



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 116<sup>th</sup> CONGRESS, SECOND SESSION

Vol. 166

WASHINGTON, SUNDAY, MARCH 22, 2020

No. 56

## House of Representatives

The House was not in session today. Its next meeting will be held on Monday, March 23, 2020, at 11:30 a.m.

## Senate

SUNDAY, MARCH 22, 2020

The Senate met at 2 p.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, open our eyes to Your movements in our midst. Remind our lawmakers that You have brought us through times more challenging than what we now face. Keep them from being intimidated by this global pandemic, as they cling to Your promises and trust the unfolding of Your triumphant providence.

Lord, continue to protect them and to order their steps. Clothe them with the honor of integrity. Shield them with Your truth and guide them with Your power.

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. BRAUN). The Senator from Iowa.

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

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

### CORONAVIRUS

Mr. GRASSLEY. Mr. President, I bet all of our fellow Senators have been hearing from businesses, hospitals, nursing homes, and local civic business and political leaders about the issues they are facing right now due to the coronavirus health crisis.

Likewise, I have been talking to family and friends back home in Iowa. I find that they are banding together to support one another. In times of strife, Iowans can count on each other.

We have to give special attention to the hard work of our medical professionals and first responders. They are under immense pressure and going above and beyond to serve their communities. I believe they are doing God's work, keeping the American people safe and healthy. So I thank our medical professionals and first responders for their dedication to their communities and send my encouragement to keep up their essential work in the days and weeks ahead, as we see ourselves through this virus pandemic we are in.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

### RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

### SENATE LEGISLATIVE AGENDA

Mr. McCONNELL. Mr. President, Senators have now spent days engaged in vigorous bipartisan discussions among ourselves and with the administration.

Earlier today, I hosted a productive meeting in my office with the Democratic leader, the Speaker of the House, the House Republican leader, and the Secretary of the Treasury. These intense conversations have built a piece of legislation that is as bold and as big as the American people deserve and as thoroughly bipartisan as our process demands.

Now what we need to do is to move forward. This national crisis is not going to wait around if Congress slips back into conventional politics or haggles endlessly over the finer points.

Every day, more Americans' jobs are disappearing or coming ever closer to the brink. Every day, more small businesses are faced with hard decisions that could change local communities, literally, forever. Every day, major American companies that employ countless people are seeing their commerce crushed by their own government for the sake of public health. Every day, doctors, nurses, and healthcare professionals will keep reporting to work and treating patients, whether or not Congress has their back.

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



Printed on recycled paper.

S1893

The risks to our country grow every single day that we do not act. The needs of hospitals and healthcare providers grow every day that we do not act.

That is why we have worked around the clock to craft a major bipartisan relief package. That is why we are going to hold our first procedural vote in just a few minutes. It is so that we can keep moving forward, because this virus is not going to wait for politics as usual.

These past few days have brought unity and bipartisan energy here to the Senate. I think Members on both sides agree that it has been very encouraging.

Since Senate Republicans released our initial framework to give some structure to these discussions, both sides have worked hard to create something that can pass the Senate, pass the House, and be signed into law by the President.

The bipartisan product delivers strongly on each of the core priorities we identified at the outset. It puts urgently needed cash in the hands of American workers and families. It delivers historic and rapid relief to small businesses so they can make payroll and keep people employed. It helps stabilize key industries to avoid layoffs wherever possible and preserve the greatest economy in the world for when we come out on the other side of this. And, of course, it sends a massive—massive—new infusion of resources to the frontlines of the medical response.

That is what we have to do: inject a significant amount of money as quickly as possible into households, small businesses, key sectors, and our Nation's hospitals and health centers.

This bill would do that, and it would do it fast. The comprise product also contains many ideas that our Democratic colleagues brought to the table. It balances the administration's focus on sending direct cash to Americans as quickly as possible with our Democratic colleagues' focus on bolstering State unemployment insurance programs. It places conditions which our Democratic colleagues have sought on the loans that would flow to major businesses, conditions which the President has also endorsed. And both parties have made sure to keep strengthening the resources that will be pushed out to the frontlines.

The bill includes \$75 billion in a new fund for hospitals and health providers, and more than three-quarters of the funds in the appropriations section—nearly \$200 billion—will not stay in Washington but will go straight to State and local priorities.

So what we have is a comprise product which contains ideas, contributions, and priorities from both sides and which can become law as soon as tomorrow—as soon as tomorrow. In other words, it is just about time to take yes for an answer.

We are now at a point which every American who has ever negotiated any-

thing would recognize, whether they have purchased a home, bought a car, or negotiated for their small business. We are at the point where both sides have come a long way toward each other, and each side has to decide whether to continue elbowing and arguing over the last several inches and risk the whole thing or whether to shake hands and get it done.

Thus far, throughout this crisis, the Senate has risen to the occasion. It was just a few days ago when the Senate Republican majority moved expeditiously to pass the House Democrats' phase 2 legislation, even though many of my colleagues on this side of the aisle and I had serious reservations and would have written it very differently. We passed it anyway. It was basically written on the House side. Nevertheless, as I just said, I pushed the Speaker's legislation through the Senate because urgency and results matter during a national crisis; because, imperfections notwithstanding, it was the right thing to do for our country.

So, look—look—I hope and anticipate that a similar degree of bipartisanship and urgency will be reciprocated now. I understand the Speaker said following our meeting this morning that she may simply give up on these bipartisan talks and begin writing her own separate bill. Perhaps that is related to the remarks of one of her senior House Democratic leaders who reportedly told colleagues a few days ago: "This is a tremendous opportunity to restructure things to fit our vision."

"... a tremendous opportunity to restructure things to fit our vision."

Well, I sincerely hope that nobody actually views this crisis in such a cynical manner. This is not a political opportunity. It is a national emergency. That is why we have engaged in days of bipartisan talks to get to this point. It is why it is time to move forward.

Americans don't need to see us haggling endlessly. They don't need us to jeopardize all the progress we have made over the past several days for the sake of some eleventh-hour brinkmanship. The American people need an outcome, and they need it tomorrow. They need us to vote to advance this legislation today and pass it tomorrow.

As I said yesterday, Congress should take inspiration from our own constituents. We should be inspired by our own constituents. Look at what they are doing. Even during this pandemic, the American people are showing the world the soul of our country.

In my home State of Kentucky, the official motto is "United we stand, divided we fall." And every day I hear about new ways Kentuckians are standing united, even if they have to stand 6 feet apart.

I recently heard about a resident of Campbell County in Northern Kentucky named Debbie Buckley. In her day job, Debbie works for the local government, but recently she heard about some students at a nearby university who were still living in the dorms even

though in-person classes have been canceled. Some had to remain in the area for work. Others were international students who couldn't get home. Their situations were completely uncertain.

The local shelves were not fully stocked, so Debbie decided to do something. She put out a call for help, and Kentuckians answered the call. Churches, restaurants, and neighbors all pitched in with food and supplies. Debbie drove all over Northern Kentucky collecting those donations and then delivering them to these young people.

She has found everything a college student could need: canned goods, microwavable meals, and even Airheads candy, which I am proud to say are made right there in Kentucky.

There are so many stories like this pouring in from all over our country. Americans are stepping up to the plate. Americans realize this is no time for selfishness and no time for division but a time for solidarity, generosity, and, yes, courage.

Americans are rising to the occasion. The Senate must do the same. Let's move this legislation forward this afternoon, as the last few discussions begin to wind down, and then let's get this done tomorrow.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

#### CORONAVIRUS

Mr. THUNE. Mr. President, before I begin, we just learned that our colleague Senator RAND PAUL has tested positive for the coronavirus. Our thoughts and prayers are with him for a speedy recovery. We will consult with the attending physician at the Capitol about appropriate measures for those of us who have been in contact with the Senator.

This is the kind of situation that Americans across the country are dealing with right now, and it underscores the importance of acting immediately to deliver more relief for the American people.

The Senate has been working around the clock over the past few days to put together a third round of coronavirus legislation. We are very close to moving forward with a major bill that will deliver much needed relief to American families, workers, and businesses and put more resources into the hands of medical professionals.

This is a big bill, but this situation requires a big and bold response. Across our country, American workers and American businesses are struggling. Families are scared. Businesses have been forced to drastically curtail

or close their operations, and social distancing has become a public health priority.

Workers are wondering how long they will be getting a paycheck. Small businesses are worrying about whether they will be able to reopen their doors when all of this is over. Key industries have taken a massive economic hit. A major response is required.

The package we put together addresses a number of priorities: putting emergency cash into the hands of American families and American workers quickly, in a way that ensures those most in need get the maximum level of support; delivering relief to small businesses to help them keep their workers employed; injecting stability into the economy to help bridge this crisis and to limit layoffs; providing new resources for State unemployment programs to help workers displaced by this emergency; and most importantly—most importantly—continuing to deliver resources to the healthcare workers fighting to stop this pandemic.

This package is the product of bipartisan input, and I hope it will receive overwhelming bipartisan support in the Senate. Republicans and Democrats have already come together to deliver two coronavirus relief bills. It is time for us to come together again to deliver this legislation.

As the leader said yesterday, the American people need help, and they need it now. This bill will provide them with relief.

These are challenging times. There is a lot of stress and uncertainty, and Americans are understandably worried. We are going to get through this. There may be difficult days ahead, but we are going to come out the other side.

All around this country, Americans are standing up to meet this challenge. We have our heroic healthcare workers who are putting their lives on the line to care for the seriously ill, our first responders who got their name because they are always the first on the scene in any crisis, and new heroes: grocery store employees, truck drivers, delivery people, pharmacy employees—people we may have taken for granted before but won't again.

Everywhere I look in my State, I see South Dakotans helping other South Dakotans. It is the same all across this country: people looking out for their neighbors, providing meals for those in need, offering childcare help to those who can't telework, running errands for elderly, or those with compromised immune systems who can't leave their house.

I was touched to read a story from the Rapid City Journal yesterday about a group of young people from Eagle Butte, SD, who showed up outside the Medicine Wheel Village Nursing Home to hold up signs to encourage the residents who can't receive visitors right now because of the risk of virus transmission.

We are going to get through this together. My colleagues and I in the Sen-

ate are going to keep working to deliver the resources that Americans need to confront and defeat this disease.

I yield the floor.

#### 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.

#### MIDDLE CLASS HEALTH BENEFITS TAX REPEAL ACT OF 2019—Motion to Proceed—Resumed

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the motion to proceed to H.R. 748, which the clerk will report.

The senior assistant legislative clerk read the following:

A bill (H.R. 748) to amend the Internal Revenue Code of 1986 to repeal the excise tax on high cost employer-sponsored health coverage.

The PRESIDING OFFICER. The Senator from Tennessee.

#### CORONAVIRUS

Mr. ALEXANDER. Mr. President, in a few minutes, the majority leader will begin a process that will permit the Senate to act for the third time to deal with this unprecedented healthcare crisis that we are facing. Our message to the American people is this: This is about your paycheck. This is a collection of the best ideas that Democratic Senators and Republican Senators have that we believe will generate trillions in economic support that will, No. 1, keep payroll checks coming; No. 2, relieve the financial burdens on Americans; and No. 3, begin to contain this COVID-19 virus.

The legislation we will be voting on will contain about \$1.7 trillion in Federal spending, and it will authorize the Federal Reserve Board and the Treasury Department to generate trillions more in liquidity and credit support for companies of all kinds to try to keep payrolls checks coming to workers.

In the end, the only way to end this crisis—and the only way to get the American economy moving again—is to contain the disease. This will require, as soon as possible, adopting a new goal. That goal should be to test every American who needs it for COVID-19 as soon as possible, and then isolate and care for the few who are sick and fast-track treatments and vaccines so that Americans can go back to work and go out to eat and resume a normal life again. This legislation will make all COVID-19 tests free.

The government has shut down the economy to fight this disease, and the government has to help pay the cost of

the suffering that this disease has caused, but the sooner we make more tests available and stop telling Americans not to get a test, the better.

Just yesterday, a California company announced a 45-minute test that could be taken in a doctor's office while also getting a flu test. Expanding tests like this will do more to get the economy moving again than spending trillions stabilizing businesses and supporting employees.

Yesterday, I spoke with the chief executive officer of the company that makes that test. This is a well-established company that makes millions of flu tests. He said they could make 45,000 tests available by the end of the month and 2 million tests by the end of June. More instances of expansion of tests that you can get at the same time you visit a doctor's office is what we need.

The legislation the Senate will be considering has three goals: one, keep the payroll checks coming as much as possible; two, relieve financial burdens on Americans; and, three, contain the disease.

Keeping the payroll checks coming means \$300 billion for loans to small businesses. If they use the loans to pay the wages, the loans will be forgiven.

It authorizes the Federal Reserve Board and the Treasury Department to create trillions more in financial credit support for States, cities, and large businesses so they will be able to stay in business and pay their employees.

It expands the emergency paid sick and family leave passed by the House and then the Senate last week—to workers who were laid off and later rehired by their employers.

The second goal is to relieve the financial burden on Americans. That section of the bill includes checks to individuals and families: \$1,200 for individuals, \$2,400 for a couple, and \$500 for each eligible child.

Federal income taxes don't have to be filed until July 15. Estimated taxes can be delayed until October 15. It will make it easier to use retirement savings without penalty.

All student loan payments will be deferred for 6 months. There are 43 million Americans with student loans. There is priority on both sides of the aisle for more Federal funding for State unemployment insurance programs, so States can increase benefits, waive the waiting week, and expand eligibility to self-employed and independent contractors.

There is money for block grants for States for K-12 education, for higher education, and for children and families, including the child care and development block grants, which will provide immediate assistance to childcare centers.

Finally, containing the disease is the third goal. It makes all COVID-19 tests free. There is nearly \$100 billion for the public health and social services emergency fund. That is at least \$75 billion for hospitals and \$10.5 billion for accelerating diagnostics, treatments, and vaccines.

We are probably a few months away from a treatment for COVID-19. This would accelerate the efforts that are being made now to determine if these treatments work and if they are safe. We are even further away from a vaccine, but if there is any way to accelerate that vaccine, this \$10 billion will help to do that.

There is another \$1.7 billion for the strategic national stockpile, which has the purpose of buying the equipment that our medical personnel especially need; \$4.5 billion for the Centers for Disease Control and Prevention for State and local preparedness and response grants and to improve public health; \$80 million for the Food and Drug Administration, again, for diagnostics, treatments, and vaccines; \$1.32 billion for community health centers. There are 1,400 centers with 12,000 sites. They are the hospitals for probably 28 or 30 million Americans across this country. And there is \$20 billion for veterans healthcare.

The goal of the legislation we will be considering has these objectives: keep the paychecks coming as much as possible, relieve financial burdens on Americans, and, most importantly, contain the disease.

Senator THUNE mentioned that now one of our Members, Senator PAUL of Kentucky, has tested positive for the coronavirus. That reminds us of what every family in this country is going through today and worrying about. It also should remind us of the urgency of moving ahead.

We have been working together for several days with our counterparts on the other side. This is a collection of ideas that will keep the paychecks coming, relieve financial burdens, and contain the disease. It is time to vote on it, approve it by a big margin, and send it to the House of Representatives so we can intensify our efforts.

I yield the floor.

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

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

#### UNANIMOUS CONSENT AGREEMENT

Mr. McCONNELL. Mr. President, I ask unanimous consent that notwithstanding rule XXII, the cloture vote on the motion to proceed to H.R. 748 occur at 6 p.m.

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

The PRESIDING OFFICER (Mr. YOUNG). The Senator from West Virginia.

Mr. MANCHIN. Mr. President, I would like to just say a few words about what we are going through and what we are experiencing. I can only give you my experiences back home in West Virginia.

I have been on conference calls because we are social distancing, as we all are. I have talked to the nurses' association, the medical association, and the hospital association. The main concern we have right now is of our medical providerships' being stable enough and protected enough so, if need be, they can continue to take care of us. Right now, they are scared to death because they are not getting the protective equipment they need. They don't have the personal protection equipment, such as the masks or the shields or the gowns—all of the equipment that a first responder or a medical provider should have. That is what we are fighting for right now. Also, we have rural hospitals and rural clinics throughout all of America—West Virginia is mostly all rural—and they are all scared to death that they are not going to have the finances with which to stay afloat.

The proposal that we have right now, that they are working on—that both sides are working on—is inadequate and insufficient. MITCH McCONNELL's proposal falls short of delivering the protection the medical providerships need. They talk about the economy and the recovery of this economy, but we need to find a treatment for the virus as we know it. For the people who do contract it, they will know they have a treatment that can cure them, and then we must find a working vaccine as quickly as possible. We have been told that this could take 12 months or longer.

The treatment is the most important thing, and protecting our healthcare workers is the most important thing. Keeping our hospitals and clinics and all medical providers vibrant right now and able to survive this economic downturn is the first and foremost thing, and it is the thing that didn't get the attention that we needed.

I am hoping that between now and before we vote, at 6 o'clock, the two sides can come together. I implore of my colleagues on the Republican side to basically express their concerns to their leader, MITCH McCONNELL, that we need to have a balanced approach.

I am concerned about the economy. I am concerned about the workers. Through no fault of their own, we have had workers throughout West Virginia who have been laid off. They have done nothing wrong except to have been in professions, basically, because of the health concerns of our country, that had to lay them off. The businesses they worked for had to stop—cease and desist. They had to stop. It was through no fault of their own. Basically, for the health of this country, it was best if they closed. These people have no control whatsoever over their destinies except to ask: When can we get this thing cured? When do we get ahead of this cycle, or ahead of the curve, so we may get back to normal?

Wall Street will not return, I can assure you, no matter how much money we throw at Wall Street. It is not going

to have confidence built into it is as long as the virus is out there without any type of a treatment or a vaccine coming down the pike that is going to cure and protect us. That is what this is all about.

Don't you think we should be putting the resources on the front end to help these providers, to give some assurances to the American public, to the people in West Virginia that we have found and we have a treatment now that will work?

God forbid if you contract the disease, and the virus attacks you, but we can help you. You are not going to perish from this. But with that being said, it doesn't make any sense to me that—the proposal that Leader McCONNELL from the Republican side has put forth is absolutely, totally worried about Wall Street at this time.

I am worried about the people in rural West Virginia and all over Main Street. Those are the people we are worried about, and Wall Street is going to do just fine. It has always rebounded real well. They always come back strong. But the market has to have stability to it and it has to have confidence in it and the people have to have confidence.

So that is where we stand. Let's take care of the people whom we are asking to take care of us if we need them. Let's take care of our healthcare workers, our nurses, our first responders, all of our doctors. Let's take care of the facilities that they are keeping open for us, which is the hospitals and the clinics—everything that we possibly can to protect them. Let's make sure that our workers and these healthcare providers don't go down because if that system goes down, I can assure you, you can't print enough money for Wall Street to rebound. If the healthcare system in this country is not able to take care of the people of America, that will not happen.

And if West Virginians can't count on our hospitals and clinics to take care of them, and if the workers who work there—the nurses and all of the different people who work within that system—aren't able to go to work because they might have contracted the virus, we have done nothing special to help them with their childcare and everything because they will be working extraordinary hours. This is where our emphasis should be right today. This is what we should be talking about.

Yet we are miles apart now because Wall Street is not maybe taken care of to the likes of what they would like. I can't understand it at all. I really don't. I want them to succeed, and they will succeed. I want them to have a generous loan program—not a gift but a loan program—and I want to make sure that people who have lost their jobs and the business has closed down due to no fault of their own have the backing of this great country of ours and the government right here. That is whom I am worried about.

The proposal that is on the table today does not do that. If we had to

vote today at this time, I would vote no, not to proceed. We will stay here all night long. They are worried about what happens when the markets open in the morning. We will work around the clock. I am fine. I can stay here until 7, 8 o'clock. We can all work around the clock, but there has to be a balanced approach and putting healthcare first.

# RECESS

Mr. MANCHIN. Mr. President, I ask unanimous consent that the Senate stand in recess until 5 p.m. today.

There being no objection, the Senate, at 3:18 p.m., recessed until 5:02 p.m. and was reassembled when called to order by the Presiding Officer (Mrs. LOEFFLER).

## MIDDLE CLASS HEALTH BENEFITS TAX REPEAL ACT OF 2019—Motion to Proceed—Resumed

The PRESIDING OFFICER. The Senator from Maine.

### CORONAVIRUS

Ms. COLLINS. Madam President, the United States is facing a crisis unlike any other in our recent history. This is no time for partisanship or for political differences to prevent us from coming together and working in the best interests of the American people.

The coronavirus pandemic has arrived on our shores, and it is growing exponentially, sickening our people and devastating our economy. As of today, more than 26,700 Americans have tested positive for the virus, and 340 people have died, while 176 have recovered. In my home State of Maine, there are now 89 cases in 8 different counties.

Hospitals, doctors, and nurses are struggling to triage the influx of patients. Nursing homes are locking down their facilities in an attempt to safeguard their vulnerable residents.

Students and teachers have had to transition abruptly to online learning as schools have closed across the Nation. Parents have been left with no childcare. Workers have been laid off or fear that they may soon lose their jobs as the outbreak worsens.

To help mitigate the spread of this dangerous virus and protect those who are at highest risk, Americans have stepped forward to take the proper precautions and to follow the guidelines that are issued by the Centers for Disease Control.

Although measures such as limiting large social gatherings and reducing nonessential travel are important to help contain the coronavirus and reduce contagion, they are also taking a tremendous toll on our economy. There are 30 million small businesses in the United States. They employ nearly 60 million Americans, about half of our Nation's workforce. According to a recent survey, 96 percent of small business owners say they have already been

affected by the coronavirus—not in the sense that they have become ill with it, but their customer base has simply dried up—and 51 percent say they will only be able to keep open for up to 3 months if the economic consequences continue. The potential loss of more than half of our Nation's small businesses, and the impact on the millions of people they employ is simply unacceptable.

In my State the number of claims for unemployment filed in a span of just 3 days this month was nearly double those filed in all of March 1 year ago. Maine is on track to surpass the highest weekly total of unemployment claims since the great recession of 2008. The situation is dire, and it is only going to get worse unless we act and we act now.

We must come together as Republicans and Democrats in this Chamber and in the House to provide relief to the American people to ensure that workers continue to receive paychecks or other forms of assistance. Of course, we continue to build on the two bills that we have already passed to protect the health and safety of the American people.

Looking beyond the statistics that I just recited, the real world effect of this economic devastation is evident everywhere. I just got off the phone from talking to a couple in Lewiston, ME, Jimmy and Linda Simones. They run a third-generation family diner. It is well known and a favorite place to stop by for lunch. They tried to convert to a takeout business, but it just didn't work. So for the first time ever in this diner's history, the Simones family is forced to close their doors and to lay off their workers—workers who have been with them for years, workers who include not only themselves but their son George.

Every day I have heard from small business owners who are anxious about the future of their businesses and how they can continue to pay their employees who are often their family members, their friends, and their neighbors. The last thing they want to do is to lay off their employees and shut their doors, but they fear they may have no other choice. They simply do not have the cash flow, the revenue coming in the door, to allow them to remain open.

The tourism sector, which is so critical to jobs in Maine, has been particularly hard hit. A small hotel in Brunswick, ME, received 84 cancellations within 24 hours of the local college suspending its in-person classes. A well-known Irish pub in Bangor, ME, had to close for St. Patrick's Day, probably its biggest day of the year, and has been forced to lay off 60 people. A charter bus company based in Lewiston lost \$400,000 in 3 days because two major tours canceled. If tourism is further reduced, this bus company predicts losses of more than \$1 million.

Countless other businesses in my State—such as restaurants, the lobster

and fishing industries, gyms, B&Bs, gift shops, retailers, and hair salons—have also been hard hit. The hospitality industry, in particular, is at risk of being devastated, as conferences and vacation trips continue to be canceled.

A hair stylist in Biddeford, a good friend of mine, was forced to shutter her shop, and, at the same time, she lost her part-time job bartending when the bar that employed her was also required to close. When these small businesses suffer, it has a cascading effect on their employees, from housekeepers to wait staff, to bartenders, to fishermen, to drivers, to retail clerks. These are just some of the countless examples of the economic damage that is occurring in every community because of the virus and through absolutely no fault of the small businesses or their workers. But for the coronavirus and the steps that State and local governments have taken, as well as the Federal Government, these businesses would be thriving. In Maine, they would be beginning to start staffing up for the summer months for the height of the tourism season.

It is essential that Congress act immediately without partisan bickering, without delay—act immediately to protect the paychecks and to provide other relief to supplement the earlier bills that we have passed.

I am pleased to report that help is on the horizon for small businesses and their workers that would allow them to weather the current storm. As a member of the Small Business Task Force, I have been working very closely night and day with a group of my colleagues—Senator RUBIO, Senator CARDIN, and Senator SHAHEEN. Our staffs have worked literally through the night on legislation to provide relief to small businesses and their employees.

The Keeping Workers Paid and Employed Act that I authored with Senator RUBIO, the chairman of the Small Business and Entrepreneurship Committee, provides a plan to do just that. Through our negotiations with Senator SHAHEEN and Senator CARDIN, who have been wonderful partners—wonderful partners—we have produced, jointly, a \$350 billion plan that would help mitigate this crisis.

Our group has worked night and day in a bipartisan fashion. We have kept in mind the common goal of protecting those employees who have been laid off or who are at risk of being laid off because of the cashflow problems of their employers, problems that these small businesses did not create but, rather, are a result of the COVID-19 pandemic.

Our joint vision is to help small businesses and their employees make it through to the other side of this crisis by providing cashflow assistance quickly to employers who agree to keep their workers on the payroll. This would allow employers to stay in business and keep paying their employees.

More than 100 Maine small businesses and the Maine Chamber of Commerce

have endorsed this bill. Additionally, nationwide, a group of more than two dozen business organizations that represent thousands of companies across the country have expressed their strong support for this proposal, and I would ask unanimous consent that both of those letters be included in the RECORD at the conclusion of my remarks.

Let me explain how our plan would work. Under our approach, small businesses would be eligible for a 100-percent federally guaranteed emergency loan to cover their payroll for 8 weeks, as well as certain fixed expenses—normal customary expenses like rent or mortgage payments and utilities. These loans would ultimately be eligible to be forgiven, provided that the employers kept the workers on their payrolls. That is the key provision. This financial assistance is targeted, and it could not be used to give raises to highly compensated employees or to increase returns to shareholders, not that most of these small businesses even have shareholders.

Our goal is to keep these workers employed, to keep paychecks going to them, to keep payments for their health insurance intact, and to keep contributions that an employer may be making to their 401(k) plan intact. We know that keeping people employed and ready to get back to work, not severing that connection between employers and their employees, will cost far less than it would to try to rescue the economy after we have had massive layoffs and business closures. That is what our bill would prevent.

The Secretary of the Treasury has estimated that if we do nothing and if we do not pass this bill in connection with a broader package aimed at preventing economic devastation, we could see unemployment rise as high as 20 percent. Keep in mind, we are coming through a period where we have had record-low unemployment. It could rise as high as 20 percent.

If that happens, the impact on the Federal Government would be substantial, far more than the \$350 billion that we are using for this small business assistance program to keep their employees paid, not to mention the extraordinary harm that this kind of economic catastrophe would cause to millions of families.

Congress has already passed two emergency relief packages. They will promote the health and safety of Americans, but it is going to take time for us to get the coronavirus under control. It is going to take time for the social distancing to work. It is going to take time for new treatments to be developed, much less a vaccine, despite the extraordinary efforts of scientists and physicians and other experts across this country who are all pulling together.

Our Keeping Workers Paid and Employed Act has been included in a third package that I hope Congress will soon—very soon—consider to respond

to COVID-19. It is imperative that we not delay. Every day that we delay, another business like the Samones' business, their diner in Lewiston, ME, is forced to close their doors and to lay off their employees.

We are truly standing at the edge of a dangerous precipice. Bold, bipartisan action is required to respond to this public health crisis and move us back from economic disaster and small businesses closing their doors—in some cases forever—devastating and decimating our downtowns and millions of Americans losing their jobs. I implore my colleagues on both sides of the aisle to put aside partisan differences and come together and join our bipartisan group in delivering this urgently needed aid for the American people by passing this important economic relief for the employees of small businesses throughout our Nation.

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

HOSPITALITY MAINE,  
Augusta, Maine, March 16, 2020.

DEAR HONORABLE SENATOR COLLINS: We are hospitality business owners and supporting suppliers, both for-profit and nonprofit, in Maine and we are writing with urgency regarding the COVID19 outbreak and its economic impact on our businesses. We ask that you look to support small business owners, especially those in the tourism industry, during this immediate challenge.

The spread of the virus, and the subsequent directives for social distance and quarantine, is causing widespread event cancellations, hitting the travel and tourism industry hard. Since the virus outbreak began to escalate in the United States, our businesses have lost thousands of room nights and advanced room reservations and thousands of restaurant reservations and many more walk-in customers in just a few short weeks. These cancellations are immediate and will not return. Our businesses simply cannot sell yesterday's hotel rooms or restaurant meals today or tomorrow.

It is crucial that any lifeline provided to small businesses address this immediate and severe reduction in demand. With the precipitous drop in reservations, hotels and restaurants around the state of Maine are under immediate financial pressure. We know that COVID19 is a virus and that it will pass. What is not known is how long that will take and what the extent of the damage to Maine's tourism industry will be. In what should have been a celebration year to share Maine's Bicentennial with the world, this Spring will bring a devastating drop in sales, already down tremendously in just a few short weeks. Assistance must be immediate and must be workable. Assistance must address a temporary crisis and not be allowed to cause permanent damage to Maine's important small businesses with overreaching and complicated requirements as some have proposed.

Maine's tourism industry is critical—Our industry contributes at least \$6.2 billion in tourism expenditures, brings 37 million visitors to the state per year, sustains 110,000 jobs and contributes \$610 million in taxes. This is accomplished through the hard work of small business owners and their remarkable hospitality teams each year.

The Collins proposal would provide emergency cash-flow to employers so long as they agree to pay their workers whether they shut-down and lay-off their workers or re-

main open. We appreciate your understanding that our businesses should not be forced to permanently close because of an unforeseen, world-wide pandemic we have played no role in causing. You are also right to focus on protecting the jobs of our workers—we cannot run our businesses without them. Finally, we deeply appreciate your understanding that our businesses cannot take on substantial, permanent debt when revenues are plunging. Your proposal to forgive cash-flow assistance we use to stay in business, preserve jobs, and pay our employees would allow us to reopen, fully-staffed and ready to serve the public the moment this crisis passes.

Please act now to support Maine's small businesses and tourism during the immediate crisis with a responsible solution that does not further burden and shutter the welcoming restaurants, hotels and inns of our great state.

Thank you for your dedication to and of support Maine.

MARCH 19, 2020.

Senator MARCO RUBIO,  
284 Russell Senate Office Building,  
Washington, DC.

Senator SUSAN COLLINS,  
413 Dirksen Building,  
Washington, DC.

DEAR SENATORS: We, the undersigned business leaders applaud your efforts to support small businesses during this crisis. In particular, we support two key aspects of your efforts.

First, an emergency loan program to support small businesses during this crisis, with loans made available through private banks, supported with a federal guarantee. Using the private banking system to provide these loans is critical, as small business needs the liquidity immediately.

Second, including in the emergency loan program a clause that forgives a portion of the loan equal to an appropriate percentage of payroll (with an appropriate salary cap) for any business that keeps their employees on salary despite having to shut down.

Small business employers are job creators. Small business employers want to keep their employees on salary during this crisis. A small business emergency loan program that includes forgiveness for an appropriate percentage of payroll for any small business that keeps their employees on salary will allow small businesses to keep America employed.

This is not a bailout. Small businesses are closed and the employees are not working because of a government order.

This is not as costly as may appear. Individuals who are laid off will receive unemployment insurance. This effort would simply shift the payment from the unemployment system to an employment system. Our economy is better off paying someone to remain employed, rather than having them unemployed.

This has long term benefits. The dislocation costs associated with widespread unemployment are severe. Once a person separates from their job, rehiring is less likely. And, maintaining employees on salary saves on future training costs.

This is superior to an outright small business grant, as the money would be provided in order to foster employment.

We thank you for your leadership, and hope both Republicans and Democrats can come together to support The Keeping Workers Paid and Employed Act.

Sincerely,  
Job Creators Network, American Association of Orthodontists, American Hotel Lodging Association, American Society of Appraisers, American Society of Travel Advisors, Angel Capital Association, Asian American Hotel Owners Association, Associated

Builders and Contractors National, Blue Roof Franchisee Association (IHOP), Coalition of Franchise Associations.

Denny's Franchisee Association, Dunkin' Donuts Independent Franchise Owners, Freedom Works, Global Business Travel Association, Gusto, Independent Electrical Contractors, International Foodservice Distributors Association, International Franchise Association, NAIO/Commercial Real Estate Development Association, National Association of Landscape Professionals.

National Association of REALTORS, National Ready Mixed Concrete Association, National Retail Federation, National Stone, Sand & Gravel Association, The Payroll Group, The Real Estate Roundtable, Tree Care Industry Association, U.S. Travel Association.

Ms. COLLINS. I yield the floor.

The PRESIDING OFFICER (Ms. COLLINS). The Senator from Georgia is recognized.

Mrs. LOEFFLER. Madam President, I want to begin with my gratitude and respect for those on the frontlines in Georgia and across America today. The doctors, nurses, first responders, employees in our grocery stores and supply chains, and our State and local leaders who are leading the response on the ground at this perilous time—together, this is the best of America.

Now, 17 days ago, I spoke from this podium and called on the country to come together to combat the outbreak of novel coronavirus. I asked the media, my colleagues in Congress, and leaders across our country to join me in putting politics aside and to put the health and safety of all Americans first.

The next day in Congress, we came together to quickly pass \$8.5 billion in emergency funding to support our response to this virus, which President Trump signed immediately. In March, the week after that, the President declared a national emergency, unleashing \$50 billion to further mobilize testing, therapeutics, and care.

Today we find ourselves in an even more serious and urgent situation. The health threat facing our Nation has intensified.

Recent reports show the acceleration of infection. At the same time, people are losing their jobs; small businesses are closing; and fear is taking hold, while families are home with children out of school, and parents are out of work. This is why we must act immediately to pass the CARES Act, bringing in well over \$1 trillion, with an economic impact being a multiple of that. We are in a rapidly changing environment with each passing day that requires this immediate and substantial action.

Each day, families are put more at risk and financial peril, and hospitals are going without the resources they need. Uncertainty rests on Americans' doorsteps daily. They wonder: How much longer can I make this work? How do I protect my family's health and welfare? We need immediate relief in the hands of the American people, and we needed it days ago. We cannot wait another day.

To the families worried about paying rent and feeding their children, the small business owner forced to shutter their doors and lay off staff who is like family to them, those who worry about foreclosure by landlords, the employees of service, travel, and tourism industries left unemployed, the hospitals—rural and urban—and the assisted-living facilities running out of equipment, staff, and beds, and the public health officials—nurses and doctors working around the clock on the frontlines—help is on the way. Every American needs to know that, in Washington, we have their backs; that we know there is deep uncertainty and fear; and that we are working right now to address it.

We must turn our rhetoric into action. I will say it again. There is no room for political maneuvers here.

I want every Georgian to know I am fighting for them every day. No amount of false politicized allegations against me or my family will distract me. Nothing will get in my way of delivering much needed relief to Georgian families—nothing.

I have spent the last 2 weeks speaking with hospital leaders, small businesses, employers, and employees across Georgia. The impact is felt by every Georgian. The need is urgent. From Lowndes County to Rabun County, the issues of health and economic concern are widespread.

Across the country, we must stand together symbolically, though we cannot stand together physically. That is why I am calling on the Senate to act expeditiously to pass this relief package immediately.

Let me be clear. It is time to deliver. As we have seen, this virus does not wait for politics as usual to play out. Only swift action will save lives, families, and jobs at this unprecedented time.

Just as the rest of America has done, the Senate must step up and help win this war for all Americans.

Thank you.

I yield the floor.

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. RUBIO. Madam President, I want to caveat what I am going to say by the reality of anyone who has ever worked on legislation; that when you make a deal with the other side on something or any group of people, they are always contingent on your having to see it in writing. Sometimes what you agreed to and what the legislative language that was written says don't align. Oftentimes, it is not out of ill intent or anything of that nature; it happens. So I want to make that point.

I also want to make a point in saying that because we are dealing almost with the whole of the economy, as we discuss what we are going to do to help this country through this crisis, and you deal, for example, as we have been, with small business, it sometimes interacts with what other parts of the same agreement are also dealing with.

For example, you might be dealing with a small business sector, but it interacts with what might be happening with the group that is negotiating healthcare spending. And so items like that are things that you are going to continue to work through and have some understanding over.

But I think what I feel very confident in saying, as you heard a moment ago from Senator COLLINS, is that a group of us who were tasked, from both sides of the aisle, to come up with what we could do to help small business has come up with an understanding of purpose and outline of measures that I feel very confident every Member of this body should be able to support when its final version is before us. I am very confident that, if, God forbid, we are not successful in these efforts, it will not be because of what we have produced for this body.

In that endeavor, let me first start by saying that I certainly feel both blessed and fortunate to have had as partners in this, obviously, Senator COLLINS, who has made a tremendous contribution. It began with her own ideas, and we were able to merge some of the ideas that we had been working on: Senator CARDIN, who is someone I have worked with on the Small Business Committee but often on issues of foreign policy, and Senator SHAHEEN, who, likewise, is a member of the committee, but I have also worked with on foreign policy.

I would just say that because of the nature of the crisis and the isolation that this building finds itself in, a lot of people weren't able to see it, but I think if the average person were to walk in on the conversations that we had, you would have had trouble distinguishing who the Republican and the Democrat was.

I don't mean that from an ideological perspective. I mean that one of the things that I believe has allowed us to reach this point is that everyone has small businesses in their States—small businesses are not a partisan item—and that everyone understood that this was not a moment in which there was a Republican side or a Democratic side. This was a moment in which the entire Nation was imperiled economically, and we needed to act quickly.

Senator COLLINS spoke a moment ago and outlined the key provisions and ideas, but I wanted to reiterate some of them because I have a lot of people calling and asking if they apply. Let me start out with a few things.

No. 1, small businesses are defined as either some company that has 500 employees or less or a company that is defined as a small business under the existing SBA criteria. So it is one or the



other. Let me say, that covers close to 60 million American jobs and well over 30 million businesses in this country. It is an extraordinary swath.

For the first time ever, we have also included most (c)(3)s—(c)(3)s and not-for-profit (c)(3)s—-independent contractors—people who work on 1099s—and gig economy workers who consider themselves a business, even though they have one employee and maybe no real estate that they operate from, but, nonetheless, they consider themselves that.

What it basically does, in its simplest terms—and I am oversimplifying simply because there are caveats to some of this with formulas and likewise—is, by and large, the best way to understand it is as follows: You have a business. You are a restaurant, a small one-person, one-shop restaurant. You are a dry cleaner. You are a mechanic. You have any small business, and you have less than 500 employees or fit the category of the SBA, as we define it in this bill, and the government has said that people can no longer go to your restaurant or can no longer go out of their homes and use you as their mechanic, so you have had to lay off your employees, so you are not operating, and you can't pay your employees—I am not here to make fun of or criticize the big corporations because I hear a lot of them saying: Well, we only have 30 days of credit available or we have a credit line we can draw down on over the next 15 or 20 days. I am not saying that is not an urgent thing that needs to be addressed, but the people we have been focused on in this part of the bill is people who have no line of credit; that if they go 2 days without revenue, they are in a lot of trouble. That is the overwhelming majority of small businesses in America, and, more importantly, in my mind, the jobs that they represent and support.

So the program will work this way: You will go to a financial institution—be it at a bank or some other lender or credit union—frankly, anyone the Treasury says is OK and wants to participate in this—and you will fill out very simple forms that prove you are a business, that prove you had payroll on a date certain, and you will receive the equivalent of 8 weeks of your payroll that you can prove you had, and you will receive this money very quickly. Hopefully, this system can set up and run. And as long as you use that money on payroll and/or rent or lease for the business, it is forgivable. You don't have to pay it back. If you decide to spend it or any portion of it outside of that use, then a year from now, it becomes a loan, and you will have to pay it back at approximately 4-percent interest. The Treasury might have a different program that works a little differently.

I mention Treasury because we have also given them the flexibility, in addition to using the existing stable or small business lenders in America today, they will also be able to attract

additional lenders to participate under terms that might be different than the current terms, just because we need capacity.

One of our biggest concerns about this bill is that we are going to have tremendous demand and not enough lender supply, not enough places willing to stand up and operate to quickly process the paperwork and the like.

The other important thing to understand is that this is not a program where you are going to the SBA. You are not going to a tent somewhere in a disaster area or some government office or some government website.

You are going to a bank, to a financial institution, to a credit union, to a fintech, to someone who will set up a process and an agreement, either with the existing 7a program or Treasury, to move this paper.

The intent here is not to create some financial instrument that we can collect loans on. The intent here is what is the fastest way to get this cash into the hands of small business so they can keep the people who work for them employed; so they can rehire, maybe, some of the people they had to furlough or lay off, and they can keep them on payroll as opposed to going on the unemployment rolls.

The other reason why this is important, No. 1, is the jobs. No. 2 is, for a small business, if you lose your employees, if your employees go away because you laid them off, some of them may move away, depending on the industry you are in and so forth. Then, if you are told, "OK, all clear," and you have to go out and rehire them or find people to take their place, by the time you get going, it is too late. Many of them will never restart.

We all want this economy to recover, but you can't have the economy recover if you have no economy. And when you are talking about 58 to 60 million jobs and over 30 million potential employers that are impacted by this, it is going to be hard to restart an economy if any significant portion of them can't get going.

We are dealing with some great unknowns. No. 1, we have never done this before. We did the very best we could under a tight timeframe and difficult circumstances. I am confident that, as with any piece of legislation, there are things in it that maybe we have to go back and revisit at some point—nothing catastrophic. But I just want to say that up front. We have never done it before, but we believe this will work. What we do know is that, if we don't try to do this and we do nothing, it is catastrophic.

The second point I would make is there have been a lot of people who have worked very hard on this. The staff director on Senator CARDIN's part has been sick. Some members of my staff this morning did not come in, as well, potentially just to be protective and be cautious. We are talking about a very small group of people who worked, basically, the last 72 hours

straight on the SBA staff, Senator COLLINS' staff, Senator SHAHEEN's staff, and my staff—just a handful of people who worked long hours on the legislative draft. I know that, last night, they were here until 3:45 or 4 in the morning, as they were the night before and the night before that.

So there has been a tremendous amount of hard work done on this, and we are grateful for it. And I have a product that we are proud of. Let me just say it is a product I wish we never had had to do, not because we don't want to help small businesses but because, by and large, every one of these businesses that we are trying to help were doing just fine until 2 weeks ago. That, to me, is the most important point.

These are not businesses that were failing or making a mistake, and so government is stepping in to prop them up. These were people who were literally doing fine until they woke up one day and were told by the mayor or the Governor or somebody else: You can't open anymore. You can't operate anymore. People can't come to your store anymore, to your restaurant anymore.

It doesn't just impact the owner. It impacts the people who work for them.

I will close with this. One of the unique things about small business is that, in a small business, the owner of the small business is the President and the CEO, but they are oftentimes also the cashier, the stock clerk, the janitor, the driver, the accountant. They are an employee.

In an enormous percentage of these small businesses, that small business is not just the place that makes money. It is the life dream and the life work of an individual or a family. In many of these cases, the people who work for them are not the names and the numbers on a ledger. In many cases, these are human beings who have worked for them for 30 years, whose kids have grown up with them and watching their kids grow up, who are like family to them.

I have talked to some of these small business owners who have had to inform their employees, tearfully, that, for the first time in 30 or 40 years, they will not be opening and they will not be able to pay an employee—people whose businesses have survived slow-downs, recessions, financial crisis, 9/11.

In Florida, they have survived hurricanes—multiple hurricanes—and all sorts of natural disasters. Many have been open virtually every day, even the day after these storms, in many cases—until now. The trauma is extraordinary for them.

Now, imagine the people I know—close friends, people I have known for a long time—who informed me that, over a 72-hour period last week, the husband and the wife were laid off, their two adult kids were laid off, and the spouses of the two adult kids were laid off—six people, one family, laid off in a 72-hour period.



So they are sitting at home. Everything is closed. They cannot go anywhere, and they don't have a job and have no idea when this will end and, when it does, if they even have a job to go back to.

That is the story of millions and millions of people who are living through it right now.

It isn't what the articles are about. It isn't what the arguing is about. It isn't what all the stories on cable television are about. It isn't what the snarky people on Twitter write about. But it is happening to millions and millions of people, and they are scared and they are worried. And they are going to get more scared and more worried as the days go by.

I will say this. I hope the Senate can act as fast as possible on something beyond just what I have described in our part of this, because tomorrow morning, all across this country, business owners, small and large, are going to make decisions. People who a week ago were talking about pay freezes and hiring freezes are now talking about layoffs, and maybe a few of them are holding on to see what we do or fail to do. But I caution everyone that, if we do not get something done, if we think that we have the luxury and the benefit of time to play games and for gamesmanship and bargaining and trying to get a little bit more out of the deal, in a few hours some important businesses and a lot of small ones are going to make decisions about whether or not they are going to lay off and fire and let go of a bunch of people.

We don't know what that number looks like tomorrow morning and in the week to come. Keep that in mind as we decide not just how we are going to vote in a few minutes but what we are going to do here over the next few hours.

We do not have time on our side. We do not have the luxury of time to negotiate. I think this is a process in which there has been a tremendous amount of input. I haven't been involved in all of the other sectors, but I can tell you that in ours I am very proud of the work of all these Senators with whom we have worked. Obviously, there is always a little bit of tightening you have to do as the language is written, but I believe that, when it is all said and done, we will put before the Senate a product that will help millions of small businesses and tens of millions of American workers to be able to continue to draw a paycheck during this very difficult time.

I hope that will earn the support—as it should—of every Member of the Senate and, then, every Member of the House.

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

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

Mr. MCCONNELL. Madam President, colleagues, as everyone now knows, the coronavirus has arrived here in the Senate. There are at least five Senators who are in self-quarantine at the moment.

The discussions continue on the package that we have been working on, on a bipartisan basis, over the last 2 days. It is time to move forward, and the next step is the vote we are going to have at 6 o'clock. No one is disadvantaged by having that vote because, by getting cloture on the shell that we are having the vote on, there is time—what we call postcloture time—after that vote. So it doesn't interfere with any further discussions that are going on, on a bipartisan basis.

We need to signal to the public that we are ready to get this job done, and the way to do that is to vote aye in 5 minutes on cloture on the motion to proceed.

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

The PRESIDING OFFICER (Mr. HOEVEN). 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 motion to proceed to Calendar No. 157, H.R. 748, a bill to amend the Internal Revenue Code of 1986 to repeal the excise tax on high cost employer-sponsored health coverage.

Mitch McConnell, David Perdue, Mike Rounds, Mitt Romney, James E. Risch, Lamar Alexander, Steve Daines, Kevin Cramer, Tim Scott, Martha McSally, Deb Fischer, Marco Rubio, John Boozman, James Lankford, Rob Portman, Tom Cotton.

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 motion to proceed to H.R. 748, a bill to amend the Internal Revenue Code of 1986 to repeal the excise tax on high cost employer-sponsored health coverage, 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 proceeded to call the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Colorado (Mr. GARDNER), the Senator from Utah (Mr. LEE), the Senator from Kentucky (Mr. PAUL), the Senator

from Utah (Mr. ROMNEY), and the Senator from Florida (Mr. SCOTT).

Mr. DURBIN. I announce that the Senator from Vermont (Mr. SANDERS) is necessarily absent.

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

The result was announced—yeas 47, nays 47, as follows:

[Rollcall Vote No. 77 Leg.]

#### YEAS—47

Alexander	Enzi	Perdue
Barrasso	Ernst	Portman
Blackburn	Fischer	Risch
Blunt	Graham	Roberts
Boozman	Grassley	Rounds
Braun	Hawley	Rubio
Burr	Hoeben	Sasse
Capito	Hyde-Smith	Scott (SC)
Cassidy	Inhofe	Shelby
Collins	Johnson	Sullivan
Cornyn	Kennedy	Thune
Cotton	Lankford	Tillis
Cramer	Loeffler	Toomey
Crapo	McSally	Wicker
Cruz	Moran	Young
Daines	Murkowski	

#### NAYS—47

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

#### NOT VOTING—6

Gardner	Paul	Sanders
Lee	Romney	Scott (FL)

The PRESIDING OFFICER. On this vote, the yeas are 47, the nays are 47.

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

The majority leader.

#### MOTION TO RECONSIDER

Mr. MCCONNELL. Mr. President, I enter a motion to reconsider the vote.

The PRESIDING OFFICER. The motion is entered.

Mr. MCCONNELL. Mr. President, the American people are watching this spectacle. I am told the futures market is down 5 percent. I am also told that is when trading stops. So the notion that we have time to play games here with the American economy and the American people is utterly absurd.

I want to explain what just happened. Our good friends on the other side would not have been disadvantaged one bit if this vote had succeeded because it would have required potentially 30 more hours of discussion, during which these seemingly endless negotiations could go on as long as they would like.

Now, the buildup to this, so everybody fully understands, is that we had a high level of bipartisanship in five different working groups over the last 48 hours, where Members who were participating were reaching agreement.

Then, all of a sudden, the Democratic leader and the Speaker of the House

show up, and we are back to square one.

We are fiddling here—fiddling with the emotions of the American people, fiddling with the markets, fiddling with our healthcare. The American people expect us to act tomorrow, and I want everybody to fully understand that if we aren't able to act tomorrow, it will be because of our colleagues on the other side continuing to dicker when the country expects us to come together and address this problem.

Now, I changed my vote, which gives me the opportunity to move to reconsider at a later time. That is all I can do in the face of this obstruction.

Look, I can understand obstruction when you are trying to achieve something. This obstruction achieves nothing—nothing whatsoever—other than preventing us from getting into a position where there are literally 30 more hours that they could use to continue to dicker.

So at a time when the country is crying out for bipartisanship and cooperation, and we saw that over the last 48 hours when regular Members of the Senate, not in the leadership office, not in the Speaker's office—for goodness' sake, she is the Speaker of the House, not the speaker of the Senate; we don't have one—we were doing just fine until that intervention.

So I want the American people to fully understand what is going on here. The markets are already reacting to this outrageous nonsense. We have an obligation to the American people to deal with this emergency and to deal with it tomorrow, and if we don't, I want everybody to fully understand, you have seen everybody who is on record.

Now, I have conspicuously avoided trying to turn this into any kind of partisan effort for 2 days, but it is pretty clear what is going on here.

We will have this cloture vote again at some point of my choosing, and, hopefully, some adults will show up on the other side of the room and understand the gravity of the situation and the need to act before the markets go down further and the American people become even more depressed about our lack of ability to come together under the most extraordinary circumstances. We have never been confronted with anything like this before. It is totally different, and we are not immune to it in terms of the public health risk. Coronavirus has hit the Senate today as well. We have five Members—five Members—in self-quarantine.

Everybody understands the emergency, particularly when it hits close to home. It is not just back in our States, but right here in the Senate.

So I will say to my colleagues on the other side of the aisle: Step up. Step up. Help us reach an agreement so that we can do what needs to be done for the American people no later than tomorrow.

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. GRASSLEY. 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. GRASSLEY. Mr. President, in more than 48 hours of negotiations, there has been a lot of progress made in the subjects that are within the jurisdiction of the Finance Committee, which I chair.

The results of these negotiations have led to decisions that will be in legislation we hope to vote on tomorrow that would make sure that checks go from the Federal Government to individuals—all individuals—\$1,200 for individuals, \$2,400 for married couples, and \$500 for each child. Those would go to people who need it—people with no income and people with up to \$75,000 a year in income or a married couple with \$150,000 per year income, with a phaseout to make sure that no very wealthy people or even higher income or middle-income people benefit from it.

We are trying to help those who need the most help, and there wasn't disagreement from the other side that we ought to mail checks out to people. This would give Americans the cash they need to provide for their families and to weather the storm.

This isn't the first time we have done this. We did it in 2008, when we had the start of the great recession.

We also provided for liquidity for small businesses and larger businesses by delaying some taxes being paid so that perhaps these people who, right now, are thinking should they lay off their workforce or keep their workforce in place, being productive—to enable them to do that.

We also made a very big effort from both the Republican and Democratic sides to very much enhance unemployment with an additional \$600 per week for people who are unemployed, plus a lot of people who don't qualify for unemployment now would qualify for unemployment insurance for over at least the next 3 months, with an understanding that if this thing doesn't turn around in the next 3 months, getting people back to work, getting the economy up and running—with all of this stuff we are talking about, we are probably going to have to do more. But right now, the unemployment rolls are going up by the hundreds of thousands each day, and we have a vote tonight that can give these people some assurances. And somehow that is not a catastrophic situation that we should respond to?

I don't know what people on the other side of the aisle are thinking about, particularly for the unemployed and particularly for those who don't have checks. What are we going to do for them?

This package that came out of the Finance Committee will not solve all the problems, but, as the leader said,

there are four or five other task forces that are doing things to make sure that small businesses can qualify for loans if they will keep their people employed.

So I don't understand this vote at all, particularly considering the good working relationship that I had with Democrats working with me on these things as well.

I yield the floor.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER (Mr. BOOZMAN). The Democratic leader is recognized.

Mr. SCHUMER. Mr. President, I want to provide everyone with an update about the status of negotiations on the third phase of coronavirus legislation.

Early this morning, Leader McCONNELL presented to us a highly partisan bill written exclusively by Republicans, and he said he would call a vote to proceed to it today. So who is being partisan? He knows darn well that for this bill to pass, it needs both Democrat and Republican support.

Furthermore, when Speaker PELOSI and I said let's have a four-corners negotiation, it was Leader McCONNELL who resisted. So whatever we do here in the Senate, the House is doing its own bill. It made no sense then, and it makes no sense now. I said to the leader then that would slow things down. So that is where we are.

Most important is the legislation itself. The legislation has many problems. At the top of the list, it includes a large corporate bailout with no protections for workers and virtually no oversight. Also, very troubling in the bill are significant shortfalls of money that our hospitals, States, cities, and medical workers desperately needed. This is a public health crisis. It is inapplicable to skimp on funding to address the pandemic.

I told both Leader McCONNELL and Secretary Mnuchin that our caucus could not support such a partisan bill and urged Leader McCONNELL to delay the 3 p.m. vote so we might come to a bipartisan agreement. I am glad he agreed, because we Democrats want to move forward with a bipartisan agreement. Unfortunately, the legislation has not improved enough in the past 3 hours to earn the necessary votes to proceed. Given more time, I believe we could reach a point where the legislation is close enough to what the Nation needs for all Senators—all Senators—to want to move forward. We are not yet at that point.

America needs a Marshall Plan for our hospitals and our public health infrastructure. The bill should include much more money for hospitals and community health centers, nursing homes, and enough funding to address the coming shortages in masks, ICU beds, ventilators, testing, and personal protective equipment.

The bill needs more money to offset the costs now being incurred by State and local governments that are proping up their health networks. We cannot reach a point where our States and

localities are going bankrupt or firing public employees, like teachers and first responders.

The corporate bailout provisions remain unacceptable. If we are going to provide assistance to certain industries, there must be far more oversight, transparency, and accountability. There certainly must be protections for workers.

On unemployment insurance, we are glad the bill has moved in the direction we outlined, but at the moment the expanded unemployment benefits we fought for last only 3 months. It was supposed to be longer. We need it longer.

Now, let me be clear. The majority leader was well aware of how this vote would go before it happened, but he chose to go forward with it anyway, even though negotiations are continuing. So who is playing games?

Our caucus is united in trying to deliver a bill that addresses this health and economic crisis quickly, and we are committed to working in a bipartisan way to get it done—both sides of the aisle voting for a bill. We are entitling our proposal, the Democratic bill that we introduced, “Workers First,” and we intend to follow through on this principle as we negotiate.

The bipartisan negotiations on this package continue even as we speak. Secretary Mnuchin was in my office just about a half hour ago. Changes to the legislation are being made even as we speak. The bill can and must continue to improve. We are closer than we have been at any time over the past 48 hours to an agreement, but there are still too many problems in the proposed legislation.

Can we overcome the remaining disagreements in the next 24 hours? Yes. We can and we should. The Nation demands it.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. PORTMAN. Mr. President, we not only can and should; we must. We must pass this legislation. I was very disappointed to see that my colleagues on the other side of the aisle chose to vote no on even the ability to move forward with debating this legislation tonight. To my colleague, the Democratic leader, who said this is a highly partisan bill, that is just not the case. Let's put the partisanship aside. Let's do what is best for the American people.

I will tell you that over the past several days, through a bipartisan process, we sat down, Democrat and Republican, in four different task forces, and we put together the elements of this legislation. As a result, the bill before you tonight, the one we are talking about, reflects Republican priorities and Democratic priorities. I am going to take the time to walk through it and to talk about some of those so people understand what is in this legislation.

I was pleased to see the Democratic leader say at the end that he believes

we can figure this out over the next several hours. He said 24 hours. I hope it is not 24 hours. We need to move and move quickly. We see what the markets are doing globally. We know what the markets are going to do here. We have seen what the futures are. More importantly, we see the impact in our States, among our citizens.

The Democratic leader says more money needs to be put against hospitals and States and workers. There is an unprecedented amount of money for all three of those in this legislation—unprecedented—and necessary, by the way, because we are in a crisis. But to say there is nothing here that helps hospitals, oh my gosh—I am going to talk about this with specificity. But \$100 billion—\$100 billion—is a pretty good start, and \$75 billion of which goes to hospitals.

To say there is nothing for workers—the unemployment insurance provisions in here comes from the Democratic side of the aisle. It is the most generous unemployment insurance plus-up by far ever in the history of our country. It actually adds more money to unemployment insurance than the current system has. By the way, it adds eight times more funding into the unemployment system for the rest of this year than is currently being spent. Think about that. That is not generous? By the way, we Republicans also agree that those who lose their jobs through no fault of their own should be able to get a generous unemployment check while we work through this coronavirus and get our economy back up and going again.

Let me walk through some of this. This coronavirus is something that is urgent for us to address. It has closed businesses. It has closed schools. It has changed every aspect of our daily lives. It has left us uncertain, and for many Americans it has left them isolated—literally, self-isolated.

It has put tremendous strain on our healthcare system and that is why this legislation addresses that. Our amazing first responders, our EMS, and our police officers are doing their part, as well as our physicians, our nurses, and other medical professionals who are on the frontlines combating this disease. God bless them.

It has also done great damage to what was a strong and growing economy. Only a few weeks ago, we had unemployment numbers that were at a 50-year low. We had 18 straight months of employment increases and over 3-percent wage growth every month. But now—now—we see businesses shuttering. We see thousands and now millions of Americans unemployed through no fault of their own.

The purpose of this legislation is to allow people to get back on their feet, to allow us to get back to normalcy. Extraordinary times like this require us to unify us as a country, and I see it in my home State of Ohio and around the country. Everybody has a role to play. Everybody needs to be practicing

social distancing, as they call it, being safe, washing your hands frequently, using hand sanitizer—all part of the strategy of flattening the curve, as you have seen when you see Dr. Fauci and others giving presentations. It is to reduce our own exposure so that we don't overwhelm our Nation's public health system. We can all play a role in this, and in the end that would help save lives of our family members, of our neighbors, of our friends, of people we may never meet but we come in contact with, and the most vulnerable in our society. If we follow the guidelines put out by the Centers for Disease Control—the CDC guidelines—we are going to be safer. We are going to save lives.

It all depends on all of us doing that, but it also depends on what we do here in the U.S. Congress, both in slowing the spread through the legislative efforts I will talk about tonight but also in getting this economy back on its feet so that people can get back to work and get a paycheck and begin to make ends meet.

In Ohio we have been taking the lead on this. We have been pretty aggressive at saying that people need social distance and restaurants and bars need to close. We were one of the first couple of States to say that schools needed to be closed. Governor Mike DeWine and our Ohio Department of Health Director, Dr. Amy Acton, have done a good job in responding to this unprecedented crisis. As of this morning, we have 247 confirmed cases and 3 deaths.

By the way, the first person to die in Ohio was a man I know. I knew him and I respected him. His name is Mark Wagner, Sr., of Toledo, OH. He contracted this disease and succumbed to it.

Unfortunately, we are going to see more cases and more deaths, but we are doing the things to contain this and to begin to slow the spread, and that needs to happen at every level, including here. That is why this legislation is so important to pass tonight.

Two weeks ago, Congress started this effort by passing the first major relief effort, called phase 1, which was \$8.3 billion to address the healthcare needs associated with this pandemic. Ohio has already received \$15.5 million from that first phase 1 legislation.

Of course, much more needed to be done. One way we can find out what needs to be done is by listening to the people who have been most affected by it, and we have been doing that. I was joined by an infectious disease expert from the University of Cincinnati, Dr. George Smulian, on a Facebook Live townhall last week, so that we could answer questions from Ohioans about this crisis. He told us what the healthcare system needs. We know what it needs, and we are responding through this legislation.

Last week, I hosted conference calls, while I was here in Washington, with a number of heavily impacted groups, including the hospitals in Ohio and a number of healthcare providers, with

our food banks, with small business owners, with workers of nonprofits, and the charities out there on the frontlines doing all they can to help. We spoke to employers of all sizes. We had conference calls with hotels and restaurants and more.

Hearing directly from these stakeholders helped us understand what the needs are, and this legislation reflects what the needs are in our communities. We have to continue to listen to people because things are changing, and as there is an evolving threat out there, Congress needs to be evolving as well.

Last week, we passed a second major bill called the phase 2 package, which provides Federal funds to individuals exposed to the virus to get healthy. As an example, if you want to get tested for the virus, that is now free.

Our hospitals needed more resources to combat the health crisis. So we provided more care—more funding—for our healthcare network. I am glad the President signed that bill immediately into law. We also provided resources to State Medicaid Programs, to shore up hospitals concerned about losing revenue, with no elective surgeries anymore, and concerned about being overwhelmed by an influx of individuals suffering from the virus. Phase 2 also provided needed help in terms of masks, gowns, and other protective gear, and more funding for the antiviral therapies that are coming. That is incredibly important—that people know that if they get this virus, they could have something like Tamiflu for the regular flu. That gives them a lot of reassurance and comfort, and it is necessary to protect the health of our citizens.

That phase 2 legislation also puts more money into getting the vaccine as quickly as possible. It is not going to be here soon. It takes a while to get a vaccine going, but it will be done at an unprecedented speed because of the funding we are putting into it.

It also provides for expansion of emergency food assistance, including for children who rely on free or reduced lunch from their school cafeterias who no longer have access to those meals. It also provides paid sick leave and family leave benefits of someone who had to leave work because of the coronavirus and who now knows they can still pay their bills. Most importantly, this paid leave is provided 100 percent from the Federal Government, dollar for dollar, not on the small businesses. That is very important. Larger businesses tend to have paid leave, but now we have a way for everybody under 500 employees to be able to get that paid leave through the Federal Government reimbursement.

It is good we acted on phase 1 and phase 2, as I have talked about, but it is clearly not enough. Things haven't gotten better in the meantime in the last few days. They have gotten worse. A lot more has to be done to contain this virus and to help people weather the storm in the meantime.

The crisis is unprecedented. In the best interest of public health, we effectively have chosen to pump the brakes on the economy. We decided to do that for our country because it is in the best interest of public health. That means businesses of all sizes—small, medium, and large—are having to either shutter their doors or slow down their production, letting people go. So many parts of our economy now are feeling the pain of this slowdown.

Applications for unemployment in Ohio this week, as compared to last week, increased twentyfold. That means there was a 2,000-percent increase in Ohio on claims for unemployment. Obviously, that is overwhelming the system.

I have worked with my colleagues nonstop over the past 3 days to put together this phase 3 package that will provide some relief to the millions of American workers and small businesses that have made our country and our economy the strongest in the world.

Our goals are simple. First, slow the spread of the virus. Again, if that doesn't happen, people's health is at risk, and the negative economic impact that is hurting so many families will continue. So slowing the spread of the virus is not just about the virus; it is also about our economy.

Second, we need to help employers to continue paying their employees through this crisis. Our objective should be to keep people at work and keep them connected to their employer as much as possible. That is where they get their healthcare. That is where they get their retirement, for the most part. That enables us to be able to ensure that as we ramp up our economy, it can ramp up more quickly because people will be there at work. There will not be the process of hiring and retraining. So one of our objectives in this legislation is not just to slow the spread of the virus but also keep people at work to the extent possible.

And third, recognizing that not every employer is going to be able to keep employees. Even those who have some business going, don't have enough business. We want to be sure we are providing the resources to help those individuals. These are the people who are falling between the cracks. They can't stay at work because their work no longer has any revenue. We need to assist those people.

Again, as we talked about, Ohio's unemployment claims have skyrocketed but so have unemployment office claims all around the country. The bottom line is that our country is not going to be able to come back until we slow the spread of this virus.

I am pleased to say that the phase 3 package we have negotiated, by the way, accomplishes all three of those objectives—all three. We do it through four major policy areas. We do it now, right away, to bring relief to the people we are representing, which is why we have to pass this legislation and pass it now.

First, in terms of helping people, this phase 3 package provides direct payments. These are direct payments—checks to individuals of \$1,200 per person. If you are a couple, it is \$2,400, and then it is \$500 per child. That check getting out to people will give people some extra dollars to make the difference in being able to pay bills, paying the car payment, paying rent, and being able to put food on the table. It will give people some comfort to know that there is at least a little help coming directly and quickly.

For those who are out of work, these checks also serve as a bridge to getting into the new unemployment insurance system I will talk about now. The checks are going to be necessary in that in most States it is going to take a couple of weeks—a few weeks—in some States several weeks to set up this new system. In Ohio, they say 2 weeks.

This is the most significant expansion of our unemployment insurance system in history, by far. It is going to significantly expand the number of individuals who are eligible to receive benefits, particularly self-employed, so it broadens those who qualify for unemployment insurance. These folks, by the way, have never been covered by unemployment insurance before.

What is more, it provides a flat increase of \$600 per week per person in the unemployment insurance system. This means that for low- and low-medium-income folks, let's say 40- to 50,000 bucks a year, they will essentially have wage replacement now through unemployment insurance. This is a big difference. In Ohio, unemployment insurance is one-third of your wages for those same individuals. Now it will be topped up.

So, to the point earlier that this is a highly partisan bill, I am sorry. This legislation reflects the priorities of Democrats and Republicans, and this is an example of that, and we have to acknowledge it.

Is the bill perfect? No. No bill is perfect, certainly not when we are trying to respond to a crisis like this. We are pumping out more of our Federal tax dollars and borrowing Federal Treasury dollars than ever in the history of our country through this process when you add up this phase 1, phase 2, and phase 3. This is a bill that represents ideas from both sides of the aisle.

Are there some things that might need to be adjusted by the Democrats in order to support it? I guess so because that is what we heard tonight from the Democratic leader, but we cannot start over, folks. This legislation does exactly what so many Democrats have called for and Republicans, to help people have the financial security and to pay their bills and to stay afloat. And, by the way, we also provide funding to the State employment offices so they can have Federal funding to deal with their administrative costs as they shift to this dramatically new system that is being provided

through this legislation. So that is for people directly.

Second, the stimulus package is going to provide relief for small businesses that are trying to stay afloat by ensuring they are going to have access to credit and liquidity needed to adapt and retool their businesses to weather this storm. We are going to accomplish this in a couple of ways.

One is through a major expansion of what is called the Small Business Administration 7(a) loan program. This is going to go through businesses that are currently providing funding to small businesses. It is the community bank. It is the savings and loan. It is the credit union. It is the regional bank. Wherever people are banking, they will be able to get these loans directly.

Specifically, we are providing hundreds of billions of dollars in loans to small- and medium-sized businesses that they can use for a variety of expenses, including payroll, including paying rent, paying mortgages. And, by the way, if they use it for that, the loan is forgiven. It really converts into a grant. If they use it for payroll—again, let me repeat—to keep workers, because that is one of the objectives here, if they use it for rent, and if they use it for mortgage payments, the loan is written off entirely. It, essentially, is a grant to those small businesses. This is why the small business community is excited about this because they want to keep their employees, and they want to keep their doors open. They are waiting, and they are on the edge of their seats seeing what we do tonight and tomorrow. I have talked to many businesses back home who are saying: I can wait until Monday, but I can't wait any longer. I am bleeding cash. I have no revenue. I want to keep my people. I want to try to keep the doors open. You have got to give us some help.

As I said before, the best way to protect workers and get our economy back up and running is to enable employers to keep paying their employees. This new program for small- and medium-sized businesses does just that.

For businesses that might not be eligible for these SBA loans, the phase 3 stimulus helps provide immediate liquidity through a number of different ways. These are larger businesses—say, over 500 employees. One is through the Tax Code. Specifically, our bill includes provisions that allow businesses to put cash in the hands of companies so they can keep their workers employed and be ready to get back and running when the crisis is over.

By the way, these tax incentives are things like not having to pay the employer side of the payroll taxes—the 6.2-percent FICA tax. That is incredibly important to these businesses. They told us that—give us a break on that for this year, 2020, and we can keep more people, and we can keep our doors open. That is probably the biggest single one here.

But guess what. In 2021 and 2022, they have to pay that back. So the best part

of these tax incentives is that the large majority of them are simply timing changes, meaning that while they are direct deductions in taxes now in 2020, when they need it, much of that deduction is going to be paid back in the coming years. Based on the rough estimates we have seen, these tax provisions could provide up to \$500 billion in immediate cashflow increases, again, with more than half of that paid back to the Federal Government during the budget window.

Third, the phase 3 package takes precise and targeted measures to relieve particularly distressed industries that are at risk of hemorrhaging jobs and closing down if we don't. I know the Democratic leader said he doesn't think help should go to businesses. I understand the Democrats actually want to give more help to some businesses. So I guess they will pick and choose the businesses. But in this case, these are the businesses we all know are, unfortunately, facing the possibility of shutting down unless we do something.

Think of the airline industries. Think of the airlines that right now have seen their passengers be reduced by 80, some say 90, percent. Think of the airports that are closing. Think of the hotel businesses. Think of the other traveling tourism businesses and entertainment businesses. So these folks will be able to access what is called the Exchange Stabilization Fund to get a loan. And by the way, they will have to pay back that loan, but it is the Federal Government stepping in and providing a backup so they can get that loan and be able to stay in business.

So those are the three aspects that help workers, that help small businesses, and that help with regard to all businesses. And then, finally, and I think most importantly, perhaps, in this legislation is funding and policy changes to slow the spread of the virus.

Frankly, as I view this, this is to buy time. It is to buy time for us to increase the capacity of our healthcare system. This phase 3 package ensures that the men and women who are on the frontlines of this epidemic every day get more support. It increases funding, which we have already increased once, but an additional \$4.5 billion for the Centers for Disease Control. Of that \$4.5 billion, \$1.5 billion of it has to go to the States. This is going to ensure we can continue to monitor and respond to this virus as this pandemic continues.

I think this is incredibly important. It also sends more money out to ensure that we can get these antiviral therapies going. Think of Tamiflu for influenza, something that is key to dealing with this crisis as we begin to turn things around and is going to be having an ability to keep people healthier should they contract the virus.

To me, maybe the most important parts of this legislation—because I believe in order to get our great country

back on track and get people back to work, we need to have some sort of metrics in place. So maybe the most important part is to get better data on the true public health risk that is out there, and this legislation does that. It enables us to know, now that we have more and faster testing out there, finally—and we needed more testing earlier—but now that we have that, how many new infections are there? That is probably the best measurement we have out there. How many new cases are there? This legislation provides the funding and provides the direction to support the public health officials at every level to get better and more acceptable results every day and report it to the CDC—from your local health authority and from your State Department of Health, those should be reported publicly every single day. Also, all that data needs to come to the National Centers for Disease Control every day so that we can know truly what is going on out there because we don't have that data now. And to have that data, it is going to give us a better understanding to measure both the crisis as it stands and the healthcare risk we all face but also to measure success as it starts to happen because we need to be able to measure that success to get people back to work, to get people back to their families, and to get people back on track in their lives.

So this bill provides an increase in funding for healthcare—a major increase—in addition to what I just talked about. It provides about \$100 billion for hospitals and all healthcare providers, with \$75 billion being appropriated to HHS in order to support our healthcare systems in a more flexible manner and about \$30 billion in Medicare payment increases for hospitals that are directly treating patients with coronavirus. This is what they are asking for.

Finally, we have a couple of key proposals that we championed over the years to support people with disabilities, particularly in institutional settings that are at increased risk of contracting the virus. That is in this legislation. We have the Money Follows the Person Program, which supports transitioning Medicaid beneficiaries from dangerous settings—which some of them are in where there is a lot of activity—into home-based, long-term care. That is important too.

As I said earlier, these are exceptional times. Not since the influenza epidemic of 1918, 102 years ago, has the United States of America been so swept up by a healthcare crisis like this. I am pleased with some of the steps we have taken so far at the Federal level to respond to this pandemic. We talked about them tonight.

We have phase 1, \$8.3 billion focused on healthcare; phase 2, beginning the process of helping workers and helping people get back to work and helping healthcare more; and now phase 3, which is an unprecedented amount of support from American taxpayers to

ensure we can get people through this, help them weather the storm.

And, again, these are Republican ideas and Democratic ideas through a process where we had four task forces that were bipartisan. We worked long hours. I was part of one of those task forces. Now we need to get this legislation passed. The American people deserve it. They deserve a Congress that does everything in its power to minimize the damage caused by the coronavirus.

So let's put the partisanship aside. Let's get to a vote on this package as soon as possible, not 24 hours. Let's do it now. Let's do it now. We owe that to the people we represent.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, before my colleague from the State of Ohio leaves, I would like to note one issue that he did not raise, which we have in common, and that is the issue of votes on the floor of the U.S. Senate in times of national emergency.

Senator PORTMAN and I have cosponsored legislation to address this issue, acknowledging in our introduction of it a few days ago, that when we face something, as we did this evening, where five of our Senate colleagues were unable to come to the floor of the Senate and vote because they are self-quarantining at this moment, this could grow. Let's be very honest about it. The numbers could grow to a point where it could reach an extreme where there is a question of an actual quorum for the Senate. What Senator PORTMAN of Ohio, a Republican Senator, and I have introduced with him on the Democratic side, is an effort to establish a verifiable technology procedure so that once the decision is made that we are in a time of emergency, that Members could vote and not be physically present on the floor of the Senate.

If you notice tonight on my side and even on his side, there are some Members who came to the floor quickly and left. They are genuinely concerned about social distancing and about contagion. I understand that very much. I share that concern.

So I would just say to my friend from Ohio, that we are certainly not going to call this measure, but I hope we call it soon. It is time for us to have this conversation about how to protect Members and their families, staff and their families, in the way that we vote on the floor of the Senate when we are facing a public health crisis, such as the one we have at this moment.

I will be happy to yield for a question.

Mr. PORTMAN. I say to the Senator, I appreciate your yielding for a question. It is not really a question but a comment to thank you for your support of this on the other side of the aisle. This is a bipartisan effort to ensure that we can be able to do our duty.

As the legislative branch, article I, we have responsibilities here. This is

our duty station. Yet, if we cannot be here, we still need to be able to do it remotely. And with the technology that we now have, we have the ability to do that, as my colleague from Illinois said, in a safe and secure way. So I thank him for his advocacy of this. My hope is that we can have this as a possibility, should we not be able to gather.

I think what has happened in the last several hours, as we learned about our colleagues who are self-quarantining, one who tested positive, as I understand it, it is very important that we have that ability. So I thank my colleague.

I yield back.

Mr. DURBIN. I thank the Senator from Ohio.

This is a bipartisan issue, as it should be. It affects both sides of the aisle. We are all vulnerable, and if we can find a practical solution which respects the integrity of the voting process of the U.S. Senate, let's do that.

As we have drawn it up in the earliest version, it has to be agreed to by both leaders, Democratic and Republican, to go forward and do it for 30 days at a time, renewable for another 30 days, with a vote of three-fifths of the Members to go forward an additional 30 days. So this is not a permanent change, but it is a change that may be necessary if we face a public health emergency or a terrorist threat, God forbid, or something of that nature. So I thank the Senator from Ohio.

I know he is prepared to depart. I thank him not only for his remarks but the tone of his remarks because what I sensed from the Senator from Ohio was a genuine feeling that we can achieve this goal of coming up with this critical third piece of legislation and do it with both sides of the aisle working together.

The American public has a very low opinion of those of us who serve in Congress, as much as we respect the institutions—and many of us have given so many years of our lives to—but I think they have been pleasantly surprised in the first two measures that we passed. They were done on a timely basis, and they were done on a bipartisan basis. So when we addressed the issue of the resources to fight this COVID-19, when we talked about providing free testing and medical leave and unemployment insurance being accelerated and food and Medicaid reimbursement to States, it was done quickly, and it was done with both the House and Senate together on a bipartisan basis. I think that should be the standard.

I am sorry we stumbled today. I wish the Senator from Kentucky, the majority leader, would have withheld calling this vote this evening because I do believe that there are serious negotiations underway, even as we meet here on the floor. In another part of this building, those conversations are taking place.

I have heard a lot of speeches on the floor, and if you listened carefully to

the comments of the Democratic leader, Senator SCHUMER, they were positive. He really, I felt, gave me the impression that even in the last several hours, there have been some steps forward.

There are key elements that still need be resolved, but I feel confident that we can reach that point, and we must.

The first and highest priority from our side of the aisle, we share. He said it. We all would say it. We have to slow down and stop the spread of COVID-19 in the United States of America. Unless and until we do that, there is nothing that we can do to repair and restore this economy that has any promise. We have to reach the point where we have crested and start to see a decline in infections in our country so that we can start envisioning the moment when we can get back to business in America. That moment couldn't come any time too soon for me or for all of us across the United States.

That is why we sent a Marshall Plan—that is what Senator SCHUMER kept referring to. A Marshall Plan for healthcare and hospitals was our highest priority.

I will concede the bill that he has described has substantial resources, but I must add, from my point of view, just listening to my hospital administrators in Illinois, that it is not enough. It isn't going to be enough. We are going to quickly see our healthcare system overwhelmed if we don't invest now and invest dramatically.

Many of these hospitals in my State have said to me—and they said it publicly, as well—that their revenue sources, primarily outpatient treatment and elective surgery, have been pushed aside because so many patients are coming through the emergency room door complaining of symptoms that are consistent with COVID-19. They have to take them as a priority, and they can't schedule elective surgeries. So the revenues coming to many of these hospitals—not just in Chicago but across the State—have been compromised.

So from a financial viewpoint, let's make sure that this third bill we are debating puts an adequate amount of money in for these hospitals. They are our first line of defense against the spread of this virus across America. I think we all agree that should be done.

I continue to be frustrated—and I know my Governor, J.B. Pritzker, shares this frustration—that all of the promises and all of the press conferences that the White House and other people are having about all of the testing kits and all of the equipment headed our way have not borne fruit. We just don't see it. We are waiting for evidence of it.

We are not testing nearly enough people in our State. A State of 17.7 million people is a State that needs more than 350 tests a month. So what we need to do is to make sure we do this and have the testing kits available so



we can map the increase or decrease in infections, and we can chart, specifically, the spread of the disease in our State, which I hope is moderated very, very soon.

As for the protective equipment, we have people who are volunteering to make masks at home, we are so desperate to supply the needs of protective equipment at all levels. It is not nearly enough, and it needs to be done.

Let me also speak for a moment about the role of the Speaker in this. I listened to the Republican Senate leader speak in somewhat questionable terms, to be kind, about the role of Speaker PELOSI in this conversation about this third bill. I must say, it is pretty obvious that if we are going to pass this measure and do it with dispatch, we need to have cooperation on both sides of the Rotunda, not just a bill that is acceptable to the Senate but to the House as well. So when Speaker PELOSI comes to the table, it is important that she be there, along with Leader MCCARTHY and the House Republican leadership, so that all four corners are represented.

That is exactly what Senator SCHUMER suggested at the earliest stages; that we have the four corners of leadership come together with representatives of the White House and reach a truly bipartisan agreement that way. So the fact that Speaker PELOSI is interested—she should be. She should be more than interested. She should be at the table and involved in making the decision on this.

Let me tell you that cash payments are important. We have never opposed them. We have said that we want to extend unemployment insurance. There is a proposal for that. The duration of this extension is important to our side. It is a critical element, which I hope we can quickly reach an agreement on.

When it comes to the 7(a) loans that are going to be made to small businesses, Senator RUBIO and Senator CARDIN have worked on this for a long time. I think they are very close to a bipartisan measure that we can agree on.

The phase 3 effort that Senator MARK WARNER and others have focused on really takes into account certain corporations with more than 500 employees who definitely need a helping hand.

When it comes to the largest corporations, I hope you can understand the reservations which some of us have. We want to make certain that the money going to these corporations isn't paid out in dividends or in stock buybacks so that someone ends up getting rich at the expense of a truly bipartisan effort to help the workers at those corporations, which are our highest priority. We can have restrictions so that these moneys are not abused and misused, and I hope we can do that as part of this agreement.

Let me close by saying that I do believe we could close this deal. I don't know that it can be done tonight. I pray it will be. If there are people of

good faith on both sides of the table, it will be. If it is truly bipartisan, I believe we can reach the goal that we are all seeking.

Let's get this done. Let's restore the confidence of the American people in Congress that we can act on a bipartisan basis and on a timely basis to respond quickly to what is one of the greatest challenges I have ever lived through in this Nation.

The American people in our neighborhoods, towns, and cities across America are proving every day that they have the courage and determination to see their way through this challenge—first and foremost, our healthcare workers, God bless them, at every level.

The doctors, the nurses, the laboratory technicians, and those working with our elderly, they are risking their lives every day in their mission to deal with this crisis. We should do no less when it comes to our responsibility here in the U.S. Senate.

And a word about our first responders, whether it is the police, the firefighters, or those in the medical professions, they, too, are doing their jobs, regardless of the threat to them personally. So, in that spirit, we should resolve this matter and resolve it quickly. I believe we can do it.

I believe there is a feeling of good will and determination on both sides of the aisle here in the U.S. Senate. I hope that it can even be accomplished this evening.

I stand by what Senator SCHUMER said earlier. There is a light at the end of this tunnel. Let's try to pursue it, both parties, and get it done as quickly as possible.

I yield the floor.

The PRESIDING OFFICER. The senior Senator from South Dakota.

Mr. THUNE. Mr. President, we don't have the luxury of time here, and I think we all know that. Certainly, the American people know it. They can see it sort of just unfolding right in front of them.

We have small businesses that are shutting down, which, of course, affects the people who work there. We have healthcare systems that have tremendous needs, and obviously they are on the frontlines of fighting the coronavirus.

We continue to try to make progress on a piece of legislation that really should have been proceeded to today. The vote we had earlier today was a procedural vote. It was, basically, are we going to get on the bill. And what you saw was the Democrats object to even getting on the bill.

Now, obviously, as the leader pointed out, once you are on the bill, you have 30 hours, if you choose to use it, in which to continue to discuss and debate. And if there are things that they are continuing to work on, certainly, they can have the opportunity to do that.

But the vote today, which you saw the Democrats oppose, was simply

whether or not we were going to get on the bill—a bill that is desperately needed by our country right now, and I would argue that the American people are looking to us for action. And, frankly, as I said, we just don't have the luxury of time.

The Democratic leader got up earlier and said that this is a partisan bill. That is just false. That is just flatly untrue.

This has been negotiated for the past few days now between Democrats and Republicans. Leader MCCONNELL appointed several task forces, and the Democratic leader appointed representatives from his side to serve on those task forces. They have been negotiating elements of this bill now for the past few days. Frankly, what you see, the legislation in front of us, reflects that work.

There is a tremendous amount of bipartisan content in this bill. The Democrats had ample opportunity to make their case and to try to get things included that they said they wanted.

Just to sort of highlight, again, what the Democrats said their priorities were in this legislation—phase 3, if you will—it was about workers. It was about small businesses. It was about unemployment insurance. They call it unemployment insurance on steroids. It was about hospitals. I have to say that I see in this piece of legislation all of that. What they just voted to even debate includes all of those elements.

In fact, if you look at what this bill includes, if you are talking about providing help to families and people who really need it in this country immediately—\$1,200 checks to individual taxpayers, \$2,400 to a couple who file jointly, and that runs through income levels all the way up. If you are a single taxpayer, \$75,000. It phases out at about \$99,000 for couples filing jointly and \$150,000—it phases out after that. And then \$500 for each child in this country.

That was something that was a priority for both sides. Democrats wanted to have that in this legislation, and there were many Republicans who did as well. The President said it was something that he supported. So that was a bipartisan priority that ended up in this legislation and will bring immediate relief and get dollars back in the hands of American families to enable them to deal with their daily needs and, as best they can, with the crisis that we have unfolding in front of us.

Then you had, of course, a priority—a huge priority—for the Democrats, which was the so-called UI on steroids, the unemployment insurance program. I have to say that my colleague from Ohio, Senator PORTMAN, did a terrific job of laying out all the elements of this legislation, but, as he mentioned, unemployment insurance was a big priority for the Democrats.

Well, there is a big commitment to plussing up, topping off, the unemployment accounts that the States maintain—\$600 per week for 3 months into



those unemployment accounts. So if you are unemployed in this country and you go down to the unemployment office in your State, what you would normally receive in terms of a benefit would be increased by \$600 per week, per person, for 3 months.

That was a huge priority for the Democrats and one that Republicans, as well, believed was important. So we have not only the checks going out immediately that will benefit families, but we also have now an unemployment insurance program delivered through the States that will provide assistance to those who have lost jobs.

Then, of course, we had another priority that the Democrats mentioned, which was that they wanted to provide assistance—much needed assistance—to small businesses. If you look at what is in this bill for small businesses, there is basically a loan program operated under the Small Business Administration in which participating lenders, which could include commercial banks, community banks, and credit unions, as mentioned earlier, where small businesses could go to get loans—100 percent guaranteed—which, if used to pay payroll, if used to keep their employees employed over this period, would be forgiven at the end, to the total tune of about \$350 billion total as part of this package. That is what it adds up to.

That, again, is a benefit that would go out for the next 8 weeks to small businesses and, if used to keep their employees employed—in other words, to keep them connected to their jobs, in hopes that, when this thing passes, those jobs will still be there. So that is \$350 billion there—\$300 billion for checks that would go out to families, as I said earlier, and \$250 billion to plus up the unemployment insurance accounts that the States maintain. Those are all benefits that will go out to workers in this country—to employees—to keep people afloat, if you will, until we get to a better time, hopefully, not too far ahead of us.

So those were all priorities that both sides had, and that is just what Democrats voted against when we had the vote earlier about whether even to get on the bill, whether to debate the bill. They voted no. They voted no en bloc.

You saw, shortly after that, a significant drop in the futures market. I think the markets, in addition to the American people, are looking to us to provide confidence, to provide a shot in the arm, to suggest that we get what is at stake and how important it is that we respond not only swiftly but in a bold and big way.

So those are just a few of the things that were included in there that are Democrat priorities and represent the work of a bipartisan task force.

Now, the Democrats have argued that perhaps there is too much in here in the form of bailouts. Well, there is a provision in here, through the Federal Reserve, that would allow loans to be made to companies that need cash

flow, that need liquidity, and, obviously, those are loans that would be paid back. So I don't know how you can argue something is a bailout when people are getting loans—businesses are getting loans—that ultimately have to be paid back. But that is a provision in the bill.

But if you don't have that in there, a lot of those businesses that, through no fault of their own, have been shuttered or asked to shut down—and I can use some good examples, notable examples. The airlines, basically, are not operating—10 percent, maybe 20 percent, but more likely, from what I am hearing, 10 percent of their normal loads. They are going to have huge hits to their balance sheets. And there are other companies like those across this country right now that are feeling a tremendous amount of economic harm.

The reason that is important is because those people, those companies, those businesses employ thousands—millions—of workers across this country, and if we want to keep people employed in this country, we have to keep those businesses functioning and operating in a way that will enable them to continue to make payroll. So, yes, there is a provision in there that helps businesses sort of get liquidity—a loan, if you will; capital, if you will—that will bridge to, hopefully, a better time. But those loans, eventually, obviously would be paid back.

The Democrats were very insistent that there not be any corporate bailouts, not any bailouts for big businesses, and I don't know how you could argue that what this includes is a bailout for big businesses. There is simply a mechanism—a credit facility, as it is referred to—that would enable businesses to have access to loans that they could use to keep their businesses up and operating.

So those are just a few of the features in the legislation that was just voted down—or even whether or not to debate it or not was voted down—by the Democrats.

I want to mention one last thing here that the Democrats also voted against, even debated when they came out here and all voted against this. There is a significant amount of money going to those entities that we know are on the frontlines of fighting this virus. We have all said that the best way to get the economy back on track, the best way to see things restored to normal in this country, is to defeat the virus. Well, there are significant resources in this legislation that are designed just to do that:

Seventy-five billion dollars going to hospitals and another \$20 or \$25 billion that will go to hospitals through other programs, a mandatory part of the spending. This comes through the appropriations bill. So these are discretionary funds. So there is about \$100 billion in there for hospitals.

Twenty billion dollars for veterans healthcare. Of course, veterans hospitals and healthcare facilities are

really critical to caring for a critical group of people in this country, those who have defended and fought for our freedoms.

Eleven billion dollars for vaccines, therapeutics, diagnostics, and other preparedness needs—in other words, all those things that we hear talked about, in addition to gloves and masks and ventilators, and those sorts of things, but also the money going into vaccines. Ultimately, the way we are going to beat this is we have got to have a vaccine. So there is \$11 billion in there for that.

There is \$4.5 billion for the Centers for Disease Control, which was also plussed up significantly in the last two bills that we passed. The one most recently, earlier this week, had significant additional resources in there for the CDC.

There is \$1.7 billion for the Strategic National Stockpile.

Twelve billion dollars for America's military, which I think we all agree is a priority for everyone here. National security is always an issue that we pay a lot of attention to, particularly in the time of crisis.

Ten billion dollars for block grants to States, just directly block grants to States.

Twelve billion dollars for K-12 education and another \$6 billion for higher education.

Five billion dollars for the FEMA Disaster Relief Fund.

Ten billion dollars for airports—and, obviously, airports are very much impacted by this complete drop-off when it comes to air traffic in this country.

Twenty billion dollars for public transportation emergency relief.

That adds up to \$242 billion, on top of all the things that I just mentioned, going to things that we think are really strategic when it comes to defeating this virus and combating it and making sure that those resources are available to those who are on the frontlines and doing that.

So, all told, of that \$242 billion, 75 percent—or \$186 billion—goes through the States. The Democrats have said: We need more money for the States; we need more money for the States. Well, this is a pretty significant amount, I would think: \$186 billion out of the \$242 billion that I just described runs through the States.

So there is a tremendous amount of support for those who are on the frontlines trying to fight and defeat this coronavirus.

So I just point all that out to say, again, that it is a complete misnomer to say, as the Democratic leader did earlier, that this was a partisan bill. This is a bipartisan bill. I participated in one of those working groups, and I sat across from my Democrat counterpart—or, at times, more than one—and with staffs, and we came to the table with a set of priorities, and they came to the table with a set of priorities.

What this represents is not everything they wanted, and it is probably

not everything we wanted but the things that we could find that we could agree upon. So this was a very bipartisan process which incorporated the ideas of both Republicans and Democrats.

It is truly unfortunate—frankly, sad, a sad day, I would argue, here in the U.S. Senate—for our country that the Democrats opted just a moment ago to vote not even to get on this bill, not even to proceed to it, to give us the opportunity to continue that discussion and that debate.

They indicated that there are still discussions going on. I hope that is the case because—I have said this before—we don't have the luxury of time. We need action. We need action now—not later, now.

The American people need to see relief. They need to see confidence in their elected leaders and a willingness to work in a bipartisan way on a solution, perhaps many solutions—hopefully, included in this legislation—to the challenges that they are facing in their everyday lives.

So I will say it is unfortunate we are not going to be on this bill right now. I hope and pray—for the sake of our country and for the people who are not only suffering from the coronavirus but those who have loved ones and those who are exposed to it, those who are caring for them, but also for every worker, every small business in this country—that the Democrats would reconsider and allow us to get on this legislation and move forward in a bipartisan way on a bipartisan bill, which they helped fashion, which they helped craft, and that is critical to the challenges that we are facing in the days and weeks ahead so small businesses will have an opportunity to receive a cash infusion.

I yield the floor.

The PRESIDING OFFICER. The senior Senator from Mississippi.

Mr. WICKER. Mr. President, the Senator from South Dakota has said it well, and I just want to come down here today to echo that we have had so many misstatements made by people on the other side of the aisle this afternoon and this evening that I just think it cries out for explanations.

Senator THUNE is correct. This is a bipartisan bill that we are asking for consideration on, that we are asking that a vote be taken so that we can have the final 30 hours of debate and get to it tomorrow.

America is crying out for this. The financial markets are watching this. Our economy is teetering on the brink. We need to get this done.

I, too, was in one of the working groups, and we had equal numbers of Democratic and Republican Senators in this working group, with their staffs, with their laptops. And much of what is in the bill was hammered out with the input of Democratic and Republican members of this working group. There were a few issues, yes, that we couldn't resolve, and so we

kicked it up to the Democratic leader and the majority leader to be hammered out, perhaps in consultation with the administration.

But, far and away, most of this legislation is bipartisan in nature, and it just pains me for, somehow, the accusation to be made that this is nothing but a partisan bill written by the Republican leader.

What is this about? The American people need to understand this. This is about getting money to average workers so they can pay their bills and so they can stay employed. It involves enhanced and lengthened unemployment insurance, and it is a provision given to us and designed and conceived by our Democratic friends. We felt it was worth doing, and we put it in the bill.

Also, as the distinguished Senator from South Dakota said, there is \$350 billion for small businesses to keep workers from ever being unemployed in the first place, to keep them on the job. This could happen as early as this coming week. They would be able to use this money to pay the salaries, and those people would never have to go on unemployment insurance because they can still be on the job.

That is what is in this bill. That is what we need to get to a conclusion about and send over to the House of Representatives tomorrow morning.

Of course it involves checks from the government, massive checks—a massive amount of checks to middle-income Americans to just give them a little something in their accounts so they can pay the bills in response to this economic downturn that we have had. It involves loans to keep Americans working. This is something that I, in particular, was working on with my Republican colleagues and with Democrats in this working group.

The airline business in this country is about to shut down. Passenger rates are single digits. They can't stay afloat with this. It pains me to hear our solution to this problem to keep airline workers working described by my Democratic friends as a bailout. That is what would happen if we were just going to hand over cash to the airlines to keep them afloat, but that is not what we are doing.

What we are doing is offering to pay loans—quick loans—to the airlines companies so they can continue to pay their employees and keep them on the job and not put them on the unemployment rolls.

These loans would be made at market rates. There would be no loan forgiveness, and they must be paid back—not a grant, not a bailout. It is offensive to me to hear some of my friends, who perhaps have not read the bill and are not as thoroughly versed on its provisions as we who actually wrote the bill are, describe this as a bailout for corporate America. Nothing could be further from the truth.

There were some people asking us to make grants to the big airline companies. We rejected that on a bipartisan

basis and said: No, these must be loans. Once the airlines get back on their feet and once this coronavirus outbreak has subsided, they will be in good shape again, and they will be able to pay it back—with market interest rates, just like any other business that has to take out a loan. But we have to get this money to them in a hurry.

So I object and had to come down here and say that perhaps they are confused, perhaps they haven't read the bill, as I have. But it makes available loans to the airline industry and to other related industries that are critical to national security.

If I might, let me read a sentence or two from the bill itself. This is bill language that I am quoting: "The Secretary may enter into agreements to make loans or loan guarantees to 1 or more eligible businesses."

The applicant must be a business for which credit is not reasonably available. They can go out and borrow money from banks. This doesn't apply to them. But our airlines are going to need more money than that. This says that they must be paid back.

"[T]he loan or loan guarantee is sufficiently secured."

Again, I am reading from bill language.

"[T]he duration of the loan or loan guarantee is as short as practicable."

My friend from Illinois—I appreciate the tone that he and my friend from Ohio used in their exchange just a few moments ago. I do think there is a real possibility that minds of good will can come to an agreement tonight. The realities on the ground in our country demand that and cry for it. But again, I must take issue with my friend from Illinois saying that there were no restrictions on the loans that we are giving to the airline industries that we are going to allow the Secretary of the Treasury to give.

He mentioned specifically that we need to prohibit stock buybacks. These airline companies are going to get these loans. We need to have a provision in the law that prohibits stock buybacks.

As a matter of fact, that is in the bill that we wanted to take up and were unable to get the requisite number of votes for just an hour or so ago. In the bill, we prohibit loans from being used by the company to buy back their stock.

Here is bill language: "(E) except to the extent required under a contractual obligation in effect as of the date of enactment of this Act, the agreement prohibits the eligible business from repurchasing any outstanding equity interests while the loan or loan guarantee is outstanding."

So no corporate buybacks—we have answered one of the concerns the Democratic whip mentioned in his remarks. None of this money can go to increase executive salaries. It must be repaid, and it must be repaid with interest. Our bill has explicit prohibitions against any loan forgiveness for any of the loans in this entire section.

This is hardly a bailout. We are offering a lifeline. Again, this bipartisan language hammered out by Republicans and Democrats offers a lifeline to critical companies that would probably not survive. We do it by providing carefully crafted and restricted loans to protect the taxpayers.

Without these loans being available in the very next few days, some of these companies will file bankruptcy. Many thousands of these employees will lose their jobs. We are trying to pass this bill to keep that from happening—128,000 workers in one company; 92,000 workers in another company; 79,000 workers in yet another.

I say to my friends: Let's negotiate these last few details and get this done, but don't misrepresent this as a big giveaway to corporate America. This is designed to help average Americans who are suffering and threatened with the loss of their jobs.

The majority whip mentioned the appropriations portion of this. Again, this is money that is needed. Americans need to know what is in the discretionary appropriated part of this bill.

Let me just tell you, more than 75 percent of it—\$186 billion of the total—will go to State and local governments to help them get over the hump in this terrible crisis.

I have been contacted by officials from State and local governments, and I told them that this bill has \$186 billion to help them get through this crisis. I thought I was going to be able to tell them that this would be enacted in the next day or two. Unfortunately, I was a little overly optimistic on that. There is \$186 billion for State and local governments; \$75 billion for hospitals—clearly they need it—\$20 billion for the Veterans Administration; \$11 billion for vaccines, therapeutic, diagnostics, and other preparedness needs.

If there are larger needs, come and tell us that, and we will work with people. This is a generous bill—\$4.5 billion for the Centers for Disease Control, \$1.7 billion for the Strategic National Stockpile, \$12 billion to assist the military in addressing this coronavirus, \$12 million for K-12 education, \$6 billion for higher education, \$5 billion for FEMA disaster relief funds. There is \$10 billion in it for airports—my colleagues have heard from airports—and \$20 billion for public transportation.

This is an injection of appropriated money to keep this economy going until this virus subsides. It is an injection of loan money through some large businesses and an opportunity, also, for the Federal Reserve within their discretion, under a program that has been established for decades and decades, to loan money not only to big companies but medium-sized companies and small companies under a Federal Reserve program, commonly known as section 13, subparagraph 3.

I will say to my colleagues: Before we come down here and make inaccurate statements, read the bill and under-

stand what we are doing. Understand that this is to get money to workers who need to stay on the job. This is a bill to get unemployment benefits to workers who are already off the job and an injection of cash into our economy and a prop-up on a loan basis with interest to be repaid to keep the airlines and related business float.

I hope we pass it. I know Americans are hoping and praying for this tonight. Perhaps by the early light of morning, we will have good news on this.

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. MENENDEZ. 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. MENENDEZ. Mr. President, I come to the floor because I have been listening for the better part of well over an hour as my colleagues talk about the vote we had a little earlier and why it didn't pass and why, from their perspective, it should have.

Let me start off by saying that there is a sense of urgency, but there is also a sense of getting it right and getting our priorities right. The wealth of the Nation will improve only when the health of the Nation improves. This package, as presently designed, falls far short of what is necessary to make the health of the Nation whole. We need a surge at the end of the day to ensure that, in fact, we can have the frontlines—the hospitals, the medical workers, nurses, all of those—be able to achieve the most fundamental goal, which is to make the American people safe from this virus. This, in the first and foremost instance, is a fight against COVID-19. It is first and foremost because if we do not get the health of the Nation right, we will not get the wealth of the Nation right, no matter how much money we spend.

There is a lot of talk here about markets. I have heard for the better half of the last hour-plus about markets. The markets are important; I don't underestimate that. Yet what is really important is the health of the American people because when they are healthy, we will prosper, but when they are not, we will not prosper. When we meet the challenge of the pandemic, we will prosper. When we don't meet the challenge of the pandemic, we will not prosper. It is very simple.

First and foremost, this is about having a robust figure for the hospitals and health frontline workers. This package, as it presently is devised, fails to do so.

Secondly, this is about making sure that not just big corporations get the moneys they need, but that average working families and individuals get the robust assistance they need to get through this period of time. When you

have a \$425 billion—billion—fund that has total discretion of the Secretary of the Treasury with no guardrails, no guarantees for workers, no guarantees that, despite how much money we spend and give to large corporate entities, they will not guarantee the well-being of workers, then something is wrong.

I have been through September 11, and I have been through Superstorm Sandy in New Jersey and the Northeast, and I have never seen anything like this. I also remember the errors we made after the great recession on the TARP and other related programs. In our desire to overwhelmingly respond—we still have that desire today—there were great mistakes made.

How many times are we going to get a shot at a trillion-dollar-plus program? We need to not only have a sense of urgency, but we need to get it right in order to affect the well-being of the American people in their health, in their economic well-being, and in the future economic well-being of the Nation. This rush, in a way that doesn't get it right, is dangerous because I don't know how many trillion-plus packages we are going to have.

When I look at the language in this present legislation, my God, it is shameful. It is shameful that, in the midst of a pandemic, the ideological views are seeking to be incorporated in a way that has nothing to do with dealing with COVID-19—nothing. The denial of certain health groups to be able to access funding at a critical time in our country has nothing to do with COVID-19.

This bill has a \$425 billion slush fund with which, basically, the Secretary of the Treasury can say: I like you; you get this. I don't like you; you get nothing.

There is no transparency—no way for the Congress to know. Six months after you give a loan is when we might finally find out. That is unacceptable. We have to know, when we are making these investments, that they protect workers and that we are not going to have all this money, in part, be used for stock buybacks; that we are not going to see corporate executives have big increases in their salaries and benefits. That is not what the American people's taxpayer money is for. That is why there were votes against proceeding—because we have to get it right.

We have to get it right. How is it that there are no provisions in the present bill for foreclosures or evictions? People are going to face unprecedented consequences, not because of their own making, not of moral hazard. They are fired; they are left without any money. Are we going to evict them from their homes? Does that serve the public health in the midst of a pandemic? No. There are no consequences for that.

How is it that we have no parameters for how the Treasury would structure loans? How is it that we have no worker protections to ensure that the very

essence of why we want companies to be able to sustain themselves—and we do, small, medium, and big—we want them to sustain themselves, but we want them to sustain themselves for what? To be able to keep workers employed and to be able to keep the economy going, not to improve simply the bottom line.

Why is it that we can't have solid stock buyback language, which could be waived under the present legislation by Treasury? Why is it that, when we do talk in this limited way in the bill that is existing, that we are debating, that we voted not to proceed on, it says worker protections to the extent possible or practicable, I should say—to the extent practicable? That can mean anything. That is not a protection.

Why do we have no loan transparency? We are talking about giving average Americans a morsel when we are spending billions of dollars with no transparency whatsoever, with no guardrails, with no conditions. That is simply wrong. This is a bill without warrants that can ensure that the government—the government meaning the U.S. taxpayer—will recover its money. These are simply not ways that we can—why is there no student loan forgiveness, not a delay but forgiveness? Why is there no direct grant assistance to small businesses? It is great to get a loan if you are making money, but if you are not making money, a loan doesn't do anything for you because you can't pay it back because there is no revenue coming in.

The small businesses are really the backbone of the Nation. They are the backbone that ultimately employs Americans, and we say: We are going to give you a loan.

That is great, but I have no income coming in. I am shut down. How is it that a loan is going to ultimately be able to help me survive so that I can have Americans return back to a job? I need some direct grant assistance.

Who is on the frontline? I learned on September 11—when I was in the other body in the House of Representatives—that it wasn't the Federal Government that responded on that fateful day. It was the States; it was the local municipalities. We lost 700 citizens in New Jersey on September 11. We triaged people from downtown Manhattan into New Jersey hospitals. It wasn't the Federal Government that responded; it was the States and local municipalities.

How is it that you cannot be forceful in giving a significant amount of money to States and local municipalities that are at the frontline of COVID-19? The Federal Government isn't there. The States are burning up enormous amounts of money from their State treasuries to do what is right by their citizens, but we are not giving them any money. There is virtually nothing in this bill for that. The National Governors Association—Republican and Democratic Governors—say they need at least \$150 to \$200 billion.

They get a pittance in this bill. How are they, as the frontline defense, going to continue to meet this challenge? They will go bankrupt.

How is it that there is no SNAP increase for the most vulnerable in our society? We have never seen a downturn in our economy in which we have not considered SNAP as a critical element of being able to feed people. So that is why I voted no. That is why I voted no.

I am all for helping businesses have the capability of ultimately surviving. I want them to survive because I want their workers to be able to survive as well. Above all, I want the American people to get healthy, and I can't get them healthy unless we have a Marshall Plan for our hospitals and providers at the frontlines. I can't solve a problem if I don't have the States and municipalities able to achieve what they critically need as the Federal Government waits. We can't have the health of the Nation unless we have a surge on testing protective equipment for our first line of defense and then, ultimately, unless those who face the greatest risk under this virus have a shot at surviving life or death with ventilators. This bill falls short in all of those regards.

None of us want to vote no to proceed, but we can't proceed to something that is a false hope to the American people. We have to do what is right. What is right is to protect the health of the American people—be able to beat COVID-19—and be able to stand up individuals, families, workers, and companies that will honor their obligation to workers as part of the Federal response to them and that will help the States and municipalities in their frontline challenges. That is why we could not vote to proceed.

That is why there exists a precious moment. Every other bill started off with both Houses and the leadership of both Houses negotiating the bills. The first two iterations had bipartisan support because they were done that way. This one was done whereby the Republican majority in the Senate decided, We are going to decide what we want to see. Then we will offer it to you, and maybe we will change some things or not.

In the midst of a pandemic, that is not the way to, ultimately, work. We lost nearly a week. Instead of making the bipartisan efforts that we could have made nearly a week ago, we are pressed and have created this drama that, if it is not done right now, there will be a consequence. That is unacceptable. We have to get this right. We are not going to get multiple shots at trillion-dollar programs. We have to get this right. Ultimately, we have to have the effect of helping the American people survive the critical challenges before them.

That is what is before the Senate now. I hope that the minds will prevail here to work toward a bipartisan agreement that will bring all of these

elements together. Yes, no side has a better view of how we achieve this, but both sides have critical views that are necessary. From our perspective, this is about beating COVID-19 first. It is a surge for our hospitals and frontline healthcare workers. It is a surge for workers and for protecting individuals and families. It is a surge for small businesses and the opportunity to make sure they survive so that, at the end of the day, people can go back to work. That is what this is all about, and it is why I felt compelled to come to 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. TOOMEY. 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. TOOMEY. Mr. President, I am here because I am absolutely shocked at what happened on this floor a little while ago, and I am going to try to convey to my colleagues a sense of the urgency that, I think, this moment demands and that they, apparently, don't understand because our Democratic colleagues all voted to prevent us from considering this legislation. So let me start with the context within which we are operating because it is unbelievable. I wouldn't think I would need to go through this.

Just to be clear, we have been invaded by a potentially lethal species—a virus that is infecting Americans now by the tens of thousands. It is growing in numbers every day. It is killing Americans, including in my State. We have infected people in every single one of our States, and the numbers are growing rapidly. In response to this threat, we have been taking progressively more serious measures because of the degree of the danger that we fear—the disaster, the illness, the death—if we don't try to stop this virus. We have gone to an extreme that I will just candidly acknowledge that I never could have imagined.

What I am talking about is, among other things, the fact that my State of Pennsylvania and many other States across America are closed. I could never have imagined my even putting that sentence together. My State is closed. What does that even mean? I will tell you what it means. It means it is not legal to operate a business in Pennsylvania. It is not legal to go to work in the morning. Tomorrow morning, at 8 o'clock, there will only be a very small percentage of Pennsylvanians who will even be allowed to go to work. We have shut down the State. I am not talking about restaurants and bars and nightclubs. I am talking about all businesses except those deemed essential and a very small handful of others. I am talking about

factories, distribution centers, warehouses—all kinds of producers, manufacturers, and services. Across the board, it is closed.

What does that mean? It means an awful lot of things, but the most important thing it means is that the guy who wakes up tomorrow morning and can't go to work, what is he supposed to do? How is he going to support his family? It is not that he doesn't want to get a paycheck. It is not that he doesn't want to go to work—he is not allowed. He is going to have no income pretty soon because—guess what—the company that he works for is not allowed to have any sales. It is closed by order of the government. It is not just in Pennsylvania. This is in, I think, more than half of all of our States at this point—more than half of the country—and the number is growing every day.

So this guy, like almost everybody across my State—men and women—is beside himself. They are all terrified because they know that they still have to put food on the table; that they still have to pay the rent or a mortgage; that they still have to clothe their kids; that they still have all of the ordinary expenses of living and are not allowed to earn a living because of the extreme measures we are taking to try to avoid an absolute catastrophe with this disease.

That is why so many of us in this body have worked so hard for several weeks now—but very, very intensively in these last few days—to try to deal with this fact that we have a potentially lethal threat and an economy that is disappearing. I mean, literally, the bottom has fallen out—it is going away—and that is enormously devastating to the people we represent. So, quite sensibly, we have said we need to focus on these individuals first—the men and women, the families—who are, as I said, terrified and understandably.

So what did we do?

Last week, we passed a bill that went right at, first and foremost, the people most directly affected by this. Paid medical leave at full salary for a couple weeks, paid leave thereafter, paid family leave if you are looking after someone who is affected by this, including if it is your kids because they can't go to school because the schools are also closed.

But that wasn't all we did. We also bumped up the Federal share of our Medicaid Program—the program that pays for healthcare for low-income and poor people. We increased the share that the Federal Government would pay for that.

We increased food stamps. We were trying to find ways, and we did, and we passed it. It was an overwhelming bipartisan vote. That is done. That was last week.

But we recognized that that is not enough under these circumstances because things just keep getting worse. So we took up the bill that we put on the Senate floor today. This had huge

section sections designed also to help these individuals, these families, these men and women who just can't even go to work.

One of the things we did was we made the unemployment insurance program much more generous. We dramatically increased the payments that you are able to get if you are unemployed because we realize there are going to be huge numbers of people who are not legally allowed to be employed, in a way. So several hundred dollars a week or more above and beyond what is already there is in this bill that our Democratic colleagues voted against. Several hundred dollars of additional payments every week to someone who is unemployed.

But that is not all we did for individuals. We recognize it is going to take a little while for those changes to work their way through the system. So we said, What is the fastest thing we can do to get money in the hands of these poor folks who are wondering how they are going to make the next car payment. What we did is we said we are going to send a check in the mail, that is what we are going to do, to low- and middle-income wage earners, a significant check. How significant? Twelve hundred dollars per adult. So a married couple would get \$2,400, plus \$500 for any children they have. A married couple with three kids living anywhere in America who are wage earners who have middle or low income, they get \$3,900—\$3,900. That is the check that would be arriving in a couple of weeks. If the check doesn't get there, let me just make it clear why. It is because our Democratic colleagues voted no. They voted against sending that check. We thought that was important to get that in the hands of the people who need it.

But that is not all we did. We also felt like we don't really solve this problem until we defeat the virus. We have a healthcare issue at the heart of this. We recognize that. So we have all kinds of provisions in this bill, and many of the provisions were priorities of our Democratic colleagues because this was a bipartisan process from the beginning, they know that, like the plan to boost unemployment insurance.

By the way, not just the payments were increased, but we expanded eligibility. We allowed people to qualify for unemployment insurance who, in the past, have not qualified—people like self-employed folks who historically have never qualified for unemployment. Under this bill, the one our Democratic colleagues voted against, they would have qualified.

But as I say, we also focused on healthcare, and some of the things—I mean, a 20-percent increase virtually across the board for Medicare payments to hospitals. Do you know why? Hospitals are in trouble.

One of the reasons hospitals are in trouble is they had to decide to discontinue elective procedures. So those surgeries that you would like to have

but they are not absolutely essential, they are not happening.

Well, that is how the hospitals pay the bills, those kinds of procedures. They are not happening because they need to keep the beds available for a potential surge, if it should happen, in coronavirus victims.

So we recognized that with a 20-percent increase virtually across the board for Medicare.

Big expansion in telehealth. Why is that important? So that you can get the professional advice you need without having to show up in an office and potentially infect a whole lot of other people. It is a no-brainer, right?

A lot of money for some of the materials that we need to do the testing, tests themselves, money to create the swabs that are necessary to get the sample to run the test, free tests—it is all in the bill, the bill that our Democratic colleagues voted against.

And that is not all. We have \$75 billion for hospitals in other forms above and beyond the 20-percent increase in Medicare—\$75 billion. I can tell you for sure, every hospital in Pennsylvania wants that, needs that. Actually, I know that is the case for hospitals all across America, but our Democratic colleagues voted against sending \$75 billion to our hospitals at a moment when they desperately need it.

Eleven billion dollars for vaccines and treatment. Look, this is the ultimate solution, right? When we have an ability to treat this virus so that if you are infected you are not really harmed because there is a medicine that will take care of it, that is ultimately a really important goal.

But we don't have that yet. We don't know what that is yet. We need to fund the research and development of that medicine that will turn this into a minor nuisance rather than a threat against our lives.

And how about vaccines? One day we will have a vaccine. I want that day really, really soon. So we have got \$11 billion in this bill to accelerate the development of therapies and vaccines. That would be the bill that our Democratic colleagues voted no on earlier today.

Five billion dollars for the FEMA Disaster Relief Fund because they have all kinds of expenses they are incurring as they try to address this.

Ten billion dollars to keep our airports open because they are not getting the revenue that they normally get in the form of the taxes on the ticket because nobody is flying. There are no flights; there are no passengers; so there is no revenue. But we need to keep those airports viable for the moment we can begin our restoration, our recovery. So we have \$10 billion there.

We have \$20 billion for public transit. I have been hearing from the folks who operate the public transit across Pennsylvania. They have the same problem everyone else has in one form or another. They are hemorrhaging cash because they are trying to pay their

workers, but they don't have the revenue coming in. So we have \$20 billion to help out with the public transit, which is absolutely essential in our big cities, but it is vital all across our country—\$20 billion. They voted against that.

So we focused on individuals and families, first and foremost. We focused on what can we be doing, everything we can—many ideas from our colleagues on the other side—about how we can improve our ability to defeat this virus.

And yet there is another thing in this bill. The other thing in the bill is to make sure there is a job to go back to for the men and women who wake up tomorrow morning and don't have a job to go to. When this finally passes, I think it would be a good idea if the company that has been employing these folks still exists.

Now, how is that going to happen when they are not allowed to have any revenue? They are closed. Well, we have developed a plan in this bill to address this.

So it is really kind of two components. For small businesses, there is a program that has the effect that, at the end of the day, the Federal Government is going to pay for payroll for small business. That is amazing when you think about that. Nobody has ever imagined this before. The Federal Government is going to pay the payroll for small businesses as long as they keep their employees on the payroll.

The mechanism is a loan, which they will use to make the payments, and then they don't have to pay back the loan as long as they did, in fact, keep their workers on the payroll.

So we have offered, in this bill, to pay to keep people on the payroll of small business, and our Democratic friends voted no. No, they didn't want that.

Now, for large businesses, we took a different approach. We said we can't actually pay for the entire payroll of the entire American workforce that is like 150 million people, but here is what we can do: A big company, if it is solvent, if it is a viable business, but it is in a cash crunch because—have I mentioned they are not allowed to have sales; they are not allowed to have revenue; they have no customers, in many cases, if they could. Think about the airlines; there is nobody flying. Think of hotels; there is nobody staying in hotels. But it is all across the entire economy. So what we did is we said: Look, if you have a viable business, we are going to have a program where we are going to lend you some short-term money because this should not last long. You are going to have to pay it all back, but we want to keep you alive—this employer—so that when this is behind us and when we no longer have statewide shutdowns and when we are able to go back to work and go back to producing and living normally, it would be really nice if these employers still exist.

So that is what we created. The minority leader derisively called that a bailout to explain his vote against this.

This is not a bailout. It is ridiculous to characterize it that way. First of all, they have to pay back every dime that they borrow—every dime. It is explicit in the bill, in the law, that there can be no forgiveness. None of this can be written off. The companies that borrow this money have to pay back every dime.

And let me stress, this is not their fault. OK? You are operating a business somewhere in Pennsylvania, and the Governor says: By the way, close your doors at 8 o'clock Monday morning, and you don't reopen them until I say.

Now, look, I am not trying to attack my Governor. I understand why he is doing this, but the point is, it is not possible for a business to survive. And we are seeing this manifested, this sort of easy, visual view on this that some of my colleagues have mentioned—our financial markets because they reflect what the world thinks about the future of our economy, and it is really, really grim.

Some have suggested maybe we shouldn't focus on that. That is not the focus. That just gives us a reading of just how bad things have gotten, and it is really bad. And when my Democratic colleagues came down here and voted against all of these programs and all of these efforts to rescue American workers and families, advance our fight against this disease, and keep employers viable, I was just shocked. I just can't believe that they would do that; that they would come down here—and I can only conclude that they don't understand the urgency of this moment.

I think they have to understand the nature of the disease, the severity of the disease, what that is doing. Maybe there is a lack of appreciation for the fact that at the same time our economy is being destroyed—if they continue this obstruction, and they refuse to let us pass this because they dismissively refer to keeping alive employers as a "bailout," then a lot of these companies will fail, and they will not come back.

You don't just flip a switch and have a company that failed, that went bankrupt, and think you are going to turn it back on. It doesn't work that way. It could take years or decades to rebuild an economy, and that means how many millions of Americans lose out on so much opportunity, on so much of life.

That is what we can't let happen. We have to stop this as quickly as we can, and that means, I am convinced, these three elements: focusing on individuals who are adversely affected, and now that is virtually everybody. We have done that. Done that massively. Unprecedented scale in this bill. Focus on killing this virus, defeating this, developing the therapies, the cures, the ability to treat, the hospital capacity—it is in this bill. Look, there will be more to be done, but for now, this is huge, and we got these ideas from Democrats

and Republicans. We put them in the bill. And then, finally, if it is a fundamentally solvent business, just an extension of credit for a few months, a loan that they have to pay back so that there is a reasonable chance they will still be there.

This is exactly what this moment calls for. This is what we need to do for our country. I am hoping our Democratic colleagues will, frankly, come to their senses and conclude and understand that there is no time for games here. This is getting worse by the day. We have to act now. So I hope before the clock strikes midnight tonight, we will vote in favor of cloture on the motion to proceed, the procedural vote that allows us to pass this bill as soon as possible.

#### RECESS

Mr. TOOMEY. Mr. President, I ask unanimous consent that the Senate stand in recess until 10 p.m. tonight.

There being no objection, the Senate, at 9 p.m., recessed until 10 p.m. and reassembled when called to order by the Presiding Officer (Mr. SASSE).

#### MIDDLE CLASS HEALTH BENEFITS TAX REPEAL ACT OF 2019—Motion To Proceed—Continued

The PRESIDING OFFICER. The majority leader.

Mr. MCCONNELL. Mr. President, well, here we are, the eyes of the Nation are on the Senate, but, tonight, Senate Democrats blocked coronavirus relief from moving forward.

Republican and Democratic Senators just spent days collaborating in a bipartisan way with these working groups that we set up. Democratic ideas were incorporated, major changes were made at their request, but, today, the Speaker of the House, is back in town after taking a week off, and poured cold water on the whole bipartisan process.

Incredibly, what we witnessed a few hours ago is Senate Democrats voting to filibuster the bipartisan package that they helped craft over the last two days. It wasn't even a vote on final passage. It was simply a vote to limit further debate, after which there would have been 30 more hours to continue to negotiate if they wanted to drag this out endlessly. After that, of course, the futures market tanked in anticipation of an ugly tomorrow based upon an absence of the bipartisan agreement we have been seeking.

They voted to block, specifically, surge resources for hospitals, a massive expansion in unemployment benefits, historic relief for small businesses to prevent mass layoffs, direct checks for millions of Americans, and expanding healthcare workers' access to the masks that they need. Even if Democrats reverse course tomorrow—tomorrow—the vote they cast today will almost certainly cause more Americans to lose their jobs and more seniors'



hard-earned retirement savings to literally evaporate.

Our Nation cannot afford the game of chicken. We can't afford the cynical partisanship that one senior House Democrat owned up to just the other day. Here is what he said: "This is a tremendous opportunity to restructure things to fit our vision."

It is an unconscionable statement to view this as a partisan opportunity. This is a national emergency, not a partisan opportunity. Doctors, nurses, small business employees, laid-off Americans, and vulnerable seniors need our help right now.

So here is the way ahead, colleagues. We are going to vote at 9:45 in the morning—the same vote we had at 6 o'clock tonight. We are going to vote at 9:45 in the morning, 15 minutes after the markets open, and see whether there is a change of heart. That vote will occur, unless we can finally reach an agreement sometime between now and then. I just want all of our colleagues to know when our next vote will be in the absence of an agreement—9:45 in the morning, 15 minutes after the markets open.

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

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

#### UNANIMOUS CONSENT REQUEST

Mr. McCONNELL. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9 a.m., Monday, March 23; 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 resume consideration of the motion to proceed to H.R. 748.

The PRESIDING OFFICER. Is there objection?

Mr. SCHUMER. Reserving the right to object.

The PRESIDING OFFICER. The Democratic leader.

Mr. SCHUMER. Madam President, now, I know the majority leader likes to talk about partisanship, but we are not here for that reason. The bill we are voting on will affect us not just in the days to come but in the months and years to come, and we need the best bill possible.

We Democrats have seen some real flaws in the bill that was put on the floor by the Republicans. What it has is, for instance, a giant, giant corporate bailout fund with no accountability. You wouldn't even know if the loans were made until 6 months later. What we have seen is a cutback in

what we asked for, for hospitals, doctors, and nurses—masks, equipment. We need more money than what the Republican majority has proposed. What we have seen is no money for State and local governments. They are going broke. They have huge, huge, new expenses. We need to make those better.

The bottom line is very simple. We are fighting for a better bill because this bill will have an effect for a very, very long time.

I have been working with Secretary Mnuchin and the President's congressional liaison, Eric. They have been in my office about six times tonight. We are making progress, and I think there is a good chance we will have an agreement, but we don't need artificial deadlines. We will get this done. We will come in at 12 noon, and, hopefully, we will have an agreement by then.

So I object.

The PRESIDING OFFICER. Objection is heard.

The majority leader.

Mr. McCONNELL. Madam President, as I have said repeatedly and as, I think, all 100 of us know, we had a good bipartisan bill that was developed on a bipartisan basis with Members in the Senate, over the last 48 hours, until the Democratic leader and the Speaker of the House decided to blow it all up and play Russian roulette with the markets. The futures market is dramatically down, going into tomorrow. The Asian markets, I suspect—I haven't checked—are probably rattled by all of this.

Nothing would have been lost by allowing us to get on the bill because they could have used 30 more hours—not that they should have but they could have used 30 more hours—to continue to negotiate. But, alas, every single one of them has been on record as preventing us from taking the next step toward getting the agreement the American people are waiting and waiting and waiting for us to get.

The result of what the Democratic leader just did was to prevent us from voting right after the markets open in the morning and will allow the markets to be rattled until 12 noon, further evidence of the reckless behavior we have witnessed on the Democratic side in the Senate over the last hours.

#### ORDERS FOR MONDAY, MARCH 23, 2020

Mr. McCONNELL. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 12 noon, Monday, March 23; 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 resume consideration of the motion to proceed to H.R. 748.

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

#### MORNING BUSINESS

#### 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 Mr. VAN HOLLEN (for himself and Mr. BROWN):

S. 3560. A bill to amend the Truth in Lending Act to extend the consumer credit protections provided to members of the Armed Forces and their dependents under title 10, United States Code, to all consumers; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. VAN HOLLEN (for himself, Mr. LANKFORD, and Ms. SINEMA):

S. 3561. A bill to require Federal agencies to permit employees to telework full-time during the public health emergency relating to COVID-19, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

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

S. 3562. A bill to provide supplemental appropriations for the Child Care and Development Block Grant program, and the Head Start and Early Head Start programs, and for other purposes; to the Committee on Appropriations.

By Mr. CASEY:

S. 3563. A bill to modify nutrition programs to address the Coronavirus Disease 2019, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. CASEY (for himself and Mr. BOOKER):

S. 3564. A bill to amend title XIX of the Social Security Act to require States to provide medical assistance for COVID-19 treatment services for individuals who are diagnosed with COVID-19, and for other purposes; to the Committee on Finance.

By Mr. BROWN:

S. 3565. A bill to amend the Fair Debt Collection Practices Act to provide additional protections for consumers and small business owners from debt collection during a major disaster or emergency; to the Committee on Banking, Housing, and Urban Affairs.

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

S. 3566. A bill to prohibit depository institutions from assessing overdraft and non-sufficient fund fees during the novel coronavirus crisis and other disasters, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mrs. SHAHEEN (for herself, Ms. BALDWIN, Ms. HASSAN, Ms. HARRIS, Mr. REED, and Mr. DURBIN):

S. 3567. A bill to provide State funding to ensure that essential workers can access child care; to the Committee on Finance.

#### ADDITIONAL COSPONSORS

S. 3519

At the request of Mr. COONS, the names of the Senator from Montana (Mr. DAINES), the Senator from Washington (Mrs. MURRAY) and the Senator from Maryland (Mr. VAN HOLLEN) were added as cosponsors of S. 3519, a bill to authorize the Administrator of the Small Business Administration to subsidize payments on loans guaranteed under the 7(a) and 504 loan programs or made using funds under the microloan program, and for other purposes.



S. 3520

At the request of Mr. COONS, the names of the Senator from Illinois (Ms. DUCKWORTH), the Senator from Kansas (Mr. MORAN) and the Senator from New Jersey (Mr. MENENDEZ) were added as cosponsors of S. 3520, a bill to waive, for 1 year, the cost sharing requirements of the Hollings Manufacturing Extension Partnership, and for other purposes.

S. 3551

At the request of Mr. PETERS, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 3551, a bill to help small businesses access capital and create jobs by reauthorizing the successful State Small Business Credit Initiative.

S. 3554

At the request of Mr. PETERS, his name was added as a cosponsor of S. 3554, a bill to provide assistance to small businesses impacted by COVID-19, and for other purposes.

S. 3559

At the request of Mr. BENNET, the names of the Senator from Maine (Mr. KING), the Senator from Kansas (Mr. ROBERTS), the Senator from Arizona (Ms. SINEMA) and the Senator from Georgia (Mrs. LOEFFLER) were added as cosponsors of S. 3559, a bill to provide emergency financial assistance to rural health care facilities and providers impacted by the COVID-19 emergency.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 1564. Mr. MENENDEZ (for himself, Mr. PERDUE, Mr. TESTER, and Mr. TILLIS) submitted an amendment intended to be proposed by him to the bill H.R. 748, to amend the Internal Revenue Code of 1986 to repeal the excise tax on high cost employer-sponsored health coverage; which was ordered to lie on the table.

SA 1565. Mr. MENENDEZ (for himself, Mr. PERDUE, Mr. TESTER, and Mr. TILLIS) submitted an amendment intended to be proposed by him to the bill H.R. 748, supra; which was ordered to lie on the table.

SA 1566. Mr. LANKFORD (for himself, Mr. COONS, Mr. LEE, Ms. KLOBUCHAR, Mr. SCOTT of South Carolina, Mrs. SHAHEEN, Ms. MCSALLY, and Ms. SINEMA) submitted an amendment intended to be proposed by him to the bill H.R. 748, supra; which was ordered to lie on the table.

SA 1567. Mr. KENNEDY submitted an amendment intended to be proposed by him to the bill H.R. 748, supra; which was ordered to lie on the table.

SA 1568. Mr. MORAN submitted an amendment intended to be proposed by him to the bill H.R. 748, supra; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

SA 1564. Mr. MENENDEZ (for himself, Mr. PERDUE, Mr. TESTER, and Mr. TILLIS) submitted an amendment intended to be proposed by him to the bill H.R. 748, to amend the Internal Revenue Code of 1986 to repeal the excise tax on high cost employer-sponsored health coverage; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

#### SEC. . . . OPEN MARKET OPERATIONS.

Section 14(b) of the Federal Reserve Act (12 U.S.C. 355) is amended by adding at the end the following:

“(3)(A) In unusual and exigent circumstances, the Federal Open Market Committee may, by a majority vote, authorize any Federal reserve bank, during such periods as the Committee may determine, to buy and sell, at home or abroad—

“(i) investment grade bills, notes, bonds, or warrants, none of which may have a maturity of less than 6 months, by any corporation, company, or similar legal entity; and

“(ii) investment grade bills, notes, bonds, and warrants, none of which may have a maturity of less than 6 months, by any State, county, district, political subdivision, instrumentality of a political subdivision, territory, possession, municipality, or Indian tribe, as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304), in the United States, including irrigation, drainage, and reclamation districts.

“(B) All actions under this paragraph shall be subject to such limitations, restrictions, and regulations as the Federal Open Market Committee may prescribe. In prescribing such limitations, restrictions, and regulations, the Federal Open Market Committee shall take into account the need to protect taxpayers from losses.

“(C) Assets purchased under this paragraph shall be denominated in United States dollars.

“(D) Not later than 7 days after the exercise of the authority in subparagraph (A) that occurs on or after January 1, 2021, the Chairman of the Board shall—

“(i) appear before the Majority Leader of the Senate, the Minority Leader of the Senate, the Speaker of the House of Representatives, the Minority Leader of the House of Representatives, the chair and ranking members of the Committee on Banking, Housing, and Urban Affairs of the Senate, and the Committee on Financial Services of the House of Representatives describing—

“(I) why action under this paragraph is necessary to achieve the monetary policy objectives under section 2A; and

“(II) how the Federal Open Market Committee has exhausted all other reasonable options available in achieving the monetary policy objectives under section 2A; and

“(ii) submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives a report on the description described in clause (i)(I).

“(E)(i) Not later than 3 days after the date of enactment of this paragraph, the Federal Open Market Committee shall meet and vote on whether to exercise the authority under this paragraph with respect to the national emergency declared by the President under the National Emergencies Act (50 U.S.C. 1601 et seq.) with respect to the coronavirus disease 2019 (COVID-19).

“(ii) If the Federal Open Market Committee does not approve to exercise the authority under this clause (i), the Board shall submit to the Majority Leader of the Senate, the Minority Leader of the Senate, the Speaker of the House of Representatives, the Minority Leader of the House of Representatives, the chair and ranking members of the Committee on Banking, Housing, and Urban Affairs of the Senate, and the Committee on Financial Services of the House of Representatives a notice describing why such action is not necessary to achieve the monetary policy objectives under section 2A.

“(F) Upon the expiration of the unusual and exigent circumstances, it should be a

priority of the Federal Open Market Committee to achieve the monetary policy objectives under section 2A without the use of the authority provided under this paragraph as soon as practicable while minimizing the disruptions to the market and general economy of the United States.”.

SA 1565. Mr. MENENDEZ (for himself, Mr. PERDUE, Mr. TESTER, and Mr. TILLIS) submitted an amendment intended to be proposed by him to the bill H.R. 748, to amend the Internal Revenue Code of 1986 to repeal the excise tax on high cost employer-sponsored health coverage; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

#### SEC. . . . OPEN MARKET OPERATIONS.

Section 14(b) of the Federal Reserve Act (12 U.S.C. 355) is amended by adding at the end the following:

“(3)(A) In unusual and exigent circumstances, the Federal Open Market Committee may, by a majority vote, authorize any Federal reserve bank, during such periods as the Committee may determine, to buy and sell, at home or abroad—

“(i) investment grade bills, notes, bonds, or warrants, none of which may have a maturity of less than 6 months, by any corporation, company, or similar legal entity; and

“(ii) investment grade bills, notes, bonds, and warrants, none of which may have a maturity of less than 6 months, by any State, county, district, political subdivision, instrumentality of a political subdivision, territory, possession, municipality, or Indian tribe, as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304), in the United States, including irrigation, drainage, and reclamation districts.

“(B) All actions under this paragraph shall be subject to such limitations, restrictions, and regulations as the Federal Open Market Committee may prescribe. In prescribing such limitations, restrictions, and regulations, the Federal Open Market Committee shall take into account the need to protect taxpayers from losses.

“(C) Assets purchased under this paragraph shall be denominated in United States dollars.

“(D) Not later than 7 days after the exercise of the authority in subparagraph (A) that occurs on or after January 1, 2021, the Chairman of the Board shall—

“(i) appear before the Majority Leader of the Senate, the Minority Leader of the Senate, the Speaker of the House of Representatives, the Minority Leader of the House of Representatives, the chair and ranking members of the Committee on Banking, Housing, and Urban Affairs of the Senate, and the Committee on Financial Services of the House of Representatives describing—

“(I) why action under this paragraph is necessary to achieve the monetary policy objectives under section 2A; and

“(II) how the Federal Open Market Committee has exhausted all other reasonable options available in achieving the monetary policy objectives under section 2A; and

“(ii) submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives a report on the description described in clause (i)(I).

“(E)(i) Not later than 3 days after the date of enactment of this paragraph, the Federal Open Market Committee shall meet and vote on whether to exercise the authority under this paragraph with respect to the national emergency declared by the President under

the National Emergencies Act (50 U.S.C. 1601 et seq.) with respect to the coronavirus disease 2019 (COVID-19).

“(ii) If the Federal Open Market Committee does not approve to exercise the authority under this clause (i), the Board shall submit to the Majority Leader of the Senate, the Minority Leader of the Senate, the Speaker of the House of Representatives, the Minority Leader of the House of Representatives, the chair and ranking members of the Committee on Banking, Housing, and Urban Affairs of the Senate, and the Committee on Financial Services of the House of Representatives a notice describing why such action is not necessary to achieve the monetary policy objectives under section 2A.

“(F) Upon the expiration of the unusual and exigent circumstances, it should be a priority of the Federal Open Market Committee to achieve the monetary policy objectives under section 2A without the use of the authority provided under this paragraph as soon as practicable while minimizing the disruptions to the market and general economy of the United States.”.

**SA 1566.** Mr. LANKFORD (for himself, Mr. COONS, Mr. LEE, Ms. KLOBUCHAR, Mr. SCOTT of South Carolina, Mrs. SHAHEEN, Ms. MCSALLY, and Ms. SINEMA) submitted an amendment intended to be proposed by him to the bill H.R. 748, to amend the Internal Revenue Code of 1986 to repeal the excise tax on high cost employer-sponsored health coverage; which was ordered to lie on the table; as follows:

Strike section \_\_\_\_\_ and insert the following:

**SEC. \_\_\_\_\_. ABOVE-THE-LINE DEDUCTION FOR CHARITABLE CONTRIBUTIONS FOR INDIVIDUALS NOT ITEMIZING DEDUCTIONS.**

(a) IN GENERAL.—Subsection (a) of section 62 of the Internal Revenue Code of 1986 is amended by inserting after paragraph (21) the following new paragraph:

“(22) CHARITABLE CONTRIBUTIONS FOR INDIVIDUALS NOT ITEMIZING DEDUCTIONS.—In the case of an individual who does not elect to itemize deductions for the taxable year, the deduction allowed by section 170 with respect to charitable contributions (as defined in section 170(c)) made during the period beginning on January 1, 2020, and ending on December 31, 2020. The preceding sentence shall not apply to any deduction in excess of an amount equal to 1/3 of the amount of the standard deduction with respect to such individual.”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to charitable contributions (as defined in section 170(c) of the Internal Revenue Code of 1986) made after December 31, 2019.

**SA 1567.** Mr. KENNEDY submitted an amendment intended to be proposed by him to the bill H.R. 748, to amend the Internal Revenue Code of 1986 to repeal the excise tax on high cost employer-sponsored health coverage; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_\_. PROVIDING INFORMATION TO STATES REGARDING UNDELIVERED SAVINGS BONDS.**

Section 3105 of title 31, United States Code, is amended by adding at the end the following:

“(f)(1) Notwithstanding any other law, the Secretary shall provide each State, as digital or other electronically searchable forms be-

come available (including digital images), with sufficient information to identify the registered owner of any applicable savings bond with a registration address that is within such State, including the serial number of the bond, the name and registered address of such owner, and any registered beneficiaries.

“(2) The Secretary shall prescribe such regulations or other guidance as may be necessary to carry out the purposes of this subsection, including rules to—

“(A) protect the privacy of the owners of applicable savings bonds; and

“(B) ensure that any information provided to a State under this subsection shall be used solely to locate such owners and assist them in redeeming such bonds with the United States Treasury.

“(3) Not later than 12 months after the date of enactment of this subsection, and annually thereafter, the Secretary shall submit to the Committee on Appropriations and the Committee on Finance of the Senate a report assessing all efforts to satisfy the requirement under paragraph (1).

“(4) For purposes of this subsection, the term ‘applicable savings bond’ means a matured and unredeemed savings bond.”.

**SA 1568.** Mr. MORAN submitted an amendment intended to be proposed by him to the bill H.R. 748, to amend the Internal Revenue Code of 1986 to repeal the excise tax on high cost employer-sponsored health coverage; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_\_. COVERAGE FOR ALLERGY DIAGNOSTIC TESTING SERVICES UNDER MEDICARE AND MEDICAID.**

(a) FINDINGS.—Congress finds the following:

(1) Allergies, when not properly diagnosed, cannot be effectively treated.

(2) Allergies to food, inhaled particles, or other sources can cause debilitating and, in some cases, fatal reactions.

(3) Allergies can substantially compound other illnesses, including asthma, emphysema, and adult obstructive pulmonary diseases, leading to social and economic costs for families and our Nation’s health care system.

(4) According to clinical guidelines from the National Institutes of Health and recommendations from peer-reviewed literature, in vitro specific IgE tests and percutaneous tests are considered equivalent as confirmatory tests in terms of their sensitivity and accuracy.

(5) Despite these recommendations, some current Medicare local coverage determinations and Medicaid coverage policies deny equal access to in vitro specific IgE tests and percutaneous tests.

(6) In vitro specific IgE tests and percutaneous tests must be equally accessible for clinicians and patients to improve health outcomes, reduce system costs, and reduce current health care disparities caused by the lack of equal coverage.

(b) MEDICAID COVERAGE FOR ALLERGY DIAGNOSTIC TESTING SERVICES.—

(1) IN GENERAL.—Title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) is amended—

(A) in section 1902(a)—

(i) in paragraph (85), by striking “and” at the end;

(ii) in paragraph (86), by striking the period at the end and inserting “; and”; and

(iii) by inserting after paragraph (86) the following new paragraph:

“(87) provide, with respect to the provision of allergy diagnostic testing services (as de-

fined in section 1905(gg)) under the State plan, for equality in the treatment of in vitro specific IgE tests and percutaneous tests with respect to—

“(A) any medical necessity or other coverage requirements established for such in vitro specific IgE and percutaneous tests;

“(B) any frequency limits established for such tests; and

“(C) any allergen unit limits established for such tests.”; and

(B) in section 1905—

(i) in subsection (r)—

(I) by redesignating paragraph (5) as paragraph (6); and

(II) by inserting after paragraph (4) the following new paragraph:

“(5) Allergy diagnostic testing services (as defined in subsection (gg)).”; and

(ii) by adding at the end the following new subsection:

“(gg) ALLERGY DIAGNOSTIC TESTING SERVICES DEFINED.—The term ‘allergy diagnostic testing services’ means in vitro specific IgE tests and percutaneous tests that—

“(1) have been cleared under section 501(k), classified under section 513(f)(2), or approved under section 515 of the Federal Food, Drug, and Cosmetic Act; and

“(2) are provided to individuals for the purpose of evaluating immunologic response to certain antigens.”.

(2) EFFECTIVE DATE.—

(A) IN GENERAL.—Subject to subparagraph (B), the amendments made by this subsection shall apply with respect to items and services provided on or after January 1, 2021.

(B) EXCEPTION FOR STATE LEGISLATION.—In the case of a State plan under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) that the Secretary of Health and Human Services determines requires State legislation in order for the respective plan to meet any requirement imposed by amendments made by this subsection, the respective plan shall not be regarded as failing to comply with the requirements of such title solely on the basis of its failure to meet such an additional requirement before the first day of the first calendar quarter beginning after the close of the first regular session of the State legislature that begins after the date of the enactment of this subsection. For purposes of the previous sentence, in the case of a State that has a 2-year legislative session, each year of the session shall be considered to be a separate regular session of the State legislature.

(c) MEDICARE COVERAGE FOR ALLERGY DIAGNOSTIC TESTING SERVICES.—

(1) COVERAGE.—Section 1861 of the Social Security Act (42 U.S.C. 1395x) is amended—

(A) in subsection (s)(2)—

(i) in subparagraph (GG), by striking “and” at the end;

(ii) in subparagraph (HH), by striking the period at the end and inserting “; and”; and

(iii) by adding at the end the following new subparagraph:

“(II) allergy diagnostic testing services (as defined in subsection (kkk)).”; and

(B) by adding at the end the following new subsection:

“(kkk) ALLERGY DIAGNOSTIC TESTING SERVICES.—

“(1) IN GENERAL.—The term ‘allergy diagnostic testing services’ means in vitro specific IgE tests and percutaneous tests—

“(A) that have been cleared under section 501(k), classified under section 513(f)(2), or approved under section 515 of the Federal Food, Drug, and Cosmetic Act; and

“(B) which are furnished to individuals for the purpose of evaluating immunologic response to certain antigens, as determined appropriate by the practitioner ordering such test.

“(2) EQUAL ACCESS TO TESTING METHODS.—The Secretary shall ensure equality in the treatment of in vitro specific IgE tests and percutaneous tests described in paragraph (1) with respect to—

“(A) any medical necessity or other coverage requirements established for such in vitro specific IgE and percutaneous tests;

“(B) any frequency limits established for such tests; and

“(C) any allergen unit limits established for a year for such tests.”.

(2) PAYMENT.—Section 1834 of the Social Security Act (42 U.S.C. 1395m) is amended by

adding at the end the following new subsection:

“(X) ALLERGY DIAGNOSTIC TESTING SERVICES.—For purposes of payment only, in the case of allergy diagnostic testing services (as defined in section 1861(kkk))—

“(1) in vitro specific IgE tests shall be treated as clinical diagnostic laboratory tests; and

“(2) percutaneous tests shall be treated as physicians’ services.”.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall apply with respect to items and services furnished on or after January 1, 2021.

ADJOURNMENT UNTIL TOMORROW

Mr. McCONNELL. Madam 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 11:39 p.m., adjourned until Monday, March 23, 2020, at 12 noon.