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Senate

The Senate met at 3 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.

Great Redeemer, guide our law-makers along the best path to fulfill Your purposes on Earth. May they submit to Your wisdom and providential leading, believing that You will supply all of their needs. Remind them that Your unfailing love accompanies those who put their trust in You.

Lord, give our Senators an attitude of reverential awe that will keep them from evil and inspire them to rejoice and be glad as they strive to live lives of purity and obedience.

And, Lord, as we remember Pearl Harbor on this December 7, thank You for Your loving and prevailing providence. May we show our gratitude by facing the future without fear.

We pray in Your majestic 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. HAWLEY). 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.

RECOGNIZING IOWA STATE UNIVERSITY FOOTBALL

Mr. GRASSLEY. Mr. President, I want to visit with my colleagues about something that hasn't happened in

Iowa for over 100 years. Over the week-end, the Iowa State football team completed their regular season play. The Cyclones are having a noteworthy season. They secured the first place rank in the Big 12 Conference's regular season after winning five consecutive conference games and eight overall conference wins this season.

The good news doesn't stop there for the Iowa State football program. The Cyclones finished first place in league play, for the first time since 1912, when they won the Missouri Valley Conference. This has earned the Cyclones their well-deserved spot in the Big 12 title game on December 19, the first ever Big 12 championship appearance in Iowa State University's history.

I want to applaud the Cyclones for their historic season. So many fans, including me, will be rooting them on for the Big 12 championship game.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

RESERVATION OF LEADER TIME

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

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will pro-

ceed to executive session to resume consideration of the following nomination, which the clerk will report.

The legislative clerk read the nomination of Stephen Sidney Schwartz, of Virginia, to be a Judge of the United States Court of Federal Claims for a term of fifteen years.

The PRESIDING OFFICER. The Senator from Vermont.

CORONAVIRUS

Mr. LEAHY. Mr. President, speaking both as a Senator from Vermont and as vice chairman of the Senate Appropriations Committee, I am speaking with concern about what has been happening in the Senate.

It has been 321 days since the first COVID-19 case was reported in the United States—321 days. It has been 282 days since the first COVID-19 death was reported in the United States.

The Bureau of Labor Statistics reports that the unemployment rate in November was 6.7 percent, nearly double the rate in November of last year. Hundreds of thousands of small businesses across the country have closed permanently, all due to COVID.

As of today, there are more than 14,800,000 reported cases of COVID-19 in the United States. To put that in perspective, that is 1 million more than just a week ago. More than 282,000 Americans have died, and it has been 256 days since the Senate passed the CARES Act—256 days since the Senate acted in a comprehensive, meaningful way to address the real and mounting concerns and needs of our constituents.

My State of Vermont is like everywhere else. Healthcare workers, caregivers, business owners, employees, teachers, and students are all in need of support during these difficult and uncertain times.

We have families wrestling with heightened food insecurity. People for the first time in their lives cannot feed their children and they cannot feed themselves. They have the threat of eviction from their homes hanging over them.

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



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We have States that are strapped by budget shortfalls and are forced to lay off thousands of employees, people who have worked so hard for the people of their State.

It has been 205 days since the House first passed the Heroes Act, and it has been 65 days since they stepped forward to offer a substantial compromise on the Heroes Act and passed it again. And where does it sit? It sits on my friend the Republican leader's desk. It is collecting dust. It is the largest and most significant bill in the McConnell legislative graveyard.

Why aren't we voting? Look what happens. We can't even bring ourselves to actually vote on something to help Americans, to help the people of our own States. They are being thrown out of their houses, their apartments, and out of their jobs, and we come in for a few days and then get on an airplane and fly back home, and the taxpayers pay for it, taxpayers paying our salaries and all and nothing happens.

Now, like millions of Americans, I am encouraged by the news of recent weeks that pharmaceutical companies are making significant progress on vaccine development. I am encouraged that some of these vaccines may be available as early as later this month.

Let's not forget why we were able to develop vaccines so quickly. It is because of longstanding Federal investment in cutting-edge research at the National Institutes of Health—research that has been backed by so many of us in both parties for years in this body. NIH funded research in genetic and genomic sequencing and enabled the research of COVID-19 that led to the vaccine. This is the power of Federal dollars when it is targeted to solve a national—a national—problem. We need more of that today.

The development of several promised vaccines is great news, but if you don't have a comprehensive plan in place and resources implemented, how can we be sure the vaccination is safe, effective, widely available, and free?

Can anybody stand up and say that every part of their State will have vaccination? No, the money is not there yet, and we haven't done anything on that. It is a complete abdication of our responsibility as elected Representatives that we have simply failed to act.

Now, I know that my friends across the aisle will probably rush to the floor, and they will blame Democrats for stalling on their inadequate, face-saving proposal that they went through the motions to bring before the elections. Remember what it was. It was a give-away to insurance companies, and they didn't even have the courage to allow amendments for people to actually have to vote up or down. It is easier to make a face-saving gesture knowing it would not go anywhere.

Sure, it made some investments in small businesses. It provided some employment relief, albeit at a significantly reduced level. But it also tied educational relief to forcing kids back

into the classroom, even if it is an area where it was not safe to accommodate those children.

It failed to deliver on relief to State and local governments, which are continuing to try to provide essential services to their communities, as our government is in Vermont. It included nothing for Low Income Home Energy Assistance, or LIHEAP. And it was snowing in our State and in a lot of other northern States this weekend. It had no funding for mental health services. Can you imagine what is going on—no funding for mental health service? There is no funding for nutrition assistance. There wasn't a dime for NIH research. And it didn't have a plan—a vigorous plan—or an investment in vaccination production and distribution.

It is one thing to say we have these supercold things on an airplane. Wonderful. When are you going to be able to bring it to our factories, our schools, our hospitals, and our senior citizens and actually vaccinate them?

So what was the legislation brought up here? It created a shield for corporate misconduct. And what it said is that my friends, the Republicans, are more keen to shield corporate cronies than to work on behalf of the American people. That is a sham. It is a shame, especially when you find that at least in one of those corporations that want a shield, the managers were betting on who would get COVID first.

In my home State of Vermont, our Governor and our State legislature, our mayors, and our town leaders across State have taken bold moves to slow the spread of COVID. Our Governor is Republican, and I am a Democrat. I praise him for what he did. I talked with him again today about the steps he has taken—difficult steps, hard steps, but steps to keep Vermonters safe. And these moves taken in my State of Vermont resulted in lower instances of the virus than anywhere else in the country. But as the Governor said and what I have said and everybody else has said, they have come with a cost. We have kept people safe, but not without a cost. Unemployment remains. Small businesses continue to struggle, if they are even able to stay in existence. That says nothing of the personal hardship families are facing across our small State.

One elderly woman called my office. She expressed frustration with the President. She told my staff that she has only been able to visit her husband, who is in a medical rehab facility, a couple of times during this pandemic due to COVID restrictions. That is not an anecdote. That is a personal tragedy.

In Vermont, the State and local governments are worrying about how to clear the roads this winter if COVID hits the plow crews. Snow removal isn't a luxury in Vermont in the winter. It is a necessity. We sometimes have 7, 8, 9, 10 inches of snow overnight. But we expect our businesses

and our schools to open that day. I don't know how many times, at home, on a snowy night, I wake at 4:30 in the morning as I hear the snowplows going by on the road, and I know I can get to my office a couple of hours later—and we have had nearly a foot of snow.

My staff spoke with one Vermont mother—not unusual. She is raising a son with autism. With school systems strained to their limits, special education services have been sharply reduced. That is going to have a lasting impact on these students, both educationally and socially.

For those who are facing challenges like addiction, depression, or mental health issues—and that can be any one of our States—or who were simply down on their luck before COVID hit earlier this year, access to vital resources like counseling or intervention has been made more complicated by COVID restrictions, often with tragic results.

I heard of one Vermonter who passed away alone in a motel room in Rutland in October. Battling mental health issues, he had become homeless just as COVID struck earlier this year. And due to the risks of the virus, family and friends were unable to take him into their homes. This isn't just a story. It is a man's life. And there are so many more people out there facing the same struggles.

We are seeing images of car lines at food banks stretching for miles, as an unprecedented wave of food insecurity is washing over our country. In my State alone, one in every four Vermonters are now food insecure. Before this pandemic, it was already an unacceptable 1 in 10.

We are asking children to learn without providing the necessary resources their teachers need. We are asking families to pay rent without their jobs and for people to deal with their chronic illnesses while our hospitals are still stretched to capacity. All of this is while an unacceptable amount of people are unsure how they will put food on the table through the end of the week in the wealthiest Nation on Earth. That is unconscionable.

I must say that the leadership across the aisle has got to bring up these bills. Stop stalling. You know, they say we only need a targeted approach, and they point to the stock market as proof. These people who are out of jobs aren't looking at the stock market. These people who can't feed their children aren't looking at the stock market. For these people whose rent has come due and they can't pay it, to them that is nonsense.

The economy is not going to recover until we have vanquished the virus. It is that simple. It is that basic. And people are suffering now. That is the cost of inaction—inaction on real, comprehensive, COVID relief legislation.

Now with our backs against the wall with a funding deadline looming, we are racing to accomplish what should

have been done months ago: annual appropriations bills to keep our government running. We were ready on this side of the aisle to vote on those back in June and have a couple of amendments up or down. Republicans, in the majority, if they didn't like a Democratic amendment, they could vote it down. We could have done it back then. Now the deadline is this week, months later. We have to pass these bills before Congress adjourns this year so there is no disruption in our government, in our services during this difficult time in our country. It will only exacerbate the growing problems facing many Americans today. But our annual appropriations bills are no substitute for the significant investment we need to confront this national and international emergency. We need a comprehensive COVID relief bill.

It is time to get serious. Instead of flying off every weekend back home, stay here. Vote these things up or down. Bring up amendments on both sides of the aisle. Have an agreement on the amendments and vote them up or down, because time is wasted.

How many hours have we spent racing to confirm nomination after nomination at the expense of everything else, including dealing with the emergency of this pandemic, while COVID cases soar and more and more people succumb to this virus? How much more time will the Senate waste while American families and communities suffer? It is time for us to do our job. We are elected for 6-year terms. Let's stay here for 6 days during the week, if need be. Let's get it done. The American people are suffering enough. We shouldn't be adding to that strain by playing politics with these essential priorities.

I am hearing from Vermonters every day, worried about unemployment benefits, their children's education, their health or for that of their loved ones, about food security, about keeping their homes and paying their bills.

The Senate, when it has been at its best, has been the conscience of the Nation. It is long past time that we started acting like the conscience of the Nation. It has been 256 days since the Senate took meaningful action on this COVID epidemic. We shouldn't wait a day longer. Let's set everything else aside. Let's have votes on these programs. Let's vote up or down. This Senator is ready to do that.

I see the distinguished leader on the floor.

I yield the floor.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Ms. ERNST). The majority leader is recognized.

CORONAVIRUS

Mr. MCCONNELL. Madam President, we have reached the time of year when the Senate has more important outstanding business than we have days to complete it. Delivering for the American people will take focus, dexterity, and genuine bipartisanship. On govern-

ment funding, as I have said for weeks, it is my hope that our committees' work will bear fruit and a full-year funding package will come to the floor in both Chambers.

I anticipate that the Senate will take up a 1-week extension this week so the government does not close on December 11 and work can continue through the end of next week.

The Nation needs our Democratic colleagues to resist the temptation to play brinksmanship with long-settled policy issues or push poison-pill riders that they know would tank the process.

We also expect to receive and pass a conference report on the annual Defense authorization. And we need to continue confirming nominees to vacancies in the judiciary and the executive branch.

We Senators are no strangers to the end-of-year drama, but this time the stakes are far higher. We are up against another, even steeper surge in COVID-19 than we saw back in the spring. Workers and small businesses are once again struggling to make ends meet as States and localities step up precautions.

And while the latest news on the vaccine trials suggest that victory over the virus may soon be within reach, our work in that area is far from complete. As one recent article put it, "State [and] local officials plead for vaccine distribution funds."

Our Nation's historic sprint to victory through vaccines seems poised to succeed in record time, but the critical last step—hundreds of millions of doses out to the American people—is still in front of us. Congress cannot stay on the sidelines.

Yesterday, our colleague from Illinois, the Democratic whip, gave an interview in which he named three examples of highly urgent matters that need to be addressed for our Nation right now. This is the Democratic whip of the U.S. Senate.

Here are the three things Senator DURBIN mentioned as flashing red, urgent priorities: "The millions of people who are going to . . . lose their unemployment insurance the day after Christmas"; "the businesses that are trying to decide . . . whether or not they can continue"; and "the [vaccine] logistics . . . to make sure that this vaccine is on the road and vaccinating people across America as quickly as possible."

Those are the three things he mentioned. Those are the three urgent issues he named as examples: extending unemployment insurance, helping small businesses, and funding vaccine distribution.

Well, I do not question the sincerity of our colleague, who I believe is engaged in these discussions in good faith. But these comments illustrate perfectly a point that Republicans have been making for weeks. These three urgent issues are issues where there is almost total bipartisan consensus, no real disagreement whatsoever.

In fact, the framework for a small, targeted relief package that I put forward last week—something Democrats quickly attacked—would have resolved all three of those subjects. The targeted Republican framework extends unemployment insurance programs that will otherwise expire; it creates an entire second round of the Paycheck Protection Program for the hardest hit small businesses; and it lays groundwork to distribute the vaccines that appear to be on the horizon. Check, check, and check.

The Democratic whip is right to recognize these three subjects as especially urgent because they are especially urgent. That is why Republicans have been trying over and over to get them passed. That is why Republicans have been saying for months that Speaker PELOSI and the Democratic leader should let Congress get out of the places where we already agree rather than holding everything hostage over their most controversial, partisan demands.

But month after month after month, it has been the Democratic leaders who have said that no relief whatsoever can pass, no consensus items can become law unless multiple controversial areas where we don't agree are resolved to the Democrats' liking.

That is why the Democratic leader had every single Senate Democratic vote to filibuster a targeted COVID-19 relief package back in September and again in October. That bill would have taken care of small businesses, unemployment insurance, and vaccine distribution months ago. Senate Democrats blocked it.

I think, if the Senate Democratic leader would allow it, the three things that the Democratic whip mentioned just yesterday—small business aid, reupping unemployment aid, and setting up vaccine distribution—would pass the Senate in a landslide.

A targeted compromise on the most urgent items would pass by a massive bipartisan margin. We could easily put together a whole slew of commonsense policies—including those three and other things, like legal protections that universities and the American Council on Education have been pleading for—bring it to the floor, and pass it.

Everyone knows why this hasn't happened. There is one reason the Speaker of the House and the Democratic leader have spent months tying the most bipartisan, most commonsense policies to their most controversial requests and saying that the country can't get the former unless they get the latter. Their strategy has been all or nothing, so struggling Americans have, of course, gotten nothing.

Well, we are down to the wire. The light at the end of the tunnel is in sight. Operation Warp Speed seems poised to deliver vaccines on a historic, almost miraculous timetable. We have seen some hopeful signs of engagement from our Democratic colleagues, but

we have no reason to think the underlying disagreements about policy are going to evaporate overnight.

Republicans and Democrats do not need to resolve every one of our differences to get badly needed relief out the door. We just need both sides to finally do what Members of Congress do when they are serious about wanting an outcome: Drop the all-or-nothing tactics; drop the hostage-taking; and make law in the many places where we have common ground. That is what the country is counting on. That is how we can do right by the American people before Christmas. Let's get it done.

LEGISLATIVE SESSION

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

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

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. MCCONNELL. Madam President, I move to proceed to executive session to consider Calendar No. 912.

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

The PRESIDING OFFICER. The clerk will report the nomination.

The bill clerk read the nomination of Allen Dickerson, of the District of Columbia, to be a Member of the Federal Election Commission for a term expiring April 30, 2025.

CLOTURE MOTION

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

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

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Allen Dickerson, of the District of Columbia, to be a Member of the Federal Election Commission for a term expiring April 30, 2025.

Mitch McConnell, Pat Roberts, Cory Gardner, Richard Burr, John Thune, Michael B. Enzi, Steve Daines, John Boozman, Cindy Hyde-Smith, Thom Tillis, John Cornyn, Roger F. Wicker, Marco Rubio, Roy Blunt, Joni Ernst, Mike Braun, Mike Crapo.

LEGISLATIVE SESSION

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

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

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. MCCONNELL. Madam President, I move to proceed to executive session to consider Calendar No. 913.

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

The PRESIDING OFFICER. The clerk will report the nomination.

The bill clerk read the nomination of Shana M. Broussard, of Louisiana, to be a Member of the Federal Election Commission for a term expiring April 30, 2023.

CLOTURE MOTION

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

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

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Shana M. Broussard, of Louisiana, to be a Member of the Federal Election Commission for a term expiring April 30, 2023.

Mitch McConnell, Pat Roberts, Cory Gardner, Richard Burr, John Thune, Michael B. Enzi, Steve Daines, John Boozman, Cindy Hyde-Smith, Thom Tillis, John Cornyn, Roger F. Wicker, Marco Rubio, Roy Blunt, Joni Ernst, Mike Braun, Mike Crapo.

LEGISLATIVE SESSION

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

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

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. MCCONNELL. Madam President, I move to proceed to executive session to consider Calendar No. 914.

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

The PRESIDING OFFICER. The clerk will report the nomination.

The bill clerk read the nomination of Sean J. Cooksey, of Missouri, to be a Member of the Federal Election Commission for a term expiring April 30, 2021.

CLOTURE MOTION

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

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

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the

Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Sean J. Cooksey, of Missouri, to be a Member of the Federal Election Commission for a term expiring April 30, 2021.

Mitch McConnell, Pat Roberts, Cory Gardner, Richard Burr, John Thune, Michael B. Enzi, Steve Daines, Cindy Hyde-Smith, John Boozman, Thom Tillis, John Cornyn, Roger F. Wicker, Marco Rubio, Josh Hawley, Joni Ernst, Mike Braun, Mike Crapo.

EXECUTIVE CALENDAR—Continued

Mr. MCCONNELL. I ask unanimous consent that the Senate resume consideration of the Schwartz nomination.

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

REMEMBERING PAUL SARBANES

Mr. SCHUMER. Madam President, last night we received the sad news that a former colleague of ours, one of our finest, Paul Sarbanes, had passed away.

While our time in the Senate only overlapped for one term, Senator Sarbanes made a deep impression. Known as the "stealth Senator," he was low-key but extremely effective. He was a leader on a wide-ranging group of issues, from environmental stewardship, to consumer privacy, to anything having to do with his home State of Maryland. He was very soft-spoken, but he had determination like iron and worked and worked and worked on issue after issue until he achieved his goals.

We mourn the passing of this beloved former colleague and this consummate Senator.

CORONAVIRUS

Madam President, now on COVID, everyone knows we are entering the worst stretch of the COVID-19 pandemic. As winter months force more Americans indoors, infections are up, hospitalizations are up, and the number of Americans dying from COVID is steadily and tragically increasing.

The economic fallout from the latest wave of the virus will also be a huge challenge. According to one study, nearly 12 million renters will owe an average of nearly \$6,000 in back rents and utilities in January. Even the conservative U.S. Chamber of Commerce is sounding the alarm about a double-dip recession if Congress does not pass another round of emergency Federal relief before the end of the year.

Unfortunately, our efforts to pass another emergency relief bill through the Senate have been stalled until now for

one reason: The Republican leader has refused to compromise. Again, today we heard the same old song from the Republican leader. His position has not budged since March. First, he put the Senate on pause while the spread of the virus got worse and worse. Then, after pressure mounted, the Republican leader finally decided to put forward a series of bills that comprised only the things the Republicans want.

While the Nation has been clamoring for a bipartisan solution, the Senate, under the leadership of the Republican leader, has only been allowed to vote on partisan Republican proposals, each of which has been sorely inadequate and each of which has contained poison pills designed to ensure the bill's failure.

The Republican leader never mentions those poison pills in his speeches to this Chamber where he excoriates Democrats for refusing to pass "bipartisan legislation" that everyone agrees on. But "bipartisan" does not mean Democrats must agree to whatever the Republican leader wants or whatever issues he picks. "Bipartisan" means both sides sitting down and finding an agreement. We all know that is the case.

We have a Democratic House. They are going to need Democratic votes in the Senate. So Senate Democrats are simply asking the Republican leader to do one thing: Sit down and negotiate.

Now, since March, since Secretary Mnuchin and I negotiated the CARES bill, the Republican leader has constantly refused to sit down with Republicans and negotiate a bipartisan solution. He puts his bill—with no Democratic input—on the floor and says, "Take it or leave it." That is no way—no way—to get things done. It wasn't in April or May or June or July or August or September or November, and it isn't now.

We want the leader to sit down and negotiate so we can come up with a bipartisan proposal that can pass both the House and the Senate. And Speaker PELOSI and I have modified our proposal several times in an effort to meet our Republican counterparts in the middle. Last week, Speaker PELOSI and I went even further and agreed to use a bipartisan bill, crafted by moderate Senators from both sides of the aisle, as a framework for the negotiations. We have not heard the same willingness from the Republican leader.

However, there are some encouraging signs. The bipartisan group of Senators and House Members working on this latest proposal continues to make progress. I was encouraged to see the Senator from Louisiana this weekend say he was hopeful the President would sign such an agreement. Let's use the work of the Gang of 8 as the basis for bipartisan negotiations and compromise.

The bottom line: We have to get something done for the American people before the end of the year. We Democrats have been trying since the

spring, back when Republicans were saying they did "not feel the urgency of acting." I believe those were the leader's words.

Well, it is going to take a sense of urgency now, Mr. Leader, and it is going to take a willingness to give a little, not just to put your bill on the floor and say: Take it or leave it.

As I said, it is encouraging that some Republicans are already on that path. Hopefully, the Republican leader can catch up with the more fairminded Members of his caucus.

NOMINATIONS

Madam President, now, on nominations—another matter. The incoming Biden administration continues to name candidates it will tap to lead Cabinet agencies and other key positions in the Federal Government.

Today, President-Elect Biden introduced his healthcare team, including Dr. Fauci, who will stay on—thank God—as Chief Medical Adviser; Dr. Vivek Murthy to serve as Surgeon General; Dr. Rochelle Walensky to head the CDC; and Xavier Becerra, the attorney general of California, to be the next Secretary of Health and Human Services.

Like most of President-Elect Biden's selections so far, Mr. Becerra's nomination is groundbreaking. He will be the first Latino to ever run the Department of Health and Human Services.

Now, these nominees, once confirmed, will face a monumental task. President-Elect Biden will inherit a once-in-a-generation healthcare crisis—a crisis made worse by the Trump administration's lack of focus, competency, and consistency over the past year.

By naming a deeply experienced and tested team of senior healthcare advisers, President-Elect Biden is getting ready to right the ship and execute a whole-of-government approach to crushing the virus and providing affordable healthcare to all Americans.

As safe and effective vaccines become available over the next year, President-Elect Biden's team will also have to work with States and healthcare providers to get Americans vaccinated.

To state the obvious, healthcare is going to be the No. 1 challenge when the new administration takes office. We are in the middle of a once-in-a-century public health crisis. Accordingly, President-Elect Biden's team should be confirmed swiftly to ensure that no time is lost in the fight against the pandemic.

Regrettably, there is a split screen this week between the seriousness of the incoming Biden administration and the activities of the Republican majority here in the Senate.

On Tuesday, the Republican chairman of the Homeland Security Committee has invited Dr. Jane Orient to give testimony at a hearing in his committee. Dr. Orient is a member of the Association of American Physicians and Surgeons—a benign-sounding name that obscures some dangerous policies.

According to the New York Times, Dr. Orient's association "opposes government involvement in medicine and views Federal vaccine mandates as a violation of human rights."

Dr. Orient herself has expressed skepticism about coronavirus vaccines and continues to hawk hydroxychloroquine as a COVID-19 treatment, following the lead of President Trump, who boosted the drug despite scientific evidence that it is ineffective.

So while President-Elect Biden is nominating experienced, committed public servants to lead the next administration's healthcare policy, the Republican majority is inviting prominent anti-vaxxers to Senate committee hearings—a study in contrasts, to say the least.

After one of the most difficult years in recent memory, we finally have a light at the end of the tunnel in the discovery of several effective and safe vaccines. They are the best chance we have of ending the terrible scourge of this disease and getting our lives back to normal.

And yet, the effectiveness of the vaccine only matters insofar as the number of Americans who are willing to take it. The more Senate Republicans dip their toes into the water of these anti-science, anti-vax conspiracy theories, the more damage it does to our country. Public figures at all levels should be building up confidence in a vaccine, not giving a platform to those who would undermine it.

The Senator from Wisconsin, the chairman of the Homeland Security Committee, should revoke his invitation to Dr. Orient.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

CORONAVIRUS

Mr. CORNYN. Madam President, I came to the floor to talk about some other things, but I just want to say in response to our friend, the Democratic leader, it sounds to me that he has got a case of "do as I say, not as I do" when it comes to COVID-19 relief bills.

If my memory serves me correctly, he has led the effort to block the Senate's consideration of five different COVID-19 relief bills.

Speaker PELOSI has made the incredible statement that "nothing is better than something" when it comes to COVID-19 relief. That is easy to say when you are still getting a paycheck, when you have a job you can go do, and you can provide for your family, and you have access to healthcare.

But for the millions of Americans who have suffered through this pandemic, those are words that sound a lot like Marie Antoinette: "Let them eat cake."

I mention this because I have been around this place long enough to know that, unless you tell people the whole story, too often they believe the talking points and the half story or the incomplete story, like we heard from the Democratic leader.

It is shameful that, after passing four separate COVID-19 relief bills, including the CARES Act, through the end of March on a virtually unanimous basis, that Speaker PELOSI chose to pass a partisan bill out of the House, the Heroes bill, for another \$3 trillion, including things like tax breaks for millionaires and billionaires in New York and San Francisco, unrelated to the COVID-19 relief bill that we needed.

So I applaud the group of bipartisan Senators who have been working now, after the election, to try to come up with the relief rather than kicking this can down the road and leaving people in the lurch during the Christmas holiday season.

And then when it comes to a vaccine, I have no doubt that the incoming administration is going to claim complete credit for producing a vaccine and getting this virus in the rearview mirror.

I understand why they would be tempted to do so, but it is because of the bipartisan action that Congress has taken with this administration through Operation Warp Speed that we have seen our world-class scientists come up with safe and effective, I hope, soon-to-be-certified vaccines by the Food and Drug Administration, and people can begin to start getting vaccinated by the middle of this month. That is a modern-day miracle. We should all be proud of it, but it should not be part of a partisan campaign now after we have had an election on November 3.

I wish our friends would get out of the campaign mode and get into the governing mode. We have got important work we need to do here.

JENNA QUINN LAW

Madam President, part of that is the Jenna Quinn Law. This bipartisan piece of legislation that I introduced with Senator HASSAN over a year and a half ago to help identify and stop child sexual abuse in communities across our country has passed the Senate unanimously but is stuck in the House of Representatives.

Nationwide, there are more than 42,000 survivors of child sex abuse—adults now, 42 million adult survivors of child sexual abuse.

Sadly, these victims often stay silent for days, months, years, even a lifetime. As a result, they and countless other victims continue to be abused. We need to stop this cycle as quickly as possible, and that is why the Jenna Quinn Law is so important.

It is modeled after a 2009 Texas law, which requires teachers, caregivers, and other adults who work with children to receive training on how to identify and report child sexual abuse.

After the Texas law passed in 2009, one study found educators reported child sexual abuse at a rate almost four times greater after the training than they got during their pretraining career.

Jenna Quinn herself tells the story of her own mother saying: If I had just

known that you were showing all the classic symptoms of a victim of child sexual abuse, I would have intervened sooner.

Well, the 2009 Texas law was one of the first to mandate this training, and now more than half of all the States have adopted a form of Jenna's Law. So you may ask: Why do we need to pass a Federal law? Well, the States don't have the funding for the training, and that is what the Jenna Quinn Law provides. It allows current Department of Health and Human Services grant funds to be used for this specialized training.

This bill has received the support of every member of the Senate Health Committee—Republicans and Democrats, not surprisingly—and it has passed the Senate unanimously, but it has been months, and we are still waiting for the House of Representatives to act.

Just last week, House Democrats, under Speaker PELOSI, did find time to act on a bill to decriminalize marijuana; on a bill to deal with large cats, the "Tiger King" bill. But did they have time to provide assistance to small businesses? Did they find time to pass bipartisan COVID-19 relief? Did they find time to pass the Jenna Quinn Law, which I am sure, if put on their suspension calendar, would pass very quickly and go to the President for his signature?

In a move that defies common sense, the chairman of the Education and Labor Committee in the House, Congressman BOBBY SCOTT, is blocking—blocking—the Jenna Quinn Law.

He voted to decriminalize marijuana; he voted to ban the private ownership of big cats, but he won't even let the Jenna Quinn Law receive an up-or-down vote on the floor of the House of Representatives.

Well, if you are confused by the logic of this move, you are not alone, especially because the urgency for this legislation has only grown during the pandemic.

As families have stayed at home as part of the mitigation efforts, their lives have been filled with a range of new stressors. Loss of income, isolation, health anxiety, and the stress of teaching children at home can test even the healthiest families and relationships. But they also put children at a higher risk for abuse and neglect.

In April of this year, nationwide reports of abuse or neglect dropped an average of 40 percent compared to the same time last year. Now, ordinarily, you would say: Well, that is good news. But the reason the reports of abuse and neglect have dropped is because children have not been going to their classrooms, where the teachers who train in identifying these signs and symptoms can see them and help them by intervening.

In 2018, two-thirds of the reports of child abuse were submitted by people who came in contact with children as part of their jobs. I mentioned teach-

ers, counselors, caregivers, also police officers, lawyers, social services, but predominantly teachers who see these children at school.

Teachers, educational professionals, and other support staff at schools, like busdrivers, are responsible for more than half of the reports of child abuse.

But as I said, with children home during the pandemic, out of sight from their teachers and other adults they would otherwise see on a routine basis, abuse is becoming more difficult to identify and report, not because it is not happening but because these children are having to suffer silently, living with, perhaps locked down with, their abuser.

As the stresses of the pandemic and the lack of reporting take a violent toll on our children across the country, it is time for action, not excuses, not decriminalizing marijuana, not a "Tiger King" bill but passing legislation that will actually make their lives better, give them some hope—not action at some time in the future but now.

And there is one person in the House of Representatives who is holding that up right now, and he is Chairman SCOTT.

Children are suffering every day. They are not worried about politics or whether Chairman SCOTT has the leverage he needs to advance a larger partisan bill later on next year. These victims are worried about their own safety. They are worried about: How much longer will it be until some adult identifies my abuse and gets me out of this abusive relationship—gets me out of a living nightmare?

Well, the sort of mindless obstruction we are seeing from Chairman SCOTT in the House exemplifies everything people loathe about Congress—holding up a bill to prevent child sexual abuse as a means to gain political leverage for a bigger partisan bill. It is just shameful. Let's call it what it is—shameful.

It is time for Chairman SCOTT to stop blocking the Jenna Quinn Law so we can provide training to the men and women most likely to stop the cycle of child sexual abuse.

CORONAVIRUS

Madam President, finally, last week on the Senate floor, I spoke briefly about our retiring colleague Senator MIKE ENZI, from Wyoming, and some wisdom he imparted to me shortly after I arrived in the Senate—something he calls the 80-20 rule. As my friend from Wyoming told me, you are never going to agree or disagree with somebody 100 percent of the time, but that doesn't mean you can't get important work done. So instead of just focusing on the 20 percent you cannot agree on, look at the 80 percent you can agree on.

I hope all of my colleagues will remember this formula for success in the coming days as we work to deliver another round of coronavirus relief for the American people. It is clear that we are never going to agree 100 percent of the time on what that bill should

look like, but I bet we can agree on 80 percent, and we ought to get that 80 percent done.

We all believe additional funding for our schools is necessary to keep our students and teachers healthy and kids on track for a good education; that American workers who had the rug pulled out from under them earlier this year deserve additional support; that a second round of job-saving Paycheck Protection Program funds would help even more workers and small businesses; and that another investment in vaccine distribution is essential to bringing this pandemic to an end.

Last week, Leader MCCONNELL announced progress in negotiations to pass another bill by the end of the year. He has spoken with the President's team and the Speaker, and there are hopeful signs. There appears to be a path forward on this legislation that could clear both Chambers and receive the signature of the President, and I hope we will follow that path to a constructive conclusion.

As I said last week, the best Christmas present we can give the American people would be to work together in a bipartisan way to provide that relief. We need an outcome, and to get there is going to take compromise. It is going to take the 80-20 rule.

This process requires input and agreement from our colleagues in the Senate, the House, and the White House, as does all legislation. But my constituents—and, I dare say, all Americans—are fed up with the dysfunction they see and the partisanship that is for no real purpose that has delayed this COVID-19 relief bill for months.

It is time to reach an agreement and deliver yet another round of coronavirus relief for the American people.

The PRESIDING OFFICER. The Senator from Idaho.

NEZ PERCE-CLEARWATER NATIONAL FORESTS

Mr. CRAPO. Madam President, I rise today to highlight some meaningful progress underway on the Nez Perce-Clearwater National Forests to improve the health of these forests. These collaborative efforts are showing progress, and they are an example of where we can go nationally.

Collaboration brings results. I have been a longtime champion of collaboration to address public lands management disputes, as collaborative processes are good for the environment and good for natural-resource based economies. Collaborative problem-solving is a key way to ensure that all voices are heard and long-term solutions are crafted.

Working together through collaboration does not require a sacrifice of principles, but it does require earnest negotiations with respect for ideas from all perspectives and a willingness to work to understand each other's objectives. Inevitably, at several points along the collaborative path, there are strong disagreements. However, par-

ticipants' refusal to quit is a key attribute of successful collaborative efforts.

One of the greatest benefits of collaboration is that it enables the achievement of solutions that are better than the status quo for all stakeholders. Such solutions are better for the environment and the economy. Through collaboration, participants can actually achieve their objectives and in ways that benefit the entire community.

The work on the Nez Perce-Clearwater National Forests is a great example of the benefits of collaborative efforts. The Clearwater Basin Collaborative, or CBC, as we call it, which was officially launched 12 years ago, has had an important role in furthering discussions about the management of the Nez Perce-Clearwater National Forests. Nez Perce Tribal representatives, representatives of Federal and State agencies, county commissioners, local communities, timber companies, conservation groups, and other stakeholders make up the CBC's Working Group, which accommodates a diverse array of viewpoints and objectives.

I met with members of the predecessor group, called the Konkolville Collaborative, and welcomed the opportunity to be a part of the CBC's official launch in 2008. I track the group's progress through dedicating a member of my staff to being part of its discussions focused on resolving longstanding concerns and achieving land management decisions and fostering communication among different interest groups. The remarkable landscape it works to enhance encompasses forestlands providing habitat for treasured wildlife and anadromous fish species; resources for local communities, including timber, livestock grazing, and mining; and natural carbon sinks that help our planet.

The Nez Perce-Clearwater National Forests span 4 million acres. Three rivers flow through the forests, providing important water sources, outstanding fishing, and other recreational opportunities. It is truly a remarkable place, and the group's work is far from easy, as there is a lot at stake.

The good news is that we are hearing reports of remarkable achievements being made on the Forests. The Nez Perce-Clearwater National Forests have received three significant recognitions this year alone that highlight cooperative restoration work: a Regional Forester's Award for fostering partnership and volunteerism; a Chief's Award for delivering benefits to the public; and an Undersecretary's Award for customer service for the forests' Historic Routes Project.

Through the Historic Routes Project, the Nez Perce-Clearwater National Forests dedicated approximately \$1 million of retained receipts from stewardship contracts to improve water quality through historically sensitive maintenance along three historic roadways: the Lolo Motorway, the Elk City

Wagon Road, and the Magruder Road, which attract visitors from all over the country. Project leaders, recognizing the importance of these routes to the local economy and historical significance, have partnered with local groups and the University of Idaho to include digital interpretation that is accessible even in locations without internet service. The project has also been supported through the Secure Rural Schools Resources Advisory Committee to assist with the maintenance.

Stewardship contracts have also been used on the Nez Perce-Clearwater National Forests to enable the Forest Service to accomplish vegetation and watershed restoration. By leveraging this program with other partnerships and funding sources, the forests are able to have a truly integrated restoration program. Stewardship contracts have enabled fuels and weed treatment, watershed protection and restoration, road maintenance, and enhancements such as the removal of wire fencing to help wildlife.

A total of 536 miles of streams have been restored on the Nez Perce-Clearwater National Forests, resulting in the forests being ranked fourth nationwide in miles of streams restored. The forests have a strong partnership with the Nez Perce Tribe, which contributes greatly to its watershed accomplishments. At the same time, priorities of much needed restoration of landscapes, including water quality improvements, are also providing a supply of raw materials to our local mills. In fact, the forests are the fifth in the Nation in providing wood products for purchase.

More work is underway to address significant challenges, but this is the direction we need to continue to go in delivering long-term results. I commend all those involved in this effort for their hard and exemplary work improving our treasured landscapes.

Also, a Good Neighbor Authority program coordinated by the Nez Perce-Clearwater National Forests and the Idaho Department of Lands was recognized with the 2017 Regional Forester Awards. Through the program, forest management has supported fuels reduction and watershed restoration. Further, the Nez Perce-Clearwater National Forests recently signed a Good Neighbor Authority agreement with the Idaho Department of Fish and Game. This will enable the forests and the Idaho Department of Fish and Game to work more seamlessly as they collaborate on projects to enhance wildlife habitat such as aspen restoration.

Statewide, the Idaho Department of Lands reports that the agency is utilizing Good Neighbor Authority to partner with national forests in Idaho to expedite projects focused on fuels reduction, forest health improvements, and watershed health. According to an ILD summary from January of this year, the program has enabled the treatment of 4,800 acres through 50

service contracts, at a total value of over \$3 million to the private sector, to treat weed infestation, reduce fuels, complete road repairs, and support project planning and monitoring. Other collaborative efforts have laid strong groundwork or follow in the footsteps of collaborative work such as this.

In Idaho we have succeeded with public lands projects such as the Owyhee Initiative and are at hard at work in others, such as the Kootenai Valley Resource Initiative, the Payette Forest Coalition, the Boise Forest Coalition, and others, including our Governor's Shared Stewardship Task Force. I also look forward to the soon-to-be completed recommendations of the Governor's Salmon Workgroup.

Federal policy must empower collaboration and forest health. As Senators and shared stewards of these natural resources, we must continuously work to ensure Federal statute and policy empower collaborative efforts and forest health projects. In 2003, I was proud to work with my congressional colleagues, including Senator RON WYDEN of Oregon and many others, to enact the Healthy Forests Restoration Act, or HFRA, to help provide the U.S. Forest Service with the tools needed to do the necessary work on the ground to restore our forests and help reduce the threat of a catastrophic wildfire to our communities and ecosystems. The HFRA was designed to encourage fuel reduction efforts, protect old-growth forests, enhance water quality, promote community-based land management and public involvement in forest management, and address insect and disease problems. The HFRA has promoted stewardship contracting projects which incorporate public-private partnerships, emphasizing more localized forest management.

In the years since the enactment of the HFRA, Congress has enacted additional legislation to advance forest health. For example, in the 2014 farm bill we included permanent authority for stewardship contracting and the authorization of Good Neighbor Authority. Good Neighbor Authority expanded the Federal Government's ability to partner with State foresters on restoration projects, including bark beetle treatments across State and Federal boundaries. Subsequently, the 2018 farm bill included an expansion of Good Neighbor Authority, credited with increasing the pace and scale of forest restoration projects across Idaho. The 2018 farm bill also, importantly, included a 10-year reauthorization of the Collaborative Forest Landscape Restoration Program, which has enabled the expansion of active collaborative land-use groups in Idaho. The program encourages large-scale—that is 50,000-plus acres—collaborative, science-based forest restoration projects in a way that encourages environmental and economic sustainability.

The U.S. Forest Service reported that in the first 10 years of the pro-

gram, the CFLRP opportunities brought together more than 420 organizations to engage in local collaboratives, and CFLRP projects treated 3.8 million acres to reduce wildfire risk.

The CFLRP has supported collaborative work of the Clearwater Basin Collaborative and the Nez Perce-Clearwater Forests to restore conditions within the 1.4 million-acre Selway-Middle Fork ecosystem through stream improvements, the replacement of culverts preventing fish passage, road and trail maintenance, and the reduction of wildfire fuel loads.

Also, the reauthorized Collaborative Forest Landscape Restoration Program has two newly approved projects in Idaho, with one in each region. Region 1 encompasses the Panhandle National Forest, and in Region 4, it encompasses the Payette and Boise National Forests.

We cannot let up in making progress on wildfires. The severely smoke-clogged skies this fire season made the impacts of the fires that have decimated wildlands and communities for years nearly unescapable.

As we think about the lives and livelihoods lost to wildfires, we must continue to work to enact bipartisan forest management reform to build on the progress made in recent years to ensure Federal land agencies have the tools they need to protect communities from deadly wildfires by improving the health of our forests.

Bipartisan legislation pending in this Senate would increase the active management of Federal forests, cut red-tape, reduce frivolous litigation, and advance fire risk reduction. Senators STEVE DAINES, of Montana, and DIANNE FEINSTEIN, of California, worked across party lines for months to negotiate the details of the bipartisan Emergency Wildfire and Public Safety Act.

Enactment of sensible, bipartisan legislation such as this, which is also cosponsored by myself and my fellow colleague from Idaho, Senator JIM RISCH, can better enable land managers to reduce wildfire risk and respond effectively to an increasingly virulent wildfire reality. This will build on the successful enactment of bipartisan legislation to enable Federal agencies to respond to wildfires as they would to other natural disasters and end the practice of fire borrowing.

Forests make up 39 percent of the land in my home State of Idaho. They are key to air and water quality and sustain wildlife habitat and recreational opportunities. They support communities through wood and paper product jobs and recreation dollars. They are the backdrop and the means for an unparalleled quality of life. Their vitality hinges on their effective management.

I am encouraged by the achievements on the Nez Perce-Clearwater National Forests, and I urge continued collaborative efforts to address often contentious but necessary natural resource

challenges and the enactment of Federal law that bolsters these collaborative efforts for the betterment of all our communities.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

CHINA

Mrs. BLACKBURN. Madam President, over the past few months, there have been many of us in this Chamber who have taken Big Tech to task over their shady and biased business practices. In more than one hearing, we have grilled them on the privacy, censorship, and antitrust concerns that have allowed us to keep these CEOs in the hot seat, and that grilling has taken place by those of us on either side of the aisle.

These are big, big problems, and they are not going to disappear at the end of this Congress. These are problems that are going to be around.

But one of the advantages of having these companies, like Facebook and Twitter and Google, living in our phones and in our homes is that it is much harder for oppressive governments and global bad actors to hide their crimes from the rest of the world.

Just last year, about this time, the freedom fighters in Hong Kong—and this is a poster that I used on the floor just about this time, December 9, 2019, and it shows the freedom fighters in Hong Kong. It shows how they were making their case: "We do not want to become like China."

These freedom fighters in Hong Kong captured our attention when they filled the streets and demanded an end to the Chinese Communist Party's terrible crackdowns on free speech and expression. While the coverage in the 24-hour news cycle definitely made an impact, it was the millions of tweets and Facebook posts and videos and blog posts that turned their movement into a collective global outcry for an end to violence and terror in Hong Kong.

You see, people saw what was happening there. They saw it in realtime. Even if they didn't fully understand the politics behind these protests, they knew that the disproportionate response by the Chinese Government to stamp out these protests was wrong. As those posts flowed out of Hong Kong, support flowed right back in, and having spoken with many of these brave activists, it really meant the world to them that they were hearing from us.

While all of this was happening, something else—some countermeasures, if you will—was flowing from Beijing. It was a message of total capitulation sent by corporations, sports organizations, the mainstream media, and even powerful national and world leaders. They were all trying to keep the peace on behalf of their own self-interests, but as the days and weeks passed by, their blinders became more and more obvious.

By that time, the online activist community had put the Chinese Communist Party's crimes on full display.

What started as a debate on free speech and political autonomy morphed into a full indictment of the Chinese Communist Party's crimes against humanity, against the Uighurs in Xinjiang, in Tibet, and Inner Mongolia, and all across Mainland China.

Thanks to internet freedom efforts made possible by the Open Technology Fund, tweets and videos describing the Chinese Communist Party's intolerance of dissent escaped the Great Firewall and made its way into Western news feeds.

The spread of the coronavirus tore away the veil covering Beijing's corrupt relationship with the World Health Organization and other international organizations and revealed their scandalous coverup of the virus's origins—all that truth right on our phones, right on our iPads and computer screens and on every screen in the house.

Unfortunately, for the millions suffering under the horrors of communism, truth didn't win the day. The people with the most responsibility to speak up stayed silent because they were fearful of retaliation. It was too politically charged, too economically risky. Someone might take their criticisms the wrong way, and, well, we can't have that now, can we?

I know from personal experience what it is like to have the Chinese Communist Party and their allies retaliate against you. Once you speak up, you are going to get it from all sides.

Just last week, a member of the Chinese state media—for all intents and purposes, I would suggest this is a propaganda minister for the Chinese Communist Party. Well, he decided that he had had enough of what we are doing here in Washington to expose Chinese aggression and fired off a series of vile, sexist tweets while conspicuously avoiding the issue at hand. It sounds fairly familiar: Attack the person; attack the messenger.

The thing is, he was just mirroring the tactics used by his government. Beijing is all too happy to prey upon the ignorance of their massive online audience and encourage accusations of racism or xenophobia as the only acceptable responses to evidence documenting their own racist, repressive politics. That, right there, is how you end up with repressive regimes like the one in China gaining so much power on the global stage when those who should know better allow their adversaries to cow them into silence.

I appreciate the importance of diplomacy, but diplomacy is meaningless without consequences. Activists, by their very nature, rise and fall based on their willingness to speak truth to power when the most influential among us allow evil regimes to escape those consequences.

Today, I call on my colleagues to follow their example and use their work in this Chamber to speak truth to power about the crimes of the Chinese Communist Party. We no longer have

any excuse not to. If you want proof, pull out your phones and listen to what activists in Hong Kong, in Taiwan, and in Mainland China are telling you—or better yet, listen to what some of your colleagues are telling you.

Hong Kong activist Joshua Wong currently sits in jail for the crime of criticizing his government. I repeat this: Hong Kong activist, a young freedom fighter, Joshua Wong, is in jail because he criticized the Chinese Communist party. He criticized his government. His sentencing barely managed a blip on the radar here.

Another Hong Kong activist, Jimmy Lai, was denied bail during his own prosecution specifically because his online newspaper revealed the truths of the Chinese Communist Party's chokehold on their own people. The CCP cut off access to his corporate accounts and those of his employees. So much for Hong Kong's free press. Jimmy Lai and Joshua Wong live in Hong Kong.

In June, the Senate passed a resolution condemning the CCP's repression of speech and expression in Hong Kong. These protests are still happening. Authoritarian crackdowns are still happening. We must keep speaking about this.

In Xinjiang, CCP forces are systematically targeting and eliminating the Uighur Muslim population through mass surveillance, population control, and incarceration in internment camps. Yes, you heard me—internment camps. It should make your skin crawl to hear that today, in 2020, this is happening.

Last month, I joined my colleagues Senator CORNYN and Senator MENENDEZ in supporting a bipartisan resolution to finally recognize that what the Chinese Government is doing in Xinjiang constitutes a genocide.

If you are looking for a reason to start speaking out, I can't think of a better way to get started. Speak up on that. Support this resolution, which would not only urge the White House to take action against Beijing but also urge national governments and organizations to get their heads out of the sand and tear away, piece by piece, China's disastrous influence over the global political economy, which is highlighted by the success of the Communist Party's Belt and Road Initiative.

I will add that I was thrilled today with Secretary Pompeo's tweet regarding his once again reupping the countries of concern under the International Religious Freedom Act of 1998. China is on this list, as well they should be, as they continue to infringe on religious liberty, and they do engage in systematic, ongoing, egregious religious freedom violations. They are doing it every day, and the world is watching.

I tell you, I could monopolize this floor for the next week and lay out every opportunity we have to stand up for the cause of freedom and speak

truth to power about the crimes of the Chinese Communist Party.

Here is a white paper that I unveiled earlier this year. There are over 100 specific paths toward how we as a nation unraveled the relationship that we have right now with China. The paper is only 52 pages long. It is a short version. I encourage one and all to take a look at it and to think about how it is that we got to this point where an influential government, active in many major international bodies, including, as of next year, China being in the U.N. Human Rights Council—how can this government perpetrate a genocide against minorities and get away with it because of the appalling cowardice of those who bear witness and choose to do nothing.

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

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

Mr. ENZI. I ask unanimous consent that the mandatory quorum also be waived.

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

Mr. ENZI. I ask unanimous consent to start the vote now.

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

CLOTURE MOTION

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

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Stephen Sidney Schwartz, of Virginia, to be a Judge of the United States Court of Federal Claims for a term of fifteen years.

Mitch McConnell, Joni Ernst, John Boozman, James E. Risch, Mike Rounds, Roger F. Wicker, Mike Crapo, Mitt Romney, John Barrasso, Shelley Moore Capito, Pat Roberts, Thom Tillis, Cindy Hyde-Smith, David Perdue, Lindsey Graham, Kevin Cramer, Tim Scott.

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

The question is, Is it the sense of the Senate that debate on the nomination of Stephen Sidney Schwartz, of Virginia, to be a Judge of the United States Court of Federal Claims for a term of fifteen years, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator

from Georgia (Mrs. LOEFFLER), the Senator from Georgia (Mr. PERDUE), the Senator from South Dakota (Mr. ROUNDS), and the Senator from Pennsylvania (Mr. TOOMEY).

Mr. DURBIN. I announce that the Senator from Maryland (Mr. CARDIN) and the Senator from California (Ms. HARRIS) are necessarily absent.

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

The yeas and nays resulted—yeas 48, nays 46, as follows:

[Rollcall Vote No. 254 Ex.]

YEAS—48

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

NAYS—46

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

NOT VOTING—6

Cardin	Loeffler	Rounds
Harris	Perdue	Toomey

The PRESIDING OFFICER. On this vote, the yeas are 48, the nays are 46.

The motion is agreed to.

The PRESIDING OFFICER. The Senator from Kansas.

GOVERNMENT FUNDING

Mr. MORAN. Mr. President, 2 weeks ago, I stood in this same position and gave remarks to my colleagues about the importance of, even though we can't do everything, that we do something. It seems to be too often that the way the Senate has operated is that unless we can do everything everyone wants, we do nothing. I encouraged us to try to figure out what it is we can agree on and address that legislatively and save the issues we don't agree on for later.

The challenge that I presented was the circumstance of the consequences of COVID-19, the difficulties that Americans—Kansans—are facing, and the importance of our completing our work in regard to an additional response to try to help the economy and to make sure people are healthy and know that they are healthy.

We seem to be making progress in regard to that desire to address the needs of Americans. While my complaint or

concern 2 weeks ago was “we don't have to do everything, we can do something,” it appears that we are going to do something, which is really important.

Now, I would raise the issue of timing. It is very discouraging to me to return to Washington, DC, to learn that the continuing resolution, which expires on Friday, is to be extended until next Friday at a time in which Americans have little ability to wait, at least, to know what they are going to be able to expect.

Small businesses, individuals, employees, employers all need the certainty, and every day that we are unable to accomplish what we can agree on is another day in which those Americans, those workers, those businessowners don't know what they face. Christmas ought to be a time, the holiday season ought to be a time for expectations and joy and comfort, and yet what we are doing here by this continued delay is creating uncertainty which creates great challenges.

The mental health and well-being of Kansans and Americans is at stake here. Again, my guess is that whatever we could agree on next week, we could agree on this week, so I would encourage my colleagues and me to redouble our efforts, not only to do what we can do, but to do it in a timely enough fashion that people get the benefit.

I think of those who work in hospitals in Kansas, those who care for people who are suffering from the symptoms of COVID. We need to make certain that we provide them the necessary personal protection equipment; that we need to have the necessary testing; that every hospital, every clinic, every doctor has the resources necessary to care for those who are ill today. That is something that can't wait.

When it comes to the economy, too many businesses, retail establishments, motels, restaurants, venues, theaters, the uncertainty that we are creating that every day goes by in which they don't know whether Congress is going to respond to their needs is a day in which we may lose another business, we may lose another person's employment.

The request is that we move more quickly than what we have done to date now, that we seem to be zeroing in on a compromise agreement, a bipartisan agreement. That is a piece of good news, but every day that we delay the outcome, the vote, the support the American people and Kansans need is a day in which more harm is done. It is a time in which uncertainty exists. While we continue to have our debates and discussions, that uncertainty is creating not only economic problems but potentially loss of life as well.

This place is slow to respond, and I would encourage us to be quicker in our response than what we have been to date. People are struggling, and they need our help.

I also would say that too many Kansans have died—people that I have

known—have died from COVID. This is a very damaging disease. I would encourage Kansans and Americans to do the personally responsible things and protect themselves, to wear the masks, to socially distance. We cannot afford another shutdown.

Every day that goes by in which we are not providing the opportunities for businesses to stay open and employees to be employed, particularly in rural America—the places, Mr. President, that you and I come from—if we lose a business to COVID, that business is unlikely to return. If we don't provide the necessary support for hospitals and healthcare delivery systems—there isn't a hospital in Kansas, if it closes its doors today because of COVID, is going to open tomorrow when COVID is behind us.

The deaths that I mentioned, in many instances, have been the community leaders, the people who have made a difference in communities across Kansas. Every life has value, and every life has meaning. We want this death to end.

For purposes of our economy and purposes of life and death, it is time for the U.S. Senate to act—not another week delay, not another 2 weeks of unknowing—but let's reach our conclusion, let's come together and find solutions and provide hope to my constituents in Kansas, yours in Arkansas, and the people of America.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

REMEMBERING ENSIGN JOSHUA KALEB WATSON

Mr. JONES. Mr. President, 1 year ago yesterday, on December 6, 2019, a terrorist attack on the Naval Air Station Pensacola killed three American servicemen.

While it is appropriate and it has been done to honor each of these men, I rise today with a solemn purpose of honoring and commemorating the life, service, and patriotism of one in particular: Navy ENS Joshua Kaleb Watson of Enterprise, AL, whose promising life and career were tragically cut short in the terrorist attack a year and 1 day ago yesterday.

Kaleb was posthumously honored last Friday, receiving the Purple Heart in a ceremony in Pensacola. I really regret that I could not go and that I was unable to join his family, but there was also a wreath-laying ceremony at Building 633 where Kaleb was shot and a candlelight vigil there last night. I know that all were solemn occasions for the Navy, for the family, and for America.

Kaleb was a rising star. A recent graduate of the Naval Academy, Kaleb had dreamed of becoming a Navy pilot and had reported to Pensacola for flight training the week of Veterans Day. Kaleb was described as a natural leader, a person who put others first and strived to bring out the best in them.

At the Naval Academy, Kaleb was a small arms instructor, wrestling coach,

and captain of the rifle team. In fact, under his leadership, much to the chagrin of a couple folks in this body, like Senator REED, the Academy's rifle team beat Army for the first time in a decade.

Ben Watson, Kaleb's father, said to me once that Kaleb's mission was to confront evil, to bring the fight to them wherever it took him. He was willing to risk his life for his country. Kaleb did confront evil that day, and he made the ultimate sacrifice.

Unfortunately, that was not how Kaleb intended to serve his country. It was not what Kaleb's parents expected when he joined the Navy. Kaleb's father put it rather bluntly:

We never thought he would die in Florida.

Kaleb Watson was the officer on deck at the Naval Air Station Pensacola on the morning of December 6, 2019. Consequently, he was one of the first people the shooter encountered. Kaleb was shot at least five times that day. Heavily wounded, he made his way out to flag down first responders, gave them an accurate description of the shooter that ultimately led to the shooter being killed. Unfortunately, later that day, Kaleb died of his wounds while in the hospital.

The Navy conducted an investigation into the incident and concluded the primary cause of the attack was the Saudi shooter's self-radicalization. However, the report also goes on to note numerous deficiencies in many areas, some of which contributed to the attack and others which could have deterred the attack or mitigated the consequences. In other words, things could have been different that day. Things should have been different that day.

We lost two other young men, Airman Mo Haitham from Florida and Airman Apprentice Cameron Walters of Georgia, and 11 more individuals were wounded. That has happened far too many times. Too many Americans have lost their lives to shooters on U.S. bases on U.S. soil.

The Pensacola attack was the second shooting at a military base in 3 days. On December 3, 2019, a shooting at the Pearl Harbor Naval Shipyard in Hawaii left two people dead and a third wounded. There have been several other shootings at U.S. military installations, including a mass shooting in 2009 at Fort Hood in Killeen, TX. That shooting claimed 13 lives and left another 30 injured.

Five years later, another shooting happened at Fort Hood when a gunman went on a shooting spree, killing 3 people and injuring 14 before killing himself. In 2013, 12 workers at the Washington Navy Yard right here in our Nation's Capital were killed by a military contractor, who was later killed by security officials. In 2015, two military installations in Chattanooga, TN, were attacked by a gunman who killed four people before he was shot by police.

There have been investigative reports about all of those shootings, and there have been recommendations in each

one of the reports. Everybody shook their head and said: We have got to do better. We can't continue to allow this to happen.

What we see from the Pensacola report we received just recently is that many of those recommendations were never followed, especially with regard to planning, training, and assessment of response plans for situations just like the one that occurred in Pensacola, FL. That is simply inexcusable.

We have young men and women every year, every day, every week, every month that volunteer to put their lives on the line for this country, never dreaming that their life may be put on the line within the security of the confines of a U.S. military base on U.S. soil—not overseas, not as part of some overseas terrorist attack, but right here where they should be most secure.

Ben Watson and his wife Sheila have made it their mission to do everything they can to prevent losing more of our sons and daughters in this way. I think this body ought to do the same.

Every year, we have nominations. We make nominations, and we get the appointments back, sending those young men and women to the academies who will then go to those bases. We have a responsibility for that, as well as our overall responsibility to the men and women in uniform.

This year, I asked for—and the conference committee included in the final version of the NDAA—language requiring the Secretary of Defense to implement, within 90 days, all applicable security and emergency response recommendations to protect our military installations and language requiring the Secretary of Defense to ensure that each installation conducts or develops a plan to conduct live emergency response training with first responders.

At a couple of hearings, including one just last week, I asked Navy leadership at an Armed Services Readiness Subcommittee hearing for their commitment. It is not the first time I had brought it up, but I knew it was going to be the last hearing, and I knew that this NDAA was hopefully going to include this language, but sometimes, the language is just not enough. I asked for their commitment to ensure that these long overdue steps are taken and accomplished. They, of course, gave me those assurances and that commitment.

There are thousands of important provisions in the NDAA that hopefully will come to the floor very soon, but none—none—of those provisions are more important than those that ensure we do everything we can to keep our servicemembers and their families, who live and work on our bases, safe from attacks like these.

As the Navy itself said in the Pensacola report, talking about security manning—and I quote from the report, The “[Department of the Navy] must abandon minimum manning thresholds designed to protect physical assets and to meet ineffective response times. In-

stead, installations must be manned to rapidly respond with a preponderance of force at any time to preserve our most precious asset, our personnel. Increased security force manning enables presence, deterrence, assurance, and enhanced response”—our most precious asset, our personnel.

Well, as a father of three and grandfather of two, I understand how precious our children are to our families.

As a member of the Armed Services Committee for the past 2 years, I have seen firsthand how precious our men and women in uniform are to this country, and I have seen this body rise to the occasion to understand our fiduciary responsibilities that we have to those men and women who protect and defend us every day.

I had the privilege of visiting with some of the folks in Afghanistan and Iraq and working with many more here in the United States. Wherever they are serving, we owe them our best because we owe them our freedom.

I want to thank the Watson family—Ben, Sheila, their son Adam—for their patriotism in supporting Kaleb in his dream to become a Navy pilot, and I want to extend again my sincerest condolences for his untimely death.

With the Watsons, however, I want to encourage this body to hold the Navy to the commitments that they made to me last week and to insist that the entire Department of Defense follow its recommendations for protecting our military installations from within—protect them from future attacks from within.

Although I will be leaving this body in a few weeks, I urge all of my colleagues to take up the baton to do our congressional oversight duty like our lives depend on it because there are lives which depend on it, and if their lives depend on it, our lives depend upon on it.

Everyone should take up that mantle. Everyone should do all that they can to preserve and protect the American service men and women who protect us. They are our most precious asset, our personnel.

For their sakes and for their families, let's do this thing. Let's get this NDAA passed and then hold them to it in this next Congress.

I yield the floor.

The PRESIDING OFFICER (Mr. SULLIVAN). The majority leader.

ORDER OF PROCEDURE

Mr. McCONNELL. Mr. President, I ask unanimous consent that not withstanding the provisions of rule XXII, the Senate vote on the motion to invoke cloture on the Simington nomination at noon tomorrow. I further ask that postcloture time with respect to the Schwartz and Simington nominations expire at 4 p.m. tomorrow and the Senate vote on confirmation of the nominations in the order listed. Finally, if any of the nominations are confirmed, the motions to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action.

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

LEGISLATIVE SESSION

MORNING BUSINESS

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

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

TRIBUTE TO DAYMOND YOUNG

Mr. McCONNELL. Mr. President, after more than seven decades, a Kentucky family in Hancock County will finally lay their hero to rest. Last year, the Defense POW/MIA Accounting Agency, DPAA, identified the remains of Navy Fireman 2nd Class Martin Daymond Young. Soon, he will be on his way home.

Stationed aboard the USS *Oklahoma*, Daymond was killed during the Japanese attack on Pearl Harbor in 1941. This Kentuckian, who would have turned 100 this year, will be buried beside his twin sister in Lewisport next May. Today, on the 79th anniversary of the Pearl Harbor attacks, I would like to pay tribute to Daymond for his bravery and sacrifice in defense of our Nation.

In June 1940, 3 months before President Franklin Roosevelt authorized the first peacetime draft, Daymond volunteered for the Navy. He joined millions of men and women of the “greatest generation” who signed up to protect our country in uniform. According to Daymond’s niece, he was thrilled to be stationed in Hawaii.

On the morning of December 7, 1941, Daymond was aboard the *Oklahoma*, which was moored at Ford Island. As the attack began, Japanese aerial torpedoes pummeled the ship. Its port side tore open, forcing the 27,500-ton battleship to capsize and sink. It took Daymond and 428 of his crewmates into the water below.

The Japanese attack on Pearl Harbor killed more than 2,400 Americans and launched the United States into the Second World War. Over the next 4 years, heroes were forged on the battlefield and at home as our country defeated the forces of tyranny in defense of the American way of life.

In the following years, the Navy attempted to identify the remains of those killed on the *Oklahoma*. Unfortunately, the vast majority couldn’t be accounted for and were buried together in 46 plots at the National Memorial Cemetery of the Pacific, also known as the Punchbowl.

Then 5 years ago, the Pentagon contacted Daymond’s family as they exhumed the USS *Oklahoma* unknowns. The Navy used DNA samples to identify Daymond’s remains and give his

family the opportunity for proper burial in Kentucky. By order of our Governor, flags across the Bluegrass State will fly at half staff on that day in honor of a true American hero.

Today, over 1,300 Kentucky servicemembers remain unaccounted for by the DPAA. We have never forgotten these patriots, and we will continue searching to bring them home. I am grateful for the ongoing efforts of the DPAA to bring closure to more families like Daymond’s so their loved ones can receive the tribute they earned.

On behalf of my Senate colleagues, I would like to send our sincere condolences to Daymond’s family and express our thanks for his brave service to our Nation. We are proud this Kentucky hero is finally coming home.

Mr. President, on Veterans Day, the Owensboro Messenger-Inquirer published an article about Daymond Young’s identification. I ask unanimous consent the article be printed in the RECORD.

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

[From the Owensboro Messenger-Inquirer, Nov. 11, 2020]

COMING HOME: REMAINS OF WWII VETERAN DAYMOND YOUNG WILL BE BURIED IN LEWISPORT NEXT YEAR

(By Renee Beasley)

Layman Hawkins and his siblings grew up hearing one uncle’s name often.

But they never had the privilege of meeting Martin Daymond Young because he died in 1941 at the age of 21.

Hawkins’ mom—Young’s twin sister—did everything in her power to keep her brother’s memory alive as long as she lived.

At birth, Young and his twin sister shared the same initials: MDY for Mary Daisy Young and Martin Daymond Young.

Everyone called them Daisy and Daymond. If they were still alive, they would be 100 years old now.

“(Young) was not a stranger to us,” said Hawkins, 76, of Lewisport. “Mom talked about him all the time.”

Hawkins remembers a military photograph of his uncle always hung in his mom’s living room—like a badge of honor.

“It’s kinda like we knew him, but we didn’t know him,” Hawkins said. “. . . His memory was with us all the time.”

PEARL HARBOR

According to Navy records, Young, who grew up in the Hancock County village of Dukes, filled out his application to join the U.S. Navy on June 26, 1940. His application was approved on Aug. 14 that year.

The Navy assigned Young, 21, a Fireman 2nd Class, to the battleship USS *Oklahoma*, which was moored at Ford Island, Pearl Harbor, on Dec. 7, 1941.

During the Japanese bombing of Pearl Harbor that day, torpedoes pounded the *Oklahoma*, quickly capsizing it. Young was among 429 crew members who perished aboard the battleship.

After decades of being one of the *Oklahoma*’s “unknowns,” the Navy identified Young’s remains last year. He will be laid to rest in Lewisport—beside his twin sister, Daisy Young Hawkins—on May 15, 2021.

“He was so excited about going to Hawaii,” said Joyce Nall of Owensboro.

Young was her uncle, too. She is Young’s oldest living relative and the only one with memories of him.

“I was just a little girl when he went into the Navy,” Nall said. “I remember him being my big, handsome uncle.”

After reaching Hawaii aboard the *Oklahoma*, Young sent Nall a little grass skirt as a gift.

Nall, 84, has held onto it all these years.

THE PUNCHBOWL

Between December 1941 and June 1944, Navy personnel recovered the bodies of the *Oklahoma*’s deceased crew. They were interred in the Halawa and Nu’uanu cemeteries.

In 1947, the crew’s remains were moved to the Central Identification Laboratory at Schofield Barracks. Staff there could only confirm the identities of 35 men at that time.

Later, the *Oklahoma* unknowns were buried in 46 plots at the National Memorial Cemetery of the Pacific in Honolulu, known as the Punchbowl, and they were classified as non-recoverable.

In 2015, however, their remains were exhumed again for analysis and possible identification.

Department of Defense personnel contacted Hawkins about a year later, asking for the addresses of family members so the military could collect DNA samples.

When Young’s remains were identified last year, the family had hoped to conduct his burial on May 11, which would have been his 100th birthday. However, COVID-19 threw a wrench in those plans. The family opted for a May 2021 date instead.

The military’s identification process—even decades after the bombing of Pearl Harbor—impresses Nall.

“To me, it’s amazing they have gone through this elaborate process,” she said.

BURIAL

Gov. Andy Beshear recently sent Young’s family a message, saying he would request flags across the commonwealth to fly at half staff on the day Young’s remains are buried.

Also, Rolling Thunder motorcycle club, an advocacy group that seeks accountability for prisoners of war and those missing in action, notified the family that its members will meet the airplane in Owensboro and escort Young’s casket to the Lewisport cemetery.

“I appreciate the way everyone has treated us,” Hawkins said. “To us, this is a big deal.”

ARMS SALES NOTIFICATION

Mr. RISCH. Mr. President, section 36(b) of the Arms Export Control Act requires that Congress receive prior notification of certain proposed arms sales as defined by that statute. Upon such notification, the Congress has 30 calendar days during which the sale may be reviewed. The provision stipulates that, in the Senate, the notification of proposed sales shall be sent to the chairman of the Senate Foreign Relations Committee.

In keeping with the committee’s intention to see that relevant information is available to the full Senate, I ask unanimous consent to have printed in the RECORD the notifications which have been received. If the cover letter references a classified annex, then such annex is available to all Senators in the office of the Foreign Relations Committee, room SD-423.

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

DEFENSE SECURITY
COOPERATION AGENCY,
Arlington, VA.

Hon. JAMES E. RISCH,
Chairman, Committee on Foreign Relations,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 20-78 concerning the Army's proposed Letter(s) of Offer and Acceptance to the Government of Australia for defense articles and services estimated to cost \$132.2 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

HEIDI H. GRANT,
Director.

Enclosures.

TRANSMITTAL NO. 20-78

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: Government of Australia.

(ii) Total Estimated Value:
Major Defense Equipment * \$0
Other \$132.2 million.
Total \$132.3 million.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

Major Defense Equipment (MDE):
None.

Non-MDE: M825A1 155mm White Phosphorous projectile munitions, M782 Multi-Option Fuze for Artillery, M762A1 electronic-timed fuzes, M231 and M232A2 propelling charges, percussion primers, technical publications and books, technical data for operational maintenance, technical assistance and services, and other related elements of logistics and program support.

(iv) Military Department: Army (AT-B-ULC).

(v) Prior Related Cases, if any: AT-B-UGN.

(vi) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be paid: None.

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: See Attached Annex.

(viii) Date Report Delivered to Congress: December 4, 2020.

* As defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

Government of Australia—155mm
Ammunition and Accessories

The Government of Australia has requested to buy M825A1 155mm White Phosphorous projectile munitions, M782 Multi-Option Fuze for Artillery, M762A1 electronic-timed fuzes, M231 and M232A2 propelling charges, percussion primers, technical publications and books, technical data for operational maintenance, technical assistance and services, and other related elements of logistics and program support. The total estimated program cost is \$132.2 million.

This proposed sale will support the foreign policy and national security objectives of the United States. Australia is one of our most important allies in the Western Pacific. The strategic location of this political and economic power contributes significantly to ensuring peace and economic stability in the region.

This purchase will enable effective training and extend the Australian Defence Force's (ADF) capability to conduct combined operations. The ADF already has these rounds in service, and is trained and equipped to use them. Australia will not have any difficulty absorbing these weapons into its armed forces.

The proposed sale of this equipment and support will not alter the basic military balance in the region.

The principal contractor will be determined at a later date. The material could potentially be sourced from a combination of DoD stocks and new procurement. There are no known offset agreements proposed in connection with this potential sale.

Implementation of this proposed sale will not require the assignment of U.S. Government or contractor representatives to Australia.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

TRANSMITTAL NO. 20-78

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b) of the Arms Export Control Act

Annex Item No. vii

(vii) Sensitivity of Technology:

1. The M825A1 is a 155mm artillery projectile which utilizes a payload of white phosphorous impregnated felt to produce a smoke screen at a target location. The Government of Australia has stated their commitment to use these rounds exclusively for its intended purpose, which is to provide signaling and to obscure enemy visibility on the battlefield.

2. The M782 Multi-Option Fuze for Artillery (MOFA). The M782 is a selectable multi-option fuze that provides height of burst capability to artillery rounds. The M782 is a sensitive military technology and has been approved for release to the Government of Australia.

3. Also included in this case are propelling charges and other fuzes that enable the effective use of the M825A1 end item. While these technologies are controlled military hardware they do not represent a significant technology transfer risk.

4. The highest level of classified information associated with the sale of this equipment is SECRET.

5. If a technologically advanced adversary obtains knowledge of the specific hardware and software elements, the information could be used to develop countermeasures or equivalent systems that might reduce weapon system effectiveness or be used in the development of a system with similar or advanced capabilities.

6. A determination has been made that Australia can provide substantially the same degree of protection for the sensitive technology being released as the U.S. Government. This proposed sale is necessary to further the U.S. foreign policy and national security objectives outlined in the Policy Justification.

7. All defense articles and services listed on this transmittal are authorized for release and export to the Government of Australia.

ARMS SALES NOTIFICATION

Mr. RISCH. Mr. President, section 36(b) of the Arms Export Control Act requires that Congress receive prior notification of certain proposed arms sales as defined by that statute. Upon such notification, the Congress has 30 calendar days during which the sale may be reviewed. The provision stipulates that, in the Senate, the notification of proposed sales shall be sent to the chairman of the Senate Foreign Relations Committee.

In keeping with the committee's intention to see that relevant information is available to the full Senate, I ask unanimous consent to have printed

in the RECORD the notifications which have been received. If the cover letter references a classified annex, then such annex is available to all Senators in the office of the Foreign Relations Committee, room SD-423.

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

DEFENSE SECURITY
COOPERATION AGENCY,
Arlington, VA.

Hon. JAMES E. RISCH,
Chairman, Committee on Foreign Relations,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 20-87 concerning the Army's proposed Letter(s) of Offer and Acceptance to the Taipei Economic and Cultural Representative Office in the United States (TECRO) for defense articles and services estimated to cost \$280 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

HEIDI H. GRANT,
Director.

Enclosures.

TRANSMITTAL NO. 20-87

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: Taipei Economic and Cultural Representative Office in the United States (TECRO).

(ii) Total Estimated Value:
Major Defense Equipment * \$0 million.
Other \$280 million.
Total \$280 million.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase: TECRO has requested to buy a Field Information Communications System (FICS), consisting of:

Major Defense Equipment (MDE): None.

Non-MDE: One hundred fifty-four (154) Communications Nodes (CN) with S-788 Type III shelter; twenty-four (24) Communication Relays with S-788 Type III shelter; eight (8) Network Management Systems (NMS) with S-788 Type III shelter; Basic Issue Items (BII); program management support; verification testing; system technical support; transportation; spare and repair parts; communication support equipment; communication equipment integration; tools and test equipment; personnel training and training equipment; initial repair and return program; Additional Authorized List (AAL); technical manuals; Quality Assurance Team (QAT); U.S. Government and contractor engineering; technical and logistics support services; contractor provided training; Field Service Representatives (FSR); and other related elements of logistics and program support.

(iv) Military Department: Army (TW-B-ZAW).

(v) Prior Related Cases, if any: None.

(vi) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None.

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: See Attached Annex.

(viii) Date Report Delivered to Congress: December 7, 2020.

* As defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

Taipei Economic and Cultural Representative Office in the United States (TECRO)—Field Information Communications System (FICS)

TECRO has requested to buy a Field Information Communications System (FICS), consisting of one hundred fifty-four (154) Communications Nodes (CN) with S-788 Type III shelter; twenty-four (24) Communication Relays with S-788 Type III shelter; eight (8) Network Management Systems (NMS) with S-788 Type III shelter; Basic Issue Items (BI); program management support; verification testing; system technical support; transportation; spare and repair parts; communication support equipment; communication equipment integration; tools and test equipment; personnel training and training equipment; initial repair and return program; Additional Authorized List (AAL); technical manuals; Quality Assurance Team (QAT); U.S. Government and contractor engineering; technical and logistics support services; contractor provided training; Field Service Representatives (FSR); and other related elements of logistics and program support. The total estimated program cost is \$280 million.

This proposed sale is consistent with U.S. law and policy as expressed in Public Law 96-8.

This proposed sale serves U.S. national, economic, and security interests by supporting the recipient's continuing efforts to modernize its armed forces and to maintain a credible defensive capability. The proposed sale will help improve the security of the recipient and assist in maintaining political stability, military balance, economic and progress in the region.

This proposed sale is designed to provide mobile and secure communications. It will contribute to the recipient's goal to modernize its military communication's capability in support of their mission and operational needs. The recipient will have no difficulty absorbing these systems into its armed forces.

The proposed sale of this equipment and support will not alter the basic military balance in the region.

The principal contractor is currently unknown due to a pending open competition for selection. The purchaser typically requests offsets. Any offset agreement will be defined in negotiations between the purchaser and the contractor(s).

Implementation of this proposed sale will not require the permanent assignment of any additional U.S. Government or contractor representatives to the recipient. Contractor representative and U.S. Government support teams may be required to travel to the country on a temporary basis.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

TRANSMITTAL NO. 20-87

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act

Annex Item No. vii

(vii) Sensitivity of Technology:

1. The Field Information Communications System (FICS) is made up of commercially available, non-program of record components. The FICS system (also referred to as "Syun Lien") is an area-switched communications system which is designed to provide mobile and secure communications in a wide range of battle situations. The FICS system provides mobile and secure voice and data communications on an automatic, discrete addressed, fixed-directory basis to the military Tactical Operations Center (TOC)-

level command posts (CPs), and remote (mobile) users employing technological improvements in radio transmissions, data networking and packetized voice, while minimizing system footprint (power, size, personnel and logistics train). The system supports both mobile and wire subscribers with a means to exchange command, control, communications, and intelligence information in a dynamic tactical environment.

2. The highest level of classification of defense articles, components, and services included in this potential sale is UNCLASSIFIED.

3. If a technologically advanced adversary were to obtain knowledge of the hardware and software elements, the information could be used to develop countermeasures or equivalent systems, which might reduce system effectiveness or be used in the development of a system with similar or advanced capabilities.

4. A determination has been made that the recipient can provide substantially the same degree of protection for the sensitive technology being released as the U.S. Government. This sale is necessary in furtherance of the U.S. foreign policy and national security objectives outlined in the Policy Justification.

5. All defense articles and services listed in this transmittal have been authorized for release and export to the recipient.

PEARL HARBOR REMEMBRANCE DAY

Mr. MENENDEZ. Mr. President, today on Pearl Harbor Remembrance Day, veterans and their families will participate in remembrance events at the Pearl Harbor National Memorial.

The attack on December 7, 1941, killed 2,403 and injured 1,178. This date of infamy as President Franklin Delano Roosevelt described it, was one of America's most consequential. It launched the United States into World War II and unleashed the courage, bravery, and resolve of thousands of servicemembers who changed the course of history.

In Europe and Asia, they crushed the forces of fascism, Nazism, and oppression and brought freedom to much of the world. The price they paid was immense. Many made the ultimate sacrifice for their country. Those who returned built the world we know today.

We call them the Greatest Generation. Now in the twilight of their lives, we have a chance to say, thank you, once more.

I have introduced S. 3812, the WWII Veterans Hospital and Medical Eligibility Act, and I am pleased to have the bipartisan support of Senators CRAMER, DAINES, BOOKER, TESTER, COONS, COLLINS, YOUNG, RUBIO, SINEMA, ROUNDS, WICKER, HASSAN, and KLOBUCHAR, and TILLIS.

In 1996, the Veterans Health Care Eligibility Act opened the VA healthcare system to all veterans of the Spanish-American War and World War I. My bill will provide the same benefits for World War II veterans. It will exempt World War II veterans who are not enrolled in VA healthcare from means testing requirements. This is one final opportunity to honor their heroism and

afford them with dignity in their final years.

I have been honored to work with the American Legion on this legislation. I thank the Legion for its tireless advocacy on behalf of our Nation's veterans. On October 31, 2019, the American Legion National Commander, Bill Oxford called on the Veterans Administration to expand the Veterans Health Care Eligibility Act of 1996 for World War II veterans. This bill does just that.

As we reflect on National Pearl Harbor Remembrance Day, it is time for us to answer the call and provide VA healthcare to all those who answered the call of our Nation during its hour of need in World War II.

HONORING DEPUTY SANDEEP DHALIWAL

Mr. CRUZ. Mr. President, on September 27, 2019, Harris County lost one of its finest when Deputy Sandeep Dhaliwal's life was taken in the line of duty. Pyara Dhaliwal, Deputy Dhaliwal's father, lost his hero.

That is exactly who Deputy Dhaliwal was, a hero. He was deeply committed to his faith, his family, and to serving others with compassion.

Moved by his Sikh faith, Deputy Dhaliwal was a trailblazer. When he was first recruited by the sheriff's office, Deputy Dhaliwal petitioned the office to allow him to wear his turban and beard while in uniform, becoming the first to be allowed to do so.

Deputy Dhaliwal has left a profound legacy on the law enforcement community. Since his death, the Houston Police Department and all eight county constables have changed their policies to allow officers to wear and carry articles of faith on duty. Deputy Dhaliwal's commitment to his faith will inspire generations of Sikhs and other religious minorities to serve in law enforcement and protect our communities.

Deputy Dhaliwal was also a dedicated husband, father, son, and brother. His wife Harwinder Kaur Dhaliwal and their three beautiful children Japdeep, Noordeep, and Pardeep and their family and friends have dedicated their lives to ensuring his legacy endures.

We also remember Deputy Dhaliwal's commitment to love and peace, a love and peace he showed not only while on duty, but to each person he served.

When Hurricane Harvey decimated the Texas Gulf Coast, Deputy Dhaliwal served meals to Houstonians who were left homeless. In the wake of Hurricane Maria, he traveled to Puerto Rico to assist in the relief efforts there. He also worked to deliver water and supplies to Punjab, India, while the area was suffering from a severe drought.

Deputy Dhaliwal leaves behind an unmistakably beautiful legacy of a life marked with faith, devotion, and service to others.

I am grateful my colleagues have moved to rename the U.S. Postal Office

in Houston the “Deputy Sandeep Singh Dhaliwal Post Office Building,” to ensure Deputy Dhaliwal’s selfless service and heroism is remembered. This community and the entire State of Texas are better for having known him.

ADDITIONAL STATEMENTS

REMEMBERING ROBERT CROWELL

• Ms. CORTEZ MASTO. Mr. President, I come forward today to recognize the life, career, and service of a fellow Nevadan and friend, Mayor Robert Crowell. His leadership and love of the Silver State are an example to all of us. As mayor of Carson City, he led the city through some difficult times—the great recession and the current coronavirus pandemic—and oversaw the redevelopment of the capital city’s downtown core with his unique mix of dedication, compassion, good humor, and vision.

Mayor Crowell began his life of service as a young Navy sailor serving in the Vietnam war. After retiring as a naval captain, he earned his undergraduate degree in economics from Stanford University in 1967 and his doctor of jurisprudence degree from Hastings College of the Law in 1973. He was admitted to the State Bar of Nevada in 1973. He was a member of the Bar Register of Preeminent Lawyers and had been included in Best Lawyers in America in the fields of government relations and energy law for the past 25 years.

Born in Tonopah and raised in Carson City, Mayor Crowell was always active in his community, serving as a board member or leadership role with the Carson City School Board, Nevada Association of Counties, Nevada League of Cities, Carson Area Chamber of Commerce, Northern Nevada Development Authority, Rotary Club of Carson City, and Nevada Legal Services. In addition, he was past president of State Bar of Nevada and chair of the Nevada Mandatory Continuing Legal Education Board. He was appointed by the Governor to the Colorado River Commission and twice held the position of chairman, overseeing Nevada’s allocation of water and power from the Colorado River. Mayor Crowell also served as president of the Board of Indigent Defense Services, a State agency to oversee the provision of indigent legal services in Nevada. He was also a member of the Vietnam Veterans of America and was selected to be part of the “first in the country” Honor Flight for Vietnam Veterans in Nevada.

Mayor Crowell has numerous recognitions for his countless contributions to the quality of life of his fellow Nevadans. He was awarded the Participatory Democracy Award from the Nevada Association of Counties and the State Bar of Nevada Presidential Award—the highest honors awarded by those organizations—as well as being inducted in the Nevada Lobbyist Hall of Fame.

Mayor Crowell had many titles—lawyer, lobbyist, veteran, community leader—but it was clear he found great joy in serving the people of Carson City as mayor. Among his accomplishments was leading the effort to redevelop downtown Carson City, creating an entirely new dynamic downtown that supported local businesses and our community. For his leadership on this effort, he was recognized by the Nevada Chapter of the American Planning Association with the De Boer Award as well as the Robert Broadbent Distinguished Services Award from the Nevada Chapter of the American Public Works Association.

What I will remember most about my friend Mayor Crowell are not his numerous and distinguished professional achievements but the way he conducted himself and how he led. Mayor Crowell was dedicated to his fellow residents and the betterment of his community and our great State. I can recall the many acts of kindness and friendship that he showed me when I became Nevada’s attorney general and in the years since. And Mayor Crowell brought those same qualities to every person he interacted with in both his professional and private life.

Nevada lost a true treasure when Mayor Crowell passed on September 12, 2020. His wife Susan and his family shared him with all Nevadans during his life, and we share in their grief upon his passing.●

MESSAGES FROM THE HOUSE

At 3:03 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, without amendment:

S. 199. An act to provide for the transfer of certain Federal land in the State of Minnesota for the benefit of the Leech Lake Band of Ojibwe.

S. 2981. An act to reauthorize and amend the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002, and for other purposes.

The message also announced that the House has passed the following bill, with an amendment, in which it requests the concurrence of the Senate:

S. 212. An act to amend the Native American Business Development, Trade Promotion, and Tourism Act of 2000, the Buy Indian Act, and the Native American Programs Act of 1974 to provide industry and economic development opportunities to Indian communities.

The message further announced that the House has passed the following bill, with an amendment, in which it requests the concurrence of the Senate:

S. 914. An act to reauthorize the Integrated Coastal and Ocean Observation System Act of 2009, to clarify the authority of the Administrator of the National Oceanic and Atmospheric Administration with respect to post-storm assessments, and to require the establishment of a National Water Center, and for other purposes.

The message also announced that the House has passed the following bill,

with an amendment, in which it requests the concurrence of the Senate:

S. 1342. An act to require the Under Secretary for Oceans and Atmosphere to update periodically the environmental sensitivity index products of the National Oceanic and Atmospheric Administration for each coastal area of the Great Lakes, and for other purposes.

The message further announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 306. An act to direct the Secretary of the Interior to conduct a reconnaissance survey of the site of the Kettle Creek Battlefield in Wilkes County, Georgia, and adjacent property, and for other purposes.

H.R. 1049. An act to authorize a National Heritage Area Program, and for other purposes.

H.R. 1380. An act to amend the Lacey Act Amendments of 1981 to clarify provisions enacted by the Captive Wildlife Safety Act, to further the conservation of certain wildlife species, and for other purposes.

H.R. 1819. An act to amend the State Department Basic Authorities Act of 1956 to provide for rewards for the arrest or conviction of certain foreign nationals who have committed genocide or war crimes, and for other purposes.

H.R. 3682. An act to provide for greater consultation between the Federal Government and the governing bodies and community users of land grant-mercedes in New Mexico, to provide for a process for recognition of the historic-traditional uses of land grant-mercedes, and for other purposes.

H.R. 4153. An act to amend the Indian Health Care Improvement Act to authorize urban Indian organizations to enter into arrangements for the sharing of medical services and facilities, and for other purposes.

H.R. 5517. An act to affirm the friendship of the governments of the United States of America and the Republic of India, and to establish a bilateral partnership for collaboration to advance development and shared values, and for other purposes.

H.R. 7045. An act to require the Secretary of Agriculture to conduct a study on lands that could be included in a National Forest in Hawai‘i, and for other purposes.

H.R. 7903. An act to amend the Small Business Act to establish the Community Advantage Loan Program.

H.R. 8199. An act to amend the Small Business Act to enhance the Office of Credit Risk Management, to require the Administrator of the Small Business Administration to issue rules relating to environmental obligations of certified development companies, and for other purposes.

H.R. 8211. An act to amend the Small Business Investment Act of 1958 to improve the loan guaranty program, enhance the ability of small manufacturers to access affordable capital, and for other purposes.

H.R. 8229. An act to require the Administrator of the Small Business Administration to issue a rule authorizing the Office of Hearings and Appeals to decide appeals relating to the status of HUBZone business concerns, and for other purposes.

H.R. 8810. An act to establish a national program to identify and reduce losses from landslide hazards, to establish a national 3D Elevation Program, and for other purposes.

ENROLLED BILLS SIGNED

The message also announced that the Speaker has signed the following enrolled bills:

S. 910. An act to reauthorize and amend the National Sea Grant College Program Act, and for other purposes.

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

S. 1069. An act to require the Secretary of Commerce, acting through the Administrator of the National Oceanic and Atmospheric Administration, to establish a constituent-driven program to provide a digital information platform capable of efficiently integrating coastal data with decision-support tools, training, and best practices and to support collection of priority coastal geospatial data to inform and improve local, State, regional, and Federal capacities to manage the coastal region, and for other purposes.

S. 1982. An act to improve efforts to combat marine debris, and for other purposes.

S. 4054. An act to reauthorize the United States Grain Standards Act, and for other purposes.

H.R. 3349. An act to authorize the Daughters of the Republic of Texas to establish the Republic of Texas Legation Memorial as a commemorative work in the District of Columbia, and for other purposes.

H.R. 3465. An act to authorize the Fallen Journalists Memorial Foundation to establish a commemorative work in the District of Columbia and its environs, and for other purposes.

At 3:19 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 3884. An act to decriminalize and deschedule cannabis, to provide for reinvestment in certain persons adversely impacted by the War on Drugs, to provide for expungement of certain cannabis offenses, and for other purposes.

MEASURES REFERRED

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

H.R. 306. An act to direct the Secretary of the Interior to conduct a reconnaissance survey of the site of the Kettle Creek Battlefield in Wilkes County, Georgia, and adjacent property, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 1049. An act to authorize a National Heritage Area Program, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 1380. An act to amend the Lacey Act Amendments of 1981 to clarify provisions enacted by the Captive Wildlife Safety Act, to further the conservation of certain wildlife species, and for other purposes; to the Committee on Environment and Public Works.

H.R. 1819. An act to amend the State Department Basic Authorities Act of 1956 to provide for rewards for the arrest or conviction of certain foreign nationals who have committed genocide or war crimes, and for other purposes; to the Committee on Foreign Relations.

H.R. 3682. An act to provide for greater consultation between the Federal Government and the governing bodies and community users of land grant-mercedes in New Mexico, to provide for a process for recognition of the historic-traditional uses of land grant-mercedes, and for other purposes; to

the Committee on Energy and Natural Resources.

H.R. 3884. An act to decriminalize and deschedule cannabis, to provide for reinvestment in certain persons adversely impacted by the War on Drugs, to provide for expungement of certain cannabis offenses, and for other purposes; to the Committee on Finance.

H.R. 5517. An act to affirm the friendship of the governments of the United States of America and the Republic of India, and to establish a bilateral partnership for collaboration to advance development and shared values, and for other purposes; to the Committee on Foreign Relations.

H.R. 7045. An act to require the Secretary of Agriculture to conduct a study on lands that could be included in a National Forest in Hawai'i, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 7903. An act to amend the Small Business Act to establish the Community Advantage Loan Program; to the Committee on Small Business and Entrepreneurship.

H.R. 8199. An act to amend the Small Business Act to enhance the Office of Credit Risk Management, to require the Administrator of the Small Business Administration to issue rules relating to environmental obligations of certified development companies, and for other purposes; to the Committee on Small Business and Entrepreneurship.

H.R. 8211. An act to amend the Small Business Investment Act of 1958 to improve the loan guaranty program, enhance the ability of small manufacturers to access affordable capital, and for other purposes; to the Committee on Small Business and Entrepreneurship.

H.R. 8229. An act to require the Administrator of the Small Business Administration to issue a rule authorizing the Office of Hearings and Appeals to decide appeals relating to the status of HUBZone business concerns, and for other purposes; to the Committee on Small Business and Entrepreneurship.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. JOHNSON, from the Committee on Homeland Security and Governmental Affairs, with an amendment in the nature of a substitute:

S. 4133. A bill to modernize the REAL ID Act of 2005, and for other purposes (Rept. No. 116-303).

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 Mrs. CAPITO (for herself, Mr. WHITEHOUSE, Mr. BARRASSO, Mr. CRAMER, Mr. HOEVEN, Ms. SMITH, and Mr. MANCHIN):

S. 4966. A bill to amend the Internal Revenue Code of 1986 to provide for a 5-year extension of the carbon oxide sequestration credit, and for other purposes; to the Committee on Finance.

By Mr. BLUNT:

S. 4967. A bill to amend the CARES Act to extend the excise tax holiday period for aviation taxes; to the Committee on Finance.

By Ms. CORTEZ MASTO (for herself, Mrs. FEINSTEIN, Mr. CASEY, Ms. ROSEN, and Mr. MERKLEY):

S. 4968. A bill to reauthorize the HOME Investment Partnerships Program, and for

other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Ms. CORTEZ MASTO (for herself, Mr. WYDEN, Mr. DURBIN, Mr. SANDERS, Mrs. GILLIBRAND, Mr. BLUMENTHAL, Mrs. FEINSTEIN, Mr. VAN HOLLEN, Mr. MERKLEY, and Mr. KAINE):

S. 4969. A bill to authorize funds to prevent housing discrimination through the use of nationwide testing, to increase funds for the Fair Housing Initiatives Program, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

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

S. 4970. A bill to amend the Internal Revenue Code of 1986 to expand the renewable electricity production credit to include electricity produced from hydrogen; to the Committee on Finance.

By Ms. KLOBUCHAR (for herself, Ms. SMITH, Mr. CRAMER, and Mr. HOEVEN):

S. 4971. A bill to designate the facility of the United States Postal Service located at 229 Minnetonka Avenue South in Wayzata, Minnesota, as the "Jim Ramstad Post Office"; to the Committee on Homeland Security and Governmental Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. COTTON (for himself and Mrs. LOEFFLER):

S. Res. 794. A resolution urging the European Parliament to exempt certain technologies used to detect child sexual exploitation from European Union ePrivacy directive; to the Committee on Foreign Relations.

By Mr. GRASSLEY (for himself and Ms. ERNST):

S. Res. 795. A resolution relating to the death of the Honorable Roger William Jepsen, former United States Senator for the State of Iowa; considered and agreed to.

ADDITIONAL COSPONSORS

S. 633

At the request of Mr. MORAN, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 633, a bill to award a Congressional Gold Medal to the members of the Women's Army Corps who were assigned to the 6888th Central Postal Directory Battalion, known as the "Six Triple Eight".

S. 997

At the request of Ms. WARREN, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 997, a bill to recognize and honor the service of individuals who served in the United States Cadet Nurse Corps during World War II, and for other purposes.

S. 2477

At the request of Mrs. GILLIBRAND, the names of the Senator from Maryland (Mr. VAN HOLLEN) and the Senator from New Jersey (Mr. BOOKER) were added as cosponsors of S. 2477, a bill to establish a National Commission on Fibrotic Diseases.

S. 3612

At the request of Mr. CORNYN, the names of the Senator from Wisconsin

(Ms. BALDWIN) and the Senator from New Jersey (Mr. MENENDEZ) were added as cosponsors of S. 3612, a bill to clarify for purposes of the Internal Revenue Code of 1986 that receipt of coronavirus assistance does not affect the tax treatment of ordinary business expenses.

S. 4155

At the request of Ms. COLLINS, the names of the Senator from Missouri (Mr. BLUNT) and the Senator from New Hampshire (Ms. HASSAN) were added as cosponsors of S. 4155, a bill to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to provide or assist in providing an additional vehicle adapted for operation by disabled individuals to certain eligible persons.

S. 4494

At the request of Ms. HASSAN, the name of the Senator from Nevada (Ms. ROSEN) was added as a cosponsor of S. 4494, a bill to amend title VI of the Social Security Act to extend the period with respect to which amounts under the Coronavirus Relief Fund may be expended.

S. 4547

At the request of Mr. MCCONNELL, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 4547, a bill to improve the integrity and safety of horseracing by requiring uniform safety and performance standards, including a horseracing anti-doping and medication control program and a racetrack safety program to be developed and enforced by an independent Horseracing Integrity and Safety Authority, and for other purposes.

S. 4805

At the request of Mr. CRUZ, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 4805, a bill to create a point of order against legislation modifying the number of Justices of the Supreme Court of the United States.

S. 4847

At the request of Ms. KLOBUCHAR, the names of the Senator from South Carolina (Mr. SCOTT) and the Senator from Nevada (Ms. ROSEN) were added as cosponsors of S. 4847, a bill to direct the Secretary of Commerce to conduct a study and submit to Congress a report on the effects of the COVID-19 pandemic on the travel and tourism industry in the United States, and for other purposes.

S. 4933

At the request of Ms. CORTEZ MASTO, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 4933, a bill to provide increased oversight of certain pardons, to clarify the applicability of bribery prohibitions to pardons and commutations, and for other purposes.

S. 4935

At the request of Mr. WYDEN, the names of the Senator from Washington (Ms. CANTWELL), the Senator from New

Jersey (Mr. MENENDEZ) and the Senator from Washington (Mrs. MURRAY) were added as cosponsors of S. 4935, a bill to provide continued assistance to unemployed workers.

S.J. RES. 76

At the request of Mr. CRUZ, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S.J. Res. 76, a joint resolution proposing an amendment to the Constitution of the United States to require that the Supreme Court of the United States be composed of nine justices.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 794—URGING THE EUROPEAN PARLIAMENT TO EXEMPT CERTAIN TECHNOLOGIES USED TO DETECT CHILD SEXUAL EXPLOITATION FROM EUROPEAN UNION PRIVACY DIRECTIVE

Mr. COTTON (for himself and Mrs. LOEFFLER) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 794

Whereas ensuring the safety of children online is a global issue that nations must address together;

Whereas the online trafficking of child sexual abuse material (referred to in this preamble as “CSAM”) and online enticement of children (also known as “grooming”) are pervasive problems that are growing at dramatic rates;

Whereas crucial tools in detecting CSAM and grooming online and protecting children using online platforms from child predators are hashing, PhotoDNA, and anti-grooming technologies that are voluntarily used by electronic service providers (referred to in this preamble as “ESPs”) to detect, report, and remove CSAM;

Whereas the use of hashing, PhotoDNA, and anti-grooming technology by ESPs has generated millions of reports annually to the CyberTipline of the National Center for Missing & Exploited Children;

Whereas the CyberTipline is a global hotline for reports related to child sexual exploitation that was authorized by Congress in 1998;

Whereas in 2019, more than 69,000,000 images, videos, and files related to child sexual abuse were reported to the CyberTipline, with more than 3,000,000 of these images, videos, and files related to an offender or child victim in the European Union (referred to in this preamble as the “EU”);

Whereas in a Communication to the European Parliament, dated July 24, 2020, the European Commission noted, “the EU has become the largest host of child sexual abuse material globally (from more than half in 2016 to more than two thirds in 2019)”;

Whereas in 2018, an EU Directive extended the scope of prohibitions on processing personal data in the electronic communications sector to cover interpersonal communications, such as messenger services and e-mail;

Whereas this EU Directive will cause ESPs to lose any legal basis to use hashing, PhotoDNA, and anti-grooming technologies to detect and report CSAM and online enticement of children to the CyberTipline;

Whereas this EU Directive will take effect December 21, 2020, which still allows time to amend this Directive to exempt the vol-

untary practice of using these technologies to detect and report distribution of CSAM and enticement of children for sexual abuse;

Whereas the prohibition on the use of hashing, PhotoDNA, and anti-grooming technologies could have dire consequences for children in Europe and globally;

Whereas it is unclear whether ESPs—

(1) will be able to partition the use of hashing, PhotoDNA, and anti-grooming technologies to carve out users in the EU; and

(2) will decide to abandon the voluntary use of these technologies in the United States and globally;

Whereas since children in the United States can be harmed by online predators in the EU through grooming, enticement, and the dissemination of CSAM images among EU offenders, such material should be detected, reported, and removed;

Whereas if the use of hashing, PhotoDNA, and anti-grooming technologies for detecting CSAM and grooming is stopped, the exploitation of children globally will largely go undetected and continue to proliferate; and

Whereas Congress agrees with the European Commission that “immediate action must be taken to address this issue”;

Now, therefore, be it

Resolved, That the Senate—

(1) finds that hashing, PhotoDNA, and anti-grooming technologies are essential in detecting child sexual abuse material and exploitation online, including known and new CSAM, and grooming of children globally; and

(2) urges the European Parliament to pass an interim regulation to allow electronic service providers to continue their current voluntary activities of using hashing, PhotoDNA, and anti-grooming technologies for the purpose of detecting child sexual exploitation.

SENATE RESOLUTION 795—RELATING TO THE DEATH OF THE HONORABLE ROGER WILLIAM JEPSEN, FORMER UNITED STATES SENATOR FOR THE STATE OF IOWA

Mr. GRASSLEY (for himself and Ms. ERNST) submitted the following resolution; which was considered and agreed to:

S. RES. 795

Whereas Roger William Jepsen was born in Cedar Falls, Iowa, and grew up on a nearby family farm;

Whereas Roger William Jepsen attended Iowa State Teachers College, which is known today as the University of Northern Iowa, and later attended Arizona State University, where he earned a bachelor's degree in psychology in 1950 and a master's degree in guidance counseling in 1953;

Whereas Roger William Jepsen served his country in the United States Army for 14 years as a paratrooper in the 82nd Airborne Division and later in the Army Reserve;

Whereas Roger William Jepsen was elected to the Board of Supervisors of Scott County, Iowa, as an Iowa State Senator, and as the Lieutenant Governor of Iowa;

Whereas Roger William Jepsen was elected to the Senate in 1978 and served the people of Iowa in the Senate with honor and distinction for 1 term;

Whereas Roger William Jepsen was appointed by President Reagan as Special Representative of the President to Madagascar in 1985 and to the State of Israel on the occasion of the funeral of Moshe Dayan; and

Whereas Roger William Jepsen was known for his dedication to the State of Iowa, his

fiscal responsibility, and his work on farm policy: Now, therefore, be it

Resolved, That—

(1) the Senate has heard with profound sorrow and deep regret the announcement of the death of the Honorable Roger William Jepsen, former member of the United States Senate from the State of Iowa;

(2) the Senate respectfully requests that the Secretary of the Senate—

(A) communicate this resolution to the House of Representatives; and

(B) transmit an enrolled copy of this resolution to the family of the Honorable Roger William Jepsen; and

(3) when the Senate adjourns today, it stand adjourned as a further mark of respect to the memory of the Honorable Roger William Jepsen.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2692. Mr. MARKEY submitted an amendment intended to be proposed by him to the bill S. 2054, to posthumously award the Congressional Gold Medal, collectively, to Glen Doherty, Tyrone Woods, J. Christopher Stevens, and Sean Smith, in recognition of their contributions to the Nation; which was referred to the Committee on Banking, Housing, and Urban Affairs.

SA 2693. Mr. MCCONNELL (for Mr. ALEXANDER) proposed an amendment to the bill H.R. 1503, to amend the Federal Food, Drug, and Cosmetic Act regarding the list under section 505(j)(7) of the Federal Food, Drug, and Cosmetic Act, and for other purposes.

TEXT OF AMENDMENTS

SA 2692. Mr. MARKEY submitted an amendment intended to be proposed by him to the bill S. 2054, to posthumously award the Congressional Gold Medal, collectively, to Glen Doherty, Tyrone Woods, J. Christopher Stevens, and Sean Smith, in recognition of their contributions to the Nation; which was referred to the Committee on Banking, Housing, and Urban Affairs; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. FINDINGS.

Congress makes the following findings:

(1) On September 11, 2012, the United States consulate, and its personnel in Benghazi, Libya, were attacked by militants.

(2) Four Americans were killed in the attack, including Ambassador J. Christopher Stevens, Sean Smith, Glen Doherty, and Tyrone Woods.

(3) Glen Doherty and Tyrone Woods were former Navy SEALs who served as security personnel in Libya. As the attack unfolded, they bravely attempted to defend American property and protect United States diplomatic personnel. In so doing, they selflessly sacrificed their own lives.

(4) Glen Doherty was a Navy SEAL for 12 years and served in Iraq and Afghanistan. He attained the rank of Petty Officer First Class and earned the Navy and Marine Corps Commendation Medal. After leaving the Navy, Glen Doherty worked with the Department of State to protect American diplomats.

(5) Tyrone Woods served for 20 years as a Navy SEAL including tours in Iraq and Afghanistan. In Iraq he led multiple raids and reconnaissance missions and earned the Bronze Star. After retiring from the Navy as a Senior Chief Petty Officer, Tyrone Woods worked with the Department of State to protect American diplomats.

(6) J. Christopher Stevens served for 21 years in the U.S. Foreign Service. He was serving as U.S. Ambassador to Libya and previously served twice in the country, as both Special Representative to the Libyan Transitional National Council and as the Deputy Chief of Mission. Earlier in his life, he also served as a Peace Corps volunteer teaching English in Morocco.

(7) Sean Smith served for 6 years in the U.S. Air Force. He attained the rank of Staff Sergeant and was awarded the Air Force Commendation Medal. After leaving the Air Force, Sean Smith served for 10 years in the State Department on various assignments, which took him to places such as Baghdad, Brussels, Pretoria, and The Hague.

(8) As their careers attest, all four men served their country honorably.

SEC. 2. CONGRESSIONAL GOLD MEDAL.

(a) AWARD AUTHORIZED.—The Speaker of the House of Representatives and the President pro tempore of the Senate shall make appropriate arrangements for the posthumous award, on behalf of the Congress, of a single gold medal of appropriate design collectively in commemoration of Glen Doherty, Tyrone Woods, J. Christopher Stevens, and Sean Smith, in recognition of their contributions to the Nation.

(b) DESIGN AND STRIKING.—For the purposes of the award referred to in subsection (a), the Secretary of the Treasury (hereafter in this Act referred to as the “Secretary”) shall strike the gold medal with suitable emblems, devices, and inscriptions, to be determined by the Secretary.

(c) CENTRAL INTELLIGENCE AGENCY MUSEUM.—

(1) IN GENERAL.—Following the award of the gold medal under subsection (a), the gold medal shall be given to the Central Intelligence Agency Museum, where it will be displayed as appropriate and made available for research.

(2) SENSE OF CONGRESS.—It is the sense of Congress that the Central Intelligence Agency Museum should make the gold medal received under paragraph (1) available for display elsewhere, particularly at other appropriate locations associated with Glen Doherty, Tyrone Woods, J. Christopher Stevens, and Sean Smith.

SEC. 3. DUPLICATE MEDALS.

Under such regulations as the Secretary may prescribe, the Secretary may strike and sell duplicates in bronze of the gold medal struck under section 2, at a price sufficient to cover the costs of the medals, including labor, materials, dies, use of machinery, and overhead expenses.

SEC. 4. NATIONAL MEDALS.

Medals struck pursuant to this Act are national medals for purposes of chapter 51 of title 31, United States Code.

SA 2693. Mr. MCCONNELL (for Mr. ALEXANDER) proposed an amendment to the bill H.R. 1503, to amend the Federal Food, Drug, and Cosmetic Act regarding the list under section 505(j)(7) of the Federal Food, Drug, and Cosmetic Act, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Orange Book Transparency Act of 2020”.

SEC. 2. ORANGE BOOK MODERNIZATION.

(a) SUBMISSION OF PATENT INFORMATION FOR BRAND NAME DRUGS.—

(1) IN GENERAL.—Paragraph (1) of section 505(b) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(b)) is amended to read as follows:

“(b)(1)(A) Any person may file with the Secretary an application with respect to any drug subject to the provisions of subsection (a). Such persons shall submit to the Secretary as part of the application—

“(i) full reports of investigations which have been made to show whether such drug is safe for use and whether such drug is effective in use;

“(ii) a full list of the articles used as components of such drug;

“(iii) a full statement of the composition of such drug;

“(iv) a full description of the methods used in, and the facilities and controls used for, the manufacture, processing, and packing of such drug;

“(v) such samples of such drug and of the articles used as components thereof as the Secretary may require;

“(vi) specimens of the labeling proposed to be used for such drug;

“(vii) any assessments required under section 505B; and

“(viii) the patent number and expiration date of each patent for which a claim of patent infringement could reasonably be asserted if a person not licensed by the owner of the patent engaged in the manufacture, use, or sale of the drug, and that—

“(I) claims the drug for which the applicant submitted the application and is a drug substance (active ingredient) patent or a drug product (formulation or composition) patent; or

“(II) claims a method of using such drug for which approval is sought or has been granted in the application.

“(B) If an application is filed under this subsection for a drug, and a patent of the type described in subparagraph (A)(viii) is issued after the filing date but before approval of the application, the applicant shall amend the application to include the patent number and expiration date.”.

(b) SUBSEQUENT SUBMISSION OF PATENT INFORMATION.—

(1) IN GENERAL.—Section 505(c)(2) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(c)(2)) is amended—

(A) by inserting before the first sentence the following: “Not later than 30 days after the date of approval of an application submitted under subsection (b), the holder of the approved application shall file with the Secretary the patent number and the expiration date of any patent described in subsection (b)(1)(A)(viii), except that a patent that is identified as claiming a method of using such drug shall be filed only if the patent claims a method of use approved in the application. If a patent described in subsection (b)(1)(A)(viii) is issued after the date of approval of an application submitted under subsection (b), the holder of the approved application shall, not later than 30 days after the date of issuance of the patent, file the patent number and the expiration date of the patent, except that a patent that claims a method of using such drug shall be filed only if approval for such use has been granted in the application.”;

(B) in the first sentence following the sentences added by subparagraph (A), by striking “which claims the drug for which” and all that follows through “of the drug.” and inserting “described in subsection (b)(1)(A)(viii).”;

(C) in the second sentence following the sentences added by subparagraph (A), by inserting after “could not file patent information under subsection (b) because no patent” the following: “of the type for which information is required to be submitted in subsection (b)(1)(A)(viii).”;

(D) by adding at the end the following: “Patent information that is not the type of patent information required by subsection

(b)(1)(A)(viii) shall not be submitted under this paragraph.”.

(2) UPDATING LIST.—Clause (iii) of section 505(j)(7)(A) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(j)(7)) is amended by striking “(b) or”.

(c) LISTING OF EXCLUSIVITIES.—Subparagraph (A) of section 505(j)(7) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(j)(7)) is amended by adding at the end the following:

“(iv) For each drug included on the list, the Secretary shall specify any exclusivity period that is applicable, for which the Secretary has determined the expiration date, and for which such period has not yet expired, under—

“(I) clause (ii), (iii), or (iv) of subsection (c)(3)(E);

“(II) clause (iv) or (v) of paragraph (5)(B);

“(III) clause (ii), (iii), or (iv) of paragraph (5)(F);

“(IV) section 505A;

“(V) section 505E;

“(VI) section 527(a); or

“(VII) subsection (u).”.

(d) ORANGE BOOK UPDATES WITH RESPECT TO INVALIDATED PATENTS.—

(1) AMENDMENT.—Section 505(j)(7) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(j)(7)) is amended by adding at the end the following:

“(D) In the case of a listed drug for which the list under subparagraph (A)(i) includes a patent for such drug, and any claim of the patent has been cancelled or invalidated pursuant to a final decision issued by the Patent Trial and Appeal Board of the United States Patent and Trademark Office or by a court, from which no appeal has been, or can be, taken, if the holder of the applicable application approved under subsection (c) determines that a patent for such drug, or any patent information for such drug, no longer meets the listing requirements under this section—

“(i) the holder of such approved application shall notify the Secretary, in writing, within 14 days of such decision of such cancellation or invalidation and request that such patent or patent information, as applicable, be amended or withdrawn in accordance with the decision issued by the Patent Trial and Appeal Board or a court;

“(ii) the holder of such approved application shall include in any notification under clause (i) information related to such patent cancellation or invalidation decision and submit such information, including a copy of such decision, to the Secretary; and

“(iii) the Secretary shall, in response to a notification under clause (i), amend or remove patent or patent information in accordance with the relevant decision from the Patent Trial and Appeals Board or court, as applicable, except that the Secretary shall not remove from the list any patent or patent information before the expiration of any 180-day exclusivity period under paragraph (5)(B)(iv) that relies on a certification described in paragraph (2)(A)(vii)(IV).”.

(2) APPLICABILITY.—Subparagraph (D) of section 505(j)(7) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(j)(7)), as added by paragraph (1), applies only with respect to a decision described in such subparagraph that is issued on or after the date of enactment of this Act.

(e) REVIEW AND REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary of Health and Human Services, acting through the Commissioner of Food and Drugs, shall—

(1) solicit public comment regarding the types of patent information that should be included on, or removed from, the list under section 507(j)(7) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(j)(7)); and

(2) transmit to Congress a summary of such comments and actions the Food and Drug Administration is considering taking, if any, in response to public comment pursuant to paragraph (1) about the types of patent information that should be included or removed from such list.

(f) GAO REPORT TO CONGRESS.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Comptroller General of the United States (referred to in this section as the “Comptroller General”) shall submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives a report on the patents included in the list published under section 505(j)(7) of the Federal Food, Drug and Cosmetic Act (21 U.S.C. 355(j)(7)) that claim an active ingredient or formulation of a drug in combination with a device that is used for delivery of such drug, including an analysis of such patents and their claims.

(2) CONTENT.—The Comptroller General shall include in the report under paragraph (1)—

(A) data on—

(i) the number of patents included in the list published under section 505(j)(7) of the Federal Food, Drug and Cosmetic Act (21 U.S.C. 355(j)(7)) that claim the active ingredient or formulation of a drug in combination with a device that is used for delivery of the drug, and that together claim the finished dosage form of the drug; and

(ii) the number of claims with respect to each patent included in the list published under such section 505(j)(7) that claim a device that is used for the delivery of the drug, but do not claim such device in combination with an active ingredient or formulation of a drug;

(B) an analysis of the listing of patents described in subparagraph (A)(ii), including the timing of listing such patents in relation to patents described in subparagraph (A)(i), and the effect listing the patents described in subparagraph (A)(ii) has on market entry of one or more drugs approved under section 505(j) of the Federal Food, Drug, and Cosmetic Act as compared to the effect of not listing the patents described in subparagraph (A)(ii); and

(C) recommendations about which kinds of patents relating to devices described in subparagraph (A)(i) should be submitted to the Secretary of Health and Human Services for inclusion on the list under section 505(j)(7) of the Federal Food, Drug, and Cosmetic Act and which patents should not be required to be so submitted in order to reduce barriers to approval and market entry.

(g) CONFORMING AMENDMENTS.—Section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355) is amended—

(1) in subsection (c)(3)(E), by striking “clause (A) of subsection (b)(1)” each place it appears and inserting “subsection (b)(1)(A)(i)”; and

(2) in subsection (j)(2)(A)(vi), by striking “clauses (B) through (F) of subsection (b)(1)” and inserting “clauses (ii) through (vi) of subsection (b)(1)(A)”.

PRIVILEGES OF THE FLOOR

Mr. HAWLEY. Mr. President, in recognition of his outstanding service to my office this last year, I ask unanimous consent that Captain Ryan Albin, the defense fellow in my office, be granted floor privileges for the remainder of this Congress.

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

RELATING TO THE DEATH OF THE HONORABLE ROGER WILLIAM JEPSEN, FORMER UNITED STATES SENATOR FOR THE STATE OF IOWA

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 795, submitted earlier today.

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

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 795) relating to the death of the Honorable Roger William Jepsen, former United States Senator for the State of Iowa.

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

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 795) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under “Submitted Resolutions.”)

DHS OPIOID DETECTION RESILIENCE ACT OF 2019

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 502, H.R. 4761.

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

The senior assistant legislative clerk read as follows:

A bill (H.R. 4761) to ensure U.S. Customs and Border Protection officers, agents, and other personnel have adequate synthetic opioid detection equipment, that the Department of Homeland Security has a process to update synthetic opioid detection capability, and for other purposes.

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

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

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

The bill (H.R. 4761) was ordered to a third reading, was read the third time, and passed.

SECURING AMERICA'S PORTS ACT

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 530, H.R. 5273.

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

The senior assistant legislative clerk read as follows:

A bill (H.R. 5273) to require the Secretary of Homeland Security to develop a plan to

increase to 100 percent the rates of scanning of commercial and passenger vehicles entering the United States at land ports of entry along the border using large-scale non-intrusive inspection systems to enhance border security, and for other purposes.

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “Securing America’s Ports Act”.

SEC. 2. LARGE-SCALE NON-INTRUSIVE INSPECTION SCANNING PLAN.

(a) DEFINITIONS.—In this section:

(1) LARGE-SCALE NON-INTRUSIVE INSPECTION SYSTEM.—The term “large-scale, non-intrusive inspection system” means a technology, including x-ray, gamma-ray, and passive imaging systems, capable of producing an image of the contents of a commercial or passenger vehicle or freight rail car in 1 pass of such vehicle or car.

(2) SCANNING.—The term “scanning” means utilizing nonintrusive imaging equipment, radiation detection equipment, or both, to capture data, including images of a commercial or passenger vehicle or freight rail car.

(b) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Homeland Security shall submit a plan to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives for increasing to 100 percent the rate of high-throughput scanning of commercial and passenger vehicles and freight rail traffic entering the United States at land ports of entry and rail-border crossings along the border using large-scale non-intrusive inspection systems or similar technology to enhance border security.

(c) BASELINE INFORMATION.—The plan under subsection (b) shall include, at a minimum, the following information regarding large-scale non-intrusive inspection systems or similar technology operated by U.S. Customs and Border Protection at land ports of entry and rail-border crossings as of the date of the enactment of this Act:

(1) An inventory of large-scale non-intrusive inspection systems or similar technology in use at each land port of entry.

(2) For each system or technology identified in the inventory under paragraph (1)—

(A) the scanning method of such system or technology;

(B) the location of such system or technology at each land port of entry that specifies whether in use in pre-primary, primary, or secondary inspection area, or some combination of such areas;

(C) the percentage of commercial and passenger vehicles and freight rail traffic scanned by such system or technology;

(D) seizure data directly attributed to scanned commercial and passenger vehicles and freight rail traffic; and

(E) the number of personnel required to operate each system or technology.

(3) Information regarding the continued use of other technology and tactics used for scanning, such as canines and human intelligence in conjunction with large scale, nonintrusive inspection systems.

(d) ELEMENTS.—The plan under subsection (b) shall include the following information:

(1) Benchmarks for achieving incremental progress towards 100 percent high-throughput scanning within the next 6 years of commercial and passenger vehicles and freight rail traffic entering the United States at land ports of entry and rail-border crossings along the border with

corresponding projected incremental improvements in scanning rates by fiscal year and rationales for the specified timeframes for each land port of entry.

(2) Estimated costs, together with an acquisition plan, for achieving the 100 percent high-throughput scanning rate within the timeframes specified in paragraph (1), including acquisition, operations, and maintenance costs for large-scale, nonintrusive inspection systems or similar technology, and associated costs for any necessary infrastructure enhancements or configuration changes at each port of entry. Such acquisition plan shall promote, to the extent practicable, opportunities for entities that qualify as small business concerns (as defined under section 3(a) of the Small Business Act (15 U.S.C. 632(a))).

(3) Any projected impacts, as identified by the Commissioner of U.S. Customs and Border Protection, on the total number of commercial and passenger vehicles and freight rail traffic entering at land ports of entry and rail-border crossings where such systems are in use, and average wait times at peak and non-peak travel times, by lane type if applicable, as scanning rates are increased.

(4) Any projected impacts, as identified by the Commissioner of U.S. Customs and Border Protection, on land ports of entry and rail-border crossings border security operations as a result of implementation actions, including any changes to the number of U.S. Customs and Border Protection officers or their duties and assignments.

(e) ANNUAL REPORT.—Not later than 1 year after the submission of the plan under subsection (b), and biennially thereafter for the following 6 years, the Secretary of Homeland Security shall submit a report to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives that describes the progress implementing the plan and includes—

(1) an inventory of large-scale, nonintrusive inspection systems or similar technology operated by U.S. Customs and Border Protection at each land port of entry;

(2) for each system or technology identified in the inventory required under paragraph (1)—

(A) the scanning method of such system or technology;

(B) the location of such system or technology at each land port of entry that specifies whether in use in pre-primary, primary, or secondary inspection area, or some combination of such areas;

(C) the percentage of commercial and passenger vehicles and freight rail traffic scanned by such system or technology; and

(D) seizure data directly attributed to scanned commercial and passenger vehicles and freight rail traffic;

(3) the total number of commercial and passenger vehicles and freight rail traffic entering at each land port of entry at which each system or technology is in use, and information on average wait times at peak and non-peak travel times, by lane type if applicable;

(4) a description of the progress towards reaching the benchmarks referred to in subsection (d)(1), and an explanation if any of such benchmarks are not achieved as planned;

(5) a comparison of actual costs (including information on any awards of associated contracts) to estimated costs set forth in subsection (d)(2);

(6) any realized impacts, as identified by the Commissioner of U.S. Customs and Border Protection, on land ports of entry and rail-border crossings operations as a result of implementation actions, including any changes to the number of U.S. Customs and Border Protection officers or their duties and assignments;

(7) any proposed changes to the plan and an explanation for such changes, including changes made in response to any Department of

Homeland Security research and development findings or changes in terrorist or transnational criminal organizations tactics, techniques, or procedures; and

(8) any challenges to implementing the plan or meeting the benchmarks, and plans to mitigate any such challenges.

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

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

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

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The bill (H.R. 5273), as amended, was passed.

The committee-reported amendment to the title was agreed to, as follows:

Amend the title so as to read: “An Act to require the Secretary of Homeland Security to develop a plan to increase to 100 percent the rates of scanning of commercial and passenger vehicles and freight rail entering the United States at land ports of entry along the border using large-scale, nonintrusive inspection systems to enhance border security, and for other purposes.”.

ORANGE BOOK TRANSPARENCY ACT OF 2019

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be discharged from further consideration of H.R. 1503 and the Senate proceed to its immediate consideration.

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

The clerk will read the bill by title.

A bill (H.R. 1503) to amend the Federal Food, Drug, and Cosmetic Act regarding the list under section 505(j)(7) of the Federal Food, Drug, and Cosmetic Act, and for other purposes.

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

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

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

The amendment (No. 2693), in the nature of a substitute, was agreed to.

(The amendment is printed in today’s RECORD under “Text of Amendments.”)

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The bill (H.R. 1503), as amended, was passed.

ORDERS FOR TUESDAY,
DECEMBER 8, 2020

Mr. McCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Tuesday, December 8; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; further, that following

leader remarks, the Senate proceed to executive session and resume consideration of the Simington nomination under the previous order. Finally, I ask that the Senate recess following the cloture vote on the Simington nomination until 2:15 p.m. to allow for the weekly conference meetings.

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

ADJOURNMENT UNTIL 10 A.M.
TOMORROW

Mr. McCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the provisions of S. Res. 795 and do so as a further mark of respect for the late Roger William Jepsen, former Senator from Iowa.

There being no objection, the Senate, at 6:40 p.m., adjourned until Tuesday, December 8, 2020, at 10 a.m.