize "that they earned."

These pension plans were already in danger. Now the economic emergency we are in has put them in a worse position. We are talking about retirees who did everything right. They spent years working on assembly lines, bagging groceries, driving trucks, working construction—working hard to keep our economy going. Money came out of every single one of their paychecks to earn these pensions.

People in this town don't understand the collective bargaining process. People give up dollars today at the bargaining table for the promise of a secure retirement with good healthcare and a pension. Think about that. These workers are sitting around a table with their representatives, bargaining, collectively bargaining with management, saying: OK, we will take a smaller salary. We will take a smaller hourly wage today so that money will go into pensions and healthcare.

Yet because this Senate won't act, because Senator McConnell never calls us together to do this—to take care of workers—these workers are losing parts of their pension.

This crisis in my State affects thousands of people. It affects the massive Central States Pension Plan, the Bricklayers Local 7, the Iron Workers Local 17, the Ohio Southwest Carpenters Pension Plan, the Bakers and Confectioners Pension Plan, and on and on and on and on.

It touches every single State from Mississippi to Ohio, from Massachusetts to California—every State in this country. We are talking about our entire multiemployer pension system. If it collapses, it won't just be retirees who will feel the pain. Current workers will be stuck paying into pensions they will never receive.

Small businesses will be left drowning in pension liabilities they can't afford to pay—small businesses that have been in the family for generations. And there are a number of them in Ohio, businesses that people in this body will have heard of that make products they use. Small businesses and family businesses could face bankruptcy. Workers will lose jobs as businesses are forced to close up shop.

The effects will ripple across the entire country at a time when we can least afford it. We knew before the pandemic that this system could collapse. It is more likely to fail now. That is why the Senate must act.

We know who will get hurt the most if the system collapses. It is not Wall Street. It is never Wall Street when it comes to Senator McConnell. It is never Wall Street that gets hurt. It is small businesses. It is their employees. It is the people who make this country work. Their lives, their livelihoods will be devastated if Congress fails again.

Workers and retirees in Ohio and around the country have rallied in the name of Butch Lewis, a great Ohioan who helped lead this fight, who passed

away far too soon fighting for his fellow workers. His widow, Rita, has become my friend. She has continued this fight. She has become a leader and an inspiration to so many of us.

I brought her to the State of the Union twice. She has made the trip here over and over, along with so many workers and retirees. They travel all day and night on buses. They have rallied in the bitter cold of the winter and in hot DC summers. Their government, their majority leader, their President refuse to listen and turn their backs.

Rita once told me that retirees and workers struggling with this crisis feel like they are invisible. They feel like they are invisible. To far too many people in Washington, they are invisible. They are not invisible to me. They are not invisible to Speaker PELOSI or Leader SCHUMER or Senator SMITH or Senator PETERS or Chairman NEAL or Chairman SCOTT—all of whom have joined with me on fighting for this—and to so many colleagues who worked for years now trying to find a bipartisan solution. We won't give up until these retirees' benefits are protected.

It comes back to the dignity of work. When work has dignity, we honor the security—the retirement security—that people earned—again, sitting down at the bargaining table. Workers give up wages today to put money aside, matched by employers, generally, for the future, for this retirement.

They made the right decision back then, but we are not making the right decision right now as their pensions are in trouble. I urge my colleagues in this body—colleagues with healthcare and retirement plans paid for by taxpayers, all of us who are in this body—to think about these retired workers and the stress they are facing.

Join us. Let's pass a solution that honors their work. Let's honor their work. Let's honor the dignity of work. Let's keep our promise to them.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

CORONAVIRUS

Mrs. BLACKBURN. Madam President, isn't it interesting? Here we are, Christmas week, the weekend before Christmas, and we are talking about needing targeted relief. Now, the Democrats have spent their year pushing off targeted relief. They have had their opportunities to tackle this issue. They have chosen not to tackle this issue. They have chosen to play politics with this issue. So, on the Saturday before Christmas, when we should be home and visiting with our families—I would love to be home with my children and grandchildren—here we are.

I honestly have decided that my friends across the aisle must not be paying very much attention to what is going on back home because the people back home in Tennessee are very frustrated with them. They seem out of touch. They seem to not care. They don't seem to be interested in taking care of people with needs who have been adversely impacted by COVID. They seem to be more interested in taking care of themselves.

This year really did not have to end this way. As I said, our friends across the aisle could have addressed this back in the summer. In July, the minority leader and his colleagues in the House immediately rejected our HEALS Act proposal in favor of Speaker PELOSI's mega-trillion-dollar—\$3 trillion—wish list that they had dubbed the "Heroes Act." You know, they always give such nice sounding names to things. Who could be against this? Yet they rejected the HEALS Act proposal that was targeted-specific relief and went with the Heroes Act.

It was a very partisan bill. It contained provisions that had nothing to do with COVID relief and that the House and Senate Democrats knew were going to be stumbling blocks. Their bill was filled with things—nothing to do with taking care of people, but, oh, they had it filled with poison pills. Why? They wanted to make certain that relief didn't come. They wanted to make certain that they could run this out and get it past the election. Then we found out from Speaker PELOSI herself and from some of the other Democrats who are in leadership why they did this. Oh, politics. It helped them with the election, they thought. They used people as pawns.

That Heroes Act that they continue to like to talk about would have undermined State voter ID requirements and given the green light to some ballot harvesting schemes. Isn't it interesting? What are we talking about? What are Tennesseans talking about so much? Yes, you got it—ballots, elections, some of the harvesting, some of the tricks. Those items they had in the Heroes Act didn't have anything to do with targeted relief, but do you know what? They were willing to play these games and to withhold that relief. Why? They thought it would help them in winning an election.

That was all back in July. Then comes September 10. The Democrats again block the forward motion on another targeted bill, throwing a procedural hurdle in between the American people and desperately needed relief. They got by with it in July, so September rolls along, and it is about time for people to start getting ballots and mailing in ballots. What do they do? They decide to mess with it again—to play politics, to use people as pawns.

They lower the bar even further on October 21, throwing away \$500 billion in targeted relief. They all vote no in an attempt to tear our focus away from

another round of funding for small businesses, support for schools, and more money for COVID-19 testing.

Think about this. Time and again, they say: Oh, we have to have more PPP. We have to have more unemployment insurance. We have to have more money for vaccines. We have to have more money for testing. We have to have more money for getting schools open. But they vote no. They have turned their backs on the American people repeatedly. They did it in July. They did it in September. They did it in October. They have turned their backs.

Think about what a plus-up of unemployment insurance would have done for a family had they decided to vote yes and worked with us in July. That would have been a lot of money if they had had that plus-up every single week through August, September, October, November, and December.

I mentioned the October 21 vote. One day earlier, on October 20, the Democrats had blocked Senate action to extend the PPP. That was for all of our small businesses—and yes, indeed, they are hurting. We are hearing from them on the phone and through email. They are begging for relief. The minority leader threw another possibility of compromise out the window by again insisting that the Democrats would accept the full Heroes Act or nothing. Isn't that amazing? That is what small businesses have gotten, is nothing, because my colleagues across the aisle have basically said: Give us everything we want, or we will just vote no. We will just leave people suffering.

It is not the Republicans who have voted no. The Republicans have consistently tried to help people, and my friends across the aisle are consistently trying to help themselves and use people as pawns.

At the beginning of this month, the minority leader took to the floor again. He rejected targeted relief again, and he demanded that the Republicans come to the table. Well, we have been at the table. They are the ones who reject proposal after proposal and don't want to move forward on things on which there is agreement. They want to hold out. They have not been paying attention to what is going on outside the four walls of this Chamber. They continue to say: We have to have money to bail out cities and States. They call it aid to cities and States, but they are bailouts for these big blue cities and States that were having problems long before lockdowns came along and that have really made an uncomfortable spot for themselves because of having irresponsible spending policies.

I know that Tennesseans do not want to see their tax dollars going to bail out people who have chosen to waste their taxpayers' dollars, and I can't help but wonder how much longer the Democrats are going to allow industries and small businesses and individuals to twist in the wind because they

feel like this is a great time to push their socialist agenda and get us on that fast track. Oh, that is what they would like to do.

We had a hearing this week in the Commerce Committee and had some of the venues and the live entertainment industry come before us—the people who tend to the stages when the curtains go up, the people who are working backstage. We heard from Michael Strickland, out of Knoxville, whose company, Bandit Lites, helps these shows look great. You have millions of people who are in these support industries. We heard from the motor coach industry. We heard from some of these smaller venues. They are totally shut down. They were totally shut down when the country went into lockdown. They were the first to be totally closed, and they are going to be the last to reopen. These are people, joined by small business retailers and restaurants, who can't open their doors, and they are small business manufacturers who have to wait for the supply chain to kick back up so that they can reopen their production lines.

And they are saying: We need the help. They are asking us: Who is blocking it? Who is holding out? And we tell them repeatedly they could have had relief in July or they could have had it back in September or a couple of times in October or November or earlier in December. And it is not Republicans who have blocked that relief.

Time and again, the Democrats have blocked Republican proposals to send funding where it is needed most. They have rejected every single lifeline that we have tried to throw.

I think it has become clear that the Democrats in Washington, DC, never really saw getting assistance to the unemployed, getting help to small businesses as a priority. Instead, they looked at this, they saw a crisis, they said: Well, this is an opportunity. Let's not let this crisis go to waste.

They have used it so that they can push their message, their agenda: Do what the Federal Government says or we will let you drown.

So they know that their bills weren't meant to act as help. Maybe they were meant to be a push for their leftist agenda. They know that the emergency financial provisions of the CARES Act were never meant to replace private markets or be used as a mechanism to bail out State and local governments. But you know what? They are going to push to try to make it so to further a leftist agenda. Crisis management is no substitute for fiscal policy.

So I would say to our friends on the left, these tactics have failed. It is time to stop using the American people as pawns. Read your mail; listen to the phones. People want targeted relief that will help them to get to recovery.

I yield the floor.

The PRESIDING OFFICER (Mr. YOUNG). The Senator from Pennsylvania.

Mr. TOOMEY. Mr. President, I want to address the ongoing debate over the

content of a relief bill that I think we have made a lot of progress on and I am hopeful that we can get finished.

Many of our colleagues have been down here and have reminded all of us, quite rightly, of the terrible difficulties that many Americans are facing.

We are not in a full-blown financial crisis anymore, but we are experiencing a lot of economic hardship that tends to be concentrated in certain sectors and industries, and we have a full-blown healthcare crisis. So it is a very, very serious moment, and it demands a response.

I am hoping we can get that done as soon as possible, and I want to discuss one of the terms that I have advocated for in this legislation. The terms I have advocated for have been mischaracterized, including by the Senate minority leader and others, and so I want to set the record straight on what this is all about and why I think this is so important.

And to that, I think it is worth remembering what brought us to this point. Back in March, when the coronavirus was first ripping across America and wreaking so much havoc, the response, in many, many places, was a complete economic shutdown—a complete prohibition against doing business, against going to work, against earning a livelihood.

And I understand why that was done—that we were in a healthcare crisis, and that was the response that was believed to be most likely to prevent an overwhelming of our healthcare capabilities. That would have been absolutely horrific, and so we had this economic disaster.

And what we discovered in March was this shutdown brought us to the brink of a financial crisis as well.

If you think about the financial markets where people are providing capital to businesses and municipalities and individuals, they only do that if there is some confidence that they know, at least generally speaking, what the future looks like. We had never seen anything like the government shutting down our economy before.

And so not really shockingly, the financial markets were on the verge of completely freezing up, shutting down, and preventing even the most basic functioning of our economy. I mean, we might well have gotten to the point where a business couldn't go to its bank and borrow the money it needs to make payroll on Friday or they couldn't issue the bond that they need to do to pay off another bond that is coming due, and so that would put them in default and force them into bankruptcy and require them to lay everyone off.

I mean, the knock-on effects would have been devastating had our financial system completely frozen up, and it was on the verge, some would say it was actually in the process, of freezing up.

And so that is why the Treasury Secretary and the Federal Reserve Board

Governor came to Congress and said: Look, we need some extraordinary, unprecedented new facilities that we can stand up very, very quickly, and we can use them to be a backstop, to restore confidence, and to enable private credit to start flowing again so that this economic recession that we are certainly going to go through—back in March it was clear that was going to happen, but it was not clear that we had to suffer through a financial crisis that would create a depression. That was something we thought maybe we can avoid.

So these facilities were set up, as I say, to restore the normal functioning of private lending and private capital markets—not to replace those markets, not to pick winners and losers and decide, well, who gets credit and who doesn't depending on whether we like their business, not to subsidize, not to say: Well, look, you know, let's just give cut-rate loans to the people we like to give them to. None of that was the intention. None of that was the purpose.

The purpose was to ensure that creditworthy borrowers could access credit through the normal channels. That was it. That was the purpose of what has been widely described as the 13(3) lending facilities. There were several of these facilities. That was the intention for these facilities.

And guess what. They worked. They worked amazingly well, remarkably well. Within days, certainly weeks, markets were again functioning, credit was flowing, and as a matter of fact, within a matter of months, credit was flowing at an alltime record pace; corporate bond issuance hit an alltime record high. Across the credit quality spectrum, municipal bond issues were at an alltime record high. Borrowers, businesses that wanted to keep their workers and continue to survive until we got past this COVID crisis—they were able to draw down lines of credit from their banks. It worked.

The creation of these facilities gave the confidence to our financial markets that restored the normal functioning of those markets. It was really quite extraordinary.

Now, that doesn't mean that the economy got perfect after that. Certainly not. The economy is not perfect today. But it meant that a recovery would be possible. We would be able to function. We would be able to begin to pick up the pieces of a closed economy and, sure enough, we have made tremendous progress. More than half of all the people who lost their jobs are back at work. So that is not anywhere near where we need to end up, but we are on the right track, in part, because these facilities did exactly what they were designed to do.

Now, what does my language in this bill do? What my language does is it puts an end to these three programs that did their job—they functioned; they restored the private credit markets; and so they don't need to continue.

What are these three programs? There is a corporate bond credit facility, there is a Main Street Lending Program, and there is a municipal lending program. Actually, they were hardly used at all. So quickly did the normal private credit markets resume their normal functioning that very few borrowers took advantage.

In fact, I am pretty sure in the corporate credit facility that was set up under these 13(3) facilities, I don't think anything was done at all. In the Main Street lending, there was very little. In the municipal lending, there were two borrowers. That is it.

These are the programs that were funded by the CARES Act, were set up at the time of the CARES Act for this narrow, specific purpose, and now they have achieved their purpose.

By the way, there are lots of other programs that have been set up over time—some were set up recently—that my legislation doesn't touch in any way, shape, form, or fashion. The Commercial Paper Funding Facility—unaffected. The money market fund liquidity provision—unaffected. The Paycheck Protection Program, primary dealer liquidity facility—untouched. All of them untouched, and, quite contrary to what some have suggested, this is no big rewrite of the Fed's 13(3) lending facilities. It couldn't be further from that.

What it is is an acknowledgment that the three programs we created in March—and which, by the way, we put an expiration on them in March. We said they end on December 31.

But now we have folks on the other side of the aisle who have a novel interpretation of the statute, saying: Well, they don't really have to end or, if they do end, we could bring them back to life.

We shouldn't even be having this conversation, but we are because we have got this interpretation that we have to deal with.

What my language simply does is it follows the statute and calls for the end of this.

How do we do this? There are three steps. One is we rescind the money that never got used because, as I said, the markets responded so quickly we never even needed to use this money. And I think our Democratic colleagues agree on this provision.

The language that I am trying to get in this package reiterates that these CARES facilities end on December 31, as Congress intended. You know, I was in the room when we were writing this bill, and nobody thought that any of these programs were going to last beyond the end of the year.

But, as I say, because of this novel legal interpretation, we need to reiterate, in an unambiguous way, that they end on December 31, as Congress intended.

And, finally, we ensure that they can't simply be restarted next year or sometime thereafter or duplicated without congressional consent.

Now, we have folks on the other side of the aisle who are raising all kinds of objections. They are very upset about this. And it is fair to ask: Why? Why would that be?

Well, it certainly isn't because the credit markets are back in turmoil, and they think we need to restore the flow of private credit. That would be ridiculous. The credit markets are functioning as well or better than they ever have. It is not even a close call. So it is not that.

No, what it is is something very different, and that is the problem that some of my colleagues want to morph these facilities into a use that was never intended for them. They want to convert them away from these temporary emergency liquidity facilities designed to stabilize markets and restore the flow of credit—to convert it away from that—and instead to use them to implement fiscal policy and maybe social policy and certainly to allocate credit based on their political preferences.

What is one of the ways that our Democratic colleagues would like to do that? No. 1, they want to bail out irresponsible States. Now look, I get that there are some States across the Union that have suffered financially because of COVID. There are other States that haven't been harmed at all; in fact, they have more revenue coming in this year than they had last year. It varies, and there is definitely a category of States and municipalities that have suffered a loss of revenue. We can and should have an ongoing debate in this body about what to do about that, if anything, but that is our responsibility.

If we are going to send money to States and municipalities, we should have a bill, appropriate the funds, and have a vote in Congress so that the American people can hold us accountable. That is what happens. We get held accountable.

When an action like that is done through legislation, it is out in the open. It is transparent. It happens in the light of day, and the American people know who to hold accountable.

That is not what our Democratic colleagues want to do. They want to force the Fed to do this for them.

How do we know that? Because they passed a bill called the Heroes Act, H.R. 6800, that instructs the Federal Reserve to use the municipal facility for exactly this purpose—superlong-term, ultralow-cost loans to municipalities, up to 10 years, at one-quarter of 1 percent interest rates. States wouldn't even have to attest that they couldn't secure ordinary credit; they could just show up and get it. So the Fed wouldn't be playing its traditional role as the lender of last resort in a national crisis; it would be the lender of first resort to their preferred constituency.

There is the Main Street lending facility. If they can replicate that, who knows what kinds of conditions they

would impose on low-interest loans there, whether it is climate or other policies that ought to be debated on this floor and ought to be determined through an accountable process.

So, as I say, none of this is speculative. Our Democratic colleagues have talked about this. They passed a bill that actually does this.

It is ironic that when we were developing the response to the crisis of March, earlier this year, some of our colleagues described this \$500 billion fund that was intended to capitalize these vehicles that would lend and restore liquidity. They called it a "slush fund." In one of many examples, Senator WARREN, on March 30, 2020, said the CARES Act created "a half trillion dollar slush fund that the Trump administration could use to help its political friends and punish its political enemies, and I think that's a bad thing."

Well, now there is a new administration, and now they want to keep the slush fund.

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

The PRESIDING OFFICER. Without objection.

Mr. TOOMEY. So this is a very bad idea for many reasons, not the least of which is to put the Fed in this position of being pressured to make these give-away transactions based on political pressure that would completely politicize the Fed. It would be the end of independence of the Fed. That is why this has never been the role of our central bank, the Fed. We have never asked the Fed to engage in fiscal policy or promote social policy or to allocate credit based on political standing. That is guaranteed to politicize the Fed and undermine Fed independence.

Fiscal and social policy is the rightful realm of the people who are accountable to the American people, and that is us; that is Congress.

I want to address another accusation that is completely false and totally unjustified, and that is that somehow this is an effort to hamstring the Biden administration and prevent them from doing what they want to do.

Let me assure the Presiding Officer and my colleagues, my efforts to ensure that this would be a temporary facility began when we began discussing the facility. It was in March that I was arguing—actually, I argued that we should have this end as soon as the financial markets had restored their normal functioning and no later than September 30. I didn't win the argument. We ended up settling on December 31. But that is when I started pushing to have a finite period of time and a short period of time. There was nobody in the room who thought that this was supposed to go on indefinitely. Once we started working on another COVID-related bill, starting in the summertime, and I became aware of this alternative interpretation of the language, we put it in our bill, and we voted on that in September. So this

language or the substantively similar language has been public for many, many months now.

I also want to stress that we are not making permanent changes to laws and Congress can always act again. The CARES Act already made these facilities temporary. They were supposed to end at the end of the year, and, of course, no change in law is ever permanent. Any future Congress can change it.

Back in March, when this crisis hit, the Fed and Treasury knew that they needed to come to Congress for the tools to solve it. They came to Congress, and we turned around in an extraordinarily rapid fashion these massive new facilities that had never been imagined before. We responded quickly. And if there is some kind of future event that calls for a future set of facilities of this particular sort, they can come back to Congress.

There are three facilities—three facilities that were launched in conjunction with the CARES Act, funded by the CARES Act, and I am saying that they have achieved their purpose. They should come to an end. They should not be restarted, and a replica should not be created. That is all.

Some have suggested that the Chairman of the Federal Reserve has some opinion on this. I would challenge anyone to find a statement in the public record that he has made in criticism of this. He is very well aware of what is going on.

The last point I want to make: Some on the other side have suggested that our language may be too broad, and maybe it captures potential facilities that shouldn't be captured. If that is the sincere concern of my colleagues on the other side, I urge them to give me a call. It is very easy to track me down. If you have an objection to the way we have worded this and you want language that is narrower, I am all ears. We can work this out.

With that, I yield the floor.

VOTE ON THE DIETZ NOMINATION

The PRESIDING OFFICER. All postcloture time has expired.

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

Ms. MURKOWSKI. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Missouri (Mr. BLUNT), the Senator from North Carolina (Mr. BURR), the Senator from Texas (Mr. CRUZ), the Senator from Wyoming (Mr. ENZI), the Senator from Iowa (Ms. ERNST), the Senator from Nebraska (Mrs. FISCHER), the Senator from Georgia (Mrs. LOEFFLER), the Senator from Kentucky (Mr. PAUL), the Senator from Georgia (Mr.

PERDUE), the Senator from Ohio (Mr. PORTMAN), the Senator from Idaho (Mr. RISCH), and the Senator from South Dakota (Mr. ROUNDS).

Mr. DURBIN. I announce that the Senator from California (Ms. HARRIS) is necessarily absent.

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

The result was announced—yeas 51, nays 36, as follows:

[Rollcall Vote No. 276 Ex.]

YEAS—51

Alexander	Grassley	Roberts
Barrasso	Hassan	Romney
Blackburn	Hawley	Rosen
Booker	Hoeben	Rubio
Boozman	Hyde-Smith	Sasse
Braun	Inhofe	Scott (FL)
Capito	Johnson	Scott (SC)
Carper	Kelly	Shelby
Cassidy	Kennedy	Sinema
Collins	King	Sullivan
Cornyn	Lankford	Thune
Cotton	Lee	Tillis
Cramer	Manchin	Toomey
Crapo	McConnell	Warner
Daines	Menendez	Whitehouse
Gardner	Moran	Wicker
Graham	Murkowski	Young

NAYS—36

Baldwin	Gillibrand	Reed
Bennet	Heinrich	Sanders
Blumenthal	Hirono	Schatz
Brown	Jones	Schumer
Cantwell	Kaine	Shaheen
Cardin	Klobuchar	Smith
Casey	Leahy	Stabenow
Coons	Markey	Tester
Cortez Masto	Merkley	Udall
Duckworth	Murphy	Van Hollen
Durbin	Murray	Warren
Feinstein	Peters	Wyden

NOT VOTING—13

Blunt	Fischer	Portman
Burr	Harris	Risch
Cruz	Loeffler	Rounds
Enzi	Paul	
Ernst	Perdue	

The nomination was confirmed.

The PRESIDING OFFICER. The Senator from Washington.

Ms. CANTWELL. Mr. President, I ask unanimous consent to speak for 1 minute on the next vote and the nomination to be FCC IG.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

NOMINATION OF JOHN CHASE JOHNSON

Ms. CANTWELL. Mr. President, the FCC is one of the most important independent agencies that we are counting on for the future of the information age. When you think about the fact that they regulate interstate commerce, radio, television, wire, and satellite in all 50 States, it is imperative—imperative—that we have someone as the IG who understands these policies.

I believe the next era of telecom is going to usher in 5G. I do think we are going to solve our rural IT problems. I do think we are going to connect schools. But if we have an IG who does not understand communication policy, has no experience in communication policy, has never had a role in that, I say we won't accomplish the mission of oversight or the mission, ultimately, at the FCC.

It is clear we don't all agree. It is clear we don't all agree. You got a

nominee last week; I didn't spend all my time talking about why we opposed them. There was no debate.

But when it comes to an IG, we have to get on the same page. We need an IG we can believe in. So I ask my colleagues to turn down this nomination and get us someone who has a depth of experience we all can believe in.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. WICKER. Mr. President, I ask unanimous consent to speak on this nomination for 1 minute.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. WICKER. Mr. President, Chase Johnson is the nominee here. This is a cloture vote. He is a marine. He is a Marine Reserve veteran. He is an accomplished attorney. He was reported from the Commerce Committee on a unanimous, bipartisan vote. The distinguished ranking member who just spoke made the motion that Chase Johnson be reported.

We are the victim this afternoon of some absences. We are also the victim this afternoon of some discussion and some differences that have arisen over extraneous issues, and I would just urge my colleagues, both on and off the committee, to remember that this was a unanimous vote out of the committee.

This is an outstanding candidate, and he deserves to be confirmed. With that, I ask for a yes vote.

And, Mr. President, I ask unanimous consent that the mandatory quorum call be waived.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

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 Chase Johnson, of Oklahoma, to be Inspector General, Federal Communications Commission. (New Position)

Mitch McConnell, Lamar Alexander, Rick Scott, Tom Cotton, Mike Crapo, Cory Gardner, Ron Johnson, James Lankford, Roger F. Wicker, Marco Rubio, Cindy Hyde-Smith, Thom Tillis, Shelley Moore Capito, John Boozman, Joni Ernst, Mike Braun, Pat Roberts.

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 Chase Johnson, of Oklahoma, to be Inspector General, Federal Communications Commission (New Position), 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 Missouri (Mr. BLUNT), the Senator from North Carolina (Mr. BURR), the Senator from Texas (Mr. CRUZ), the Senator from Wyoming (Mr. ENZI), the Senator from Iowa (Ms. ERNST), the Senator from Nebraska (Mrs. FISCHER), the Senator from Georgia (Mrs. LOEFFLER), the Senator from Kentucky (Mr. PAUL), the Senator from Georgia (Mr. PERDUE), the Senator from Ohio (Mr. PORTMAN), the Senator from Idaho (Mr. RISCH), and the Senator from South Dakota (Mr. ROUNDS).

Mr. DURBIN. I announce that the Senator from California (Ms. HARRIS), is necessarily absent.

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

The yeas and nays resulted—yeas 39, nays 48, as follows:

[Rollcall Vote No. 277 Ex.]

YEAS—39

Alexander	Gardner	Roberts
Barrasso	Graham	Romney
Blackburn	Grassley	Rubio
Boozman	Hawley	Sasse
Braun	Hoeven	Scott (FL)
Capito	Hyde-Smith	Scott (SC)
Cassidy	Inhofe	Shelby
Collins	Johnson	Sullivan
Cornyn	Kennedy	Thune
Cotton	Lankford	Tillis
Cramer	Lee	Toomey
Crapo	Moran	Wicker
Daines	Murkowski	Young

NAYS—48

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

NOT VOTING—13

Blunt	Fischer	Portman
Burr	Harris	Risch
Cruz	Loeffler	Rounds
Enzi	Paul	
Ernst	Perdue	

The PRESIDING OFFICER. On this vote, the yeas are 39, the nays are 48.

The motion is rejected.

The majority leader.

MOTION TO RECONSIDER

Mr. McCONNELL. Mr. President, I enter a motion to reconsider the vote by which cloture was not invoked.

The PRESIDING OFFICER. The motion is entered.

The majority leader.

CLOTURE MOTION

Mr. McCONNELL. I ask unanimous consent that the mandatory quorum call be waived.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

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 Eric J. Soskin, of Virginia, to be Inspector General, Department of Transportation.

Mitch McConnell, Lamar Alexander, Rick Scott, Tom Cotton, Mike Crapo, Cory Gardner, Ron Johnson, James Lankford, Roger F. Wicker, Marco Rubio, Cindy Hyde-Smith, Thom Tillis, Shelley Moore Capito, John Boozman, Joni Ernst, Mike Braun, Pat Roberts.

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 Eric J. Soskin, of Virginia, to be Inspector General, Department of Transportation, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Missouri (Mr. BLUNT), the Senator from North Carolina (Mr. BURR), the Senator from Texas (Mr. CRUZ), the Senator from Wyoming (Mr. ENZI), the Senator from Iowa (Ms. ERNST), the Senator from Nebraska (Mrs. FISCHER), the Senator from Georgia (Mrs. LOEFFLER), the Senator from Kentucky (Mr. PAUL), the Senator from Georgia (Mr. PERDUE), the Senator from Ohio (Mr. PORTMAN), the Senator from Idaho (Mr. RISCH), and the Senator from South Dakota (Mr. ROUNDS).

Mr. DURBIN. I announce that the Senator from California (Ms. HARRIS) is necessarily absent.

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

The yeas and nays resulted—yeas 39, nays 48, as follows:

[Rollcall Vote No. 278 Ex.]

YEAS—39

Alexander	Gardner	Roberts
Barrasso	Graham	Romney
Blackburn	Grassley	Rubio
Boozman	Hawley	Sasse
Braun	Hoeven	Scott (FL)
Capito	Hyde-Smith	Scott (SC)
Cassidy	Inhofe	Shelby
Collins	Johnson	Sullivan
Cornyn	Kennedy	Thune
Cotton	Lankford	Tillis
Cramer	Lee	Toomey
Crapo	Moran	Wicker
Daines	Murkowski	Young

NAYS—48

Baldwin	Feinstein	McConnell
Bennet	Gillibrand	Menendez
Blumenthal	Hassan	Merkley
Booker	Heinrich	Murphy
Brown	Hirono	Murray
Cantwell	Jones	Peters
Cardin	Kaine	Reed
Carper	Kelly	Rosen
Casey	King	Sanders
Coons	Klobuchar	Schatz
Cortez Masto	Leahy	Schumer
Duckworth	Manchin	Shaheen
Durbin	Markey	Sinema

Smith
Stabenow
Tester

Udall
Van Hollen
Warner

Warren
Whitehouse
Wyden

NOT VOTING—13

Blunt	Fischer	Portman
Burr	Harris	Risch
Cruz	Loeffler	Rounds
Enzi	Paul	
Ernst	Perdue	

The PRESIDING OFFICER. On this vote, the yeas are 39, the nays are 48.

The motion is not agreed to.

The motion was rejected.

The PRESIDING OFFICER. The majority leader.

Mr. McCONNELL. I enter a motion to reconsider the vote.

The PRESIDING OFFICER. The motion is entered.

Mr. McCONNELL. I ask unanimous consent that the mandatory quorum call be waived.

The PRESIDING OFFICER. Without objection.

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 senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Beth Harwell, of Tennessee, to be a Member of the Board of Directors of the Tennessee Valley Authority for a term expiring May 18, 2024.

Mitch McConnell, Lamar Alexander, Rick Scott, Tom Cotton, Mike Crapo, Cory Gardner, Ron Johnson, James Lankford, Roger F. Wicker, Marco Rubio, Cindy Hyde-Smith, Thom Tillis, Shelley Moore Capito, John Boozman, Joni Ernst, Mike Braun, Pat Roberts.

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 Beth Harwell, of Tennessee, to be a Member of the Board of Directors of the Tennessee Valley Authority, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Missouri (Mr. BLUNT), the Senator from North Carolina (Mr. BURR), the Senator from Texas (Mr. CRUZ), the Senator from Wyoming (Mr. ENZI), the Senator from Iowa (Ms. ERNST), the Senator from Nebraska (Mrs. FISCHER), the Senator from Georgia (Mrs. LOEFFLER), the Senator from Kentucky (Mr. PAUL), the Senator from Georgia (Mr. PERDUE), the Senator from Ohio (Mr. PORTMAN), the Senator from Idaho (Mr. RISCH), and the Senator from South Dakota (Mr. ROUNDS).

Mr. DURBIN. I announce that the Senator from California (Ms. HARRIS)

and the Senator from Hawaii (Ms. HIRONO) are necessarily absent.

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

The yeas and nays resulted—yeas 61, nays 25, as follows:

[Rollcall Vote No. 279 Ex.]

YEAS—61

Alexander	Grassley	Reed
Barrasso	Hassan	Roberts
Bennet	Hawley	Romney
Blackburn	Hoehen	Rubio
Boozman	Hyde-Smith	Sasse
Braun	Inhofe	Schatz
Brown	Johnson	Scott (FL)
Capito	Jones	Scott (SC)
Carper	Kaine	Shelby
Cassidy	Kelly	Sinema
Collins	Kennedy	Sullivan
Coons	King	Tester
Cornyn	Lankford	Thune
Cotton	Leahy	Tillis
Cramer	Lee	Toomey
Crapo	Manchin	Warner
Daines	McConnell	Whitehouse
Durbin	Moran	Wicker
Feinstein	Murkowski	Young
Gardner	Murphy	
Graham	Peters	

NAYS—25

Baldwin	Heinrich	Shaheen
Blumenthal	Klobuchar	Smith
Booker	Markey	Stabenow
Cantwell	Menendez	Udall
Cardin	Merkley	Van Hollen
Casey	Murray	Warren
Cortez Masto	Rosen	Wyden
Duckworth	Sanders	
Gillibrand	Schumer	

NOT VOTING—14

Blunt	Fischer	Perdue
Burr	Harris	Portman
Cruz	Hirono	Risch
Enzi	Loeffler	Rounds
Ernst	Paul	

The PRESIDING OFFICER. On this vote, the yeas are 61, the nays are 25.

The motion is agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Beth Harwell, of Tennessee, to be a Member of the Board of Directors of the Tennessee Valley Authority for a term expiring May 18, 2024.

The PRESIDING OFFICER. The Senator from Oklahoma.

NATIONAL DEFENSE AUTHORIZATION ACT

Mr. INHOFE. Mr. President, I first went to meet with the then-Republican nominee for President of the United States, Donald Trump—that was October of 2016. I was really struck by his commitment.

It was kind of an interesting meeting. It was in the Trump Tower, and they had 10 people. Ten of us were meeting, each one in one particular area of expertise, supposedly. We had people there on energy. We had one on healthcare. I was there for the military. And I was very honored to be the one to advise him as to some of the issues and to talk about that.

The thing that surprised me is his commitment at that time to listening. You have to keep in mind, here is a guy who has been a giant in the industry

for many, many years, but he has never had anything to do with politics or government, really. So it was a learning experience for him, and he was actually listening. That was not his reputation, but he was doing it.

I remember he—we had a lot of questions that we asked and comments were made. Our conversations that day started a very strong friendship that I had with the one who would become President Trump. The President was listening closely. He asked good questions. Our conversations that day started a strong friendship, where I have been honored to offer him friendship, advice, and guidance in the area of the military, and I think it serves him well.

One good example of one of the areas where he was listening to me, against the advice of many of the people in his administration, was on the issue of Ligado. The President's advisers were trying to convince him to go ahead with the deal to sell off the GPS-adjacent spectrum; that it was a good thing and so forth. I talked to the President and made it very clear that allowing the Ligado deal to move ahead would jeopardize our Nation's GPS system, impacting not just the military and commercial aviation but farmers who rely on GPS to maintain fields and so many more. The results would be devastating, not to mention costly. The President got it, and we worked together on that issue.

I remember telling him how that happened. The FCC—the Federal Communications Commission—they were to issue and to give a spectrum to Ligado at that time. We were in recess, so I went to them, and I said: Don't do anything until we get out of recess so we can be in on this. There was a lot of objection to Ligado. So without listening to me, the FCC just went ahead and did it—on a weekend, I might add. It had never happened before. They never did it on a weekend before, but they did in this case. And they gave the order to Ligado.

Now, the interesting part of this was—this had to do with protecting our low-band spectrum from interference. It has nothing to do with good work the administration has made to make the bands of spectrum available to further our 5G development. That was all there. But that is how this happened.

The largest group I have seen ever come together in the years I have been in the House and the Senate on one issue was this issue—and I am talking about everyone. You had not just DOD and almost every bureaucracy but the airlines, the Farm Bureau, and everybody else. They were all in on this thing.

The President made the comment. He said: You know, anytime you are dealing with a bureaucracy and they tell you that something has to be done, and it has to be done on a weekend, has to be done at night, then you know something is wrong with it. Well, they rushed into it before they had the op-

portunity to do it with everyone being present at the time. But that is just another example of how close we were.

Another example was the Space Force. He wanted to do the Space Force, and I understand that. I was not, initially, all that concerned about it and supportive of it. But, on the other hand, you have countries like China and Russia—our main opposition out there—they have their space forces. And I think it is really good that we consolidated all of our efforts. We were really working well by consolidating that thing. We did that, and we did that together. That was one of the areas where we worked together.

I remember another one was the area of Western Sahara. It is something I have been on the floor talking about now for the last couple of weeks because Western Sahara has been—we have had the same position with Western Sahara since 1966; that is, they were rejected from their land in that area of the world, way back during the colonial days. In fact, at that time, it was the Spanish Sahara. We were devoted, at that time, for a right of self-determination for the people of Western Sahara.

I explained that to the President. At that time, he didn't have a lot of interest. He didn't know where Western Sahara was. He didn't really have a lot of interest in that. But then he did, and he became committed to the idea that we have had a policy for over 30 years in our country that we would recognize their right of self-determination. So he went along with that.

We tried to convince him this year's National Defense Authorization Act, as someone had told him or advised him wrongly—I am talking about maybe some of the people in the President's administration—that somehow the NDAA—now, the NDAA has now been passed by the House; it has been passed by the Senate; and it is going to be signed into law eventually. The President has talked about he might veto it, having something to do with that it wasn't strong enough against China. I want to get it on the record right now on the Senate floor and make sure everyone understands that this is the toughest thing on China. Well, in fact, it is not just me saying it. The American Enterprise Institute, which is sometimes referred to as the conservative voice of government, said that this bill, the NDAA of this year, the one that we passed, we just passed, is the toughest bill on China in 20 years.

Here is why. The national defense strategy—now, this is the book. We have to remember, this is something we need to adhere ourselves to. This was put together by 12 of the most knowledgeable people in America—six Republicans, six Democrats. They got together. This is providing for our defense for the future. It is a short book, but it is one that we have been living by. And they are very specific in their strategy as to where China is.

So last week, President Trump's Director of National Intelligence said

this—this is a quote—“The People’s Republic of China poses the greatest threat to America today, and the greatest threat to democracy and freedom world-wide since World War II.” That was what the Director said.

And from everything I have seen and everything our military leaders have told me, Director Ratcliffe is spot-on on this.

This is another quote. He said: “Beijing intends to dominate the [United States] and the rest of the planet economically, militarily and technologically.” I believe that is true. We have already seen evidence of the strategy. Within the last few years, China built its first military base outside of its own territory.

This is kind of interesting because this is a major deviation, what China has been doing for decades. They have always initiated any kind of a military activity from their own city limits. It all starts in China. And this has been going on for a long period of time. So this is a major deviation from that. This is a threat that China has, and they are against us.

China has changed. They had this major advance in Djibouti. That is the first time that they started a military operation outside of China itself. So they did it from Djibouti. I have been down there several times. I have flown over the area that they have.

China is not just in Djibouti, but it is all over the world. But down in that continent of Africa, they are as far south as the further extremes of China and all throughout. And in Tanzania, Southern Tanzania, they are very active down there. This is something that is new.

China is turning islands and reefs in the South China Sea into military bases. It is another part of the world. And they have been doing this. You all know about this. It has been going on for a long period of time.

In fact, they now are up to seven islands. These are not legal islands in their possession, but they took them—they created them. They didn’t take them; they created them. They made islands out there in the ocean.

If you go and look at what they have proudly displayed on those islands, it is as if they are preparing for world war III. That is China.

A lot of our allies in that area are wondering where is America while China is doing all of these things. So we are very strongly attuned to this.

This is what is happening today, as we speak. And this is what we are addressing in the National Defense Authorization Act on China.

In South America, China is working to secure a port access to the Panama Canal, El Salvador, Jamaica, the Bahamas, and all throughout that area. That is right next door to us. They are giving the Chinese Communist Party an advantage right in our neighborhood.

In all these cases, this is not just about military influence but economic

influence as well. Meanwhile, we are watching as China steals our intellectual property and uses it for their own gain.

A perfect example of this is in hypersonic weapons. Hypersonic weapons—a lot of people are not familiar with that. That is state of the art. That is a new thing. That is what we have been racing with against our two adversaries, both China and Russia. And guess what. China and Russia are both ahead of us in hypersonic.

People have this idea that America has the very best of everything. Now, I have to say—and I don’t say this critically of the Obama administration, but during the last 5 years of the Obama administration—that would be between 2010 and 2015—he reduced the funding for the military by 25 percent. This is the Obama administration. I don’t say it critically. He had different priorities than I have and other people have. And so at the same time he was reducing ours by 25 percent, China had increased in that same period of time by 83 percent. Stop to think about that. That is what is happening right now.

The threat they pose is real; it is urgent; and it needs a strong response. That is what the NDAA bill does. It takes strong action to push China back, to limit their influence, to counter their malign behavior, and to balance their military aggression.

Now, we know the best way to protect American security and prosperity in Asia and to ensure that the Indo-Pacific remains free and open for all is to maintain a credible balance of military power. There again, this is what the NDAA does. It specifically singles out China in that effort.

Until now, the ability to do this was at risk. Now, with the NDAA, we are achieving the “urgent change at significant scale”—again, going back to the NDS, what it requires—and we do so by establishing the Pacific Deterrence Initiative.

Remember, the last NDAA we had a year ago was the European deterrence. This one we have shifted to the Pacific Deterrence Initiative, and that is China and to dissuade China from its current trajectory of increasing aggression in the area and in that region. The PDI—that is the Pacific Deterrence Initiative—will enhance our forward posture in the Pacific and push the Pentagon to get our commanders in theater what they need. That is what we are doing now. That is what the NDAA is doing specifically against China.

It will help us put in the right capabilities and the right forces so China understands that there is no quick and easy way to have victory against us because of the NDAA and the efforts that we are making.

As we speak right now, the Pacific Deterrence Initiative also deepens our cooperation with our allies and partners in that region—building up the capabilities that we need to protect ourselves and our allies in that area so

that they know that we are with them. We are a team with them.

The NDAA authorizes \$2 billion this year for that Pacific Deterrence Initiative. But more than the investment, we also include the tools that will help us make better long-term strategic decisions about missions and priorities.

We saw how well this worked in the European Deterrence Initiative. That was last year. Last year, we were concentrating more on Russia. This year, it is China. So we saw how well it worked in the European initiative, and we can now track our efforts and do the same thing with China in the Pacific Deterrence Initiative.

Now, with the PDI, we are sending a strong signal to the Chinese Communist Party, as well as our partners and allies, that the American people are committed to defending our interests and values in the Indo-Pacific. Now, that is China we are talking about.

The Pacific Deterrence Initiative isn’t the only way that we send this signal. Elsewhere in the bill, we take steps to strengthen our relationship with our critical allies and our partners in the region, including Taiwan, India, Vietnam, and Japan.

The bill requires the Department of Defense to assess how we can improve our operations to prevent China and other strategic competitors from seizing control of Taiwan and threatening the territorial integrity of our defense partners, our partners in that area.

The NDAA also invests in the equipment that will help us counter China, to attack submarines—this is equipment that we have in the NDAA: the attack submarines, the precision-guided munitions—many of those, I might add, come from our State of Oklahoma—the air and missile defense systems, electronic warfare equipment, counter-ship capabilities, and a lot more. All of that is in the NDAA.

The reason I am saying this right now is that I think someone has misled the President in thinking that we were not really as aggressive as we should be in China, and we are. These are specific things we have never seen before. This is all against China.

It invests in the innovation that will help us build the capabilities we need to take care of China in the future—the artificial intelligence; hypersonic weapons, where they are still leading us right now, as we speak; quantum computing; and directed energy and beyond. It is all in the NDAA bill that just passed through the House and through the Senate.

So the NDAA takes these steps to support a forward posture and favorable balance of power, but we also have to defend against the full spectrum of their malign behavior.

Part of the problem with China is not just that they are modernizing equipment; it is that they are stealing our ideas, our technology, and then building on it. They are taking a shot at us and, in all of this, doing so illegally,

but they are doing it very effectively. That is what China does.

To protect our intellectual property, the NDAA—this is the bill we are talking about—creates the mechanisms to restrict employees or former employees of the defense industrial base from working for companies owned by or under the direction of China.

Now, this is something that has not been done before. We wake up and we find out that some of our industries that we are depending on for our defense are very close to China, so we are taking steps to stop that now.

Further, we are requiring universities to, No. 1, share information on defense-funded research; No. 2, disclose external funding for Federal grant recipients, so those recipients of grants are not working with the Chinese; and No. 3, limit funding for universities with Confucius Institutes.

The NDAA also directs the President to create a whole-of-government strategy to deter China's industrial espionage and large-scale theft of personal information. For the first time ever, we will impose real costs on the PRC for this behavior.

We know a big part of China's strategy is to fly under the radar. They don't want us to know what they are doing, so we also establish numerous provisions that will give us a better look at just what China is up to—all of this in the NDAA.

Right now, for instance, we don't have a great sense of exactly how much China is spending on their national defense. They lie a lot. So we task the DOD and federally funded research and development centers to conduct a full study of China's defense budget. Now, this is something we haven't done before. That is in the NDAA.

We also establish an ongoing assessment of China's industrial base, require a list of Chinese military companies operating in the United States to be publicly shared in the Federal Register, and mandate that recipients of Federal contracts disclose beneficial ownership. We need to know who those people are, and that is set up in the NDAA.

Over the past few years, it has become clear that we are too reliant on China for everything from critical materials to complex manufactured items, like parts of naval vessels—and even for medical supplies, as we saw just this year. The pandemic really showed us what happened and how vulnerable we are. And we are. Everybody knows that.

The NDAA protects and reforms our defense industrial base to mitigate these risks and to attract new performers to replace China, in other words, to get out of China any dependence that we have on China. It is all in the NDAA.

That is why the American Enterprise Institute, which has always been the conscience, declared that this is the toughest legislation on China in the last 20 years.

Lastly, the NDAA takes steps to protect the U.S. bases overseas by requiring the Secretary of Defense to notify Congress of how host countries using 5G networks from companies like Huawei and ZTE are mitigating the security risks from these networks before we base new major weapons systems there.

The last two NDAAs set the ball in motion when it comes to countering China, and with this NDAA, I am confident that we are finally achieving the irreversible momentum we need to effectively implement the national defense strategy against China.

There is no turning back now. With this NDAA, we are sending China an unmistakable signal that, whether it is today or tomorrow, there will never be a good time for China to test America's military.

I will never forget that 4 years ago we had that meeting in Trump Tower, and we had 10 of us in there. We were talking about the military at that time. That is when the President became convinced—that is why I know that it is not President Trump who is saying this about the National Defense Authorization Act; it is advice that he is getting from advisers who just are not telling him the right thing.

Mr. President, I want you to know we have got our foot on the throat of China with our NDAA, and we are not going to let it up. And if any of your advisers tell you any different than this, they are not serving America well.

That concludes—well, not quite. Today is a very special day. I tell everybody who cares or not—not many people do, but I do—this is my wife's and my 61st wedding anniversary—today, December 19.

On the floor of the Senate yesterday, I talked a little bit about that and made the comment that I don't want to be here on my wedding anniversary, implying that I was not going to be here to vote. These votes that we are having right now are among the most critical votes that we have had, and I assure you I am going to be here until the last vote is cast.

With that, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mrs. BLACKBURN). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

ORDER OF BUSINESS

Mr. TOOMEY. Madam President, I ask unanimous consent that notwithstanding the provisions of rule XXII, the postcloture time with respect to the Harwell nomination expire at 6 p.m. today and that the Senate vote on confirmation of the nomination; I further ask that the cloture motion with respect to the Noland nomination ripen

at 1:30 p.m. tomorrow; finally, that if either nomination is confirmed, the motions to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action.

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

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

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

The PRESIDING OFFICER. Under the previous order, all postcloture time has expired.

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

Ms. MURKOWSKI. 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.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from Missouri (Mr. BLUNT), the Senator from North Carolina (Mr. BURR), the Senator from Texas (Mr. CRUZ), the Senator from Wyoming (Mr. ENZI), the Senator from Iowa (Ms. ERNST), the Senator from Nebraska (Mrs. FISCHER), the Senator from Georgia (Mrs. LOEFFLER), the Senator from Kentucky (Mr. PAUL), the Senator from Georgia (Mr. PERDUE), the Senator from Ohio (Mr. PORTMAN), the Senator from Idaho (Mr. RISCH), 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 California (Mrs. FEINSTEIN), the Senator from California (Ms. HARRIS), and the Senator from West Virginia (Mr. MANCHIN) are necessarily absent.

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

The result was announced—yeas 59, nays 25, as follows:

[Rollcall Vote No. 280 Ex.]

YEAS—59

Barrasso	Durbin	Leahy
Bennet	Gardner	Lee
Blackburn	Graham	McConnell
Boozman	Grassley	Moran
Braun	Hassan	Murkowski
Brown	Hawley	Murphy
Capito	Hoeben	Murray
Carper	Hyde-Smith	Peters
Cassidy	Inhofe	Reed
Collins	Johnson	Roberts
Coons	Jones	Romney
Cornyn	Kaine	Rubio
Cotton	Kelly	Sasse
Cramer	Kennedy	Schatz
Crapo	King	Scott (FL)
Daines	Lankford	Scott (SC)

Shelby
Sinema
Sullivan
Tester

Thune
Tillis
Toomey
Warner

Whitehouse
Wicker
Young

NAYS—25

Baldwin
Blumenthal
Booker
Cantwell
Cardin
Casey
Cortez Masto
Duckworth
Gillibrand

Heinrich
Hirono
Klobuchar
Markey
Menendez
Merkley
Rosen
Sanders
Schumer

Shaheen
Smith
Stabenow
Udall
Van Hollen
Warren
Wyden

NOT VOTING—16

Alexander
Blunt
Burr
Cruz
Enzi
Ernst

Feinstein
Fischer
Harris
Loeffler
Manchin
Paul

Perdue
Portman
Risch
Rounds

The nomination was confirmed.

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

The Senator from Colorado.

Mr. GARDNER. Mr. President, I ask unanimous consent that with respect to the Dietz nomination, 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.

LEGISLATIVE SESSION

MORNING BUSINESS

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

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

VOTE EXPLANATION

Ms. HIRONO. Mr. President, I was absent for the rollcall vote No. 279, on the motion to invoke cloture on Calendar No. 757, the nomination of Beth Harwell of Tennessee to be a Member of the Board of Directors of the Tennessee Valley Authority. Had I been present for the vote, I would have voted nay.

TRIBUTE TO SERGEI KHRUSHCHEV

Mr. REED. Mr. President, today I pay tribute to the life and contributions of a prominent Rhode Islander, Sergei Khrushchev.

You may recognize his last name. His father, Nikita Khrushchev, came to power after the death of Joseph Stalin and led the Soviet Union during some of the darkest days of the Cold War. Sergei Khrushchev's life is necessarily intertwined with that of his father. Yet Sergei was his own man and achieved much in his own right.

Sergei Khrushchev was born in Moscow in July 1935. Naturally gifted and

with a keen mind, he received a doctorate from Moscow Technical University. He would become an accomplished rocket and computer scientist, working on guidance systems for missiles and in the Soviet space program. In 1964, his father was removed from power and relegated to obscurity. During this time, Sergei helped his father write his memoirs.

At the end of the Cold War, Sergei came to America with his wife Valentina and joined Brown University as a visiting scholar. He became a senior fellow at the Watson Institute for International and Public Affairs and taught there until his retirement in 2012. Sergei used his considerable talents to benefit students, colleagues, and fellow Rhode Islanders. He gave generously of his time, taught at other institutions, and gave lectures across the country.

Sergei sought to increase knowledge and understanding, particularly between Americans and Russians. In 1991, he was quoted in *The Providence Journal* stating, "I think it is important for everyone to understand that many of the mistakes made during the Cold War that led to dangerous conflicts were based on misconceptions and misunderstandings . . ."

Fully embracing their new life in America, Sergei and Valentina received their green cards in 1993 and became citizens in 1999. Sergei was proud to become a citizen. Sergei and Valentina were proud members of their Cranston community. Sergei owned a large Buick for years as it reminded him of the cars he saw when he first visited America as a young man with his father.

After his death, one of his colleagues described Sergei as " . . . very passionate about the subjects he taught" who "managed to infect the students with his genuine enthusiasm and curiosity." The colleague also said that even years after leaving Sergei's class, students " . . . recall [his] amazing combination of open-mindedness, thorough knowledge of the subjects . . . and unassuming manner of discussion and debate."

It is clear that Sergei lived an impactful life, a life that broke down walls and built bridges. I offer my heartfelt condolences to Sergei's wife Valentina, their family, and Sergei's many friends, neighbors, colleagues, and students.

ADDITIONAL STATEMENTS

TRIBUTE TO LARRY "SKIP" AHLGREN

• Mr. DAINES. Mr. President, this week I have the honor of recognizing Larry "Skip" Ahlgren of Petroleum County for his dedication to his community and volunteer efforts.

Skip currently serves as president of the Montana Association of State Grazing Districts and previously served

as county commissioner. These titles are only the beginning of his service to Petroleum County. Skip and his wife Diane spend hundreds of hours volunteering in various community groups and focus putting their time into Montana's youth.

Winnett Agriculture Community Enhancement and Sustainability, ACES, is a group cofounded by Skip that brings Petroleum County producers together to address the problems facing the environment and their community. The group also works with Montana's youth to create opportunities that will bring them back to the community where they were raised. As farmers and ranchers play a key role in one of the most rural counties in Montana, Skip saw an opportunity to serve them and created this incredible organization.

Skip is described by friends and colleagues as an all-around good guy, a man who embodies Montana values, and a true friend. It is my honor to recognize Larry "Skip" Ahlgren for his service and dedication to Petroleum County.●

TRIBUTE TO DAVID W. ARMSTRONG, JR.

• Mr. DAINES. Mr. President, I rise today to honor the legacy of David W. Armstrong, Jr., of Helena, MT on the occasion of his 100th birthday.

Dave is a distinguished World War II veteran who played a pivotal role in the U.S. Army's plan to liberate Norway from Nazi occupation as well as numerous search and rescue missions across northern Europe.

Dave first came to Helena in February 1943 to begin training sled and pack dogs at nearby Camp Rimini. Camp Rimini was one of only two sites that produced dogs for the Army's K-9 Corps during the war. Later, Dave found himself stationed in Newfoundland, where he and his dogs participated in the recovery of downed personnel and sensitive equipment from aircraft wreckage sites in Greenland and Baffin Island.

After the war, Dave returned to Montana with his wife Alice and founded the annual Race to the Sky, which preserves the legacy of the soldiers and the dogs who served at Camp Rimini. Dave also preserved the legacy of this special program in his 2008 memoir "Camp Rimini and Beyond." Were it not for his efforts, the memory of this unique program and its special place in our State's history may have been lost to time.

On behalf of a grateful Nation, I want to thank Dave for his service to our State and to our Nation.●

TRIBUTE TO NICK BUTOROVICH

• Mr. DAINES. Mr. President, today I have the honor of recognizing Butte Police Officer Nick Butorovich for his heroism in the face of danger.

On Tuesday, September 15th, 2020, during a routine late night shift, he

pulled an unconscious woman from a rolled-over, burning car, just in time, saving her life. The woman suffered second- and third-degree burns, but because of Officer Butorovich's quick and selfless actions, the driver is alive today.

Butte Sheriff Ed Lester told the community, "This is an outstanding example of a patrol officer doing his job and being in the right place at the right time. If Nick arrived 30 seconds later or hesitated because of the danger, this woman would not have survived."

When Officer Butorovich arrived at the scene, he saw an SUV at an intersection rolled over and burning—as other emergency personnel were on the way. He immediately located the driver still hanging upside down by her seatbelt in the burning car. She was unconscious.

As flames were consuming the car, Officer Butorovich quickly cut her free and dragged her to safety—without concern for his own personal safety. During the rescue, he sustained second-degree burns.

Butte Fire Chief Jeff Miller also agreed that the driver would not have survived without his quick-thinking actions, saying, "From what my guys told me, when they arrived—and they were fairly close behind the police—that it wouldn't have been long at all, that they most likely wouldn't have been able to save her, that it would have been too late. He was there just in time, took the appropriate action and literally saved her life."

Officer Nick Butorovich proudly continues the tradition of law enforcement in his family. He is the grandson of former Butte Silver-Bow sheriff, the late Bob Butorovich, who served his community for more than 12 years.

Officer Butorovich exemplifies what it means to serve as a law enforcement officer in Montana, and I thank him for his heroism and service.●

TRIBUTE TO SHIRLEY ANNE JOHNSON

● Mr. DAINES. Mr. President, today I have the honor of recognizing Shirley Anne Johnson of Missoula for her many decades of service to her community through the Fraternal Order of the Eagles.

Mrs. Johnson was born in Bozeman, MT, in 1939 and lived in several different communities across the State while growing up. She eventually settled in Missoula with her husband Ted and became an elementary school teacher. During those years, she joined the Fraternal Order of Eagles Auxiliary and rose through the ranks, eventually chairing her local auxiliary club and becoming grand auxiliary president for the State of Montana.

During her work for the Eagles, Shirley donated much of her time to the creation and maintenance of Missoula Manor Homes, a nonprofit retirement home for seniors in need. Shirley and her husband were involved in Missoula

Manor Homes from the very beginning. They played a direct role in securing land and overseeing its construction. In later years, she donated her time to Missoula Manor Homes bake sales every month, raising money for the residents of the facility.

Mrs. Johnson continues to serve her community, volunteering for the Missoula Food Bank and remaining involved with the Eagles. She has 10 grandchildren and 18 great-grandchildren. In October, she was honored with the Legion of Honor Award by the Chapel of the Four Chaplains for her nearly six decades of community service.

Shirley Anne Johnson embodies the spirit of community that is so common across Montana. I congratulate Shirley and thank her for steadfast commitment to service.●

TRIBUTE TO GEORGE MCCLURE

● Mr. DAINES. Mr. President, today I have the honor of recognizing Mr. George McClure of Gallatin County for his decades of service to the Bozeman community, including his 25 years as a volunteer at Hospice of Bozeman Health.

George spent his career as a professor of architecture at Montana State University. After many years of educating our State's next generation of architects, he retired in the mid-1900s. Yet his service to the community was not finished.

Once he retired, he began volunteering at Hospice of Bozeman Health. For the last 25 years, George has shown up to volunteer every single Tuesday. His volunteer work focuses on administrative and paperwork jobs, allowing the nurses and other staff to be more focused on patient care. The staff say of George that "he magically gets it done" and that "he is the wind beneath our wings."

Even the COVID-19 pandemic has not slowed George down. Despite the potential risk to his own health, he has continued to show up every Tuesday throughout the pandemic to do his volunteer work. His presence always gives the staff at Hospice of Bozeman Health a much needed morale boost as they deal with the grim reality of the pandemic and continue to care for patients.

I thank George for his tireless service and his courage to carry on despite the hardship of the pandemic. He exemplifies what it means to put service before self.●

MESSAGE FROM THE HOUSE RECEIVED DURING ADJOURNMENT

ENROLLED JOINT RESOLUTION SIGNED

Under the authority of the order of the Senate of January 3, 2019, the Secretary of the Senate, on December 18, 2020, during the adjournment of the Senate, received a message from the House of Representatives announcing

that the Speaker had signed the following enrolled joint resolution:

H.J. Res. 107. Joint resolution making further continuing appropriations for fiscal year 2021, and for other purposes.

Under the authority of the order of the Senate of January 3, 2019, the enrolled joint resolution was signed on December 18, 2020, during the adjournment of the Senate, by the Acting President pro tempore (Mr. TILLIS).

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-6171. A communication from the Deputy Secretary of the Commodity Futures Trading Commission, transmitting, pursuant to law, the report of a rule entitled "Compliance Requirements for Commodity Pool Operators on Form CPO-PQR" (RIN3038-AE98) received in the Office of the President of the Senate on December 16, 2020; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6172. A communication from the Deputy Secretary of the Commodity Futures Trading Commission, transmitting, pursuant to law, the report of a rule entitled "Portfolio Reconciliation Requirements for Swap Dealers and Major Swap Dealers and Major Swap Participants - Revision of 'Material Terms' Definition" (RIN3038-AE94) received in the Office of the President of the Senate on December 16, 2020; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6173. A communication from the Deputy Secretary of the Commodity Futures Trading Commission, transmitting, pursuant to law, the report of a rule entitled "Exemption from Registration for Certain Foreign Intermediaries" (RIN3038-AE46) received in the Office of the President of the Senate on December 16, 2020; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6174. A communication from the Deputy Secretary of the Commodity Futures Trading Commission, transmitting, pursuant to law, the report of a rule entitled "Margin Requirements for Uncleared Swaps for Swap Dealers and Major Swap Participants" (RIN3038-AF06) received in the Office of the President of the Senate on December 16, 2020; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6175. A communication from the Deputy Secretary of the Commodity Futures Trading Commission, transmitting, pursuant to law, the report of a rule entitled "Swap Execution Facility Requirements" (RIN3038-AE94) received in the Office of the President of the Senate on December 16, 2020; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6176. A communication from the Deputy Secretary of the Commodity Futures Trading Commission, transmitting, pursuant to law, the report of a rule entitled "Electronic Trading Risk Principles" (RIN3038-AF04) received in the Office of the President of the Senate on December 16, 2020; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6177. A communication from the Deputy Secretary of the Commodity Futures Trading Commission, transmitting, pursuant to law, the report of a rule entitled "Customer Margin Rules Relating to Security Futures" (RIN3038-AE88) received in the Office of the President of the Senate on December 16, 2020; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6178. A communication from the Deputy Secretary of the Commodity Futures Trading Commission, transmitting, pursuant to law, the report of a rule entitled "Exemption from Derivatives Clearing Organization Registration" (RIN3038-AE65) received in the Office of the President of the Senate on December 16, 2020; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6179. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Broflanilide; Pesticide Tolerances" (FRL No. 10016-42-OCSPP) received in the Office of the President of the Senate on December 18, 2020; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6180. A communication from the Senior Counsel, Legal Division, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled "Qualified Mortgage Definition under the Truth in Lending Act (Regulation Z): General QM Loan Definition" (RIN3170-AA98) received in the Office of the President of the Senate on December 17, 2020; to the Committee on Banking, Housing, and Urban Affairs.

EC-6181. A communication from the Senior Counsel, Legal Division, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled "Qualified Mortgage Definition under the Truth in Lending Act (Regulation Z): Seasoned QM Loan Definition" (RIN3170-AA98) received in the Office of the President of the Senate on December 17, 2020; to the Committee on Banking, Housing, and Urban Affairs.

EC-6182. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to the Western Balkans that was declared in Executive Order 13219 of June 26, 2001; to the Committee on Banking, Housing, and Urban Affairs.

EC-6183. A communication from the Secretary of Commerce, transmitting, pursuant to law, a report relative to the export to the People's Republic of China of items not detrimental to the U.S. space launch industry; to the Committee on Banking, Housing, and Urban Affairs.

EC-6184. A communication from the Director, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled "Amendments Relating to Disclosure of Records and Information" (RIN3170-AA63) received in the Office of the President of the Senate on June 18, 2020; to the Committee on Banking, Housing, and Urban Affairs.

EC-6185. A communication from the Chairman, National Endowment for the Arts, transmitting, pursuant to law, the Endowment's Agency Financial Report for fiscal year 2020; to the Committee on Homeland Security and Governmental Affairs.

EC-6186. A communication from the Director, Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a report entitled "Statistical Programs of the United States Government: Fiscal Years 2019/2020"; to the Committee on Homeland Security and Governmental Affairs.

EC-6187. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; California; Placer County Air Pollution Control District, Antelope Valley Air Quality Management District, Mariposa County Air Pollution Control District, and Eastern Kern Air Pollution Control District" (FRL No. 10017-70-Region

9) received in the Office of the President of the Senate on December 18, 2020; to the Committee on Environment and Public Works.

EC-6188. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; California; South Coast Air Quality Management" (FRL No. 10017-96-Region 9) received in the Office of the President of the Senate on December 18, 2020; to the Committee on Environment and Public Works.

EC-6189. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Partial Approval, Partial Disapproval, and Conditional Approval; Arizona; Maricopa County Air Quality Management Department; Reasonably Available Control Technology State Implementation Plan and Surface Coating Rule" (FRL No. 10017-89-Region 9) received in the Office of the President of the Senate on December 18, 2020; to the Committee on Environment and Public Works.

EC-6190. A communication from the Acting Assistant Secretary, Employee Benefits Security Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Grandfathered Group Health Plans and Grandfathered Group Health Insurance Coverage" (RIN1210-AB89) received in the Office of the President of the Senate on December 17, 2020; to the Committee on Health, Education, Labor, and Pensions.

EC-6191. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled "National Plan to Address Alzheimer's Disease: 2020 Update"; to the Committee on Health, Education, Labor, and Pensions.

EC-6192. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled "Ryan White HIV/AIDS Program Parts A and B Supplemental Awards for Fiscal Year 2020 Report to Congress"; to the Committee on Health, Education, Labor, and Pensions.

EC-6193. A communication from the Acting Assistant Secretary, Employee Benefits Security Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Fiduciary Duties Regarding Proxy Voting and Shareholder Rights" (RIN1210-AB91) received in the Office of the President of the Senate on December 17, 2020; to the Committee on Health, Education, Labor, and Pensions.

EC-6194. A communication from the Assistant Chief Counsel for Regulatory Affairs, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Hazardous Materials: Miscellaneous Amendments Pertaining to DOT-Specification Cylinders" (RIN2137-AE80) received in the Office of the President of the Senate on December 18, 2020; to the Committee on Commerce, Science, and Transportation.

EC-6195. A communication from the Assistant Secretary of Commerce for Legislative Affairs, Office of Legislative and Intergovernmental Affairs, Department of Commerce transmitting, pursuant to law, a report entitled "FY2019 Annual Report on Small Entity Compliance Guides"; to the Committee on Commerce, Science, and Transportation.

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. WARREN:

S. 5070. A bill to improve the anti-corruption and public integrity laws, and for other purposes; to the Committee on Finance.

By Mr. REED:

S. 5071. A bill to support library infrastructure; to the Committee on Health, Education, Labor, and Pensions.

By Mr. REED (for himself and Mr. TESTER):

S. 5072. A bill to improve Vet Centers for the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. SCOTT of Florida:

S. 5073. A bill to establish a program to support county and municipal government entities in reducing the spread of COVID-19 through standardized testing and evaluation measures, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MENENDEZ:

S. 5074. A bill to provide assistance for United States citizens and nationals taken hostage or unlawfully or wrongfully detained abroad, and for other purposes; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 802

At the request of Mr. DAINES, the name of the Senator from Louisiana (Mr. KENNEDY) was added as a cosponsor of S. 802, a bill to amend part A of title IV of the Social Security Act, and for other purposes.

S. 2006

At the request of Mr. MENENDEZ, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 2006, a bill to amend title 18, United States Code, to prohibit certain conduct relating to the use of horses for human consumption.

S. 2668

At the request of Ms. SINEMA, the name of the Senator from Arizona (Mr. KELLY) was added as a cosponsor of S. 2668, a bill to establish a program for research, development, and demonstration of solar energy technologies, and for other purposes.

S. 2862

At the request of Ms. SINEMA, the name of the Senator from Arizona (Mr. KELLY) was added as a cosponsor of S. 2862, a bill to direct the Secretary of Agriculture to establish a grant program to remove nonnative plant species that contribute to drought conditions, and for other purposes.

S. 3127

At the request of Ms. SINEMA, the name of the Senator from Arizona (Mr. KELLY) was added as a cosponsor of S. 3127, a bill to protect, for current and future generations, the watershed, ecosystem, and cultural heritage of the Grand Canyon region in the State of Arizona, to provide for a study relating to the uranium stockpile in the United States, and for other purposes.

S. 4121

At the request of Ms. BALDWIN, her name was added as a cosponsor of S.

4121, a bill to amend title 49, United States Code, to require the Secretary of Transportation to establish a motor vehicle recall assistance program, and for other purposes.

S. 4475

At the request of Ms. SINEMA, the name of the Senator from Arizona (Mr. KELLY) was added as a cosponsor of S. 4475, a bill to authorize the Secretary of the Interior to convey certain land to La Paz County, Arizona, and for other purposes.

S. 4659

At the request of Mr. REED, his name was added as a cosponsor of S. 4659, a bill to require a determination as to whether crimes committed against the Rohingya in Burma amount to genocide.

S. 5019

At the request of Mr. DAINES, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 5019, a bill to amend the Internal Revenue Code of 1986 to limit the charitable deduction for certain qualified conservation contributions.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. REED (for himself and Mr. TESTER):

S. 5072. A bill to improve Vet Centers for the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

Mr. REED. Mr. President, as many of my colleagues know, the transition from deployment to civilian life is frequently difficult. Vet Centers, created in the wake of the Vietnam War, are community-based centers that were designed to provide critical services for veterans, service members, and their families. Today, there is a need to enhance these Centers to realize that original vision—which is why I am introducing the Vet Center Improvement Act.

This legislation is an outgrowth of a Government Accountability Office (GAO) investigation that Senator TESTER and I requested into allegations that changes to performance metrics at Vet Centers may have negatively impacted care and additional concerns that he and I had about their staffing practices. The subsequent GAO report concluded that recent changes “have the potential to negatively affect care and create undue burden and stress on counselors providing that care at some Vet Centers.” This report included recommendations to improve care, transparency, and hiring and staffing methods that form the foundation for our legislation.

Specifically, the Vet Center Improvement Act requires periodic review and reform of performance standards at Vet Centers; the creation and periodic reevaluation of a staffing model, along with standardization of position descriptions and responsibilities across Vet Centers; the creation of a working

group to implement changes to improve quality of care for veterans and recruitment and retention of staff; and the GAO to review Vet Center infrastructure and examine what future investments are needed.

Additionally, our legislation creates a pilot program to provide grants to combat food insecurity and provide necessary heating and cooling assistance to veterans and their families. Food insecurity and the need for heating assistance are growing issues for veterans and others as a result of the pandemic.

I would like to thank Senator TESTER for not only the attention he has paid to this issue as Ranking Member of the Senate Veterans Affairs Committee, but also for joining with me on this important legislation. Our legislation has received support from such organizations as the Veterans of Foreign Wars (VFW), American Veterans (AMVETS), Disabled American Veterans (DAV), National Community Action Foundation (NCAF), National Association for State Community Services Programs (NASCS), the National Energy & Utility Affordability Coalition (NEUAC), and the URI Feinstein Center for a Hunger Free America. I look forward to continuing our partnership on this and other measures to improve care for our veterans, and I hope our colleagues will join us in this endeavor.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2719. Mr. GARDNER (for Mr. LANKFORD) proposed an amendment to the resolution S. Res. 458, calling for the global repeal of blasphemy, heresy, and apostasy laws.

SA 2720. Mr. GARDNER (for Mr. LANKFORD) proposed an amendment to the resolution S. Res. 458, supra.

TEXT OF AMENDMENTS

SA 2719. Mr. GARDNER (for Mr. LANKFORD) proposed an amendment to the resolution S. Res. 458, calling for the global repeal of blasphemy, heresy, and apostasy laws; as follows:

Strike all after the resolving clause and insert the following: “That the Senate—

(1) recognizes that blasphemy, heresy, and apostasy laws inappropriately position governments as arbiters of religious truth and empower officials to impose religious dogma on individuals or minorities through the power of the government or through violence sanctioned by the government;

(2) calls on the President and the Secretary of State to encourage the repeal of blasphemy, heresy, and apostasy in bilateral discussions between the United States and all countries that have such laws, through direct interventions in bilateral and multilateral fora;

(3) encourages the President and the Secretary of State to oppose—

(A) any efforts, by the United Nations or by other international or multilateral fora, to create an international anti-blasphemy norm, such as the “defamation of religions” resolutions introduced in the United Nations between 1999 and 2010; and

(B) any attempts to expand the international norm on incitement to include blasphemy or defamation of religions;

(4) supports efforts by the United Nations to combat intolerance, discrimination, or violence against persons based on religion or belief without restricting expression, including United Nations Human Rights Council Resolution 16/18 (2011) and the Istanbul Process meetings pursuant to such resolution, that are consistent with the First Amendment to the Constitution;

(5) calls on the President and the Secretary of State to designate countries that enforce blasphemy, heresy, or apostasy laws as “countries of particular concern for religious freedom” under section 402(b)(1)(A)(ii) of the International Religious Freedom Act of 1998 (22 U.S.C. 6442(b)(1)(A)(ii)) for engaging in or tolerating severe violations of religious freedom, as a result of the abuses flowing from the enforcement of such laws and from unpunished vigilante violence often generated by blasphemy allegations;

(6) urges the governments of countries that enforce blasphemy, heresy, or apostasy laws to allow for freedom of religion and expression and amend or repeal such laws, as they provide pretext and impunity for vigilante violence against religious minorities; and

(7) urges the governments of countries that have prosecuted, imprisoned, and persecuted people on charges of blasphemy, heresy, or apostasy to release such people unconditionally and, once released, to ensure their safety and that of their families.

SA 2720. Mr. GARDNER (for Mr. LANKFORD) proposed an amendment to the resolution S. Res. 458, calling for the global repeal of blasphemy, heresy, and apostasy laws; as follows:

Strike the preamble and insert the following:

Whereas Article 18 of the Universal Declaration of Human Rights states that “[e]veryone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance”;

Whereas many countries continue to have criminal blasphemy laws, and many punish people who engage in expression deemed by the government to be blasphemous, heretical, apostate, defamatory of religion, or insulting to religion or to religious symbols, figures, or feelings, and such punishment can include fines, imprisonment, and capital punishment including by beheading;

Whereas blasphemy laws have affected Christians, Muslims, Jews, Hindus, Baha’i, secularists, and many other groups, are inconsistent with international human rights standards because they establish and promote official religious orthodoxy and dogma over individual liberty, and often result in violations of the freedoms of religion, thought, and expression that are protected under international instruments, including Articles 18 and 19 of the International Covenant on Civil and Political Rights (ICCPR);

Whereas the United Nations Human Rights Committee stated in General Comment 34 that “[p]rohibitions of displays of lack of respect for a religion or other belief system, including blasphemy laws, are incompatible with the [ICCPR].”;

Whereas the United States Commission on International Religious Freedom (USCIRF) has found that blasphemy charges are often based on false accusations, are used for sectarian or political purposes, and foster religious intolerance, discrimination, and violence;

Whereas USCIRF has found that at least 84 countries had blasphemy laws as of 2020;

Whereas USCIRF has identified 41 countries that have taken enforcement action in 674 criminal blasphemy cases between 2014 and 2018;

Whereas these laws were enforced in 15 Middle East and North African countries, 14 Asia-Pacific countries, 7 European countries, and 5 Sub-Saharan African countries between 2014 and 2018;

Whereas Pakistan, Iran, Russia, India, Egypt, Indonesia, Yemen, Bangladesh, Saudi Arabia, and Kuwait account for more than 81 percent of all reported cases of state criminal blasphemy enforcement;

Whereas USCIRF has found that the three countries without an official state religion that have the highest state enforcement of blasphemy laws are Russia, India, and Indonesia;

Whereas the Pew Research Center found that countries with laws against blasphemy, apostasy, or defamation of religion were more likely to have severe governmental restrictions on religion, and to experience social hostilities based on religion, than countries that did not have such laws;

Whereas restrictive laws beyond those penalizing blasphemy, heresy, and apostasy further limit religious freedom, such as extremism laws—

(1) in Russia that have been used to ban Jehovah's Witnesses as an extremist organization and fueled persecution of this religious group;

(2) in China, to arbitrarily detain an estimated 800,000 to 2,000,000 Uighur Muslims in internment camps because they followed Islamic rituals and practices; and

(3) in North Korea, to detain an estimated 50,000 to 70,000 Christians in labor camps because they followed the tenets of Christianity;

Whereas an international group of experts convened by the Office of the United Nations High Commissioner for Human Rights recommended in 2012 that “[s]tates that have blasphemy laws should repeal the[m] as such laws have a stifling impact on the enjoyment of freedom of religion or belief and healthy dialogue and debate about religion.”;

Whereas blasphemy laws are inconsistent with United Nations resolutions adopted by consensus since 2011 recognizing that religious intolerance is best fought through positive measures, such as education, outreach, and counter-speech, and that criminalization of speech is warranted only for the prevention of imminent violence;

Whereas, according to the annual religious freedom report published by the Department of State in 2015, attackers in Bangladesh killed five allegedly anti-Islamic or secularist writers and publishers, and injured three others;

Whereas, in response to these killings, the Home Minister of Bangladesh, rather than condemning the murders, called on bloggers and others to refrain from writings that could hurt the religious feelings of others and added that violators of the warning would be subject to prosecution under the restrictive religious freedom laws of Bangladesh;

Whereas a 2016 report by USCIRF on Bangladesh found that religious and civil society groups fear that increasing religious extremism will result in more criminal attacks and threats;

Whereas restrictive religious freedom laws validate and promote social violence targeted at religious minorities and dissenters, whether Christian, Muslim, secularist, or other;

Whereas more than one-quarter of reported cases implicated alleged blasphemous speech posted on social media platforms;

Whereas USCIRF has found that in Pakistan, blasphemy laws have been used to pros-

ecute and persecute Muslims, Christians, secularists, and others;

Whereas, according to a Pew Center report on religion and public life, Pakistan stands out for having one of the highest levels of restrictions on religion when both government restrictions and social hostilities are taken into account;

Whereas, as of May 2020, USCIRF was aware of approximately 40 individuals on death row for blasphemy in Pakistan or serving life sentences;

Whereas Asia Bibi was sentenced to death for blasphemy in 2010 and was held on death row for 8 years, until the Supreme Court of Pakistan overturned her conviction in 2018, upheld her acquittal, and granted her permission to leave the country to flee the threats against her in 2019;

Whereas Pakistan selectively enforces the blasphemy and anti-terrorism laws against minority religious groups, including by specifically targeting Ahmadiyya Muslims such as Abdul Shakoor, an 82-year old optician and bookseller who was recently released after serving over three years in prison on such charges;

Whereas, on July 29, 2020, Tahir Ahmad Naseem, a United States citizen, was shot and killed in a courtroom while on trial for blasphemy;

Whereas, in 2017, the Christian Governor of Jakarta, Indonesia, was convicted for blasphemy of Islam and sentenced to two years in jail;

Whereas several countries that previously maintained blasphemy laws have recently removed these provisions, including Iceland, Norway, Malta, Denmark, Ireland, Canada, New Zealand, Greece, and Scotland;

Whereas blasphemy laws in the United States were invalidated by the adoption of the First Amendment to the Constitution, which protects the freedoms of thought, conscience, expression, and religious exercise; and

Whereas the United States has become a beacon of religious freedom and tolerance around the world: Now, therefore, be it

ONE SMALL STEP TO PROTECT HUMAN HERITAGE IN SPACE ACT

Mr. GARDNER. Mr. President, I ask that the Chair lay before the Senate the message to accompany S. 1694.

The Presiding Officer laid before the Senate the following message from the House of Representatives:

Resolved, That the bill from the Senate (S. 1694) entitled “An Act to require any Federal agency that issues licenses to conduct lunar activities to include in the requirements for such licenses an agreement relating to the preservation and protection of the Apollo 11 landing site, and for other purposes.”, do pass with amendments.

MOTION TO CONCUR

Mr. GARDNER. I move to concur in the House amendment, and I know of no further debate on the motion.

The PRESIDING OFFICER. If there is no further debate, the question is on agreeing to the motion.

The motion was agreed to.

Mr. GARDNER. I move to concur in the title amendment, and I ask unanimous consent that the motion be agreed to and that the motion to reconsider be considered made and laid upon the table.

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

CALLING FOR THE GLOBAL REPEAL OF BLASPHEMY, HERESY, AND APOSTASY LAWS

Mr. GARDNER. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be discharged from further consideration, and the Senate now proceed to S. Res. 458.

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

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 458) calling for the global repeal of blasphemy, heresy, and apostasy laws.

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

Mr. GARDNER. I ask unanimous consent that the Lankford amendment to the resolution be agreed to; that the resolution, as amended, be agreed to; that the Lankford amendment to the preamble be agreed to; that the preamble, as amended, be agreed to; and that the motions to reconsider be considered made and laid upon the table.

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

The amendment (No. 2719) was agreed to, as follows:

(Purpose: In the nature of a substitute)

Strike all after the resolving clause and insert the following: “That the Senate—

(1) recognizes that blasphemy, heresy, and apostasy laws inappropriately position governments as arbiters of religious truth and empower officials to impose religious dogma on individuals or minorities through the power of the government or through violence sanctioned by the government;

(2) calls on the President and the Secretary of State to encourage the repeal of blasphemy, heresy, and apostasy in bilateral discussions between the United States and all countries that have such laws, through direct interventions in bilateral and multilateral fora;

(3) encourages the President and the Secretary of State to oppose—

(A) any efforts, by the United Nations or by other international or multilateral fora, to create an international anti-blasphemy norm, such as the “defamation of religions” resolutions introduced in the United Nations between 1999 and 2010; and

(B) any attempts to expand the international norm on incitement to include blasphemy or defamation of religions;

(4) supports efforts by the United Nations to combat intolerance, discrimination, or violence against persons based on religion or belief without restricting expression, including United Nations Human Rights Council Resolution 16/18 (2011) and the Istanbul Process meetings pursuant to such resolution, that are consistent with the First Amendment to the Constitution;

(5) calls on the President and the Secretary of State to designate countries that enforce blasphemy, heresy, or apostasy laws as “countries of particular concern for religious freedom” under section 402(b)(1)(A)(ii) of the International Religious Freedom Act of 1998 (22 U.S.C. 6442(b)(1)(A)(ii)) for engaging in or tolerating severe violations of religious freedom, as a result of the abuses flowing from the enforcement of such laws and from unpunished vigilante violence often generated by blasphemy allegations;

(6) urges the governments of countries that enforce blasphemy, heresy, or apostasy laws

to allow for freedom of religion and expression and amend or repeal such laws, as they provide pretext and impunity for vigilante violence against religious minorities; and

(7) urges the governments of countries that have persecuted, imprisoned, and persecuted people on charges of blasphemy, heresy, or apostasy to release such people unconditionally and, once released, to ensure their safety and that of their families.

The resolution (S. Res. 458), as amended, was agreed to.

The amendment (No. 2720) to the preamble was agreed to, as follows:

(Purpose: To amend the preamble)

Strike the preamble and insert the following:

Whereas Article 18 of the Universal Declaration of Human Rights states that “[e]veryone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance”;

Whereas many countries continue to have criminal blasphemy laws, and many punish people who engage in expression deemed by the government to be blasphemous, heretical, apostate, defamatory of religion, or insulting to religion or to religious symbols, figures, or feelings, and such punishment can include fines, imprisonment, and capital punishment including by beheading;

Whereas blasphemy laws have affected Christians, Muslims, Jews, Hindus, Baha’i, secularists, and many other groups, are inconsistent with international human rights standards because they establish and promote official religious orthodoxy and dogma over individual liberty, and often result in violations of the freedoms of religion, thought, and expression that are protected under international instruments, including Articles 18 and 19 of the International Covenant on Civil and Political Rights (ICCPR);

Whereas the United Nations Human Rights Committee stated in General Comment 34 that “[p]rohibitions of displays of lack of respect for a religion or other belief system, including blasphemy laws, are incompatible with the [ICCPR].”;

Whereas the United States Commission on International Religious Freedom (USCIRF) has found that blasphemy charges are often based on false accusations, are used for sectarian or political purposes, and foster religious intolerance, discrimination, and violence;

Whereas USCIRF has found that at least 84 countries had blasphemy laws as of 2020;

Whereas USCIRF has identified 41 countries that have taken enforcement action in 674 criminal blasphemy cases between 2014 and 2018;

Whereas these laws were enforced in 15 Middle East and North African countries, 14 Asia-Pacific countries, 7 European countries, and 5 Sub-Saharan African countries between 2014 and 2018;

Whereas Pakistan, Iran, Russia, India, Egypt, Indonesia, Yemen, Bangladesh, Saudi Arabia, and Kuwait account for more than 81 percent of all reported cases of state criminal blasphemy enforcement;

Whereas USCIRF has found that the three countries without an official state religion that have the highest state enforcement of blasphemy laws are Russia, India, and Indonesia;

Whereas the Pew Research Center found that countries with laws against blasphemy, apostasy, or defamation of religion were more likely to have severe governmental restrictions on religion, and to experience so-

cial hostilities based on religion, than countries that did not have such laws;

Whereas restrictive laws beyond those penalizing blasphemy, heresy, and apostasy further limit religious freedom, such as extremism laws—

(1) in Russia that have been used to ban Jehovah’s Witnesses as an extremist organization and fueled persecution of this religious group;

(2) in China, to arbitrarily detain an estimated 800,000 to 2,000,000 Uighur Muslims in internment camps because they followed Islamic rituals and practices; and

(3) in North Korea, to detain an estimated 50,000 to 70,000 Christians in labor camps because they followed the tenets of Christianity;

Whereas an international group of experts convened by the Office of the United Nations High Commissioner for Human Rights recommended in 2012 that “[s]tates that have blasphemy laws should repeal the[m] as such laws have a stifling impact on the enjoyment of freedom of religion or belief and healthy dialogue and debate about religion.”;

Whereas blasphemy laws are inconsistent with United Nations resolutions adopted by consensus since 2011 recognizing that religious intolerance is best fought through positive measures, such as education, outreach, and counter-speech, and that criminalization of speech is warranted only for the prevention of imminent violence;

Whereas, according to the annual religious freedom report published by the Department of State in 2015, attackers in Bangladesh killed five allegedly anti-Islamic or secularist writers and publishers, and injured three others;

Whereas, in response to these killings, the Home Minister of Bangladesh, rather than condemning the murders, called on bloggers and others to refrain from writings that could hurt the religious feelings of others and added that violators of the warning would be subject to prosecution under the restrictive religious freedom laws of Bangladesh;

Whereas a 2016 report by USCIRF on Bangladesh found that religious and civil society groups fear that increasing religious extremism will result in more criminal attacks and threats;

Whereas restrictive religious freedom laws validate and promote social violence targeted at religious minorities and dissenters, whether Christian, Muslim, secularist, or other;

Whereas more than one-quarter of reported cases implicated alleged blasphemous speech posted on social media platforms;

Whereas USCIRF has found that in Pakistan, blasphemy laws have been used to prosecute and persecute Muslims, Christians, secularists, and others;

Whereas, according to a Pew Center report on religion and public life, Pakistan stands out for having one of the highest levels of restrictions on religion when both government restrictions and social hostilities are taken into account;

Whereas, as of May 2020, USCIRF was aware of approximately 40 individuals on death row for blasphemy in Pakistan or serving life sentences;

Whereas Asia Bibi was sentenced to death for blasphemy in 2010 and was held on death row for 8 years, until the Supreme Court of Pakistan overturned her conviction in 2018, upheld her acquittal, and granted her permission to leave the country to flee the threats against her in 2019;

Whereas Pakistan selectively enforces the blasphemy and anti-terrorism laws against minority religious groups, including by specifically targeting Ahmadiyya Muslims such as Abdul Shakoor, an 82-year old optician

and bookseller who was recently released after serving over three years in prison on such charges;

Whereas, on July 29, 2020, Tahir Ahmad Naseem, a United States citizen, was shot and killed in a courtroom while on trial for blasphemy;

Whereas, in 2017, the Christian Governor of Jakarta, Indonesia, was convicted for blasphemy of Islam and sentenced to two years in jail;

Whereas several countries that previously maintained blasphemy laws have recently removed these provisions, including Iceland, Norway, Malta, Denmark, Ireland, Canada, New Zealand, Greece, and Scotland;

Whereas blasphemy laws in the United States were invalidated by the adoption of the First Amendment to the Constitution, which protects the freedoms of thought, conscience, expression, and religious exercise; and

Whereas the United States has become a beacon of religious freedom and tolerance around the world: Now, therefore, be it

The preamble, as amended, was agreed to.

The resolution, as amended, with its preamble, as amended, reads as follows:

S. RES. 458

Whereas Article 18 of the Universal Declaration of Human Rights states that “[e]veryone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance”;

Whereas many countries continue to have criminal blasphemy laws, and many punish people who engage in expression deemed by the government to be blasphemous, heretical, apostate, defamatory of religion, or insulting to religion or to religious symbols, figures, or feelings, and such punishment can include fines, imprisonment, and capital punishment including by beheading;

Whereas blasphemy laws have affected Christians, Muslims, Jews, Hindus, Baha’i, secularists, and many other groups, are inconsistent with international human rights standards because they establish and promote official religious orthodoxy and dogma over individual liberty, and often result in violations of the freedoms of religion, thought, and expression that are protected under international instruments, including Articles 18 and 19 of the International Covenant on Civil and Political Rights (ICCPR);

Whereas the United Nations Human Rights Committee stated in General Comment 34 that “[p]rohibitions of displays of lack of respect for a religion or other belief system, including blasphemy laws, are incompatible with the [ICCPR].”;

Whereas the United States Commission on International Religious Freedom (USCIRF) has found that blasphemy charges are often based on false accusations, are used for sectarian or political purposes, and foster religious intolerance, discrimination, and violence;

Whereas USCIRF has found that at least 84 countries had blasphemy laws as of 2020;

Whereas USCIRF has identified 41 countries that have taken enforcement action in 674 criminal blasphemy cases between 2014 and 2018;

Whereas these laws were enforced in 15 Middle East and North African countries, 14 Asia-Pacific countries, 7 European countries, and 5 Sub-Saharan African countries between 2014 and 2018;

Whereas Pakistan, Iran, Russia, India, Egypt, Indonesia, Yemen, Bangladesh, Saudi

Arabia, and Kuwait account for more than 81 percent of all reported cases of state criminal blasphemy enforcement;

Whereas USCIRF has found that the three countries without an official state religion that have the highest state enforcement of blasphemy laws are Russia, India, and Indonesia;

Whereas the Pew Research Center found that countries with laws against blasphemy, apostasy, or defamation of religion were more likely to have severe governmental restrictions on religion, and to experience social hostilities based on religion, than countries that did not have such laws;

Whereas restrictive laws beyond those penalizing blasphemy, heresy, and apostasy further limit religious freedom, such as extremism laws—

(1) in Russia that have been used to ban Jehovah's Witnesses as an extremist organization and fueled persecution of this religious group;

(2) in China, to arbitrarily detain an estimated 800,000 to 2,000,000 Uighur Muslims in internment camps because they followed Islamic rituals and practices; and

(3) in North Korea, to detain an estimated 50,000 to 70,000 Christians in labor camps because they followed the tenets of Christianity;

Whereas an international group of experts convened by the Office of the United Nations High Commissioner for Human Rights recommended in 2012 that “[s]tates that have blasphemy laws should repeal the[m] as such laws have a stifling impact on the enjoyment of freedom of religion or belief and healthy dialogue and debate about religion.”;

Whereas blasphemy laws are inconsistent with United Nations resolutions adopted by consensus since 2011 recognizing that religious intolerance is best fought through positive measures, such as education, outreach, and counter-speech, and that criminalization of speech is warranted only for the prevention of imminent violence;

Whereas, according to the annual religious freedom report published by the Department of State in 2015, attackers in Bangladesh killed five allegedly anti-Islamic or secularist writers and publishers, and injured three others;

Whereas, in response to these killings, the Home Minister of Bangladesh, rather than condemning the murders, called on bloggers and others to refrain from writings that could hurt the religious feelings of others and added that violators of the warning would be subject to prosecution under the restrictive religious freedom laws of Bangladesh;

Whereas a 2016 report by USCIRF on Bangladesh found that religious and civil society groups fear that increasing religious extremism will result in more criminal attacks and threats;

Whereas restrictive religious freedom laws validate and promote social violence targeted at religious minorities and dissenters, whether Christian, Muslim, secularist, or other;

Whereas more than one-quarter of reported cases implicated alleged blasphemous speech posted on social media platforms;

Whereas USCIRF has found that in Pakistan, blasphemy laws have been used to prosecute and persecute Muslims, Christians, secularists, and others;

Whereas, according to a Pew Center report on religion and public life, Pakistan stands out for having one of the highest levels of restrictions on religion when both government restrictions and social hostilities are taken into account;

Whereas, as of May 2020, USCIRF was aware of approximately 40 individuals on

death row for blasphemy in Pakistan or serving life sentences;

Whereas Asia Bibi was sentenced to death for blasphemy in 2010 and was held on death row for 8 years, until the Supreme Court of Pakistan overturned her conviction in 2018, upheld her acquittal, and granted her permission to leave the country to flee the threats against her in 2019;

Whereas Pakistan selectively enforces the blasphemy and anti-terrorism laws against minority religious groups, including by specifically targeting Ahmadiyya Muslims such as Abdul Shako, an 82-year old optician and bookseller who was recently released after serving over three years in prison on such charges;

Whereas, on July 29, 2020, Tahir Ahmad Naseem, a United States citizen, was shot and killed in a courtroom while on trial for blasphemy;

Whereas, in 2017, the Christian Governor of Jakarta, Indonesia, was convicted for blasphemy of Islam and sentenced to two years in jail;

Whereas several countries that previously maintained blasphemy laws have recently removed these provisions, including Iceland, Norway, Malta, Denmark, Ireland, Canada, New Zealand, Greece, and Scotland;

Whereas blasphemy laws in the United States were invalidated by the adoption of the First Amendment to the Constitution, which protects the freedoms of thought, conscience, expression, and religious exercise; and

Whereas the United States has become a beacon of religious freedom and tolerance around the world: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes that blasphemy, heresy, and apostasy laws inappropriately position governments as arbiters of religious truth and empower officials to impose religious dogma on individuals or minorities through the power of the government or through violence sanctioned by the government;

(2) calls on the President and the Secretary of State to encourage the repeal of blasphemy, heresy, and apostasy in bilateral discussions between the United States and all countries that have such laws, through direct interventions in bilateral and multilateral fora;

(3) encourages the President and the Secretary of State to oppose—

(A) any efforts, by the United Nations or by other international or multilateral fora, to create an international anti-blasphemy norm, such as the “defamation of religions” resolutions introduced in the United Nations between 1999 and 2010; and

(B) any attempts to expand the international norm on incitement to include blasphemy or defamation of religions;

(4) supports efforts by the United Nations to combat intolerance, discrimination, or violence against persons based on religion or belief without restricting expression, including United Nations Human Rights Council Resolution 16/18 (2011) and the Istanbul Process meetings pursuant to such resolution, that are consistent with the First Amendment to the Constitution;

(5) calls on the President and the Secretary of State to designate countries that enforce blasphemy, heresy, or apostasy laws as “countries of particular concern for religious freedom” under section 402(b)(1)(A)(ii) of the International Religious Freedom Act of 1998 (22 U.S.C. 6442(b)(1)(A)(ii)) for engaging in or tolerating severe violations of religious freedom, as a result of the abuses flowing from the enforcement of such laws and from unpunished vigilante violence often generated by blasphemy allegations;

(6) urges the governments of countries that enforce blasphemy, heresy, or apostasy laws

to allow for freedom of religion and expression and amend or repeal such laws, as they provide pretext and impunity for vigilante violence against religious minorities; and

(7) urges the governments of countries that have prosecuted, imprisoned, and persecuted people on charges of blasphemy, heresy, or apostasy to release such people unconditionally and, once released, to ensure their safety and that of their families.

DATA ANALYTICS ROBOCALL TECHNOLOGY ACT OF 2019

Mr. GARDNER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 585, S. 2204.

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

The senior assistant legislative clerk read as follows:

A bill (S. 2204) to allow the Federal Communications Commission to carry out a pilot program under which voice service providers could block certain automated calls, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Commerce, Science, and Transportation, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Data Analytics Robocall Technology Act of 2019” or the “DART Act of 2019”.

SEC. 2. DEFINITIONS.

In this Act—

(1) the term “Commission” means the Federal Communications Commission;

(2) the term “covered ruling” means the “Declaratory Ruling and Third Further Notice of Proposed Rulemaking in the matter of Advanced Methods to Target and Eliminate Unlawful Robocalls”, adopted by the Commission on June 6, 2019 (FCC 19–51; CG Docket No. 17–59);

(3) the term “public safety answering point” has the meaning given the term in section 222(h) of the Communications Act of 1934 (47 U.S.C. 222(h)); and

(4) the term “voice service” means any service that—

(A) is interconnected with the public switched telephone network; and

(B) furnishes voice communications to an end user using resources from the North American Numbering Plan or any successor to the North American Numbering Plan adopted by the Commission under section 251(e)(1) of the Communications Act of 1934 (47 U.S.C. 251(e)(1)).

SEC. 3. RULEMAKING.

Not later than 18 months after the date of enactment of this Act, the Commission shall initiate a rulemaking to consider establishing a process under which the Commission shall maintain a list of numbers that are not eligible to be blocked by a voice service provider, which may include a number used—

(1) for outgoing calls by a public safety answering point or a similar facility that is designated to originate or route emergency calls;

(2) to originate calls from a government entity, such as a call generated during an emergency;

(3) by a school, or a similar institution, to provide school-related notifications, such as a notification regarding—

(A) a weather-related closure; or

(B) the existence of an emergency affecting a school or students attending a school; and

(4) for similar or emergency purposes, as determined appropriate by the Commission.

SEC. 4. REPORTS ON DEPLOYMENT AND IMPLEMENTATION OF CALL BLOCKING AND CALLER ID AUTHENTICATION.

Not later than 180 days after the date on which the Commission receives any report under paragraph 90 of the covered ruling, the Commission shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives—

(1) an analysis by the Commission with respect to the effectiveness of various categories of call blocking tools, as evaluated in the report; and

(2) any legislative recommendations of the Commission relating to the report.

SEC. 5. RULE OF CONSTRUCTION.

Nothing in this Act may be construed to impede or delay the analysis by the Commission of the most effective means by which to maintain and administer a list of numbers that may not be blocked (referred to in the covered ruling as a “Critical Calls List”), as considered in the covered ruling.

Mr. GARDNER. I ask unanimous consent that the committee-reported substitute amendment be agreed to; that the bill, as amended, be considered read a third time and passed; and that the motion to reconsider be considered made and laid upon the table.

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

The committee-reported amendment in the nature of a substitute was agreed to.

The bill (S. 2204), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

AMENDING THE HEALTH INFORMATION TECHNOLOGY FOR ECONOMIC AND CLINICAL HEALTH ACT

Mr. GARDNER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 7898, which was received from the House.

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

The senior assistant legislative clerk read as follows:

A bill (H.R. 7898) to amend the Health Information Technology for Economic and Clinical Health Act to require the Secretary of Health and Human Services to consider certain recognized security practices of covered entities and business associates when making certain determinations, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. GARDNER. I ask unanimous consent that the bill be considered read a third time and passed and the motion to reconsider be considered made and laid upon the table.

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

The bill (H.R. 7898) was ordered to a third reading, was read the third time, and passed.

CHILD CARE PROTECTION IMPROVEMENT ACT OF 2020

Mr. GARDNER. Mr. President, I ask that the Chair lay before the Senate the message to accompany S. 2683.

The Presiding Officer laid before the Senate the following message from the House of Representatives:

Resolved, that the bill from the Senate (S. 2683) entitled “An Act to establish a task force to assist States in implementing hiring requirements for child care staff members to improve child safety.”, do pass with an amendment.

MOTION TO CONCUR

Mr. GARDNER. Mr. President, I move to concur in the House amendment, and I know of no further debate on the motion.

The PRESIDING OFFICER. If there is no further debate, the question is on agreeing to the motion to concur.

The motion was agreed to.

Mr. GARDNER. I ask unanimous consent that the motion to reconsider be considered made and laid upon the table.

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

UNITED STATES SEMIQUINCENTENNIAL COMMISSION AMENDMENTS ACT OF 2020

Mr. GARDNER. Mr. President, I ask that the Chair lay before the Senate the message to accompany S. 3989.

The Presiding Officer laid before the Senate the following message from the House of Representatives:

Resolved, that the bill from the Senate (S. 3989) entitled “An Act to amend the United States Semiquincentennial Commission Act of 2016 to modify certain membership and other requirements of the United States Semiquincentennial Commission, and for other purposes.”, do pass with an amendment.

MOTION TO CONCUR

Mr. GARDNER. Mr. President, I move to concur in the House amendment, and I ask unanimous consent that the motion be agreed to and that the motion to reconsider be considered made and laid upon the table.

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

ROCKY MOUNTAIN NATIONAL PARK OWNERSHIP CORRECTION ACT

Mr. GARDNER. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be discharged and the Senate proceed to the immediate consideration of H.R. 5459.

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

The senior assistant legislative clerk read as follows:

A bill (H.R. 5459) to authorize the Secretary of the Interior to correct a land own-

ership error within the boundary of Rocky Mountain National Park, and for other purposes.

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

Mr. GARDNER. I ask unanimous consent that the bill be considered read a third time.

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

The bill was ordered to a third reading and was read the third time.

Mr. GARDNER. I know of no further debate on the bill.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass?

The bill (H.R. 5459) was passed.

Mr. GARDNER. Mr. President, I ask unanimous consent that the motion to reconsider be considered made and laid upon the table.

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

ORDERS FOR SUNDAY, DECEMBER 20, 2020

Mr. GARDNER. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 1 p.m., Sunday, December 20; further, 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, that following leader remarks, the Senate proceed to executive session and resume consideration of the Noland nomination, under the previous order.

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

ADJOURNMENT UNTIL 1 P.M. TOMORROW

Mr. GARDNER. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:49 p.m., adjourned until Sunday, December 20, 2020, at 1 p.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate December 19, 2020:

TENNESSEE VALLEY AUTHORITY

BETH HARWELL, OF TENNESSEE, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE TENNESSEE VALLEY AUTHORITY FOR A TERM EXPIRING MAY 18, 2024.

THE JUDICIARY

THOMPSON MICHAEL DIETZ, OF NEW JERSEY, TO BE A JUDGE OF THE UNITED STATES COURT OF FEDERAL CLAIMS FOR A TERM OF FIFTEEN YEARS.

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S7831–S7853

Measures Introduced: Five bills were introduced, as follows: S. 5070–5074. **Page S7848**

Measures Passed:

Calling for the Global Repeal of Blasphemy, Heresy, and Apostasy Laws: Committee on Foreign Relations was discharged from further consideration of S. Res. 458, calling for the global repeal of blasphemy, heresy, and apostasy laws, and the resolution was then agreed to, after agreeing to the following amendments proposed thereto: **Pages S7850–52**

Gardner (for Lankford) Amendment No. 2719, in the nature of a substitute. **Pages S7850–51**

Gardner (for Lankford) Amendment No. 2720, to amend the preamble. **Pages S7851–52**

DART Act: Senate passed S. 2204, to allow the Federal Communications Commission to carry out a pilot program under which voice service providers could block certain automated calls, after agreeing to the committee amendment in the nature of a substitute. **Pages S7852–53**

Recognized Security Practices: Senate passed H.R. 7898, to amend the Health Information Technology for Economic and Clinical Health Act to require the Secretary of Health and Human Services to consider certain recognized security practices of covered entities and business associates when making certain determinations. **Page S7853**

Rocky Mountain National Park Ownership Correction Act: Committee on Energy and Natural Resources was discharged from further consideration of H.R. 5459, to authorize the Secretary of the Interior to correct a land ownership error within the boundary of Rocky Mountain National Park, and the bill was then passed. **Page S7853**

House Messages:

One Small Step to Protect Human Heritage in Space Act: Senate agreed to the motion to concur in the amendment of the House of Representatives and the amendment to the title to S. 1694, to require the National Aeronautics and Space Administration

to add recommendations and inform other relevant agencies of information relating to the principle of due regard and the limitation of harmful interference with Apollo landing site artifacts. **Page S7850**

Child Care Protection Improvement Act: Senate agreed to the motion to concur in the amendment of the House of Representatives to S. 2683, to establish a task force to assist States in implementing hiring requirements for child care staff members to improve child safety. **Page S7853**

United States Semiquincentennial Commission Amendments Act: Senate agreed to the motion to concur in the amendment of the House of Representatives to S. 3989, to amend the United States Semiquincentennial Commission Act of 2016 to modify certain membership and other requirements of the United States Semiquincentennial Commission. **Page S7853**

Johnson Nomination: By 39 yeas to 48 nays (Vote No. EX. 277), Senate rejected the motion to close further debate on the nomination of John Chase Johnson, of Oklahoma, to be Inspector General, Federal Communications Commission. **Pages S7841–42**

Senator McConnell entered a motion to reconsider the vote by which cloture was not invoked on the nomination. **Page S7842**

Soskin Nomination: By 39 yeas to 48 nays (Vote No. EX. 278), Senate rejected the motion to close further debate on the nomination of Eric J. Soskin, of Virginia, to be Inspector General, Department of Transportation. **Page S7842**

Senator McConnell entered a motion to reconsider the vote by which cloture was not invoked on the nomination. **Page S7842**

Noland Nomination—Agreement: A unanimous-consent agreement was reached providing that notwithstanding the provisions of Rule XXII, the motion to invoke cloture on the nomination of Brian Noland, of Tennessee, to be a Member of the Board of Directors of the Tennessee Valley Authority, ripen at 1:30 p.m., on Sunday, December 20, 2020.

Page S7845

A unanimous-consent agreement was reached providing that at approximately 1 p.m., on Sunday, December 20, 2020, Senate resume consideration of the nomination. **Page S7853**

Nominations Confirmed: Senate confirmed the following nominations:

By 51 yeas to 36 nays (Vote No. EX. 276), Thompson Michael Dietz, of New Jersey, to be a Judge of the United States Court of Federal Claims for a term of fifteen years. **Pages S7832–41**

During consideration of this nomination today, Senate also took the following action:

By 50 yeas to 37 nays (Vote No. EX. 275), Senate agreed to the motion to close further debate on the nomination. **Page S7833**

By 59 yeas to 25 nays (Vote No. EX. 280), Beth Harwell, of Tennessee, to be a Member of the Board of Directors of the Tennessee Valley Authority for a term expiring May 18, 2024. **Pages S7843–46**

During consideration of this nomination today, Senate also took the following action:

By 61 yeas to 25 nays (Vote No. EX. 279), Senate agreed to the motion to close further debate on the nomination. **Page S7843**

Messages from the House: **Page S7847**

Executive Communications: **Pages S7847–48**

Additional Cosponsors: **Pages S7848–49**

Statements on Introduced Bills/Resolutions: **Page S7849**

Additional Statements: **Pages S7846–47**

Amendments Submitted: **Pages S7849–50**

Record Votes: Six record votes were taken today. (Total—280) **Pages S7833, S7841–43, S7845–46**

Adjournment: Senate convened at 11 a.m. and adjourned at 6:49 p.m., until 1 p.m. on Sunday, December 20, 2020. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S7853.)

Committee Meetings

(Committees not listed did not meet)

No committee meetings were held.

House of Representatives

Chamber Action

The House was not in session today. The House is scheduled to meet at 12 noon on Sunday, December 20, 2020.

Committee Meetings

No hearings were held.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR SUNDAY, DECEMBER 20, 2020

(Committee meetings are open unless otherwise indicated)

Senate

No meetings/hearings scheduled.

House

No hearings are scheduled.

Next Meeting of the SENATE

1 p.m., Sunday, December 20

Next Meeting of the HOUSE OF REPRESENTATIVES

12 noon, Sunday, December 20

Senate Chamber

Program for Sunday: Senate will resume consideration of the nomination of Brian Noland, of Tennessee, to be a Member of the Board of Directors of the Tennessee Valley Authority, and vote on the motion to invoke cloture thereon at 1:30 p.m.

House Chamber

Program for Sunday: To be announced.



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