



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 116th CONGRESS, SECOND SESSION

Vol. 166

WASHINGTON, THURSDAY, MARCH 12, 2020

No. 48

Senate

The Senate met at 9:30 a.m. and was called to order by the President pro tempore (Mr. GRASSLEY).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Almighty God, we rejoice that You still answer prayers. When we cry to You, You continue to be an ever-present help during seasons of trouble.

Lord, we marvel at Your power as we rest confident in Your ability to accomplish Your purposes. Today, inspire our Senators to put their total trust in You. May they not fear anything that may assail them on every side. Help them to remember that there is none holy like You, and nothing can compare to Your majesty and might.

We pray in Your great 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. TILLIS). The Senator from Iowa.

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

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

CORONAVIRUS

Mr. GRASSLEY. Mr. President, Iowa has had 14 presumptive positive cases of COVID-19. My staff and I remain in constant communication with Federal agencies to ensure that the Federal Government is properly managing emergency threats to the public health. I am also in regular touch with the Iowa Department of Public Health, which is meeting daily with its part-

ners to share information with all Iowans.

While each day brings updates regarding COVID-19, what remains constant are the prevention efforts that we have all heard about, and just to name a couple: washing your hands often and covering your cough.

To find further updates and guidance about the COVID-19, please visit my website at grassley.senate.gov.

REMEMBERING BIJAN GHAI SAR

Mr. GRASSLEY. Mr. President, on another matter, in November of 2017, Bijan Ghaisar was shot and killed by two U.S. Park Police officers. That person was unarmed and in his vehicle.

The National Park Service oversees the U.S. Park Police and still hasn't responded to a letter that Senator WARNER of Virginia and I wrote to the Park Service last November.

Now, we all know that Park Service officials are very concerned about the cherry blossom season. They just had a press conference to announce the peak dates of this year's cherry blossom season. Acting Director Vela needs to take his agency's obligations to respond to Senator WARNER's and my letter and other inquiries from Congress as seriously as he takes the weather updates.

I yield the floor.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

CORONAVIRUS

Mr. MCCONNELL. Mr. President, this morning, the Senate and House Sergeants at Arms announced the suspension of public tours and nonofficial access to the Capitol Complex beginning at the close of business today and running through the end of March. Their decision was made in close consulta-

tion with the Attending Physician of the U.S. Congress, Dr. Brian Monahan.

I support the decision of these non-partisan officers. It follows new guidance from the Washington, DC, Department of Health encouraging that all nonessential mass gatherings of more than 1,000 people be postponed. The Capitol Complex welcomes many times that many visitors on a typical day, particularly at this time of year.

Congress will continue to do our work. Offices will be able to welcome constituents and visitors for meetings and official business by appointment, but in deference to the experts and to protect the health of many Americans who travel to our Nation's Capital, tourism and nonofficial access to the Capitol and the complex will be put on pause.

This virus is challenging our Nation in ways that feel unfamiliar to us, but our great country is strong, we are equipped, and we have overcome far greater challenges before. I know the entire Congress will look forward to welcoming all Americans back to visit their beautiful Capitol as soon as possible.

In the meantime, we continue to encourage everyone to follow the facts, listen to the experts, and take smart and calm precautions as appropriate. Every American can access up-to-date recommendations for their own personal circumstances at www.coronavirus.gov.

Last night, President Trump addressed the Nation on the broader, ongoing effort to slow and mitigate the spread of the virus here on American soil. As I have noted before, the administration's early proactive measures to repatriate U.S. citizens and restrict travel from China bought more time for public health professionals to prepare our response, and the funding measure that Congress passed last week is sending an infusion of new funding into laboratory research, frontline medical care, and everything in between.

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



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With those critical steps already taken, this week brought a further opportunity to help communities and families face the economic effects of the virus spread. Unfortunately, it appears at this hour that the Speaker and House Democrats instead chose to produce an ideological wish list that was not tailored closely to the circumstances. One is reminded of the famous comment from President Obama's first Chief of Staff: "You never want a serious crisis to go to waste." Instead of focusing on immediate relief to affected individuals, families, and businesses, the House Democrats chose to wander into various areas of policy that are barely related, if at all, to the issue before us.

Instead of working within existing law and within existing systems to deliver targeted relief as officially and effectively as possible, the Speaker's proposal would stand up a needless thicket of new bureaucracy. They would task offices like the Social Security Administration with standing up brand-new bureaucracy that would delay the delivery of aid to those who need it.

As currently drafted, the proposal appears to impose permanent unfunded mandates on businesses that could cause massive job losses and put thousands of small businesses at risk. The administration was ready to collaborate. The Senate was ready to seriously consider a compromise product, but it appears that over in the House, left-wing political messaging may have taken priority over the needs of our country. Certainly, this is disappointing.

I want to commend Secretary Mnuchin for his efforts and his continued conversation. At a minimum, I hope that Senate Democrats will not block potential requests from our colleagues today to pass smaller, non-controversial pieces of legislation right away that would bolster particular aspects of the fight against coronavirus.

The good news is that our Nation's economy remains strong. The President is continuing to take action himself. We just passed billions—billions—in urgent funding just last week, and the Senate will continue to stand ready and willing to work toward further bicameral, bipartisan actions when the House Democrats decide to get serious.

USA FREEDOM REAUTHORIZATION ACT OF 2020

Mr. McCONNELL. Mr. President, now, on another matter, yesterday the House of Representatives did come together around a bipartisan agreement to renew some critical national security tools. The USA FREEDOM Reauthorization Act of 2020 will reauthorize key authorities granted to intelligence and national security professionals under the Foreign Intelligence Surveillance Act.

First and foremost, this means ensuring that the men and women tasked with rooting out espionage and stop-

ping terrorist activity on U.S. soil are equipped with the powers they need to be successful.

Today, the threats these professionals confront are as serious and diverse as ever. Terrorist groups continue to wish us harm. Major hostile powers like Russia and China remain committed to undermining the integrity of American institutions, from our infrastructure to our elections.

The targeted powers reauthorized by this legislation are a vital part of the efforts to protect American communities. That is a fact. It is a fact that has been reaffirmed time and again by Attorneys General and by the numerous reauthorizations granted by Congress.

This time is no different. We can't mistake the safety and security that FISA authorities have helped preserve for evidence that they are no longer needed. At the same time, we cannot mistake a vital process for a perfect one. The 2016 election showed us perfectly clearly that the authorities granted under FISA are in need of targeted reforms to improve accountability. That was backed up by the findings of the Department of Justice inspector general.

That is why this legislation contains a number of specific reforms to address the kinds of failures that embarrassed the system in 2016: more oversight over the practices of the FISA Court, more declassification and more compliance practices, higher level approval for certain sensitive applications, and more.

Our responsibility here is twofold. We have to continue equipping our national security professionals and the intelligence community to anticipate, confront, and eliminate the threats facing our country, and we also have to respond to the failures of 2016 with real reforms that ensure the public trust is handled appropriately.

This legislation, passed by a bipartisan majority in the House and endorsed by the Attorney General, strikes the right balance. I am confident that it will pass the Senate as well. It is not a question of if this passes but when.

I hope that our colleagues who may not choose to vote for this legislation will not deny this body the opportunity to renew these authorities today to prevent any lapse. I hope none of our colleagues choose to force these important national security tools to temporarily lapse for the sake of making a political point, which will not change the outcome. In fact, I hope we can renew these authorities today.

But if we cannot, if some of our colleagues choose to object, the lapse will only be temporary, similar to past short lapses between reauthorizations. These national security tools should not lapse. They do not need to lapse, and I hope none of our colleagues choose to unilaterally force them to lapse just for the sake of making a point. But at least it would only be temporary because this bill is going to

pass, these authorities are getting renewed, and that is a great thing for the security of our Nation and the safety of the American people. I hope it can happen today.

MEASURE PLACED ON THE CALENDAR—H.R. 6172

Mr. McCONNELL. Mr. President, I understand there is a bill at the desk due a second reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the second time.

The senior assistant legislative clerk read as follows:

A bill (H.R. 6172) to amend the Foreign Intelligence Surveillance Act of 1978 to prohibit the production of certain business records, and for other purposes.

Mr. McCONNELL. Mr. President, in order to place the bill on the calendar under the provisions of rule XIV, I object to further proceedings.

The PRESIDING OFFICER. Objection having been heard, the bill will be placed on the calendar.

RESERVATION OF LEADER TIME

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

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

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

The legislative clerk read the nomination of James P. Danly, of Tennessee, to be a Member of the Federal Energy Regulatory Commission for the remainder of the term expiring June 30, 2023.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mrs. HYDE-SMITH). Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The Democratic leader is recognized.

CORONAVIRUS

Mr. SCHUMER. Madam President, yesterday, the World Health Organization officially declared COVID-19—known as the coronavirus—a pandemic, saying that it was "deeply concerned

both by the alarming . . . spread and severity, and . . . alarming levels of inaction” by the nations of the world.

Let me repeat that. They were “deeply concerned both by the alarming levels of spread and severity, and the alarming levels of inaction” by the nations of the world.

In my home State of New York, members of the National Guard arrived in New Rochelle this morning to clean institutions and deliver food to the more than 120 sick residents within the 3-mile containment area. Here in the Capitol, public tours will be suspended, and by the end of the week, the Capitol Complex will be restricted to official business only.

Today the House of Representatives will take up and pass several measures the Speaker and I called for earlier this week to alleviate the economic pain felt by American workers and families who are impacted by the coronavirus, including extension of paid sick leave, food security insurance, and an expansion of unemployment insurance. The legislation will also provide much needed help to States like New York that are overburdened by Medicaid costs. By temporarily modifying the FMAP formula, it gives the States the flexibility and money they need to fight this problem. I have long fought for an increase in FMAP funding, and this is welcome and needed for New York. I am glad it is in the bill that Democrats in the House and Senate put together.

Many of the policies I have mentioned have been enacted by other countries dealing with the coronavirus. The policies are targeted at workers and families who are directly impacted by the virus, which is exactly where the focus needs to be, not on bailing out oil and gas companies or the cruise industry or to regulating banks—some of the ideas under discussion at the White House, by all reports—but on helping the American people cope with the crisis. That is job No. 1.

We can come back and pass additional targeted measures that deal with other economic problems at a later date, but in the immediacy of today, the policies the House will pass will provide much needed help to those who need help; it will provide significant economic relief by pumping money into the economy; and it will provide some flexibility to the localities, the States, and to the American people. The Senate should pass this bill immediately following the House, before the end of the day.

I plead—I plead—with my Republican Senate colleagues to pass this bill now. It has been carefully thought out. Its programs are directly aimed at people. They are not ideological, and it is desperately needed to show the American people we can do things that actually benefit the people who are in trouble and actually help move the American economy. To not pass this bill today would be a dereliction of duty, and I plead with Senator MCCONNELL: Put

the bill on the floor; let there be a vote. It will pass, in my judgment. Put the bill on the floor. Do not let this legislation that the House passed at a time of crisis be just another tombstone in your legislative graveyard.

Of course, the central problem remains—contending with the spread of the coronavirus itself. Our testing regime has been completely inadequate. We still lag far behind other countries in both the number and percentage of the population we are testing for the virus. There are still not enough kits distributed to hospitals and medical labs, and the results of those tests are not processed fast enough. From one end of the country to the other, those on the frontlines—whether they be healthcare workers, mayors, county executives, Governors—are crying out for more testing and more speed in bringing the results of the tests back immediately. The President didn’t mention it in his speech.

I heard from the mayor of New Rochelle, who is now overseeing a 3-mile containment area. I asked: What is the No. 1 thing you need? He said testing. He told me that one of the reasons the State of New York had to impose the containment area was that it couldn’t be determined who was safe to walk on the street and who wasn’t because of the lack of testing. If they had the test, they would know who had the virus. Those people could quarantine at home, and others could go out and about with their lives and shop in the stores, go down the streets, and go through their normal activities. The lack of testing has forced many in containment areas to quarantine themselves when they may not have the virus at all.

The administration must expedite the approval of labs that are ready to provide testing. It must support the use of automatic testing to increase the speed and volume, and it must do a better job of communicating to hospitals and localities about the number of testing kits available. The administration needs to get a handle on this now.

It has been well over a month since the first case of coronavirus was confirmed on our soil, and many places around the country were not able to test for the coronavirus with the necessary capacity or speed. The most glaring omission in this administration’s long list of problems has been the way they approach the coronavirus and the lack of testing. We need it now. The failure of the administration to anticipate problems with testing has put us weeks and weeks behind.

Last night, President Trump gave his national address about the coronavirus, and testing wasn’t included. It was amazing to me. The No. 1 problem was ignored.

I welcomed that the President stressed the need for hygiene. He instructed Americans to stay home if they felt sick, something he questioned in the past. I was glad he is no longer

calling this a hoax and, at least in his speech, not blaming the press or Democrats or somebody else for the problem. Blame isn’t going to solve anything.

Yet, sadly and regrettably, the President’s speech fell far short of what Americans needed to hear. The speech was almost robotic, lacking any empathy. The President seemed to show little concern for Americans impacted by the virus or for allies around the world fighting it. The President did not say how his administration will address the lack of coronavirus testing kits, nor did he call for a national emergency to free up Federal resources to fight the virus. Calling for a national emergency under the Stafford Act would free up lots of FEMA’s resources to help States and localities. Why he hasn’t done it is a mystery. We need him to do it, and do it now.

So many of the President’s statements in his speech were inaccurate and required no fewer than three corrections by the White House in the hours after. The President was not clear or accurate in describing the ban on travel from Europe to the United States—that it did not apply to U.S. citizens or to cargo. The President’s claim that health insurers have agreed to “waive all copayments for coronavirus treatment” was also, apparently, inaccurate. At a time of crisis, one would think that the President could give a speech that at least had the facts right, that there would be that care and focus. But, unfortunately, it wasn’t so.

I don’t bring this up to play “gotcha.” It is very serious. There are many Americans who watched the President but may not have seen the White House correct his error-laden speech. As a result, many Americans got bad and confusing information. This is very, very unfortunate. At all times, but especially during a time of crisis, the President must be clear and accurate about his policies and guidance. We need leadership that is steady and, above all else, competent. These weren’t off-the-cuff remarks. This was a prepared speech.

In this moment, with lives in the balance, Americans must have confidence that their President knows what he is doing and knows what he is talking about. To his detriment and to the Nation’s, sadly, President Trump failed to inspire that confidence last night.

I had hoped the fact that the President delivered a national address was a sign that the administration was finally beginning to treat the coronavirus with the seriousness it needs. That is why it was so discouraging that only a few hours later, the President was back to his old tricks—attacking Democrats—when we all know that is not going to solve the problem and we all know it is a time to bring us together.

Congress has already passed major emergency appropriations to ramp up our response to the virus. The President’s early number \$2 billion was, fortunately, increased significantly by

Democrats and Republicans in the House and Senate to \$8.3 billion. Congress is now working quickly and competently on a second package. It should get the same quick response from our Republican Senators and pass.

NOMINATION OF JAMES P. DANLY

Madam President, today the Senate will vote on the nomination of James Danly to serve on the Federal Energy Regulatory Commission. Less than a decade out of law school, Mr. Danly lacks the experience of past nominees, and it seems his major qualification is deep ties to the energy industry. The process behind his nomination has been extremely partisan and unfair to the Senate minority.

I have tried to work with the Republican leader to pair Mr. Danly's nomination with a Democratic nominee so that both would pass the Senate. That is what we have always done until Leader McCONNELL started his ways and President Trump became President.

By law, FERC has seats reserved for both Democrats and Republicans. Democrats sent our recommendation for FERC to the White House over a year ago, long before the administration selected Danly. Yet while the White House sent Danly's name to the Senate for confirmation, they have held the Democratic nominee and given no reason or explanation why. Rather than work with my office and the White House to fix this problem—as every other Republican leader has done—and maintain the process of pairing nominees, which has always been the tradition whether Democrats or Republicans were in the majority, Leader McCONNELL, in his very partisan, pro-energy industry way, is moving forward with only the Republican nominee.

Leader McCONNELL has been in the minority before. He knows that the only way bipartisan boards and commissions across the Federal Government are filled fairly with considerations for both parties is through cooperation. If the shoe were on the other foot, I am sure the Republican leader would be furious with the game the White House is playing with our nominees.

Our preference would have been to clear Danly alongside our Democratic nominee, but now, for the sake of fairness and parity, I urge my colleagues to vote against his nomination.

I yield the floor.

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

NOMINATION OF JAMES P. DANLY

Ms. MURKOWSKI. Mr. President, I have come to the floor this morning to speak in support of the nomination of Mr. James Danly to serve on the Federal Energy Regulatory Commission. Mr. Danly has been nominated for the remainder of a term that runs through June 30, 2023, and for a seat that has been open now since former Chairman Kevin McIntyre tragically passed away from brain cancer about 14 months ago.

For those who don't follow the day-to-day of energy policy, FERC is an independent agency within the Department of Energy. It regulates electricity, hydropower, natural gas, and oil pipeline industries. In my view, FERC is one of those very, very important entities. FERC plays a critical role in keeping the lights on and ensuring the delivery of reliable, safe, and affordable energy to America's homes and businesses.

Mr. Danly has an impressive academic and professional background. He is a veteran, having served two tours of duty with the Army in Iraq, where he received a Bronze Star and a Purple Heart, and played a key role in executing counterinsurgency efforts during the surge.

After his career with the Army, Mr. Danly chose to pursue a very different career as a FERC attorney, first practicing at a major law firm and most recently serving as FERC's general counsel for the past 2½ years now.

Mr. Danly's time at the FERC has been very productive. He has my strong support to be a Commissioner. This is the type of individual who knows his stuff, who has a great grasp and a keen understanding of these energy-related matters. He is well qualified and has a deep understanding of the issues that will come before him. He understands FERC's mission as an independent and an impartial regulator.

Despite Mr. Danly's very impressive qualifications and experience, I am disappointed that some of my colleagues have indicated they will oppose his nomination simply because he isn't nominated alongside a Democratic candidate. So they will acknowledge that he has strong qualifications, that he has the expertise and the experience, but they are opposing him because they are saying he needs to be nominated alongside a Democrat. To me, opposing nominees on that basis alone is very troubling.

It is also incorrect to characterize pairing FERC nominees as the norm. I think Members should recognize that FERC is set up first and foremost to avoid the need for pairings. We passed a law in Congress in 1990 to stagger the five Commissioners' terms by 1 year each. So if nominees are sent to the Senate in a timely manner and stay in office, we would never need to pair them.

Also contrary to what some have suggested, bipartisan pairings are not actually the norm. More often, we have confirmed individual Commissioners or had unbalanced pairings, like Colette Honorable in 2014 or the two Republican Commissioners we confirmed in 2017 after the Obama administration refused to nominate any Republicans in 2015 or 2016.

I also encourage the Senate to recognize that this seat has already been paired. In 2017, we paired Mr. McIntyre with Rich Glick, who will continue to serve through mid-2022. The slot we are now considering is to fill the remainder

of Mr. McIntyre's term through mid-2023.

The fact is, we have one nomination for the Senate right now, not two. We have one nomination to consider, and this position has been open now for some 14 months. It is not fair to tell a qualified Republican nominee that he has to wait, especially with the seat now having been open for more than 1 year and the term expiring in mid-2023. That doesn't change.

I would also remind my colleagues that nominations are the responsibility of the President. It is not on me as the chairman of the Energy and Natural Resources Committee. It is not on Leader McCONNELL. It is the responsibility of the President.

The much more recent Democratic vacancy at FERC, which was the choice of the Democratic leadership in this body, is for the Democratic leadership to work out with the White House. Send to the White House that nominee who can be advanced.

For those who are concerned about the Democratic vacancy, I will share this with you. There will be an opportunity for a pairing later this year. Commissioner McNamee has already announced that he will not return to the FERC for a second term, so there will be a vacancy in just a matter of months. I have encouraged the administration to send us both nominees at the same time so that the Senate can restore FERC to a full complement of five Commissioners. We give them a lot of work. There is a lot of responsibility. They need a full complement.

Right now, our opportunity is to confirm Mr. Danly. That is who we have in front of us. He is the only FERC nominee we have. He is well qualified for the job. He served our country in uniform. He now wishes to continue that service in a different capacity, and I hope—I hope—no one will vote against him on party grounds. So I would certainly urge the full Senate to support Mr. Danly's nomination.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

ASHLEY JOHNSON-BARR DAY

Ms. MURKOWSKI. Mr. President, the Alaska State Senate yesterday passed a bill that would establish March 12, today, as Ashley Johnson-Barr Day to be held each year.

Ashley Johnson-Barr was a 10-year-old beautiful little girl in Kotzebue, AK. Ashley was probably one of those happy kids who loved purple; thus, I have a purple scarf and purple jacket today. She was one of those beautiful young children growing up in Kotzebue who would have gone on to have a good, productive life in an Inupiat community in the northwestern part of the State. But Ashley Johnson-Barr is remembered now because, at the age of 10 years old, she was brutally raped and murdered. She was literally taken from the kids' playground there in Kotzebue and taken to a location not too many miles outside the community.

Her death, the tragedy around the circumstance of how she left this world, is one that is an open and raw and hurtful and horrific scar on Alaska and on the communities. It is a reminder that in my State—a place of extraordinary beauty, with beautiful people—there is a darkness that is very, very difficult to talk about. That darkness is reflected in the statistics that we see when it comes to sexual assault, domestic violence, and more brutal acts of murder inflicted, unfortunately, in a disproportionate way on our Native women and our Native children.

Yesterday in the Senate, we passed two measures that I have been working on for a period of time. Savanna's Act is legislation that was initially brought about through the good work of my friend, the former Senator from North Dakota, Senator Heidi Heitkamp. Heidi and I worked on Savanna's Act for a period of time. It is designed to improve coordination among all levels of law enforcement; increase data collection and information sharing; and empower Tribal governments with access to necessary law enforcement databases in cases involving missing and murdered indigenous women and girls wherever they occur, whether they are in a small, remote village or in our population centers.

Savanna's law was passed through the Senate in the last Congress and got stalled out in the House. So I took this back up, along with the help of my friend from the State of Nevada, Senator CORTEZ MASTO. Working with her, we have now been successful in moving it through the Senate. It traveled with another measure—a bill that was sponsored by Senator CORTEZ MASTO and cosponsored by me.

The Not Invisible Act improves the engagement amongst law enforcement Tribal leaders, Federal partners, and service providers. We also designate an official to coordinate efforts across agencies in establishing a Tribal and Federal stakeholders' effort to make recommendations to the Department of the Interior Department of Justice on how we deal with this, how we combat this epidemic of disappearance, of homicide, violent crimes, and trafficking of Native Americans and Alaska Natives. This is something we have been trying to shine the spotlight on.

We are making significant progress and headway in Alaska. Thanks to the efforts and the heart of Attorney General Barr, we have seen Federal funds come our way. We have seen commissions and a coordination among stakeholders that is truly unprecedented, but we have much, much, much work to do.

On this day, when in Alaska, we are recognizing the very short life of a beautiful child, Ashley Johnson-Barr. I thank my colleagues for working with us on these matters—helping us move Savanna's Act and the Not Invisible Act—and working together to do more as we deal with those who are trafficked, those who are assaulted, and

those who are violently murdered in their homes and in their hometowns. We have much work to do, but we have good coordination and good cooperation moving forward.

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

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 senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of James P. Danly, of Tennessee, to be a Member of the Federal Energy Regulatory Commission for the remainder of the term expiring June 30, 2023.

Mitch McConnell, Mike Crapo, Tim Scott, Chuck Grassley, David Perdue, Lamar Alexander, John Barrasso, Tom Cotton, Thom Tillis, James M. Inhofe, Shelley Moore Capito, Ron Johnson, Mike Rounds, Richard Burr, James Lankford, Jerry Moran, John Thune.

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 James P. Danly, of Tennessee, to be a Member of the Federal Energy Regulatory Commission for the remainder of the term expiring June 30, 2023, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

(Mr. COTTON assumed the Chair.)

Mr. THUNE. The following Senators are necessarily absent: the Senator from Texas (Mr. CRUZ) and the Senator from Georgia (Mr. PERDUE).

Mr. DURBIN. I announce that the Senator from Washington (Ms. CANTWELL), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Vermont (Mr. SANDERS), and the Senator from Massachusetts (Ms. WARREN) are necessarily absent.

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

The yeas and nays resulted—yeas 54, nays 40, as follows:

[Rollcall Vote No. 71 Ex.]

YEAS—54

Alexander	Capito	Daines
Barrasso	Cassidy	Enzi
Blackburn	Collins	Ernst
Blunt	Cornyn	Fischer
Boozman	Cotton	Gardner
Braun	Cramer	Graham
Burr	Crapo	Grassley

Hawley	McConnell	Sasse
Hoeven	McSally	Scott (FL)
Hyde-Smith	Moran	Scott (SC)
Inhofe	Murkowski	Shelby
Johnson	Paul	Sinema
Jones	Portman	Sullivan
Kennedy	Risch	Thune
Lankford	Roberts	Tillis
Lee	Romney	Toomey
Loeffler	Rounds	Wicker
Manchin	Rubio	Young

NAYS—40

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

NOT VOTING—6

Cantwell	Klobuchar	Sanders
Cruz	Perdue	Warren

The PRESIDING OFFICER. On this vote, the yeas are 54, the nays are 40.

The motion is agreed to.

The Senator from Iowa.

AMERICAN ENERGY INNOVATION ACT

Mr. GRASSLEY. Mr. President, last week, I introduced an amendment to the American Energy Innovation Act. My amendment addresses a critical shortcoming with whistleblower protections currently available to power sector employees and those who are responsible for maintaining and securing our Nation's electric grid.

For those who are unfamiliar, the electric grid is managed by a patchwork of public and private entities. Unfortunately, that means patchy coverage for energy sector employees under our current whistleblower protection laws. Federal workers are covered under the Whistleblower Protection Act, but other workers have to rely on State and local laws for protection if they exist.

For many on the frontlines, these whistleblower protection laws don't exist. Just last year, according to a news report, power company employees raised concerns about equipment introduced to improve efficiency that they believed posed a threat to starting wildfires. I hope we all remember the fires in California—I think 1 and 2 years ago or 2 and 3 years ago—with terrible destruction, terrible loss of life. Eighty-five people in California, I think, lost their lives because of that type of fire.

One of these employees raised his concern about the threat of this equipment starting wildfires. It was reported that he was fired for simply blowing the whistle. If it turns out the employee was fired for blowing the whistle in the interest of public safety, that should be unacceptable to all of us.

As a country, we should be encouraging whistleblowers who know of threats to the security of our electric grid to come forward and report what they know. We owe it to them to ensure that when they do, they will be

protected—in other words, not lose their job. Isn't that common sense?

That is exactly what my amendment does. My amendment makes it clear that power sector employees who report threats to our electric grid are protected from retaliation; if they are fired, they can file a complaint with the U.S. Secretary of Labor. In that regard, this amendment brings whistleblower protections for energy sector employees in line with more than a dozen other whistleblower laws established by the Congress in recent years. I have been involved in a lot of those whistleblower protection laws.

Next week is Sunshine Week—a time when we celebrate the importance of transparency and accountability in government. With transparency, you get accountability, and the public's business ought to be public. The protection of our citizens from forest fires that are a result of bad equipment that electric companies are using—if you report unsafe conditions, you shouldn't be fired for it.

When we think about securing our electric grid, sunlight and transparency bring accountability, but they also bring attention to potential risks to our public safety and to our national security. They can potentially save lives. That is something I am certain we can all get behind and should be behind.

I am very thankful to Senator MARKEY for cosponsoring the amendment and for his support of this amendment. I strongly encourage all of my colleagues to support this amendment as well.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

SECURING AMERICA'S MEDICINE CABINET ACT

Mrs. BLACKBURN. Mr. President, on Tuesday, my colleague Senator MENENDEZ and I introduced the Securing America's Medicine Cabinet—or SAM-C Act—to encourage an increase in American manufacturing of active pharmaceutical ingredients. These are termed APIs.

We did this because China dominates this portion of the pharmaceutical manufacturing and given last night's news, I wanted to come back for a moment and highlight the important work that is being done in Tennessee and across the country to support our Nation's response to this coronavirus pandemic.

Many Americans are very concerned, as they ought to be, about the availability of testing. As you all know, this virus is novel, which means we did not have test kits on the shelves before the outbreak started. The tests that we do

have are not instant. When people think of an instant test, they think of a flu test or a pregnancy test. The test that is required for this virus is not an instant test, but this is in the works, and we do have top scientists at Vanderbilt University and other institutions who are developing faster techniques, but, for now, any test offered must be sent to a lab to be processed and analyzed. Although these tests provide important information, we must continue to focus on preventing transmission where we can.

Some of the other work that is being done will help lead us to a faster path for antivirals and for vaccines. There is work in East Tennessee, right outside of Knoxville, at the Oak Ridge National Lab. Researchers have been using cutting-edge technology to identify drug candidates for targeting the novel coronavirus. They are using Summit, which is the world's fastest supercomputer. What they have done is feed in information about the coronaviruses, MRSA, SARS, and H1N1—the different viruses—and they crunched it down, and they have identified 77 drug candidates for targeting the novel coronavirus that we know is COVID-19. Enabled by the screening of this database of more than 8,000 known drug compounds, the researchers accomplished in days what would have taken years for scientists to do in the lab.

In my remarks on the floor yesterday, I went into detail about the decades-long effort by scientists at Vanderbilt University's Denison Lab to study coronaviruses. I want to reiterate one important point—that all across the country, scientists just like our friends at Vanderbilt are developing the antivirals and the vaccines that will eventually be used to combat multiple strains of virus, not just this particular outbreak but in addition to this outbreak.

The United States is a leader in research and development of pharmaceuticals. Our labs, talent, and capacity for innovation are the envy of the world, but right now we depend heavily on Chinese and foreign companies to manufacture active pharmaceutical ingredients. When this happens, we lose control of our supply.

So while we have all of this great work done in Oak Ridge, TN, and we have this wonderful work done in the Denison Lab at Vanderbilt, we need something like the SAM-C Act to enable us to have access to these drugs and these compounds that they are identifying that we need. The SAM-C Act will not solve our immediate problem. Once passed, it will incentivize companies that specialize in development, manufacturing, and workforce training to bring those operations back to the safety of U.S.-based labs and institutes of learning, and it will expedite having the antivirals and the vaccines that are needed to prevent this.

I encourage all of my colleagues to think ahead, offer their support to S.

3432, and let's commit to securing our pharmaceutical supply chain.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

COASTAL ACT

Mr. KENNEDY. Mr. President, I would like to talk for a few minutes today about my favorite subject, which is Louisiana.

I could talk the rest of the day and through the entire weekend about the good things about Louisiana, but today I want to talk about one of our problems. It is not just a problem for Louisiana; it is also a problem for the United States of America; it is also a problem for the American people; it is also a problem for energy independence for our country. Louisiana is drowning. It is drowning because we are washing away. Our land is washing into the gulf.

I live about 250, 300 miles north of the Gulf of Mexico—sort of in the toe of the boot, if you think of Louisiana as a boot. If things continue as they are going, I may not be alive then, but my home—whoever lives in it after I am gone—will be gulf front property. Remember, my home is 250 to 300 miles from the coast.

Why is that happening? Why is our land washing away into the gulf? There are a number of reasons. I will mention two, in particular. The sea levels in the Gulf of Mexico are rising. We can have a rigorous debate about the reason for that, and I know many smart people think it is for this reason and others disagree and think it is for that reason, but we can't deny the fact that sea levels are rising whatever the cause. In fact, as the gulf meets the southern part of my State, it is rising about 12 to 13 inches every 100 years.

We have another reason, though, as to why my State is washing away—our land in southern Louisiana is sinking.

Why is that?

The Mississippi Delta, of which Louisiana is a part, is an ecological and hydrodynamic masterpiece. What God did in creating our State is just breathtaking. It used to be the Mississippi River, which runs right through my State, would overflow every year. It would deposit its sediment in South Louisiana. The water would recede and go back into the river channel, but the sediment would remain. After thousands and thousands of years, the land was built up. Then we leveed the Mississippi River. I am not saying we did the wrong thing by leveeing the Mississippi River, for we have increased the quality of life for a lot of Americans and enhanced our economy. When we leveed the river, we prevented it from overflowing so that it would no

longer deposit sediment, but the sediment that was already there before we leveed the river was slowly sinking. So we have sea levels in the gulf rising 12 to 13 inches every 100 years, and we have the land sinking. You don't have to be a senior at Cal Tech to figure out we have a problem. That is why our land is washing away.

Now, why is this important?

It is obviously important for the people who live on the land that is washing away, but it is also important for America's energy independence because underneath the land that is slowly being washed into the gulf—crisscrossing that land and extending over into Texas and into Alabama—are 26,000 miles of pipelines that carry oil and natural gas that heat American homes and generate American energy. When that land washes away, those pipelines are going to be exposed.

Do you know what the saltwater is going to do to those pipelines?

It is going to corrode them. When that land washes away, those pipelines now exposed are going to be exposed to ocean currents, and they are going to burst. It will not be all at once, but they are going to burst, and this country's energy independence is going to be undermined.

Do you know how long and how much money it will take to move those pipelines?

I don't know. I am not sure if there are enough ditches to quantify it.

Let me shift gears and talk about the solution as I think I have defined the problem.

We are helping ourselves, and I will give you an example. The Morganza to the Gulf project doesn't mean a lot to some of you, but trust me—it is a big deal to the people of Louisiana and to the American people who are familiar with it. We have been taxing ourselves for 20 years to pay for that project, which is part coastal restoration and part hurricane protection. We also received help from the American people.

Thank you. Thank you, American people, for coming to our aid.

In 2006, the U.S. Congress passed what we call GOMESA. It stands for the Gulf of Mexico Energy Security Act. That is what I mean when I talk about GOMESA, and GOMESA is a pretty straightforward bill. It says that, for all new oil and gas drilling in the Gulf of Mexico, the Federal Government and the State government are going to share the oil royalties.

The government, as you know, owns the seabeds. We lease them to oil companies, and they drill and produce oil and natural gas. In fact, off of Louisiana's coast, we have wells that produce about 16, 17 percent of the Nation's oil and about 3 percent of the natural gas. Those oil companies pay royalties to the Federal Government, and the royalties flow through the Federal Government to the State government.

Under GOMESA, the American people, through their representatives, said: OK. On all new wells that are

drilled after 2006, Louisiana gets 37.5 percent of the money that the Federal Government gets—but not just Louisiana. We didn't want to be greedy. We asked to have Texas included. We asked to have Mississippi included. We also asked to have Alabama included so it would get 37.5 percent too. Fair is fair. The Federal Government gets the rest.

Louisianans have put their money where their mouths are. We have dedicated every single penny of that GOMESA money to coastal restoration in order to try to build up our land faster than we have been losing our land to the gulf. It has been a losing battle, but we have been holding our own. To give you an idea of how dramatic it has been, since 1930—I think 1932—Louisiana has lost land the size of Delaware. I believe, if you run the numbers in terms of square miles, we have lost land the size of two Rhode Islands. I think we have lost a football field a day. Remember, this doesn't just hurt Louisiana. This hurts America, and it hurts our energy independence.

Louisiana has put its money where its mouth is. We said: Thank you, American people, for passing GOMESA. We appreciate the 37.5 percent of the oil royalties we are going to get out of the Federal Government's share, and we are putting every single penny into coastal restoration.

There is still a basic unfairness because 20 other States get 50 percent. Now, these States aren't coastal States. I am happy for them. Don't misunderstand me. These are inland States that have Federal lands. When oil companies drill on those Federal lands and hit oil or hit natural gas, those States don't get 37.5 percent of what the Federal Government gets; they get 50 percent. That is just not fair. Everybody ought to be treated the same. Louisiana and Alabama and Mississippi and Texas are not asking for any extra. We call that lagniappe in Louisiana. We aren't asking for any extra. We are just asking to be treated like everybody else. In Louisiana, we are dedicating every single penny—I don't know if I mentioned this or not—to solving the coastal restoration problem, which is not just Louisiana's problem but is a problem for the United States.

We have a bill. It is called the COASTAL Act. The full name is the Conservation of America's Shoreline Terrain and Aquatic Life Act. We call it the COASTAL Act. All the COASTAL Act would do would be to treat all the States the same. Everybody would get 50 percent—a 50-50 split. Louisiana wouldn't get more or less than any other State. Alabama wouldn't get more or less than any other State. Mississippi wouldn't get more or less than any other State. Texas would be under the same rule. All of the States would get 50 percent.

It would also make one other change. When GOMESA was passed, it capped

the amount of money that Louisiana and Mississippi and Alabama and Texas could get each year from that 37.5 percent at \$500 million a year. Out of basic fairness, we are asking that the cap be removed if we can pass this bill, the COASTAL Act. The quarterback of the bill is the senior Senator from Louisiana, Dr. BILL CASSIDY. I am helping him all I can as are the Senators from Texas and Mississippi and Alabama and other States. All we are asking is for equality.

I don't want to end on a negative note by just talking about our problems. If you haven't visited Louisiana, please come. I have lived in five States and a foreign country. I have just never lived in a place like Louisiana. It is my home, and I know I am biased. God blessed our State, and in having blessed us, I think God blessed us a second time.

I mean, look at our location. We are at the top of the gulf coast; we are in the middle of the Gulf South; we straddle one of the mightiest rivers in the entire world. We have more oil and gas than most nations do, which we share with the American people. My people are experts in things like agriculture, aquaculture, shipbuilding, petrochemical manufacturing, oil and gas exploration, food, timber, healthcare. I could keep going. Our people are hardworking, God-fearing, and fun-loving.

I tell my friends Senator CRUZ and Senator CORNYN all the time how much I love Texas—and I do. Gosh, Texas is a great State. Every day, it seems like it wins an award. Yet I tell Senator CRUZ and Senator CORNYN—in jest, of course—look, Texas is 5½ times bigger than Louisiana, but give us credit as we are 10½ times more interesting than you are.

We are just a fun, extraordinary, diverse State, but we need some help. We are not asking for extra; we are just asking for equity. I hope this Senate, in its wisdom, will pass the COASTAL Act.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. YOUNG). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

CORONAVIRUS

Mr. BROWN. Mr. President, President Trump had chance, after chance, after chance to get ahead of this coronavirus pandemic in the United States. He failed. Congress can't make the same mistakes.

Senators should not leave town. I just saw Senator MCCONNELL on the floor. It is his decision. One Senator from one State can make this decision to walk away—to fail to take care of the \$12-an-hour worker who is sick, who has to choose between going to work—perhaps getting sicker or perhaps infecting others—or staying home

and giving up her \$12-an-hour, \$96-a-day job when she struggles with her rent. We have put her in that position.

Senator MCCONNELL, who was standing right there—his office is just down the hall—could make that unilateral decision as to whether we stay and actually do the right thing. The Senate has no business leaving. We shouldn't leave town until we pass the House package to help workers and to support our communities.

President Trump needs to sign it. We need to do our jobs. We need to take care of workers who are going to need help paying their mortgage, paying their rent, and taking care of their children if schools close or they get sick.

It is really, really simple. It is why we need to pass paid sick days now and to shore up unemployment insurance funds immediately.

We know that hundreds of thousands—who knows?—millions of people are going to get laid off in the airlines, in restaurants, in hotels, in communities where they depend on these businesses to pay property tax. We know there are going to be lots of layoffs.

I am not an alarmist. I am not panicky. I think we are going to deal with this right. But we need the majority leader, Senator MCCONNELL, who sits right here and runs the Senate, who makes the decisions on whether we work or don't work, whether he sends us home or keeps us here working—Senator MCCONNELL needs to make the decision to keep us here, and as soon as the House passes this bill, the Senate takes it up.

Paid sick days are one of the most important things we can do to stop the spread of this virus. We already know that our economy is going to get hurt. We know the President of the United States judges the economy by the stock market. He is the first President I have ever seen do that, but that is beside the point. We also know that the stock market is up and down and mostly down, and investors are uneasy at best. They want more predictability, and they are not getting it. But we know the most important thing is to deal with the spread of the coronavirus. If we can't contain that, if we can't do anything about that, if we can't stop the spread of this virus, the other stuff just doesn't matter as much.

You start with the spread of this virus. The best way to stop the spread of the virus is to say to people if they are sick: You can stay home, and you can get sick pay. Every other rich country in the world provides sick pay for people who can't go to work because they are sick. It is as simple as that. If we don't pass the sick day policy, if we leave town right now, even if we come back next week, which we are not scheduled to—again, Senator MCCONNELL's decision—even if we are only gone a week, that is 5 more workdays of sick people going to work when they shouldn't, getting sicker, infect-

ing others with coronavirus or the flu or anything else, or staying home and giving up their pay, which they need to meet their rent payment. The House package takes care of this. Senators shouldn't be leaving this building until we get this help to the people we serve.

People in Ohio and people in Indiana, in the Presiding Officer's State, are scared. They are angry, and I am angry.

Many of us have been sounding the alarm for years, warning President Trump and Leader MCCONNELL, who always does President Trump's bidding, as if he doesn't even represent a State—he represents the President in this body—that the President has made us less prepared to handle a crisis like this one.

President Trump tried to gut the Centers for Disease Control and the National Institutes of Health.

Think about this: The United States of America, as recently as 10 or 15 years ago, had the best public health infrastructure, the best public health safety net in the history of the world. We have the Centers for Disease Control. We have the National Institutes of Health.

In Cincinnati, we have the National Institute for Occupational Safety and Health—the only one of its kind in the world—and we have our county public health departments in each of Ohio's 88 counties and all over the country.

We had the best in the world until President Trump began to try to gut the CDC and the NIH. He refused to fill key public health positions.

Most importantly—this is just unbelievable when you think about it, and I know Senator YOUNG, the Presiding Officer, had concerns about that—he got rid of the White House's entire global health security team 2 years ago. Let me repeat that. For 2 years, President Trump left us without the team that is supposed to manage pandemics. Do you know what that means? It means that there were about 40 people at the White House, led by an admiral who was an M.D.—an admiral who was also a doctor. His job was to survey the world and look around for potential illness outbreaks, to look around for potential pandemics. It might have been SARS. It might have been Ebola. It might have been a resurgence of polio. It might have been any number of things. His job at the White House—we are a rich enough country. We can do this, and we do it to protect—we care about the world. We protect our own people, although, as we see, if we don't, we see what happens. His job was to continue to look around the world and look out for these kinds of pandemics. The President fired him. The President fired the whole office. The President has never replaced them. I sent him a letter at the time, more than 600 days ago—back in May of 2018—telling him to stop dismantling our healthcare infrastructure. Now we are all paying the price for President Trump's decision. We see the real-time consequences.

This was unilateral disarmament. We unilaterally disarmed against the world's infectious diseases.

We know that international tuberculosis is a problem. We know that international HIV/AIDS is a problem. We know that international malaria is a problem. We work against those.

Do you know what? One of the things I am proudest about in our country is what we have done about public health.

We led the charge to eradicate small pox. Small pox killed hundreds of millions of people over time in this world—hundreds of millions.

We led the charge to eradicate small pox—this country did. Then we led the charge to eradicate polio all over the world. I am old enough to remember children—not children anymore—children I went to grade school with who had had polio. They were recovered, but they still limped. They still had signs of polio—not crippling signs but signs of polio. We did that.

We took on tobacco in this body—Senator DUBIN, Senator BLUMENTHAL, Senator MERKLEY, and I and others. People smoke at half the rate today than they did 50 years ago. It is starting to go back up because of e-cigarettes, but we have had huge public health victories in this country.

Do you know what? We have a President of the United States now and we have a Senate Republican leader, MITCH MCCONNELL, who—well, he certainly tried to help tobacco, but I won't even talk about that. We have a President and we have a Senate majority leader who simply did all they could to dismantle the Centers for Disease Control and NIH. They left us unprepared when the President fired the global security team at the White House that looked out for illnesses. Now we have a global pandemic on our hands.

President Trump needs to stop pretending he can lock out a disease by putting up walls at the border—that he has already allowed to spread—and he needs to start making up for all the lost time he has wasted, and so does Senator MCCONNELL.

We need to make sure we don't end up with a financial crisis on top of the public health crisis. For some of us, this feels like *deja vu*. We have been in moments like this before. We have seen the market drop. We worried about the financial system. We bailed out the banks, but we didn't do anything for the workers. That is what this body always does.

I am certain Senator MCCONNELL will get around to—and President Trump—helping corporations that have been hurt. There have been corporations that have been damaged badly—hotel chains, transportation companies, particularly airlines. They have been hurt badly by this. That part is going to get worse. I am sure they will open the public checkbook to make sure there are billions of dollars for these industries, but we shouldn't do it until we take care of the workers.

If we are going to give X number of dollars to the airlines, as we probably should, most of that money better end up in the pockets of the flight attendants, the pilots, the ticket agents, the mechanics, the baggage handlers, and all of the people who work for the airlines whom this body forgets about. Yeah, they serve us when we fly, and we don't even know their names. We probably know the CEOs' names, and we always help them, but we ought to be helping the workers.

Right now, we have a chance to stop this from spiraling out of control. We don't have another 2008 on our hands yet, but we have to act now. We don't go home for a week or two or three because Senator MCCONNELL has some whatever it is that would send us home. We need to act now. We need to make sure that we focus our efforts on preventing this virus from spreading and that we don't have one crisis—the healthcare crisis—stacked on top of an economic crisis, making the healthcare crisis worse.

We know that job is harder because of all the ways President Trump and Leader MCCONNELL have undone the many protections we put in place after the last crisis. They backed away from Wall Street reform safeguards. The President had a chance to get ahead of this virus and other public health threats, and he failed. He had a chance to get ahead of financial risks, and he failed.

Luckily, Senator MCCONNELL and the President haven't succeeded in getting rid of all of our Wall Street reform protections. They haven't succeeded in repealing the Affordable Care Act. Because of that, because of the work we did a decade ago with President Obama, we are in a better position now than we were in 2009. But we have to come together. We have to rise to this challenge. Corporate America needs to, too.

One way we can do that is to suspend these stock buybacks. Congress gave a huge tax cut to the wealthy in this country 2 years ago. Seventy percent of the benefits went to the wealthiest 1 percent.

I sat in the White House with the President and about 10 Senators. The President said: You know, everybody's pay is going to go up \$4,000, some as much as \$9,000. Those were the bookend numbers he used. He said that if we do this tax cut, it is going to trickle down and workers are going to get these raises.

Well, it didn't exactly happen that way. But do you know what did happen? After they got this tax cut, the executives started to do stock buybacks, taking money that should have been invested in workers, taking money that should have been invested in technology and upgrading their companies, but it went to executives—not exactly a shock to most of us. That is what happened.

Banks need to invest in their communities, not invest in their CEOs' stock

portfolio. Right now, JPMorgan is in the middle of an ongoing \$30 billion in stock buybacks. Wells Fargo is in the midst of a \$23 billion stock buyback, as if their executives, in all of their criminality and bad decisions, have earned it. That money would be better spent investing in small business, in medical research, and in relief for people who need help. The reason big banks are supposed to have that money is so that they keep lending and keep communities afloat when we have crises like this.

It is time for all of us to come together in the Senate, in the White House, in the communities across the country, and, yes, on Wall Street. That means we don't leave this building until we have done everything we need to do to get this epidemic under control, to get our communities the testing capacity and tools they need to manage this crisis, and to support the workers who are going to get hurt.

Leader MCCONNELL's responsibility—I don't care how he votes in the end—is to make the decision to put the House bill on the floor so we can vote on it, and President Trump, the day he gets it, needs to sign it.

Let's get help to the people we serve—not next week, not 2 weeks from now, not tomorrow; let's do it today.

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

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

NOMINATION OF JAMES P. DANLY

Mr. MANCHIN. Mr. President, I will be voting to confirm Mr. Danly's nomination to be a member of the Federal Energy Regulatory Commission. I am doing so because I believe he is well qualified for the job. He has been the Commission's general counsel for the past 2½ years. He understands the complex legal issues that come before the Commission.

I voted to report Mr. Danly's nomination, both last November and again last week, on the strength of his qualifications, not on politics. I urge my colleagues to do the same.

The position to which Mr. Danly has been nominated is one of five seats on the Federal Energy Regulatory Commission. By law, no more than three of the five seats can be held by one party. Only three of the seats are now filled—two by Republicans and one by a Democrat. The other Democratic seat has been vacant since last August.

Traditionally, when both a Republican seat and a Democratic seat have been vacant, past Presidents have sent nominations to fill both at the same time. I am deeply disappointed that this has not happened this time. The politics involved in this town are outrageous. It is truly outrageous that even proper decorum, simple civility,

and just a little bit of procedure are not even considered anymore.

The White House has had a highly qualified candidate to fill the Democratic seat for over a year, who has been totally vetted and has gone through all the processes that we have, but the President and his staff have still not sent us her nomination. I think they are scared. I hear this because she is a very, very bright, very smart, very articulate, and very intelligent person. She knows the issues, and she is well respected in her field.

By breaking the longstanding practice of pairing nominations and not sending us a nomination for the Democratic seat, the administration undermines the bipartisan structure of the Commission. I made a commitment to Mr. Danly that I would support his nomination because he is well qualified, and I will honor that commitment and vote to confirm him. Two wrongs don't make a right here, but this has got to stop.

Both sides have to stand up and say: Mr. President, this is a tradition. This is what we do. This is customary of what has been done, and it gives us a five-member FERC, which is extremely important for energy in our country and the reliability that we depend on.

But as I told my colleagues on the Energy and Natural Resources Committee, when we voted on Mr. Danly's nomination, I will not support another nominee unless we get both. This has to stop, and I am asking my colleagues on the Republican side to please help us with some kind of structure and some kind of procedure back into the operation. We need to start acting as a Senate and not be guided by the politics—the toxic politics—and this tribal mentality. I want the President to send us the nominations so we can have a fully functioning committee.

So with that, I ask all of my colleagues, please, let's vote for the qualifications of the person, not the politics of the person. Also, let's make sure we have a complete, working Commission and not just a partial Commission that is overweighted.

With that, I yield the floor.

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

Mr. MANCHIN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Texas (Mr. CRUZ), the Senator from Kansas (Mr. MORAN), the Senator from Georgia (Mr. PERDUE), and the Senator from Florida (Mr. SCOTT).

Further, if present and voting, the Senator from Kansas (Mr. MORAN) would have voted "yea."

Mr. DURBIN. I announce that the Senator from Washington (Ms. CANTWELL), the Senator from Minnesota

(Ms. KLOBUCHAR), the Senator from Vermont (Mr. SANDERS), and the Senator from Massachusetts (Ms. WARREN) are necessarily absent.

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

The result was announced—yeas 52, nays 40, as follows:

[Rollcall Vote No. 72 Ex.]

YEAS—52

Alexander	Gardner	Portman
Barraso	Graham	Risch
Blackburn	Grassley	Roberts
Blunt	Hawley	Romney
Boozman	Hoehn	Rounds
Braun	Hyde-Smith	Rubio
Burr	Inhofe	Sasse
Capito	Johnson	Scott (SC)
Cassidy	Jones	Shelby
Collins	Kennedy	Sinema
Cornyn	Lankford	Sullivan
Cotton	Lee	Thune
Cramer	Loeffler	Tillis
Crapo	Manchin	Toomey
Daines	McConnell	Wicker
Enzi	McSally	Young
Ernst	Murkowski	
Fischer	Paul	

NAYS—40

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

NOT VOTING—8

Cantwell	Moran	Scott (FL)
Cruz	Perdue	Warren
Klobuchar	Sanders	

The nomination was confirmed.

The PRESIDING OFFICER. The majority whip.

Mr. THUNE. Mr. President, I ask unanimous consent that with respect to the Dany nomination, the motion to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action.

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

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. THUNE. 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.

CORONAVIRUS

Mr. THUNE. Mr. President, last week, Congress provided billions in funding to address the coronavirus outbreak. These funds will help support virus research, testing, and medical care. Congress is now looking at other

measures that may be required, including measures to address the economic impact of the virus. The House may consider an economic response measure today, but my understanding is that its bill does not yet reflect an agreement with the White House, which will be needed to move any stimulus package.

I want to echo the leader's comments from yesterday and say that this is not a time for partisanship, and it is very important that we work together on matters related to the coronavirus so that we can get needed legislation passed in a timely fashion.

More Americans are testing positive for the virus each day—including eight people in my home State of South Dakota—and it is our responsibility as Members of Congress to work together to ensure that our country has the resources it needs to combat and defeat this disease.

There is no doubt that things are stressful right now. Americans are understandably worried about their own health and the health of their loved ones. But we have a lot of dedicated people working to keep Americans safe, from nurses and doctors to public health officials. Everyone is focused on making sure we do what we need to do to limit the spread of this virus. And all of us, of course, can help in that effort by paying attention to the guidance we are given, whether it is advice about washing our hands or avoiding large gatherings or a request to stay home for a while.

It is a challenging time, but America has been through challenging times before and emerged from them stronger. I am confident that if we pull together, that is what will happen again.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

NATIONAL WOMEN'S HISTORY MONTH

Mr. CARDIN. Mr. President, this Women's History Month, we have the opportunity to commemorate the 100th anniversary of the ratification of the 19th Amendment of the Constitution, which gave women the right to vote.

We recognize the countless women who have put their own safety and comfort on the line in order to make this country more just, democratic, and inclusive. These include heroes like Margaret Brent, a daughter of Maryland who was the first to demand a vote for women in the colonial legislature, and Sojourner Truth, who advocated for a more diverse and intersectional women's suffrage movement. Thanks to their bravery and that of many other activists, our Nation wit-

nessed the largest expansion of suffrage in its history.

A century later, we ought to celebrate that monumental achievement. The ability to vote has empowered women to demand a government that represents them and their interests, and they have taken their power seriously. Women have voted in higher numbers than men in every national election for the last 55 years. In 2018, we saw the results that can happen when women raise their voices and fight for a more inclusive democracy as a record 117 women won elections to Congress across the United States.

We cannot overstate how dramatically the adoption of the 19th Amendment has changed our country for the better, but it is also incumbent upon us to take stock of the progress that still needs to be made.

Just a few years after women won the right to vote, a suffragette named Alice Paul introduced another critically important constitutional amendment, one that would go even further in guaranteeing the equal status of women. It was called the Equal Rights Amendment, or the ERA, which reads as follows: "Equality of rights under the law shall not be denied or abridged by the United States or by any State on account of sex." That is it. It is just 24 words. Yet those 24 words have the power to correct a 250-year silence in our Constitution when it comes to recognizing and protecting women's equality.

The ERA was ratified by the U.S. Congress in 1972, and with Virginia's ratification this past January, enough States have adopted the amendment to meet the threshold for it to be added to the Constitution. So what is the hold-up? Why isn't it a part of the Constitution yet? When Congress ratified the Equal Rights Amendment, it imposed a deadline for State legislatures to ratify. That deadline has passed.

There should never be a deadline on equality. The Constitution does not call for time limits for the ratification of amendments, and there is precedent for amendments being added to the Constitution as many as 200 years after having first been proposed.

Most importantly, just as Congress had the power to impose and extend the deadline by resolution, we have the power to remove it through the same means. That is why I have introduced a resolution with Senator MURKOWSKI to remove the ratification deadline for the Equal Rights Amendment. Representative JACKIE SPEIER introduced a companion resolution that has already been passed by the House of Representatives. We are closer than ever to making the Equal Rights Amendment a reality.

This measure has historically enjoyed bipartisan support. The vast majority of Americans—94 percent of them—is in favor of a constitutional equality amendment. Perhaps it is because they understand that this is an issue not of politics but of basic human

rights. If you have any doubt about that, just look at the rest of the modern world. Every constitution written around the globe since World War II recognizes the equal stature of men and women. Ours does not. That is shameful.

Among those who are hesitant to support the ERA, one of their most common arguments is that it is not necessary. People argue that women already enjoy equal rights and protections in our society, so what is the need to write it down? To them, I say think again. Although the wage gap between men and women has narrowed over time, it still exists today. In 2019, women earned only 79 percent as much as their male counterparts for similar work. This disparity is even worse for women of color. It affects women their entire lives, and it affects their retirements. Recent data show that women over 65 are twice as likely as men to live below the poverty line. We owe it to America's women—to our mothers, daughters, sisters, friends, and selves—to remedy this societal failure.

Furthermore, as it stands, women in the United States have no Federal recourse for gender-based violence. Because of that, the courts have allowed police officers to refuse to defend victims of domestic abuse and have even struck down the protections offered by the Violence Against Women Act. The Equal Rights Amendment would require the Federal Government to prohibit and penalize this type of discrimination.

Justice Ruth Bader Ginsburg once said that, if she could choose an amendment to add to the Constitution, it would be the Equal Rights Amendment because she would like her granddaughters, when they pick up the Constitution, to see that notion—that women and men are persons of equal stature—as being a basic principle of our society. As a grandfather of two granddaughters myself, I couldn't agree more. I want them to know that, in America, they will enjoy the same protections and opportunities as anyone else.

I want every young person to grow up understanding that her dreams are within reach, that her autonomy is respected, and that her life is significant. In order to make that a reality, women need more than the right to vote, as fundamental as that is; they need a promise that they will be free from all forms of discrimination and injustice. That is why men, women, Republicans, and Democrats must come together in order to correct that silence in our Constitution—a silence that speaks volumes. We must all unite to support the Equal Rights Amendment.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

HONORING OFFICER BRENT SCRIMSHIRE

Mr. BOOZMAN. Mr. President, I rise to honor Hot Springs Police Officer First Class Brent Scrimshire, who was killed in the line of duty on Tuesday, March 10.

A native of Malvern, AR, Brent Scrimshire graduated from Malvern High School and Henderson State University.

Officer Scrimshire was an exemplary member of law enforcement. He had served on the Hot Springs police force for a number of years and was recognized as the department's Employee of the Quarter just recently in acknowledgment of his unique dedication, work ethic, and professionalism.

Arkansas Attorney General Leslie Rutledge also named him the Southwest Region Officer of the Year in 2016, which, according to media reports, he earned in part because of his lifesaving action when he helped to control the bleeding of a stabbing victim.

"Scrim" was known for treating his brothers in blue, as well as those he encountered while doing his job, with kindness and dignity. He also enjoyed being outdoors, hunting and fishing.

Officer Scrimshire deeply loved his wife and two children, who are now left behind to go through life without the devoted husband and dad they adored.

Our hearts break for them, the rest of his family and friends, and his entire family at the Hot Springs Police Department. His death is a tragic reminder of the risks our law enforcement officials face each time they put on the uniform.

I send my deepest condolences to Officer Scrimshire's loved ones. We honor his service and his sacrifice and pray all those fortunate enough to have known him will find comfort in his legacy and in the outpouring of love and support from so many.

On behalf of all Arkansans, we celebrate Officer Scrimshire's life and example of courageous, willing, and selfless public service. May he rest in peace.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

CORONAVIRUS

Mr. CORNYN. Mr. President, earlier today, as the Senate knows now, Leader McConnell announced that we would cancel our State work period so we could continue to work on legislation here in Washington, DC, to help families and our communities get

through the economic effect of the coronavirus's spread. I am glad he made that decision, and I look forward to continuing to work on those issues for the benefit of our constituents and the Nation.

This situation calls for an all-of-government response, and it will allow us additional time to hammer out a bipartisan agreement to respond to the ripple effect that this outbreak is having in Texas and across the country.

As we continue our discussions on this legislation, I would just urge my colleagues that this is a time to put partisanship aside and stop playing politics, if there ever was one.

There is actually precedent for that. At the height of the Ebola crisis in 2014, Republicans in the Senate worked with our Democratic colleagues and President Obama to ensure we were ready to treat Texans and other Americans who needed care from that particular disease.

We need to come together to do the same now, not to use the opportunity to attack or score political points or to try to damage our opponents. Unfortunately, that seems to be the first impulse of some of our friends across the Capitol Chamber.

Most of the public concern is focused on the elderly, on cruise ship travelers, and those with underlying medical conditions, but we need to think of every family, every college student, and to make sure that everyone who is worrying about how to make ends meet during this particular crisis because they had to stay home and miss work has their concerns addressed as well. This virus could disrupt everyone's daily routine in one way or the other, and as we have seen from the departure of some of our colleagues for self-quarantining, we are truly in this together.

I am glad we will be staying in session to try to bring as much relief and reassurance as we can in this uncertain time, and I look forward to all of us, Republicans and Democrats, the House and the Senate and the White House working together to get every American ready for what is to come.

It is not just the Senate that is altering its plans due to the coronavirus. Across the country, serious measures are taking place out of an abundance of caution to keep the American people safe. Some schools are choosing to close their doors, nursing homes are barring visitors, and major events like South by Southwest in Austin are canceling.

On the global scale, we are seeing an unprecedented action, including all of Italy—some 60 million people—going on a complete lockdown.

For many Americans, it seems like this public health crisis has escalated incredibly quickly. We went from never having heard of this new virus to constant news coverage about its growing reach within a matter of weeks.

But this outbreak began long before the average American even knew it existed, and it was no accident that Chinese officials kept the rest of the world in the dark.

One of first people to sound the alarm about the novel virus—that is what they call it, the novel coronavirus—was 34-year-old Chinese doctor Li Wenliang, who, sadly, became a victim of the coronavirus.

On December 30 of last year, after seeing several patients who he believed at the time to have SARS, another type of coronavirus, Dr. Li messaged a group of medical school classmates to let them know that he had seen something new and different and potentially dangerous.

Dr. Li told them that these were confirmed cases of coronavirus infection, but the exact strain was still being subtuned. He also urged them to have their families and friends take protective measures, but these messages were soon shared much wider than the intended audience, and the Chinese Communist Party and the government quickly stepped in to stop this information from being spread. Chinese police reprimanded Dr. Li and several others for “spreading rumors” about the virus.

In the Chinese Government’s effort to carefully conceal information about the rapid spread of symptoms throughout the city of Wuhan, this amounted to a big threat. They continued to take extreme measures to assure the Chinese people that there was no need for them to be concerned. They even refused to acknowledge the risk of human-to-human transmission, which is responsible for the global spread of this virus.

While this is a novel coronavirus strain, the underlying story is familiar. Chinese officials learn about a deadly outbreak of a new virus; they try to conceal the news; they aren’t transparent with their own people, much less other countries; and when the word begins to spread beyond their borders, they try to downplay the seriousness, even going so far as to manipulate data about the number of cases or fatalities.

We saw this story line play out with the bird flu in the late 1990s and again with the SARS epidemic in the early 2000s. This is just the latest example of the Chinese Communist Party’s failure in the face of a public health crisis. They continue to deny the facts and put their pride before public safety. It is a symptom of a much larger centralized censorship that we have come to associate with the Chinese Government, one that represents a threat to the rest of the world.

Imagine if the situation were different, if the government had listened to Dr. Li’s initial warnings, if they had reached out to international aid organizations and asked for assistance, deployed additional resources to hospitals in Wuhan, and told the Chinese people to exercise normal caution.

Now, there is no way to be sure, but I imagine the current situation would look somewhat different.

China’s censorship seriously handicapped our global response to this new virus, and they continue to release inconsistent and misleading statistics about the current state of the virus.

They have reported that the number of new cases continues to decrease, but I ask you: How can we possibly trust this data? How can we know that this isn’t just the latest attempt to downplay the crisis?

While China’s lack of transparency on the coronavirus has, without a doubt, had the greatest global impact, it is not the only country guilty of misrepresenting the nature of the threat in the rest of the world.

We also suspect massive censorship from Iran, which is battling one of the world’s largest outbreaks. According to the Coronavirus Resource Center, which is operated at Johns Hopkins University, Iran has more than 9,000 cases. For reference, out of the more than 120,000 cases worldwide, China has far and away the greatest number, with more than 80,000. Italy is a distant second with more than 10,000, but Iran is not far behind.

Just as China sought to keep initial reports of the virus quiet and downplay the impact, so did Iran. The leadership in Iran urged the Iranian people to vote in last month’s sham election, saying rumors about the virus were being pedaled by the United States to suppress voter turnout. They mocked the concept of quarantines. They even exported their masks to China, expecting that the coronavirus would have no impact on their country.

As we predicted then and now know, the Iranian leaders were absolutely wrong. They are now in the throes of trying to control the spread of the virus, which has claimed the lives of more than 350 people in Iran, and that is just the ones we know about.

It is widely believed that Iran, like China, is suppressing data to make the situation seem less dire than it really is, and it is not just the civilians who are being impacted. Yesterday reports surfaced that Iran’s Senior Vice President and two other Cabinet members have the coronavirus. That comes after previous reports of other current and former officials being admitted to hospitals and at least two deaths.

The actions taken by the leaders of these countries—Iran and China—have, without a doubt, contributed to the rapid rise and spread of the coronavirus. They have concealed information; they have misrepresented the facts; and they have lied to their own citizens and the global community, all in their own self-interest.

The reflexive censorship from China and Iran put the rest of the world at greater risk, and it handicapped our preparation for ways to address it.

As our leaders, health officials, doctors, nurses, and scientists continue to work around the clock to contain this

virus, we have to have transparency, and we have to know the facts.

If we are going to have any success on a global scale dealing with the coronavirus, we need honesty and transparency from all countries.

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

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

UNANIMOUS CONSENT REQUEST— H.R. 6172

Mr. LEE. Mr. President, they spied on the President of the United States. They used the apparatus of the U.S. Government’s superb intelligence gathering agencies to spy on then-Candidate Donald Trump, now President of the United States. They did so in a way that was entirely predictable, entirely foreseeable, and in some ways avoidable, if, in fact, we had the right laws on the books. We don’t. That needs to change. That is why this moment is a pivotal moment when three provisions in the Foreign Intelligence Surveillance Act are about to expire this coming Sunday, March 15.

We have known that this day was coming for many years. In fact, it was in 2015 when Congress last reauthorized the three expiring provisions on any long-term basis. The three expiring provisions are, of course, known as Lone Wolf, Roving Wiretaps, and 215. It is to the last of these three sections, 215, that I am directing most of my remarks today.

Now, 215 is only the beginning and not the end of the portion of the Foreign Intelligence Surveillance Act, also known as FISA, that needs reform. We need reform across the board, but the expiration of 215 gives us a unique opportunity to do that. We reauthorized it in 2015, knowing that it would come back again for reauthorization in December of 2019.

In December of 2019, we were in the middle of doing other things, so an agreement was made within this body that we would extend 215 and the other two provisions until this coming Sunday, March 15. So absent action by this body between now and Sunday, March 15, those three provisions of law will expire.

Those three provisions of law should not have to expire because we ought to be able to reform FISA. A number of us have been working on this not just for days or weeks or months but, literally, years. I am now in my 10th year in the U.S. Senate. Basically, the entire time, I have been working on reforms to FISA, figuring out where its weak spots are, and warning my colleagues years in advance that at some point this would be abused.

We have to remember what happened with the Church Committee. The Frank Church Committee, a few decades ago in the U.S. Senate, looked at the use of intelligence gathering and concluded that in every administration—basically from Wilson through Nixon, who was the President immediately before the Church Committee did its investigation and issued its report—U.S. intelligence gathering agencies had abused their authority for partisan political purposes basically to engage in political espionage. We know that this is dangerous. We know that this is bad. We also know that this is just the beginning and not the end of the opportunities for abuse.

Consider this: Given the breadth and the wide scope on the authority provided under FISA and given the fact that the Foreign Intelligence Surveillance Court is able to operate in secrecy and, for the most part, without any type of appellate review and any type of judicial review, these are provisions that are, in fact, vulnerable and susceptible to abuse.

So it is not just the President of the United States who has reason to be concerned about this. If the President of the United States has reason to be concerned about it, as he does—he reminded us just in the last few hours, issuing a statement this morning indicating that he still has concerns with FISA and that many Senators are pointing out the flaws in the reform package passed by the Democratic-controlled House of Representatives earlier this week and that many have encouraged him to veto that legislation on that basis. But if the President of the United States himself has reason to be concerned about FISA, what about the rest of America? This is just the episode that people know about in connection with the abuse that took place in the Carter Page investigation. Had Donald Trump not become President of the United States, we might well still not know about this particular instance of abuse. Because of the secret manner in which this law operates and the failure to provide special protections for known U.S. citizens, we all stand vulnerable—every American citizen, whether they hold office or not, whether they are famous or not, whether they are rich or poor, regardless of their culture, their background, or what part of the country they hail from.

So what we are seeking here are a few modest reforms to make sure that it is a little bit harder to abuse this law. We know human beings are flawed and fallible, and we have to rely on human beings to run governments. It would be nice, as James Madison said, if men were angels because, as Madison wrote in *Federalist* 51, if men were angels, they wouldn't need a government. And if we had access to angels to run our government, we wouldn't need all these rules surrounding the extent of the power of government to protect us from the inherent risk associated with

the unjust, excessive accumulation of power in the hands of a few.

But, alas, we are not angels, nor do we have access to angels to run our government, so we have to rely on rules. The rules we are proposing are not excessive. They are not extreme. They are actually very mild. Among other things, we would like to see more robust amicus provisions, meaning provisions allowing for a third-party advocate in the FISA Court to be called in, under certain circumstances, especially involving a sensitive investigation—involving, for example, a political campaign or a candidate, an office holder, a church, a media establishment, something like that that operates with express constitutional protection. An amicus ought to be appointed to represent an absent contrasting viewpoint, to represent American citizens where American citizens' rights might be in jeopardy.

Understanding, as we have since 2015, that these provisions would be expiring first in December of 2019 and then we reauthorized them for a short period of time to give us more time to address these amendments, I have, for years, been working on proposals and revisions to FISA with this specific expiration deadline in mind.

I have not been, nor have any of my colleagues who have concerns about this, unreasonable or extreme in our demands. In fact, for me, personally—and I will not purport to speak for anyone else in this—for me, personally, I would be fine with two of the three provisions being reauthorized without any further modification. Lone Wolf and Roving Wiretaps—let them get reauthorized; that is fine. Let's deal with 215 separately.

Incidentally, section 215—if Sunday comes and passes, 215 doesn't go away. It just reverts back to a previous version of 215—a previous version that still gives the government the ability to gain access to some business records associated with FISA-ordered targets. It is just a narrower category.

Now, we can argue about whether that earlier provision would be adequate. Incidentally, inspectors general have looked at this and concluded that the 9/11 attacks were not the fault of the inadequacy of 215. They were the result of mishandling of information that they did, in fact, gather and were able to gather.

In any event, I would love to be able to have that conversation separately with regard to 215 without all three of these provisions being held hostage simultaneously. I have made that offer. That offer has been rejected.

I also think another appropriate approach in this circumstance might well be to give ourselves a 45-day extension. A 45-day extension would give us a little bit more time to deal with the coronavirus-related crises that we face right now and then consider and debate and vote on some additional amendments—some amendments that have never had the opportunity to see the light of day.

Keep in mind, this provision—getting back to the expiring provision that I have concerns with, section 215—existed prior to the moment when it reached its current formulation. When it existed in that formulation, it really did what the government needed it to. No one really argued that it had been inadequate. There were some people, I am told—I wasn't in the Senate or in Congress at the time that it came to be. I am told that its advocates included Robert Mueller, Jim Comey, and others, who just thought it would be a good idea to give the government more power.

We have seen since then what happens when you give Jim Comey and Robert Mueller and other people in the government more power, and we have seen that there are some risks associated with this, not just if you are a President of the United States or a candidate for the Presidency of the United States, but we know that all Americans are potentially vulnerable.

So we fast forward to earlier this week, less than 48 hours ago. We received legislation, the legislation that was passed by the House of Representatives yesterday. That legislation was negotiated without involvement or without direct input from anybody in this body. The majority leader himself has stated publicly that he was not involved in the negotiation of that measure. That measure was passed within about 24 hours after it was introduced. It is now coming over here.

Now, I am not saying that it shouldn't be considered. In fact, I am kind of saying the opposite of that. I am saying, I am happy to consider it, but we need the opportunity to actually consider it. The world's greatest deliberative legislative body or so it calls itself—the Senate—is supposed to be the cooling saucer, the cooling saucer where the hot tea spills out and is allowed to cool before it is consumed.

In these circumstances in particular, where rights are at stake, rights are at stake that are potentially threatened by provisions under this bill—this bill introduced by Representative NADLER, and supported by Representatives SCHIFF, PELOSI, and others—which hasn't had the opportunity to be independently reviewed in the Senate or to be debated or discussed or amended in the Senate. That is all I am asking for here.

All I ask is to give us a few weeks. Let's take 45 days. Give the Senate a chance to deal with the immediate crises associated with the coronavirus and then a chance for us, in a timely fashion, to review the Pelosi-Nadler-Schiff bill and consider our own amendments to it—bipartisan amendments from people who have reached across the aisle in an effort to make this bill better.

So it is for those reasons that I ask unanimous consent that the Senate proceed to the immediate consideration of the Senate bill at the desk providing for a 45-day extension of FISA. I

ask unanimous consent that the bill be considered read a third time and passed, and that the motion to reconsider be considered made and laid upon the table; further, that at a time to be determined by the majority leader in consultation with the Democratic leader, the Senate proceed to the consideration of H.R. 6172 and that the only amendments in order be six amendments offered by the following Senators: Senator LEE, Senator LEAHY, Senator DAINES, Senator WYDEN, and Senator PAUL. I further ask that upon disposition of the amendments, the bill, as amended, if amended, be read a third time and the Senate vote on the bill, as amended, if amended, with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from North Carolina.

Mr. BURR. Mr. President, reserving the right to object, I want to thank my colleague. He has shown more interest in this bill today than he has ever in the history of tools that keep us safe.

I remember Paul Harvey on the radio. He always came on and said: "Now, for the rest of the story."

Senator LEE has never supported this bill, never supported giving any of these authorities to law enforcement. And let me explain what they are—roving wiretap and lone wolf. Lone wolf is that individual out there who pops up, whom we can find, who is not tied to an international terrorist group but is homegrown. On wiretapping, we are going to take roving wiretaps away from the Federal Bureau of Investigation, and we are going to take it away for terrorism. But since 1960, they have had roving wiretaps for organized crime—think about that—and then business records and their access to business records to find those clues that we need to keep America safe.

Senator LEE talked about us holding hostage. No, we are not holding anybody hostage. He is holding the bill hostage to get amendments, some of which shouldn't even be considered under the reauthorization of section 215. They are FISA reforms being taken up by the Senate Judiciary Committee.

That bill that came over from the House—the one supported by PELOSI, SCHIFF, and NADLER—is actually a bipartisan bill that 63 percent of the Republicans in the U.S. House of Representatives have supported. It is Leader MCCARTHY. I will not go down the list of them. But it is easy to make this out as the boogeyman.

But to my colleagues, we don't play national security risk, boogeyman games against the American people. We err on the side of providing as many tools as we possibly can to make sure that our oath to keep America safe is as robust as it possibly can be.

Now, why do we need to do this? It is because we need to provide law enforcement the certainty of knowing that they can continue to use these tools. If not, we are going to have cases that they are working on today where

they have to stop at midstream and start over at some point later on. The question is, Will they be able to, or will they have lost the coverage they need on a certain individual?

Now, what happens if they are gone? Well, we have been there. This is the result of trying to create guardrails that these agencies operated in. The President, under 12333 authority, can do all of this without Congress's permission, with no guardrails, with no ability to go in and say: Stay within this.

That authority exists.

The thing that I hear the most is that we want the ability for an amicus to go in and represent somebody in front of this foreign intelligence court. Well, let me tell you something that you are never going to be told. The court itself has the authority, today, to assign an amicus to any case that comes before the court. And what better judge is there to make a determination as to whether an individual on whom there is an application on for FISA coverage than the court itself to determine: Is this a person, an individual, who needs to be represented by a third party? No, it is not good enough to let the courts do it; they want to make sure that everybody does it. And when everybody does it, we slow down a process because that is what they are there for. We slow down a process that is there trying to be ahead of the security risk that might have been prevented.

Personally, I am ready for a big debate. We are going to have it next week, and we can have a debate on every one of the amendments of Senator LEE and the list of people he gave, and I think that they will be struck down. But I am not going to have a 45-day extension. I will let us go dark. I will let us go dark, and if there is a need, the President, by Executive order, can do it for whatever period people think they are willing to let it expire.

I will make every attempt to try to get this process of reviewing FISA—not 215—in the Judiciary Committee, where it should come out of, where the folks on the Judiciary Committee, who are experts on the interactions with the court, have an opportunity to have input.

These amendments may never come out of the Judiciary Committee. They may never come out. Yet they want to expedite them and bring them right to the floor on a bill that is not necessarily appropriate to put them on.

Why? It is because they know by themselves they will never become law. They will have a tough time. So they will hold up those tools that we use for national security in an effort to try to get some changes.

Well, I am holding the changes. This is not a straight reauthorization. This is a bill that has very carefully been crafted by the Attorney General, the Speaker of the House, and the minority leader of the House. Sixty-three per-

cent of the Republicans and not as many a percentage of the Democrats supported it. I think it was 270-some votes out of the House of Representatives.

Truthfully, by unanimous consent today the Senate should approve what they passed, but we will not because somebody wants to demand all of these amendments.

So for that reason, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. LEE. Mr. President.

The PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. Mr. President, I appreciate the care, attention, and detail shown by my friend and colleague, the distinguished senior Senator from North Carolina. I do disagree with him for 10 independent reasons.

No. 1, as to the suggestion that the proponents of the unanimous consent request now before this body—that is, the very simple, clean reauthorization of the expiring provisions for 45 days, giving the Senate an opportunity to spend just a few weeks to debate and consider these amendments after dealing with the coronavirus crisis—he suggested that I, as the proponent of this measure, have—I think the words were—never supported any of these tools, never in my entire time in the Senate lifted a finger to support these tools. That is curious because I was the author and lead sponsor of the USA FREEDOM Act, which, in 2015, extended and reauthorized these very same provisions. So his first argument is factually incorrect.

No. 2, he points to the lone wolf and roving wiretap provisions as things that he is concerned about. I understand that they want those. Now, lone wolf isn't used, but it is sort of a security blanket. People like knowing that it is there within the government, and I am willing to let that go. Roving wiretaps are used from time to time. I am willing to let that go. In fact, I have offered repeatedly—and I will offer again right now, if it is helpful—that I am willing to reauthorize those right now without a single modification, without a single limit beyond what has already been put in for the other provisions. I am willing to do that free of charge on anything. So those arguments are frankly disingenuous.

No. 3, as to the suggestion that I am somehow holding this bill hostage, I say to the Senator: You, sir, have it wrong. You have it precisely backward. What I am doing is saying: Let's preserve the status quo. We have a crisis to deal with, with the coronavirus.

It is of great frustration to me that this body, through its majority leadership and through its other leadership has known for years—I put them on notice for years, for basically the entire time I have been at the U.S. Senate—that I am concerned about these provisions. I have made known ever since 2015, when we reauthorized these provisions at issue, that I would continue to

want more reforms. Why we waited until the final days before the expiration of that period is beyond my ability to understand. But it is factually incorrect and manifestly unfair to suggest that I am the one holding this hostage.

I say to the Senator: It is quite the other way around, sir.

As to the suggestion that these are FISA reforms, not PATRIOT Act reforms, well, yes, they are all part of this package that we refer to collectively as the Foreign Intelligence Surveillance Act. The Senator is right as to the provisions, especially the provision that I am most concerned about, section 215, as we call it—section 215 of the USA PATRIOT Act. I give him that one, but that doesn't address the substance of the problem here.

As to Senator BURR's argument that we should err on the side of keeping Americans safe, I absolutely agree with that. There is no dispute about that.

I also agree with the findings of the Privacy and Civil Liberties Oversight Board that concluded a few years ago that our privacy and our security are not at odds with each other. This is not a zero-sum game between those two objectives. Our privacy is, in fact, part of our security. One of the reasons we became a nation, one of the reasons we don't fly the Union Jack or sing "Hail to the Queen" or wear wigs and robes in court has everything to do with the excessive abuse of the rights of English subjects, including those on this continent, while we were existing as British Colonies. Our privacy and our security are not at odds with each other. They are in fact part of the same cohesive whole.

No. 6, the argument made by Senator BURR that this provides uncertainty for law enforcement, well, let me tell you why that is the case. The only reason there is uncertainty for law enforcement on this, for our intelligence community and law enforcement agencies that handle this stuff, has everything to do with the fact that he just objected to this unanimous consent request.

We could, right now, eliminate their uncertainty. We could have, likewise, at any point in the months leading up to this, at every point in which I would have been willing to debate and discuss these things. For years I have had reforms on the table that we could have considered. We could have brought those up. We could have done it then.

It is not me who is creating the uncertainty for law enforcement. It is instead the unreasonable objection to receive any of my offers, including passage of the Leahy-Lee bill, including passage of lone wolf and roving wiretap independently, including simply extending and cleanly reauthorizing the three expiring provisions for 45 days, giving us the chance to consider a handful of amendments.

So I say to the Senator: Don't talk to me about being the one who has created uncertainty. That, sir, is you.

No. 7, Senator BURR argues that a President of the United States can do all of this, in any event, without the three expiring provisions on the books. Well, my response to that is that is kind of curious. If that were the case, why is he fighting so hard for these provisions? Why should anyone be concerned about their expiration? He suggests somehow that we would not have guardrails—any guardrails in place—if, in fact, these were allowed to expire. If they were allowed to expire, I am not familiar with any authority that would provide language identical to that found in lone wolf or roving wiretap or 215.

So if that is the case, perhaps you, sir, would rather have them expire. I really don't know, and I don't think that advances your argument.

No. 8, the suggestion was made that these amicus provisions—which are not the limit; they are one of six amendments that I would like to propose and I would like the Senate to consider. But the FISA Court already has the authority to appoint an amicus. Well, this is true. We put that in the USA FREEDOM Act in 2015. The court does have that authority. That doesn't mean it happens as often as it should. In fact, as we saw with the abuse that took place in connection with Operation Crossfire Hurricane targeting the sitting President of the United States when he was a candidate, in many cases, the FISA Court judges are not themselves terribly careful. Perhaps it would be helpful to have somebody else in the room. I don't know why we should be so afraid of that.

No. 9, to the extent that anyone is going to let this program go dark and if that concerns you, then you ought to agree to this unanimous consent request. This unanimous consent request will result in it not going dark.

I have made it entirely foreseeable that I would want to have amendments at least debated, discussed, and considered before we got to this moment. It is not unreasonable for me to ask. I am not asking that you accept these amendments, that you incorporate them into existing law; I am instead simply asking that we be given the opportunity to vote on them.

Finally, No. 10, Mr. BURR argues that this legislation was carefully crafted by the Attorney General, the Speaker of the House, and several other officials and that some 270 or so Members of the House of Representatives voted for this. Well, good for them. That is their prerogative. I have my own election certificate. I serve in a different legislative body. I am aware of no obligation on my election certificate that requires me to defer to the Pelosi-Nadler-Schiff bill. In fact, I refuse to do that. It is insulting to this body.

Had the Founding Fathers wanted to create a unicameral legislature, they could have done so. Had the Founding Fathers wished to create the Senate of the United States as simply a rubberstamp that would review what

the House of Representatives did and then have a veto, yes or no, open or closed—a binary reaction to what the House of Representatives did—they could have, they would have, and they should have done so. They did not. We have our own independent obligation to review this legislation. I have done so. I find it inadequate.

I am not demanding that all my amendments be accepted as a condition precedent for my willingness to keep these from going dark. All I am saying is that I want the opportunity to have amendments considered—bipartisan amendments—introduced by several Members.

So I am going to make another request. I will tone this one down. I will modify this one.

Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of the Senate bill at the desk providing for a 45-day extension of FISA. I ask unanimous consent that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table; further, that at a time to be determined by the majority leader, in consultation with the Democratic leader, the Senate proceed to the consideration of H.R. 6172; and that the only amendments in order be five amendments offered by the following Senators: Senators LEE, LEAHY, DAINES, WYDEN, and PAUL. I further ask that upon disposition of the amendments, the bill, as amended, if amended, be read a third time and that the Senate vote on the bill, as amended, if amended, with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. BURR. I object.

The PRESIDING OFFICER. The objection is heard.

Mr. LEE. Mr. President, you might notice a pattern here. This pattern is going to continue. This pattern is going to continue because this is unjust. This is unrealistic. This is unsustainable.

This used to be a body that prided itself on being the world's greatest deliberative legislative body. It is a body that has its own unique protections attached to it.

Article I of the Constitution sets out the parameters of the Senate, and it makes clear that it will consist of exactly two Members representing each State. The one and only kind of constitutional amendment that is preemptively unconstitutional, that cannot be adopted, is that type of amendment that would undo this fundamental, sacred principle of equal representation among and between the States in the Senate. You cannot do that.

They did this with a distinct purpose in mind: that we would have the ability to represent the States as States; that we would not be just a roving commission on what was satisfactory or whether the House of Representatives had done its homework but that we

would be our own independent legislative body. We would be betraying our oath to the Constitution and those whom we represent if we didn't do this.

This used to be a place, for that very reason—in fact, until quite recently, it was a place where any Senator could have any amendment considered on any legislation. Basic standards of collegiality, of decency and respect for each other and for the rule of law itself convinced Members over centuries—literally centuries—to defer to each other in at least their opportunity to propose and vote on amendments. In recent years, we have seen this deteriorate. We have seen it deteriorate, sadly, under the leadership of Republicans and Democrats alike. We have seen it deteriorate at the expense of the representation of each individual State.

This simply isn't acceptable, that we would get to this point in legislation and we would be unable to vote on or consider basic amendments to so important a law. They are asking us to reauthorize these expiring provisions—provisions with profound implications not only for national security but also for privacy, which are part of the same cohesive whole—and they are asking us to reauthorize those until December of 2023 with only minimal reforms—reforms that, I would add, are modest at best, that are perhaps well-intentioned in some ways, but the Pelosi-Nadler-Schiff bill doesn't cut the mustard. It doesn't do the job.

I have just asked for six amendments. That was too many. And I have asked for five amendments, and that was too many. Surely they are not suggesting that we can't ask for any amendments, because if they did, that would be patently ridiculous. That would be uncollegial. That would be uncivil. It would be unsenatorial. So we will try this again. We will see what we can do with four.

Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of the Senate bill at the desk providing for a 45-day extension of FISA. I ask unanimous consent that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table. Further, I ask that at a time to be determined by the majority leader, in consultation with the Democratic leader, the Senate proceed to the consideration of H.R. 6172 and that the only amendments in order be four amendments offered by the following Senators: Senators LEE, LEAHY, DAINES, WYDEN, and PAUL. I further ask that upon disposition of the amendments, the bill, as amended, if amended, be read a third time and that the Senate vote on the bill, as amended, if amended, with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. BURR. I object.

The PRESIDING OFFICER. The objection is heard.

Mr. LEE. Mr. President, this is the natural product of the American people

being asked again and again to simply accept that this is how things will operate. The American people are told to just settle—to settle for budgets that don't balance or come anywhere close to it; to settle for a government that spies on you, that lies to you, that overreaches, and a legislative branch that is somehow all too content and seemingly eager and willing to allow and perpetuate and even expand those authorities.

This is unacceptable. We shouldn't settle. We shouldn't settle for an overreaching government. We should expect a government that respects the letter and spirit of the Fourth Amendment. We shouldn't settle for a Senate in which the rights of individual Senators—a bipartisan group of Senators that has been trying for years to just have a vote on a few reasonable amendments—would be shut out. We should expect an open, robust debate, discussion, and amendment process.

Don't settle for any of this. You should expect more. We should all expect freedom. We should all expect debate and liberty and the protection of your fundamental rights as American citizens.

So we will try this again, rolling the number down to an absolute bare minimum number of three amendments.

Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of the Senate bill at the desk providing for a 45-day extension of FISA. I ask unanimous consent that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table; further, that at a time to be determined by the majority leader, in consultation with the Democratic leader, the Senate proceed to the consideration of H.R. 6172 and that the only amendments in order be three amendments offered by the following Senators: Senators LEE, LEAHY, DAINES, WYDEN, and PAUL. I further ask that upon disposition of the amendments, the bill, as amended, if amended, be read a third time and that the Senate vote on the bill, as amended, if amended, with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. BURR. I object.

The PRESIDING OFFICER. The objection is heard.

Mr. LEE. Mr. President, earlier today, when the President of the United States issued a statement about the Pelosi-Nadler-Schiff bill purporting to but utterly failing to meaningfully reform the three expiring foreign intelligence surveillance provisions at issue, the President expressed grave concern over the process. He expressed grave concern over the content of the Pelosi-Nadler-Schiff bill, which the Senate reviewed, voted on, passed without amendment, without adequate debate, violating the House of Representatives' own 72-hour rule in order to get there. Perhaps he was talking about

that, or perhaps he was talking about the fact that the Pelosi-Nadler-Schiff bill really doesn't fix the problem. In fact, look at the fact that there was overt, politically motivated targeting that took place against the President of the United States.

Now, look, I know—I know—those were different provisions under title I of the Foreign Intelligence Surveillance Act. I get that. But it is still part of the same legislative package. It is still part of the same set of laws we are concerned about here. The only time where we have the meaningful opportunity to take a deep breath and debate, discuss, and possibly amend these provisions is when they are set to expire.

I referred earlier to the USA FREEDOM Act, which I authored and sponsored, along with my distinguished friend and colleague Senator LEAHY, the senior Senator from Vermont, back in 2015. That was brought about as a result of and during the moment when we were approaching the expiration of these very same provisions.

That is how we bring about reforms. In fact, we brought about some reforms in that very legislation that were outside the narrow context of the three expiring provisions in question. There is no rule, no law etched in stone, written into the rules of the Senate, the Constitution, or anything else that tells us that we cannot, that we may not, that we should not edit or amend or reconsider any provision outside the narrow expiring provisions that we are facing with FISA. Quite to the contrary, we have a pattern and practice in the past that has established that this is the way we do things.

Look, in fairness, I wish we debated and discussed and amended these things a whole lot more because these laws are really messed up. We ought to be reviewing them and updating them a lot more often—not because the people implementing them are bad. Maybe some of them are. I don't know them. They have done some bad things, some of them. I am sure there are a lot of people who have access to these tools who are hard-working, well-intentioned, well educated, and highly specialized. I am even willing to assume most of them fit that description and wouldn't ever knowingly, intentionally violate that law. But the fact is, the law has been violated. There are very few instances that we actually know about. Why? Well, because this whole thing operates under the veil of secrecy.

Sunlight illuminates and it also disinfects, and the opposite happens when a court—a court charged with the sacred responsibility of determining and in some cases limiting the rights of the American people, U.S. citizens—operates in secret.

I devoted my career, prior to coming to the Senate, to litigation, specialized primarily in appellate litigation and dispositive motions in Federal court. One of the great things about the U.S.

court system is the fact that, despite its flaws, I would put it up against any system of its kind anywhere in the world. The reason is, it is done, with very, very few, narrow, careful exceptions, under the light of day. Rulings, decisions, and judgments are made public and are subject to appeal, usually on multiple levels. That is not how the Foreign Intelligence Surveillance Court operates. It operates in secret.

So that is one of the reasons why we really ought to be reviewing and updating this stuff more often, especially when we know there have been abuses. We know from the sheer breadth of these statutes—some of which were written, by the way, in the immediate wake of the 9/11 terrorist attacks. As I mentioned earlier, I was not then a Member of this body. I was not a Member of the Senate or of the House of Representatives. In fact, I have never served over there. The Senate is the first place and only place I have ever held elected office. I was an adult by then, and I was licensed—a practicing attorney by then. I remember watching as Congress was passing the PATRIOT Act and wondering why they were acting so quickly—so hastily—to put so many words and so many pages into a single bill.

I remember wondering whether they might, in the process of doing that, trample over the fundamental rights guaranteed by the U.S. Constitution without the American people knowing it. This has come to fruition over time, and we have seen that it has been abused. We know the certainty is—sure as we know the sun will come up tomorrow in the East—that this will continue to happen. To what extent it continues to happen or how long it is allowed to be, in many respects, up to us.

As I said earlier, governments are run by human beings. Human beings, while redeemable, while generally good, are flawed, and they make mistakes. But they are much more prone to make mistakes when they can do so under cover of darkness, when they don't have to answer to anybody. That is what is going on here. That is why I am so concerned about this one. That is why I consider it—I guess I would say disappointed.

It is disappointing that this body, some of the most talented people I have ever had the pleasure of working with—100 Members, from 50 different States, each with his or her own story or his or her own unique perspective—should be asked to succumb to a process that doesn't allow us to have any input into a bill like this.

In this case, it arose in connection with the Pelosi-Nadler-Schiff bill—a bill that I consider inadequate. It draws near to the Constitution with its lips, metaphorically speaking, but its heart is far from it. It pays loose homage to the notion that American citizens have rights worth protecting. Yet its provisions are malleable and easy to circumvent. It functions in much the same way as carbon monoxide might

operate in the human bloodstream, where the human body might recognize something, mistaking it for oxygen. That, by the way, is—I am told—why carbon monoxide is so deadly. Your body will tend to recognize it mistakenly for O₂ and in some ways prefer it to O₂, thus, starving the body of actual oxygen.

When we accept something that looks like it does the job—and it, in fact, doesn't—it can do a lot of harm in the process. Why? Because the American people and their elected Representatives in the Senate and the House and in the White House then have the opportunity to say: Well, it looks like that was fixed; we can go on to look at something else.

It is easy to do here because, after all, we have no end to problems that we can be worrying about. Even if this problem disappeared—and any of five others that are at the top of the list—we would still have thousands of others we could worry about. That is exactly why it is such a problem.

To have a bill like the Pelosi-Nadler-Schiff bill rammed down our throats and to be told that we have to accept this, told that the President of the United States, who himself has had his rights violated, who himself was politically targeted under the FISA framework—it is insulting to every American that after something like that happens—we know it has happened; we know it continues to happen; we know it will continue to happen—to tell us that we have to accept the Pelosi-Nadler-Schiff response to that is simply insulting.

We shouldn't put up with it. President Trump shouldn't put up with it, and the American people shouldn't. It is not just Republicans, and it is not just Democrats. This is no respecter of persons or of political parties. In fact, many of my best allies on this issue are, and have been, Democrats. Democrats were pretty early to acknowledge the flaws in the PATRIOT Act and in provisions of FISA.

Ever since I got here in 2011, I have been working across the aisle with Senator LEAHY, with Senator DURBIN, and with others to try to find solutions to these problems.

One of the things that has happened in the intervening years—this is my 10th year in the Senate—is that this really has become a bipartisan issue. It used to be me and a handful of Democrats and Senator PAUL who worried about this. We now have a broad coalition of Republicans and Democrats who are concerned about this. They are worried about it because if it can happen to the President, it can happen to anyone.

The American people have been influenced in so many ways by our own history, and our own history extends back many centuries, not just on this continent but in the United Kingdom. After all, it hasn't been that many years since we became our own country. We existed as colonies for almost

the same period of time that we have existed as a free, independent constitutional Republic.

In both sets of experiences and in experiences even predating the American experiment in its entirety, we have seen there are good reasons to require things like search warrants. When the government wants to get information from you, when it wants to search through your papers, your possessions, your personal effects, or when it wants to seize you or your possessions, the government really needs to get a warrant; it needs to establish probable cause supporting that warrant; and it needs to outline with particularity the things that it wants to search or seize. It needs to do so from an independent magistrate.

All of these things matter. They matter not just because they are in the Fourth Amendment, not just because they were a good idea when they were put in there in 1791, but because long before we became a country, these were part of the rights of English subjects, part of the rights that American colonists had as English subjects and that English subjects had even back in England.

They, too, had a government that was run by mere mortals. The divine right of Kings notwithstanding, the mark was also mortal, as were the persons occupying positions in Parliament and officers elsewhere in the government. That is why, from time to time, these rights would be abused. We saw instances of English patriots—like John Wilkes—whose rights were violated and who sought legal recourse after he was subjected to unreasonable, warrantless, open-ended searches and seizures.

John Wilkes became respected on both sides of the Atlantic because he didn't put up with it, even though it cost him dearly in financial terms, socially, even politically. Even though it caused him great pain, he fought; he aggressively litigated what had happened to him. That is one of the reasons he became a hero on both sides of the Atlantic.

We look to heroes on both sides of the Atlantic—people like John Wilkes who, notwithstanding the fact he was an English subject, not an American, he understood the English Bill of Rights; he understood core rights that were incorporated as if by reference by the Fourth Amendment but that were preexisting long before then. In fact, things like the warrant requirement of the Fourth Amendment are rights that everyone should be entitled to in every country.

It violates logic and reason and principles of decency and kindness to suggest that a person can be arrested or have his or her house or effects searched or seized without due process of law and without a validly issued warrant bearing particularity backed up by probable cause.

What, then, does this have to do with FISA? It has everything to do with FISA. It has a lot to do with it.

The Foreign Intelligence Surveillance Act, as the name suggests, was created not to go after U.S. citizens but to go after foreign spies and terrorists—not Americans. Sadly, over time, as a result of the advocacy of people who weren't all that afraid of Big Government—the advocacy and defense of people like Jim Comey and Robert Mueller—we got a sort of morphing of FISA into something that wasn't focused entirely, necessarily, anymore on foreign intelligence gathering, on agents of a foreign power, on terrorists, but could be used even with respect to U.S. citizens. This isn't right. In our hearts, we know it is not right.

In our hearts, we should certainly know that it is not right when we have the opportunity to consider some amendments—one of the amendments that I have proposed—and a key part of the Lee-Leahy reform. We provide something that I don't think would be shocking to any American citizen. In fact, I think any American citizen would be shocked not by the fact of its being introduced but by the fact that it is not already law. It would say that if they want to go after an American—if they know that the subject in question, the target of their investigation is, in fact, an American—there ought to be added procedural protections attached to their investigation of that person; that if they get a court order under section 215 allowing them to search for and gain access to any “tangible things”—any of a whole category of business records—they really ought to have to satisfy a different, slightly higher standard than they would if the person were a spy from a foreign country or a foreign terrorist or something like that. There are certain rights that do inhere in the fact that you are an American. That is not unreasonable. In fact, I am not sure I know any American citizen outside of Washington, DC, who would even have a moment's pause with that, other than to say: Why on Earth is that not already law?

I am also convinced that most Americans would respond to the beefed-up *amicus curiae* provisions. Remember, “*amicus curiae*” is a Latin term that means friend of the court. It refers to the fact that within the Foreign Intelligence Surveillance Court, you have no jury, you have no opposing counsel, you don't have a court reporter who is going to report anything in public. You, instead, have total secrecy. Our FISA provisions would expand our *amicus curiae* provisions, would expand the circumstances in which the FISA Court must appoint a friend of the court—or *amicus curiae*—just to argue the other side. This doesn't even really limit their power. It just says: Let's bring somebody else into the room—somebody else who can be trusted, who has security clearance, but who can provide a different perspective.

Most Americans—in fact, I would say probably every American I know outside of Washington, DC—would say there is nothing unreasonable about

that. In fact, what is unreasonable is the fact that that would require an amendment—a change—to existing law.

Another one of the provisions that we want to amend deals with what we call exculpatory evidence. When applying for a court order from the FISA Court under section 215, the government should have a responsibility to disclose evidence that would be exculpatory or would show that the person being investigated might not have actually done the thing they did or that they might have flawed information on their hands.

We know that some of this has occurred or government agents have gone before the Foreign Intelligence Surveillance Court and failed to disclose meaningful material facts that, if known, would have at least been material to the court and probably been determinative and resulted in the court's unwillingness to issue the order in question. I don't think I know anyone outside of this town who would say that is unreasonable to request.

Senators PAUL and WYDEN have a few other amendments. One deals with limiting the government's ability, through section 215, to gain access to your browser history and another addressing the power of the Attorney General to make some of these approvals. Those are amendments that have been proposed by Senators WYDEN and DAINES.

Then we have an amendment from Senator PAUL that would propose that across the board in all of the different provisions of the Foreign Intelligence Surveillance Act—whether it is 215 or 702 or title I or some other provision—that if you are investigating a known American citizen, you have a higher standard, and you probably need to go to a regular court rather than a secret Foreign Intelligence Surveillance Court which, in most respects, doesn't even meet the definition of court.

In response to some of these, opponents—defenders of the deep state—might well glibly conclude: Well, there is no reason for you to impose a higher standard or for you to impose anything remotely resembling probable cause because, after all, in other contexts, the government can gain access to business records without showing probable cause.

While this is true in many circumstances, first of all, it ignores the fact that recent jurisprudence from the Supreme Court of the United States—including from the Carpenter case—makes clear that just because something has a business record maintained in the ordinary course of business, that doesn't mean the person to whom it pertains has no reasonable expectation of privacy in it. In some cases, it doesn't.

We are no longer dealing with the old jurisprudence of *Smith v. Maryland*, unadorned by more recent developments like *Carpenter*. Under *Smith*, they were dealing with the collection from a pen register—the collection of

an old-style landline telephone that spat out the numbers that were called and being called to and from the number of the line in question. Modern business records disclose a heck of a lot more personal detail than that. I suspect if *Smith v. Maryland*—the one dealing with the pen register and the landline telephone business records—if that were decided today, it might well have been decided very differently today than it would have been then, but, certainly, with respect to many categories of business records, there is a reasonable expectation of privacy. There is some expectation of some privacy buried within that, and we can't conclude otherwise.

Secondly, separate and apart from developments in the law that ought to cause us to view with some suspicion the government's open-ended ability with a mere subpoena to show relevance to and therefore access to certain categories of business records—unlike those circumstances where someone could go into a regular court, whether a civil or a criminal proceeding, and get a subpoena based on a mere relevance standard without probable cause—in those circumstances, at least, there is more of an opportunity for somebody to respond. In many cases, that somebody might be the custodian of the records of the business entity in question, whether it is the mobile telephone services operator, the internet service provider, or the owner of the car rental facility, the storage unit facility—whatever it is, there is some opportunity for that business enterprise to go into court to try to quash the subpoena, to argue that the government doesn't, in fact, have a need for it; that it doesn't need to produce it to defend its own business interests, if not those also of its own customers.

In some circumstances, there is also an opportunity for the person in question to be notified independently to object to or in other ways—one way or another—respond to the government's desire to gain access to those business records. By contrast, under the Foreign Intelligence Surveillance Court, you don't have that ability. That is why we need special protections here.

Look, it is not hard for the government to have to follow basic principles of due process. It is not hard for the government to have to show probable cause. In most circumstances, this can be done in a manner of minutes. No one has ever demonstrated, to my satisfaction, why—especially where, as in the case of my probable cause amendment, with the requirement that they satisfy that standard only when they are in the Foreign Intelligence Surveillance Court and they are going after a record pertaining to a known U.S. person—it would still allow them to go after other records pertaining to other people without that knowledge and, if they didn't know someone was a U.S. person, they wouldn't have to satisfy it.

But even that is apparently unacceptable to the self-proclaimed masters

of the universe who now dominate the Senate and refuse utterly to recognize the article VI-mandated expectation and constitutional mandate of equal representation among the States in the Senate.

This is unacceptable. We have reached a point where we don't have the expectation that we can rely on what comes out of committee because, very often, what comes out of committee isn't even what is considered here.

We had this Pelosi-Nadler-Schiff bill come out Tuesday night. It was passed the next day by the House of Representatives. I understand why a simple majority of the House of Representatives might well decide to defer to Speaker PELOSI and JERRY NADLER and ADAM SCHIFF. After all, PELOSI and NADLER and SCHIFF, themselves, run a very substantial portion of the Democratic Party's operations in the House of Representatives. I understand why a whole lot of Members would like to defer to them.

What I don't understand is, No. 1, why Republicans in the House of Representatives would want to defer to PELOSI and NADLER and SCHIFF, nor do I understand why—even if some Republicans in the House of Representatives would foolishly defer to PELOSI and NADLER and SCHIFF—why that in any way, shape, or form binds me or anyone else in this body to do what PELOSI, NADLER, and SCHIFF decided to do. We are not a rubberstamp. We are not a rubberstamp for the House of Representatives. We are certainly not a rubberstamp for the deep state.

This gives me some hope, I suppose. This gives me some hope that, given the fact that the President of the United States is willing to acknowledge that FISA isn't perfect and that the Pelosi-Nadler-Schiff bill passed by the House of Representatives yesterday—without having gone through any terribly thorough process and without Members of the House of Representatives having had access to it for more than about 24 hours when they passed it—the fact that the President of the United States was willing to openly, publicly, today call into question the wisdom of the Pelosi-Nadler-Schiff bill gives me some encouragement. It gives me some encouragement that some of my colleagues here in the Senate might see fit to claim the privileges attached to their election certificate, to recognize that we are not all just functionaries of our respective party leaders in the House and in the Senate; that we are answerable to our own constituents to defend the Constitution in the manner we deem appropriate and necessary under the circumstances.

I hope—I expect that this body will do the right thing. I think it would be a shame—I think it is a shame to let three of these three provisions expire and just let them hang out there with the uncertainty that Senator BURR so thoughtfully pointed out will be the product of these provisions expiring. We don't need to do that.

We have had years and years and years to address this, and we have refused—we have deliberately declined; we have been recklessly indifferent with respect to the need to reform these provisions. If not us, who? If not now, when?

I have no interest in continuing to punt this thing over and over again. This is like Charlie Brown going after that same football with the same Lucy, who moves the darn football every time he gets close to it. This isn't acceptable. I have great confidence in my colleagues that a few of us—Republicans and Democrats alike—will come forward and say: No, not on my watch, not anymore. This is not how the Senate is going to operate.

This is just within a few days when we have seen a few unfortunate things happen—things that are themselves symptoms of the same underlying problem. I don't mean FISA, specifically. I am talking about something much broader than FISA. I am talking about the deviation from the norms of courtesy that have come to define this body over the centuries.

My friend, the distinguished colleague from Louisiana, Senator KENNEDY, had an amendment he wanted considered and voted on last week in connection with the Energy bill. I disagreed with that amendment. I would have voted against it and spoken against it on the floor. I really didn't like it, but he had an amendment he wanted considered. He was shut out unfairly and unreasonably. He was denied the opportunity to have that amendment considered. He wasn't even given adequate notice of his procedural rights that would come into play when the person—the Senator who had introduced an amendment—came down to the floor to amend her previous amendment and to use it as basically a managers' package, keeping Senator KENNEDY's amendment out of that package, thus effectively denying him the opportunity to receive adequate consideration of his own amendment. He wasn't given notice.

Because he wasn't given notice, he missed out on the opportunity to do what he inevitably could have done and would have done, so long as he could have come down here with 10 other Senators—a combined total of 11 Senators—sustaining him for his procedural right to call for the yeas and nays on the original amendment introduced by Senator MURKOWSKI. We could have voted on that amendment, and she wouldn't have been able to insert that managers' package on her own without that intervening call for the yeas and nays on her original amendment.

This is one of many examples that—while probably painfully boring to the average American—should be deeply disturbing to any American who knows about, who cares about, who yearns for the freedom that comes from our representative government; that expects

that people elected to make laws will actually be participating in that process and not simply dictated to by two leaders—one Republican and one Democratic—in each House of Congress.

Yet another manifestation of that—one that has sadly become sort of one installment in many series, like a set of sequel movies—is what happens basically every time we have a spending bill.

To cite one example that occurred nearly 2 years ago, for many months we had been waiting to see when we would have the opportunity to debate, discuss, amend, and vote on a spending bill in the early months of 2018. It would be the first real spending bill that we had the opportunity to consider since the 45th President of the United States was sworn in, in January of 2017. We had been told by our respective party leaders in both Houses of Congress to wait for it; you will get the chance to review it; you will get the chance to debate it and amend it.

Then, one evening on a Wednesday in March of 2018, I received an email. It was 8:37 p.m. That email was from Republican leadership addressed to Republican Senators, saying: Attached is a spending bill that we are going to be addressing.

I thought: Good. This is what we have been waiting for, for months. I finally get to see it.

I opened it up. It was 2,232 pages long. It spent, as I recall, \$1.2 or \$1.3 trillion. I immediately distributed it to members of my staff who worked through the night, splitting it up, figuring out what each provision meant—recognizing that a 2,232 page Senate appropriations bill doesn't read like a fast-paced novel. It doesn't read like a newspaper. It is a very slow and cumbersome process, one that involves countless cross-references to statutory provisions that wouldn't be recognizable to most ordinary Americans, so it takes a lot of time to review it.

My staff, after working on it through the night and through the next day, was as shocked as I was to see that the House of Representatives passed that bill—the same 2,232-page-long bill that most Members saw for the first time at 8:37 p.m. the previous night. The House of Representatives passed that bill before lunch the next day. The Senate—this body—convened in the middle of the night the following evening and passed it with not one amendment, not one change from one Member of this body.

When we outsource things to the so-called four corners—the Republican and Democratic leaders of both Houses of Congress—everybody else gets shut out. This might be really good for you if you are from one of those States represented by one of those four corners, but it is really bad for everybody else. I don't mean that it is bad for the Members; I mean every single person represented by someone else other than those people.

At the end of the day, it is not their fault. It is not the fault of the four corners so much as it is our fault. They are doing what they have to do. They are doing the job the way they know how to do it, the way they have learned how to do it, the way we have trained them to do it, sadly enough. We have let them do it that way, so they do. I am sure it is not easy to do it that way, but it is probably less hard than every other way out there. In that respect, I don't blame them for doing it that way. I blame us.

Shame on us for passing that bill without any one of us having had the opportunity to read the whole darned thing except for maybe four Members. Between 435 Representatives and 100 Senators, you maybe had 4 Members total who knew what was in there and had control over it. Shame on us for passing it anyway.

After those in the House of Representatives see for the first time the Pelosi-Nadler-Schiff bill less than 24 hours before they vote on it and pass it—a bill purporting to reform FISA while failing to actually do so in a meaningful way—shame on them. If we pass it over here, shame on us. The shame is especially acute if we don't even try, which is what we are being asked to do here. We are being asked to defer, to let somebody else do the legislating.

By the way, just as we were told when approaching that spending bill, as with most other spending bills in the 9 years I have been here, that we have to leave them to the experts—don't worry about this; this is for the Appropriations Committee's chairman, for the subcommittee chairmen, for the majority and minority leaders from the two Houses of Congress and basically for no one else; leave it to the experts—we are now being told to leave it to the experts here, which begs the question: What meaningful role do we play? Have we really rendered ourselves that insignificant that we are not even willing to defend our own right to raise our own ideas and our own concerns with something as profoundly significant and potentially impactful on the liberties of every single American—old and young, White and Black, male and female and of any station, rich or poor? These provisions—make no mistake—have the potential to affect every single one of us. Shame on us if we don't even try to make it better.

So I am not going to blame this one on PELOSI, NADLER, and SCHIFF. They can choose to pass an unwise bill, if they want to, that doesn't fix the problem, but I don't work for PELOSI or NADLER or SCHIFF. I work for the people of Utah. I was elected by the voters in the sovereign State of Utah, who expected me to come here and represent them.

By the way, this is an issue that is neither liberal nor conservative. It is neither Democratic nor Republican. This is not a partisan issue. In fact, the amendments that I am talking about

here are bipartisan. This is simply an American issue. It is a constitutional issue. It is an issue pertaining to and inextricably intertwined with the basic dignity of the eternal human soul.

We can't pass this thing while pretending to be concerned about the rights of the American people, not unless we at least try to pretend like we are doing our job, not unless we at least try to pretend like we are trying to make it better. Even if you don't think FISA has been abused—if you do, by the way, that is absurdly, insanely naive, but I respect your right to be wrong; I respect your right to agree with PELOSI, NADLER, and SCHIFF on that front if that is how you feel—there have to be other ways in which you might acknowledge you can make this bill better.

Maybe you are somebody who trusts the government way too much. Maybe you are somebody who thinks the government ought to be given more power. Maybe you are somebody who trusts the government when it makes allegations that somebody is an agent of a foreign power or is working for an agent of a foreign power or is a terrorist or has had some unkind thoughts toward another person. Even if you trust the government that much, you shouldn't, and what you would be suggesting would be unconstitutional. Yet, even if you were, then shame on you for not wanting to make this bill even more aggressive toward giving the government power.

It is simply too grand a proposition to suggest that it is mere coincidence that the exact, magical combination of factors, of provisions that should have been included in this law—in the minds of every Member of the U.S. Senate—happened to materialize under the umbrella of the Pelosi-Nadler-Schiff bill that was passed by the House of Representatives yesterday. That is just absurd. I mean, come on. Are you telling me that you can't find a single provision that you think couldn't have been written better?

Some in that position of still opposing it might say: Well, yes, but we have other things to do.

That is true. That is exactly why I am trying to provide 45 additional days for us to debate and discuss other issues first and then to fix FISA later. I would be willing to cleanly reauthorize the three expiring provisions so that nobody would have to deal with any uncertainty and so that the American people would not have to be put in jeopardy, neither their security nor their privacy, both of which are part of the same cohesive, continuous whole. Neither one of them has to be undermined. Yet that is what they insist we do. They insist that.

So the argument might go: We have other things to do.

Well, if you have other things to do, then let's punt this for 45 days, and let's just agree that we are going to vote on some things. Yet that is too much for them to suggest.

To the extent their argument is that we are too busy to do this right now, then I would ask this question: Why? What are you doing right now? What better thing does any Member of the U.S. Senate have to do right now, at this moment, at 4:54 p.m., than to stand up and defend and debate the rights and the significance of the rights of the American people?

I mean, I genuinely would like to know what is so compelling that makes it so that we can't even debate these things right now. In fact, in the time I have been speaking today, we could have easily voted on these very same amendments. We could have brought them up. We could have, and I would have agreed to have limited our debate to only a few minutes apiece. As we saw during the impeachment trial a few weeks ago, we are actually capable of casting votes and completing them within 6, 7, 8 minutes if we stand at attention or sit at our seats and listen as our names are called and then vote. What, I would ask, is so compelling? Do people have appointments for haircuts or manicures? Do they have to go to the dog groomers'? I really would like to know what is so compelling that makes it so we can't debate something as fundamental as how to improve the safety and privacy of the American people.

I close by pointing out something that my friend and distinguished colleague, the senior Senator from North Carolina, said a few minutes ago about the fact of his almost ensuring that the program at issue—the program supported by the three expiring provisions—will go dark by his objecting to my series of unanimous consent requests and about the fact that, as a result of his objection, not only is he essentially guaranteeing these programs will now go dark, but he is also guaranteeing, when we come back in just a few days from now—because whatever it is that we have to do in the next few days is apparently so important, and I really would like to know what that is that is so important that we can't do this—we are going to have to turn to this when we could have gotten it done today instead of turning to other pressing issues in front of us, issues dealing with emergencies created by the coronavirus. We could have, should have, would have otherwise been able to have turned to those things immediately. Instead, we will be stuck on this for days. I mean, this can end up taking many days—a week or so—if it is drawn out sufficiently.

The program goes dark, and we lose the opportunity to debate, discuss, and enact other legislation—all because we have colleagues who decide they know better. It is not so much that they know better but that Representatives PELOSI, NADLER, and SCHIFF know better. It is their bill. Everybody else just voted for it.

Now we are all asked to vote for it, and we are told to mind our own business, to butt out, because our Big

Brother—the brooding, omnipresent Federal Government—knows better. It can be trusted. Trust Big Brother. Sure, he is going to spy on you, but his intentions are good. Sure, he is going to spy on you, but he is really just hoping to go after the bad guys so that you don't have to worry about the fact he is spying on your neighbor, on your constituents, on innocent Americans.

Even if I am wrong—let's say, for a minute, that somehow I am mistaken in concluding that any of this will ever be abused—you can't really get around the fact that it has been abused. We know of circumstances in which it has been. We know that the President of the United States has himself been the target of abuse under this.

Yet set that aside for a minute. Even under the absurd proposition that none of this will ever be abused again and that PELOSI and NADLER and SCHIFF have somehow found the magical formula that will forever guarantee these expiring provisions from being abused again, why wouldn't you still want to make the bill better? Why would you be willing to let those provisions go dark? Why would you be willing to postpone the consideration of other pressing business before the U.S. Senate? Is it really that important to shut out of debate your opponents who happen to disagree with you? What does this say about the next thing we will consider or the next thing after that?

This doesn't end well. We know it doesn't end well. It never, ever works to push U.S. Senators to the point that they are told they are not entitled to their own opinions; that to the extent they have them, they may express them but only in a brief period of time; and that they then have to run off and be good little boys and girls and let the adults take over. No. I know that this is the way it has been working for a while, but it is not going to anymore. It is not going to anymore because the American people are demanding more. They are demanding better. Things sometimes have to get a little worse before they get better. Unfortunately, that is the position in which we now find ourselves. They have gotten worse, but they have gotten worse in a way that the American people are now noticing and are going to say: Don't do this anymore. Don't lock us out of the process. Don't tell us we don't matter. Don't tell us that our own elected Senators can't have a voice and that they won't get a vote and that they cannot debate it.

The President of the United States has been targeted unethically, unlawfully, unscrupulously by the deep state. We have the opportunity to fix that, to make sure it doesn't happen to this President or any future President or any U.S. citizen regardless of how rich or poor or powerful or powerless. We must fix it. Shame on all of us if we don't. Our oath to uphold, protect, and defend the Constitution of the United States requires this. The American people deserve more, and they deserve better, and we must provide it.

(Mrs. FISCHER assumed the Chair.)
The PRESIDING OFFICER (Mr. BRAUN). The Democratic leader.

UNANIMOUS CONSENT REQUEST— SCHUMER BILL

Mr. SCHUMER. Mr. President, in a moment, Democrats will ask the Senate's consent to take up and pass several measures that would immediately help American workers and American families cope with the impacts of coronavirus, including paid sick leave for workers, emergency unemployment insurance, and much needed assistance to States overburdened by Medicaid costs, known as FMAP.

These provisions are all included in legislation that will soon be passed by the House. Many of these policies have already been enacted by other countries dealing more successfully with the coronavirus than our country is.

These policies are targeted directly at the workers and families impacted by its spread. They are not going to the big, wealthy corporations or powerful people or wealthy people. They are going right at the workers and families—average working people who need the help.

Now, the Republican leader this morning called these provisions "an ideological wish list." President Trump referred to them as "goodies."

If helping a construction worker who is laid off as a result of the virus is part of an ideological wish list, then God help those who believe that. If giving infected workers paid sick leave is a goody, then God help those who think that. If making sure our States, localities, hospitals, and first responders are compensated for their efforts is ideological, is a goody, those who believe those things have lost touch with the needs and aspirations of the American people, and they need to talk to some real people who have been impacted by the coronavirus, instead of sitting in their ideological towers.

With the comments made by the President and the Republican leader, they have revealed their own ideology—that even in a time of public crisis and need, the President and the Republican leader are more willing to entertain corporate tax cuts and bailing out industries than helping American workers and families.

The Senate should pass these bills today. The Republican leader should not be sending the Senate home for the weekend without taking action to help people who are or will soon be really hurting.

Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of the Schumer bill that is at the desk, that the bill be considered read three times and passed, and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from Nebraska.

Mrs. FISCHER. Mr. President, reserving the right to object, this concept is under discussion, and it is a centerpiece of negotiations between the House Democrats and Secretary Mnuchin, which are ongoing.

This Chamber will be in session next week to ensure that we are taking needed actions to appropriately respond to the coronavirus.

I object.

The PRESIDING OFFICER. Objection is heard.

The Democratic leader.

UNANIMOUS CONSENT REQUEST— S. 3497

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 3497, submitted earlier today; that the bill be considered read three times and passed and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from Nebraska.

Mrs. FISCHER. Mr. President, reserving the right to object, this concept is also under discussion and the centerpiece of negotiations between House Democrats and Secretary Mnuchin, which are ongoing.

This Chamber will be in session next week to ensure that we are taking needed actions to appropriately respond to the coronavirus.

Therefore, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Washington.

UNANIMOUS CONSENT REQUEST— S. 3415

Mrs. MURRAY. Mr. President, this is simple. We need people who are sick to stay home if we have any hope of slowing the spread of this virus, but, today, one in four private sector workers in our country cannot stay home from work without losing a day's pay or potentially a job.

We have got to fight this virus with everything we have—every single one of us—and that means we have to have policies in place that help people make the right choices for themselves, their families, and their communities.

Our bill will give all employees 14 paid sick days immediately—today, not next week, not the week after, today—in public health emergencies like this one, in addition to allowing them to accrue 7, meaning it would help workers and communities right now.

I urge Senate Republicans: Treat this like the public health crisis it is. Allow parents, families, businesses, communities to have the peace of mind to know that we are acting today and take this urgent needed step. This is nothing short of a chance to save lives and buy desperately needed time to fight this virus. Please don't waste it.

Mr. President, I ask unanimous consent that the Health, Education, Labor, and Pensions Committee be discharged from further consideration of S. 3415—this is a bill that will allow Americans to earn paid sick time so they can address their own health needs and the health needs of their families—that the Senate proceed to its immediate consideration, the bill be considered read a third time and passed, and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from Nebraska.

Mrs. FISCHER. Mr. President, reserving the right to object, we have a paid family leave provision in law already, and the rules are in place from Treasury. We received those in September. I worked on this provision during tax reform, and I would certainly be happy to work with the Senator from Washington and my colleagues on the other side of the aisle in a bipartisan manner to extend the program that we have in law already that will help families. This is a public health emergency. It is ready. It is there. We need to work on it together.

Therefore, I object.

The PRESIDING OFFICER. Objection is heard.

UNANIMOUS CONSENT REQUEST— S. 3372

Mrs. FISCHER. Mr. President, I rise today to call up and pass legislation to keep the American people safe.

The number of coronavirus cases in the United States is now over 1,000, including 10 confirmed cases in my home State of Nebraska.

In China, there are over 80,000 cases and over 3,000 people have died. The Hubei Province, which contains the city where the virus originated, has been under lockdown since last January, quarantining an unprecedented 56 million people. Italy, a country of 60 million people, is completely shut down. The World Health Organization has now declared that this outbreak is a pandemic, meaning it will likely spread to all countries on Earth.

Dr. Fauci echoed this yesterday in his testimony before the House Oversight and Reform Committee. We will see more cases, and things will continue to get worse.

As the virus spreads, our healthcare providers and emergency responders are at the forefront of this health crisis. When someone tests positive for this disease, our emergency responders are the first ones there transporting them to the hospital. At the hospitals, medical personnel, doctors, nurses, and technicians are all working around the clock to provide lifesaving care and treat this illness. These people—our healthcare providers and emergency responders—need access to the proper equipment so they can stay healthy.

We can take action right here right now to make sure that that happens.

I introduced this bipartisan bill with the senior Senator from Arizona. It would update our current law to ensure healthcare workers and first responders have access to respiratory protective devices, specifically, standard N95s.

Under current law, the Federal Government can give targeted liability protection to people and entities to make, distribute, and administer certain drugs and protective equipment that are needed in a public health emergency. While surgical N95s are eligible for this protection, standard N95s are not. That doesn't make sense, and it doesn't make sense for two reasons.

First, these devices are the same when it comes to protecting against airborne contaminants like we are dealing with for coronavirus. Second, the CDC has issued guidance listing standard N95s among the recommended products for use in this emergency. That makes it more difficult for the people and entities supplying, distributing, and manufacturing this equipment to do so, and we need to change that.

We need to make sure that these devices are readily available, and this legislation has bipartisan support in this body, and it has bipartisan support in the House. It was introduced by my colleague from Nebraska, Congressman DON BACON.

The White House supports it. Vice President PENCE said on Tuesday this legislation is "important . . . to ensure that our healthcare workers are properly protected and outfitted."

I mentioned that this bill has bipartisan support. I want to be clear that our hard-fought progress on this legislation would not have been made if it weren't for the tireless work of my good friend, the senior Senator from Arizona. So I thank her for her efforts and her partnership.

We know that coronavirus is moving fast, and we owe it to America's healthcare providers and our first responders who are fighting to stay ahead of this.

Therefore, I ask unanimous consent that the Health, Education, Labor, and Pensions Committee be discharged from further consideration of S. 3372 and the Senate proceed to its immediate consideration. I ask unanimous consent that the Fischer substitute amendment at the desk be agreed to; the bill, as amended, be considered read the third time and passed; and that the motions to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

The Senator from Hawaii.

Ms. HIRONO. Mr. President, reserving the right to object, I certainly appreciate what my colleague from Nebraska is trying to do. We are all working to do what we can to make sure our medical professionals, facilities, and the public have all the necessary equip-

ment they need to address this pandemic.

My concern with my colleague's proposal, as I understand it, is that it would provide immunity for respiratory manufacturers from this point forward. Yes, this is a public emergency and we need to respond accordingly, and we certainly need to make sure that respirators are widely available, but let's do this with safety in mind.

I think we can come up with a bill that provides a more tailored approach to what my colleague is trying to do. For example, the House coronavirus package includes language which tracks the COVID-19 emergency countermeasures declaration issued by HHS which would extend countermeasure protections through 2024, rather than it be open-ended. I hope my colleague will work with me to expand access to this important equipment, but for now I must object.

I certainly would like to count myself as among those who will provide bipartisan support for this measure, but, for now, because it is totally open-ended, I must object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Nebraska.

Mrs. FISCHER. Mr. President, this bill is something I think we should all agree upon. Other medical device facilities, manufacturers, currently have this protection when there is a public emergency. They currently enjoy this protection, but this thin band of manufacturers, this thin band that provides these N95s which our healthcare providers need—and I talked to my first responders and firemen who were here this week and told them about this bill, and they said: We need this. We are transporting people to hospitals.

In Omaha, NE, the Omaha Fire Department has picked up flights of American citizens who were flown from China to be at Camp Ashland, a National Guard facility between Lincoln and Omaha, and quarantined there. Fortunately, all were healthy, all were fine.

Omaha also received 15 people from a cruise ship, and all those people were not fine. These first responders, these firemen from Omaha, transported them to a world-renowned facility, the University of Nebraska Medical Center, but they did not have the proper protection because we are arguing over something that other medical device providers currently have protection on during a public health crisis.

I understand that my friends on the other side want to make progress on this issue and on other issues, but that shouldn't stand in the way of getting this done. There is a shortage of respirators, and the U.S. Senate has an opportunity to fix it. We have an opportunity to ensure the American people stay protected and healthy during this public health crisis, but my colleagues on the other side just stopped this from moving forward, and the

American people need to understand what just happened here.

As a result of this objection, I get to tell my Omaha firefighters that their safety and the health and safety of our healthcare providers in Nebraska and across this country are at risk.

The PRESIDING OFFICER. The Senator from Hawaii.

Ms. HIRONO. In response, I certainly am not arguing that there is not a need for respirators, but let me be very clear that this provides immunity for respirator manufacturers from this point onward.

Again, I need to reiterate. This has nothing to do with recognizing the need for respirators. What I am arguing is there should be a timeframe for this because this protection is supposed to be during a public health crisis, and I am saying that the way the House is approaching this is, they would like to provide this protection for respirator manufacturers for a period of 4 years. We can certainly evaluate it at that point.

So, clearly, my objection does not mean the death knell for this amendment. It means that we should work it out so we can provide an appropriate timeframe.

So I, once again, reiterate my objection to the current form of this amendment.

The PRESIDING OFFICER. The Senator from Hawaii.

UNANIMOUS CONSENT REQUEST

Ms. HIRONO. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of a bill that is at the desk. I further ask that the bill be considered read three times and passed and that the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mrs. FISCHER. Mr. President.

The PRESIDING OFFICER. The Senator from Nebraska.

Mrs. FISCHER. Reserving the right to object, the legislation that is offered by my colleague is too narrow in scope. It does not cover all respirators currently recommended by the CDC for healthcare professionals who are treating patients with COVID-19. My colleagues know that. This is inadequate.

The legislation that the senior Senator from Arizona and I have offered covers all CDC-recommended respirators. Moreover, our bill is not limited to this specific public health emergency but rather responsibly addresses future public health respirator needs. We are looking at what is going to happen in the future, and right here, right now, the Senate does have this opportunity to address these current emergencies and, yes, future emergencies by making sure that we can provide life-saving equipment to the American people. So, accordingly, I object.

The PRESIDING OFFICER. Objection is heard.

Ms. HIRONO. Mr. President.

The PRESIDING OFFICER. The Senator from Hawaii.

Ms. HIRONO. Mr. President, so, once again, I repeat that this has nothing to do with stopping these respirators for this particular crisis to be included as necessary equipment under the current statute. I do think we ought to be able to come together to come up with a reasonable approach that can be supported in a bipartisan way.

The PRESIDING OFFICER. The Senator from Nebraska.

Mrs. FISCHER. I would suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

USA FREEDOM REAUTHORIZATION ACT OF 2020—Motion to Proceed

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that it be in order to proceed to Calendar No. 440, H.R. 6172.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Ms. MURKOWSKI. Mr. President, I move to proceed to Calendar No. 440, H.R. 6172.

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

The senior assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 440, H.R. 6172, a bill to amend the Foreign Intelligence Surveillance Act of 1978 to prohibit the production of certain business records, and for other purposes.

CLOTURE MOTION

Ms. MURKOWSKI. I send a cloture motion to the desk for the motion to proceed.

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

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to Calendar No. 440, H.R. 6172, a bill to amend the Foreign Intelligence Surveillance Act of 1978 to prohibit the production of certain business records, and for other purposes.

Mitch McConnell, Thom Tillis, Marco Rubio, Pat Roberts, Tom Cotton, Roger F. Wicker, Deb Fischer, John Thune, Shelley Moore Capito, Lamar Alexander, Richard Burr, Tim Scott, Mitt Romney, Roy Blunt, Bill Cassidy, James E. Risch, Ben Sasse.

Ms. MURKOWSKI. I ask unanimous consent that the mandatory quorum call be waived.

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

MORNING BUSINESS

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Senate 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.

REMEMBERING CHARLES FREEMAN

Mr. DURBIN. Mr. President, On April 29, 1983, Justice Charles Freeman made history as the first African-American jurist to swear in Chicago's first, elected African-American mayor, Harold Washington. Justice Freeman went on to become the first, and so far the only, African-American justice to serve on the Illinois Supreme Court. During his more than four decades, Justice Freeman helped shape Illinois's history through his achievements, his jurisprudence, and his mentoring of a generation of new lawyers he guided to the bench. On March 2, he passed away, and I rise today to honor his memory.

Charles Freeman was born in Richmond, VA, in 1933. He was descended from slaves freed by Quakers before the Civil War. As a child, he brought newspapers to legendary civil rights attorney Oliver W. Hill's office. His father was a hard-working man who loved to read and always stressed that he wanted Charles and his brother to become lawyers. The Freemans lived walking distance from Virginia Union University in Richmond, and that is where Charles and his brother went to college. Charles Freeman graduated from college in 1954 and served in the U.S. Army from 1956 to 1958, stationed in South Korea. After his service, he married Marylee Voelker and moved to Chicago. While in Chicago, he attended John Marshall Law School at night, and he worked for the Cook County Department of Public Aid.

After law school, Justice Freeman started working as a precinct worker for former Representative Ralph H. Metcalfe, cofounder of the Congressional Black Caucus. Justice Freeman befriended Harold Washington while helping Metcalfe, and they formed a law practice partnership. In 1965, Governor Otto Kerner appointed Freeman arbitrator for the Illinois Industrial Commission administering workers' compensation cases. In 1973, Governor Dan Walker appointed him a commissioner for the Illinois Commerce Commission.

In 1976, Justice Freeman was elected to serve as a judge on the Cook County Circuit Court. In 1986, he was elected to the Illinois Appellate Court, and 4 years later, he became the first African American elected to the Illinois Supreme Court. His peers chose him to serve as chief justice in 1997 until 2000. As chief justice, Freeman reorganized the rotation of appellate judges in the First Judicial District. Before, appellate judges sat on the same panels for

their entire careers. He helped improve the Family Violence Prevention Program. Justice Freeman also improved the educational program for judges statewide and pushed for the creation of a special committee to study the death penalty and reforms.

While Justice Freeman was a great jurist, his legacy is also reflected in his efforts to promote a diverse judiciary. He appointed 11 of the 16 African Americans who have served on the First District Appellate Court since 1990. It was important to him that people saw in the courtroom judges and lawyers that reflected society. He mentored so many in the field.

During his career, Justice Freeman received many awards for his service, including the Freedom Award from the John Marshall Law School, the Seymour Simon Justice Award from the Jewish Judges Association, the Earl Burrus Dickerson Award from the Chicago Bar Association, and the Ira B. Platt Award and the Presidential Award from the Cook County Bar Association.

Charles Freeman is survived by his son Kevin and daughter-in-law Cami, by two grandchildren, and by his brother James. I want to extend my sympathies to his family and loved ones. The loss of Justice Freeman is a loss for our State and for the whole country.

RECOGNIZING NORTHERN ILLINOIS UNIVERSITY

Mr. DURBIN. Mr. President, today I wish to recognize the 125th anniversary of the founding of Northern Illinois University, or NIU, a renowned institution with a long record as a public research university and the proud home of Huskies.

Like many great State universities across this country, Northern Illinois University began as an expansion of the normal school program, otherwise commonly known as a teachers college. Near the end of the 19th century, as our Nation's population continued to experience rapid growth, the State of Illinois recognized the need to prioritize teacher training in Northern Illinois to increase access to education in the burgeoning community. NIU was founded in DeKalb, IL, in 1895 to help more students receive a high-quality education, and it still serves those same goals today.

NIU is a university of diversity. From its very first day, NIU has charted a course of inclusion and accessibility that focused on the students and their education. NIU has proven its commitment in this area by expanding opportunities and pathways to college for students from underserved communities and to those that are the first in their family to attend college. Over the years, NIU has been at the forefront of recognizing the unique challenges of these communities and has worked tirelessly to identify ways to address them as part of its strong commitment to students.

NIU is a university of opportunity. Today, nearly three quarters of NIU students fall into one or more of the following categories: about 45 percent of the students are Pell grant-eligible, 50 percent are students of color, and 50 percent are first-generation college students. I would like to commend NIU for its work to make higher education more accessible for families from all communities and walks of life.

NIU is a university of excellence. NIU has a nationally recognized faculty that includes prominent experts and leading scholars from a variety of disciplines, including science, East Asian studies, and visual and performance arts. After receiving a first-class education at NIU, over 200,000 alumni have gone on to make a difference in the Midwest and across the world, teaching people about the value of NIU as they do.

The State of Illinois has been enriched by NIU, and I look forward to the school's many contributions in the years ahead. It is my distinct honor to congratulate President Lisa Freeman and the entire NIU community on its 125th anniversary.

SUNSHINE WEEK

Mr. ENZI. Mr. President, I rise to submit to the Senate a statement in support of Sunshine Week, an annual event that spotlights the key need of a government-transparency. Without openness and access to how all levels of government spend tax dollars or make key decisions, accountability and oversight will lack.

Where transparency is lacking, waste, fraud, and duplication tend to proliferate. The Government Accountability Office-GAO-regularly cites "lack of transparency" as a chronic problem across many agencies and programs. This can have serious consequences. This causes increased taxpayer spending and improper payments. This hinders competition. In turn, a lack of transparency can affect everything from public health to our national defense.

Given the profound and far-reaching impacts of Federal programs and policies, the people need to know how their tax dollars are being spent.

Without access to reliable, accurate information, how can we be sure good decisions are being made when it comes to spending the tax dollars of hard-working families? Sure that the policies we craft in this Chamber are working as intended? Sure that our limited resources go where they are needed most? Sure that the programs we create aren't causing harm?

Well that is why, as the chairman of the Budget Committee, I have focused the last several years on enhancing transparency and improving both the quality and quantity of data available for all decisionmakers. I am extremely gratified that my colleagues from both sides of the aisle, along with key organizations and experts, so often join these efforts.

One step in the right direction is the Senate Budget Committee has started to publish regular scorekeeping reports. These are available for the public on the committee's website and track the budgetary impact of legislation approved by Congress against current spending levels. This helps provide other committees, Members of Congress, and taxpayers with ongoing updates about the fiscal implications of recently agreed upon legislation.

In addition, there are obviously many unknowns when it comes to agencies implementing the laws and programs already on the books. To address this concern, I led a bipartisan group of 15 Senators last July, along with Senator LANKFORD, to urge the White House Office of Management and Budget to make a complete list of all Federal programs publicly available in a central, governmentwide website. This would help to identify and eliminate program waste and duplication. Because, believe it or not, there is no comprehensive list of each and every program the Federal Government funds. It still isn't available.

The fact that legislators and taxpayers don't even know how many programs we have or what they do is troubling, particularly as we continue to create and fund new ones.

In the past, GAO has identified massive amounts of duplication across the Federal Government, including more than 12 programs on financial literacy, 160 Federal housing assistance programs or activities, 94 green building initiatives, 253 crime prevention programs, 14 diesel emission reduction programs, 45 early learning and child care programs, and 163 STEM programs.

Most recently, GAO's 2019 annual report on duplication found six different government programs engaged in quantum computing research. Clearly, all of these programs could be improved by some basic coordination or consolidation.

This simple inventory has been on the to-do list for almost a decade. There have been previous attempts, but those have fallen short. We will continue working with GAO and OMB until the list is actually published.

Most importantly, last fall, I joined with Senator WHITEHOUSE to introduce bipartisan budget process reform legislation—the first bipartisan budget reforms approved by the Senate Budget Committee since 1990.

The Bipartisan Congressional Budget Reform Act would increase transparency in the congressional budget process in a number of ways—by having Congress develop a fiscal plan that is easy to understand and offers the public a chance to view if Congress is living within its means, encouraging other committees to review the programs in their jurisdiction that are in most need of review, directing both GAO and the Congressional Budget Office to review program portfolios—portfolios are groups of programs with

similar efforts. This has to be done on an ongoing basis.

But that is not all the bill would do. We also need to require CBO to review and report to Congress on the accuracy of its past projections and cost estimates, along with an annual plan outlining their efforts to enhance transparency. We need to make public the information underlying cost estimates of major legislation and reports related to the debt-to-GDP ratio agreed upon in the budget resolution. We need to require CBO to provide more information to help better understand the true costs of our actions by including projected interest costs in estimates for mandatory spending programs, revenue changes, and supplemental appropriations bills.

We need CBO to include 10 years of cost estimates for spending subject to appropriations, doubling the current practice of 5 years. We need to bring budget gimmicks into the light. CBO would have to produce public estimates of appropriations legislation that include the costs associated with doling out money before the revenue comes in. We should expose gimmicks like budget bait and switch.

In Washington, we like to say that “sunlight is the best disinfectant,” and that is true, but sunlight does far more than disinfect. It lights the way. Opening the books and reforming the budget process will help make us better equipped to face the enormous fiscal challenges looming just ahead.

AUSTRALIAN WILDFIRES

Mrs. BLACKBURN. Mr. President, for over 100 years, Australia and the United States have enjoyed a mateship made possible by our mutual commitment to democracy, human rights, and the rule of law.

After signing 1951's Australia, New Zealand, United States Security Treaty, or ANZUS, Treaty, our two nations entered into a new level of cooperation on military matters; and for the past 15 years, we have shared our firefighting resources with one another.

In August 2018, over 100 Australian firefighters rushed to our aid as wildfires threatened to destroy communities in California, Oregon, and Washington.

When our Australian friends asked for support last year as they struggled to contain devastating bushfires, we were happy to return the favor.

I am especially pleased today to honor two Tennesseans who heard the cries for help and, in spite of the danger, asked, Where do I sign up?

Janan Hay Sharp, who serves with the Forest Service, and Tommy M. Barnes, who serves with the National Park Service, embody the values that set Tennesseans apart: bravery, compassion, and an eager willingness to lighten another's load.

This month, I was happy to support S. Res. 527, a resolution led by my friends Senator JOHN BARRASSO and

Senator BEN CARDIN recognizing the longstanding partnership between the United States and Australia and honoring firefighters like Janan and Tommy, who rushed toward the flames to save a friend in danger.

They are a rare breed indeed, and today, I encourage all Tennesseans to take a moment to reflect upon their bravery and their commitment to a very special ally.

ADDITIONAL STATEMENTS

REMEMBERING ELEANOR ELKIN

• Mr. CASEY. Mr. President, I rise today to pay tribute to Ms. Eleanor Elkin, who passed away at the age of 103 on December 4, 2019. Eleanor served as one of Pennsylvania's most distinguished disability advocates. It is important that we remember a remarkable life dedicated to the betterment of others. Eleanor transformed the love for her family into a life of advocacy whose impact will be felt for decades to come.

Eleanor's commitment to equality was evident long before her time as one of Pennsylvania's most prominent disability rights leaders. Born in 1916 in Philadelphia, she graduated from Germantown High School in 1934 and married Philip Elkin in 1939. They raised two adopted children, Margo and Richard. Richard was born with a disability, and Eleanor came face to face with the discriminatory laws experienced by those with disabilities. The State of Pennsylvania did not realize, however, that it was about to confront a true fighter. Jim Wilson, former president of the Arc of the United States, said it best when he described Eleanor as “a white glove, tenacious fighter who would not accept ‘no’ for an answer.” That fighting spirit served Eleanor well when the State put up roadblocks to adopting Richard simply because he had a disability. When Richard was 2 years old, he was forcibly placed in a State-run institution. Eleanor went to court to get Richard back home. From that point on, she fought for his rights, beginning with a fight for him to attend preschool. At a time when it was common to deny children with disabilities access to education, Eleanor persuaded his elementary school to create a classroom for him and other children with disabilities.

The numerous obstacles faced by Richard convinced Eleanor to expand her advocacy beyond her family. She was among a group of parents who joined together and created The Arc of Philadelphia in 1948. She founded a mothers' support group in Bucks County, which became The Arc of Bucks County in the 1950's. She was integral to the development of The Arc of Pennsylvania, and became the organization's president in the 1960's. She went on to become president of The Arc of the United States in 1967 and 1968.

At a time when the norm was to force children with disabilities into in-

stitutions, Eleanor was a leader in the fight to bring people with disabilities into the community. She partnered with the Public Interest Law Center of Philadelphia to expand the rights of people with disabilities. She helped to win a significant victory in 1971 with the ruling in *PARC v. Commonwealth of Pennsylvania*, which overturned a Pennsylvania law that permitted schools to deny public education to children with disabilities. This battle established the principles that eventually led to the Education for All Handicapped Children Act in 1975, which is now referred to as the Individuals with Disabilities Education Act.

Eleanor also joined forces with the Public Interest Law Center in one of the most consequential fights of her life, the closure of the Pennhurst State School and Hospital. Pennhurst was an institution in Pennsylvania for people with disabilities that was exposed in the 1960's as a center of abuse and neglect and which came to symbolize the shameful belief that people with disabilities should be isolated and hidden from view. Eleanor contributed her advocacy to the landmark 1974 case *Halderman v. Pennhurst*, which ruled that the constitutional rights of the residents of Pennhurst were being violated. This was a stark break from the common beliefs of the time which afforded people with disabilities little respect and even fewer rights. The case helped fuel the larger movement away from institutions and was an important step in the eventual closure of Pennhurst in 1987.

On behalf of the people of Pennsylvania and our grateful Nation, we extend our belated condolences to the family of Eleanor Elkin. Throughout her life, she fought for the dignity and well-being of people with disabilities. Whenever she saw injustice, she also saw an opportunity to make the world a better place. Celia Feinstein, director Emeritus of the Temple Institute on Disabilities, said that Eleanor was once asked how she would like to be remembered, and Eleanor replied simply that, “I don't know that I need to be remembered as much as I would want to know that what I've been doing [will] continue.” I have no doubt that thousands are ready to continue her work on behalf of people with disabilities. Pennsylvania and all of America are better places because of Eleanor's commitment and extraordinary efforts. We may have lost Eleanor Elkin, but we will never lose the positive change she brought to countless lives and the impact she had on disability policy in our country.●

MESSAGE FROM THE PRESIDENT

A message from the President of the United States was communicated to the Senate by Ms. Roberts, one of his secretaries.

EXECUTIVE MESSAGE REFERRED

In executive session the Presiding Officer laid before the Senate a message from the President of the United States submitting a nomination which was referred to the Committee on Energy.

(The message received today is printed at the end of the Senate proceedings.)

PRESIDENTIAL MESSAGE

REPORT RELATIVE TO THE CONTINUATION OF THE NATIONAL EMERGENCY THAT WAS DECLARED IN EXECUTIVE ORDER 12957 OF MARCH 15, 1995, WITH RESPECT TO IRAN—PM 52

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days before the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency with respect to Iran that was declared on March 15, 1995, is to continue in effect beyond March 15, 2020.

The actions and policies of the Government of Iran continue to pose an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States.

For this reason, I have determined that it is necessary to continue the national emergency declared in Executive Order 12957 with respect to Iran and to maintain in force comprehensive sanctions against Iran to respond to this threat.

DONALD J. TRUMP.
THE WHITE HOUSE, March 12, 2020.

MESSAGE FROM THE HOUSE
RECEIVED DURING ADJOURNMENT

ENROLLED BILL SIGNED

Under the authority of the order of the Senate of January 3, 2019, the Secretary of the Senate, on March 11, 2020, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker had signed the following enrolled bill:

S. 1822. An act to require the Federal Communications Commission to issue rules relating to the collection of data with respect to the availability of broadband services, and for other purposes.

MESSAGE FROM THE HOUSE

ENROLLED BILL SIGNED

The President pro tempore (Mr. GRASSLEY) announced that on today, March 12, 2020, he has signed the following enrolled bill, which was previously signed by the Speaker of the House:

S. 1822. An act to require the Federal Communications Commission to issue rules relating to the collection of data with respect to the availability of broadband services, and for other purposes.

At 10:04 a.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 and joint resolution, without amendment:

S. 760. An act to enable registered apprenticeship programs to better serve veterans, and for other purposes.

S. 893. An act to require the President to develop a strategy to ensure the security of next generation mobile telecommunications systems and infrastructure in the United States and to assist allies and strategic partners in maximizing the security of next generation mobile telecommunications systems, infrastructure, and software, and for other purposes.

S.J. Res. 68. Joint resolution to direct the removal of United States Armed Forces from hostilities against the Islamic Republic of Iran that have not been authorized by Congress.

The message further announced that the House has agreed to the amendment of the Senate to the bill (H.R. 4334) to amend the Older Americans Act of 1965 to authorize appropriations for fiscal years 2020 through 2024, and for other purposes.

MEASURES PLACED ON THE
CALENDAR

The following bill was read the second time, and placed on the calendar:

H.R. 6172. An act to amend the Foreign Intelligence Surveillance Act of 1978 to prohibit the production of certain business records, and for other purposes.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, March 12, 2020, she had presented to the President of the United States the following enrolled bill:

S. 1822. An act to require the Federal Communications Commission to issue rules relating to the collection of data with respect to the availability of broadband services, and for other purposes.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. JOHNSON, from the Committee on Homeland Security and Governmental Affairs, without amendment:

H.R. 1833. A bill to designate the facility of the United States Postal Service located at 35 Tulip Avenue in Floral Park, New York, as the "Lieutenant Michael R. Davidson Post Office Building".

S. 2847. A bill to designate the facility of the United States Postal Service located at 42 Main Street in Slatersville, Rhode Island, as the "Specialist Matthew R. Turcotte Post Office".

S. 2945. A bill to designate the facility of the United States Postal Service located at 171 South Maple Street in Dana, Indiana, as the Ernest "Ernie" T. Pyle Post Office.

H.R. 3207. To designate the facility of the United States Postal Service located at 114 Mill Street in Hookstown, Pennsylvania, as the "Staff Sergeant Dylan Elchin Post Office Building".

S. 3257. A bill to designate the facility of the United States Postal Service located at 311 West Wisconsin Avenue in Tomahawk, Wisconsin, as the "Einar 'Sarge' H. Ingman, Jr. Post Office Building".

H.R. 3317. A bill to permit the Scipio A. Jones Post Office in Little Rock, Arkansas, to accept and display a portrait of Scipio A. Jones, and for other purposes.

H.R. 3329. A bill to designate the facility of the United States Postal Service located at 5186 Benito Street in Montclair, California, as the "Paul Eaton Post Office Building".

S. 3365. A bill to designate the facility of the United States Postal Service located at 100 Crosby Street in Mansfield, Louisiana, as the "Dr. C.O. Simpkins, Sr., Post Office".

H.R. 4794. A bill to designate the facility of the United States Postal Service located at 8320 13th Avenue in Brooklyn, New York, as the "Mother Frances Xavier Cabrini Post Office Building".

H.R. 4981. A bill to designate the facility of the United States Postal Service located at 2505 Derita Avenue in Charlotte, North Carolina, as the "Julius L. Chambers Civil Rights Memorial Post Office".

H.R. 5037. A bill to designate the facility of the United States Postal Service located at 3703 North Main Street in Farmville, North Carolina, as the "Walter B. Jones, Jr. Post Office".

EXECUTIVE REPORTS OF
COMMITTEES

The following executive reports of nominations were submitted:

By Mr. WICKER for Mr. INHOFE for the Committee on Armed Services.

Air Force nominations beginning with Col. Jason E. Bailey and ending with Col. Parker H. Wright, which nominations were received by the Senate and appeared in the Congressional Record on January 9, 2020.

Army nomination of Maj. Gen. Scott A. Spellmon, to be Lieutenant General.

Marine Corps nominations beginning with Brig. Gen. Scott F. Benedict and ending with Brig. Gen. Roger B. Turner, Jr., which nominations were received by the Senate and appeared in the Congressional Record on January 9, 2020.

Army nomination of Lt. Gen. Edward M. Daly, to be General.

Navy nomination of Rear Adm. Randy B. Crites, to be Vice Admiral.

Navy nomination of Rear Adm. Samuel J. Paparo, Jr., to be Vice Admiral.

Army nominations beginning with Col. Steven L. Allen and ending with Col. Richard L. Zellmann, which nominations were received by the Senate and appeared in the Congressional Record on February 24, 2020. (minus 4 nominees: Col. Douglas S. Lowrey; Col. Bradley D. Moses; Col. Curtis D. Taylor; Col. James P. Work)

Army nomination of Maj. Gen. Robert L. Marion, to be Lieutenant General.

Air Force nomination of Maj. Gen. David A. Krumm, to be Lieutenant General.

Air Force nomination of Lt. Gen. Timothy G. Fay, to be Lieutenant General.

Air Force nomination of Lt. Gen. Jon T. Thomas, to be Lieutenant General.

Navy nomination of Adm. Robert P. Burke, to be Admiral.

Navy nomination of Rear Adm. (lh) Anne M. Swap, to be Rear Admiral.

Navy nomination of Rear Adm. (lh) Michael W. Studeman, to be Rear Admiral.

Navy nominations beginning with Rear Adm. (lh) Stuart P. Baker and ending with Rear Adm. (lh) Charles W. Rock, which nominations were received by the Senate and appeared in the Congressional Record on March 2, 2020.

Navy nominations beginning with Capt. Dion D. English and ending with Capt. Matthew N. Ott III, which nominations were received by the Senate and appeared in the Congressional Record on March 2, 2020.

Navy nomination of Capt. Thomas M. Henderschedt, to be Rear Admiral (lower half).

Navy nominations beginning with Capt. Kevin P. Byrne and ending with Capt. Kurt J. Rothenhaus, which nominations were received by the Senate and appeared in the Congressional Record on March 2, 2020.

Army nominations beginning with Col. Christopher Z. Barra and ending with Col. Peder Swanson, which nominations were received by the Senate and appeared in the Congressional Record on March 3, 2020.

Army nomination of Maj. Gen. Flem B. Walker, Jr., to be Lieutenant General.

Navy nomination of Rear Adm. Stephen T. Koehler, to be Vice Admiral.

Navy nomination of Rear Adm. William J. Galinis, to be Vice Admiral.

Navy nomination of Vice Adm. Ross A. Myers, to be Vice Admiral.

Navy nomination of Rear Adm. Jeffrey E. Trussler, to be Vice Admiral.

Navy nomination of Rear Adm. Roy I. Kitchener, to be Vice Admiral.

Mr. WICKER for Mr. INHOFE. Mr. President, for the Committee on Armed Services I report favorably the following nomination lists which were printed in the RECORDS on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary's desk for the information of Senators.

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

Air Force nominations beginning with Wesley M. Baker and ending with Joseph M. Temple, which nominations were received by the Senate and appeared in the Congressional Record on February 12, 2020.

Air Force nominations beginning with Niren Angle and ending with Marissa V. Ylagan, which nominations were received by the Senate and appeared in the Congressional Record on February 13, 2020.

Air Force nominations beginning with Sandra L. Castle Oh and ending with Joel Adlai Reyes, which nominations were received by the Senate and appeared in the Congressional Record on February 13, 2020.

Air Force nominations beginning with Tracey G. Atherton and ending with Scott A. Williams, which nominations were received by the Senate and appeared in the Congressional Record on February 13, 2020.

Air Force nominations beginning with Rafael V. Andino and ending with Richard E. Yenke, which nominations were received by the Senate and appeared in the Congressional Record on February 13, 2020.

Air Force nomination of Alexander L. Millman, to be Colonel.

Air Force nominations beginning with Kimberly A. Adams and ending with Jamey L. Wright, which nominations were received

by the Senate and appeared in the Congressional Record on February 13, 2020.

Air Force nominations beginning with Christopher T. Prott and ending with Yvonne M. Wilson, which nominations were received by the Senate and appeared in the Congressional Record on February 13, 2020.

Air Force nominations beginning with Mark Alan Bowditch and ending with Daniel R. Sweeney, which nominations were received by the Senate and appeared in the Congressional Record on February 13, 2020.

Air Force nominations beginning with Curtis J. Hayes and ending with Mark R. Sheils, which nominations were received by the Senate and appeared in the Congressional Record on February 13, 2020.

Air Force nominations beginning with David P. Bennett and ending with Tiwana Latise Wright, which nominations were received by the Senate and appeared in the Congressional Record on February 13, 2020.

Air Force nominations beginning with Mark S. Breidenbaugh and ending with Barbara Ann Wujciak, which nominations were received by the Senate and appeared in the Congressional Record on February 13, 2020.

Air Force nomination of John P. Kennedy, to be Lieutenant Colonel.

Air Force nominations beginning with Julian C. Gaither and ending with Travis C. Yelton, which nominations were received by the Senate and appeared in the Congressional Record on March 3, 2020.

Air Force nominations beginning with David M. Abel and ending with Steven M. Zollars, which nominations were received by the Senate and appeared in the Congressional Record on March 3, 2020.

Air Force nominations beginning with Fara M. Buss and ending with John M. Williamson, which nominations were received by the Senate and appeared in the Congressional Record on March 3, 2020.

Air Force nominations beginning with Graham W. Bailly and ending with Carlos A. Ramosgraulau, which nominations were received by the Senate and appeared in the Congressional Record on March 3, 2020.

Army nomination of David D. Hawkins, to be Colonel.

Army nomination of Robert M. Wagner, to be Colonel.

Army nomination of Peter J. Young, to be Lieutenant Colonel.

Army nomination of Andrew S. Evans, to be Lieutenant Colonel.

Army nomination of John M. Craighead, to be Lieutenant Colonel.

Army nomination of Jose Garcia, to be Major.

Army nomination of Osaze E. Okoro, to be Major.

Army nomination of Seth P. Olcese, to be Major.

Army nominations beginning with Ryan T. Armstrong and ending with Scott C. White, which nominations were received by the Senate and appeared in the Congressional Record on February 12, 2020.

Army nominations beginning with Michael L. Marsh and ending with Brian W. Stevens, which nominations were received by the Senate and appeared in the Congressional Record on February 12, 2020.

Army nomination of Alexander D. Dowds, to be Major.

Army nomination of Phillip W. Mazingo, to be Colonel.

Army nomination of Paul Holoye, to be Major.

Army nomination of Aaron S. Brown, to be Lieutenant Colonel.

Army nomination of Carlson D. Chow, to be Lieutenant Colonel.

Army nomination of Demetrius D. Howard, to be Lieutenant Colonel.

Army nomination of Lesly C. Calix, to be Lieutenant Colonel.

Army nominations beginning with Douglas T. Frank and ending with Grant C. Marks, which nominations were received by the Senate and appeared in the Congressional Record on February 13, 2020.

Army nomination of John G. St. Romain, to be Colonel.

Army nominations beginning with Margaret E. Bielenberg and ending with Leonard A. Williams, which nominations were received by the Senate and appeared in the Congressional Record on March 2, 2020.

Army nomination of Kimberly A. Brown, to be Major.

Army nominations beginning with Benjamin T. Cleghorn and ending with Matthew M. Smith, which nominations were received by the Senate and appeared in the Congressional Record on March 2, 2020.

Army nomination of Kevin D. Bradley, to be Colonel.

Army nomination of Jeffrey T. Lopez, to be Colonel.

Army nominations beginning with Adam N. Araujo and ending with Kyle P. Bair, which nominations were received by the Senate and appeared in the Congressional Record on March 2, 2020.

Army nomination of James A. Attaway, to be Lieutenant Colonel.

Army nominations beginning with Allan J. Catindig and ending with Benjamin J. Vanmeter, which nominations were received by the Senate and appeared in the Congressional Record on March 2, 2020.

Army nomination of Matthew D. Clark, to be Major.

Army nomination of Stefanie B. Schwarz, to be Major.

Army nomination of David S. Horlacher, to be Colonel.

Army nominations beginning with Paul R. Helten and ending with Reece D. Roberts, which nominations were received by the Senate and appeared in the Congressional Record on March 2, 2020.

Army nomination of Edward J. Benz III, to be Colonel.

Army nomination of Peter D. Hudspeth, to be Colonel.

Army nomination of John R. Hollar, to be Colonel.

Army nomination of James C. Cheney, to be Colonel.

Army nomination of Amy L. Breguet, to be Major.

Army nomination of Adam R. Eidson, to be Major.

Marine Corps nominations beginning with Robert T. Davis and ending with Clarence A. Wolf, which nominations were received by the Senate and appeared in the Congressional Record on January 6, 2020.

Marine Corps nominations beginning with Matthew S. Pultorak and ending with John D. Williams, which nominations were received by the Senate and appeared in the Congressional Record on January 6, 2020.

Marine Corps nominations beginning with Jimmy W. Darsey and ending with Gerald E. Pirk, Jr., which nominations were received by the Senate and appeared in the Congressional Record on January 6, 2020.

Marine Corps nominations beginning with Tyson E. Peters and ending with Brian G. Wisneski, which nominations were received by the Senate and appeared in the Congressional Record on January 6, 2020.

Marine Corps nominations beginning with Brian J. Amend and ending with Gregory J. Wilson, which nominations were received by the Senate and appeared in the Congressional Record on February 4, 2020.

Marine Corps nominations beginning with Benjamin M. Ables and ending with Gregory R. Zingler, which nominations were received by the Senate and appeared in the Congressional Record on February 12, 2020.

Navy nomination of Nicholas W. DiGeorge, to be Lieutenant Commander.

Navy nomination of Freeman W. Dav-enport IV, to be Lieutenant Commander.

Navy nominations beginning with John P. Barrientos and ending with Michael A. Wren, which nominations were received by the Senate and appeared in the Congressional Record on February 13, 2020.

Navy nomination of Erick G. Garcia, to be Lieutenant Commander.

Navy nomination of Gary C. Grothe, Jr., to be Captain.

Navy nomination of Jonathan E. Dowling, to be Commander.

Navy nomination of Elaine M. Jensen, to be Commander.

Navy nomination of Gerald P. Smith, to be Lieutenant Commander.

By Mr. GRAHAM for the Committee on the Judiciary.

Anna M. Manasco, of Alabama, to be United States District Judge for the Northern District of Alabama.

John F. Heil III, of Oklahoma, to be United States District Judge for the Northern, Eastern and Western Districts of Oklahoma.

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

Edward Hulvey Meyers, of Maryland, to be a Judge of the United States Court of Federal Claims for a term of fifteen years.

By Mr. MORAN for the Committee on Veterans' Affairs.

*Scott J. Laurer, of Virginia, to be a Judge of the United States Court of Appeals for Veterans Claims for the term of fifteen years.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Mr. SCOTT of South Carolina (for himself, Mr. MURPHY, Ms. COLLINS, and Mr. KING):

S. 3451. A bill to improve the health and safety of Americans living with food allergies and related disorders, including potentially life-threatening anaphylaxis, food protein-induced enterocolitis syndrome, and eosinophilic gastrointestinal diseases, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MERKLEY:

S. 3452. A bill to make housing affordable, and for other purposes; to the Committee on Finance.

By Mrs. BLACKBURN (for herself, Mr. HAWLEY, Mr. COTTON, Mr. SCOTT of Florida, Mr. LANKFORD, Mr. LEE, Mr. RUBIO, and Mr. CRUZ):

S. 3453. A bill to amend the Higher Education Act of 1965 to require program participation agreements between institutions of higher education and Hanban if a Confucius Institute operates on the campus of the institution; to the Committee on Health, Education, Labor, and Pensions.

By Mr. COONS (for himself, Mr. CASSIDY, Mr. BROWN, and Mr. WICKER):

S. 3454. A bill to amend the National and Community Service Act of 1990 to allow par-

ticipants in specified service positions to transfer national service educational awards to family members; to the Committee on Health, Education, Labor, and Pensions.

By Mr. HAWLEY (for himself, Mr. SCOTT of Florida, and Mr. COTTON):

S. 3455. A bill to prohibit certain individuals from downloading or using TikTok on any device issued by the United States or a government corporation; to the Committee on Homeland Security and Governmental Affairs.

By Mr. MORAN:

S. 3456. A bill to protect the privacy of consumers; to the Committee on Commerce, Science, and Transportation.

By Mr. WARNER (for himself and Mr. SCOTT of South Carolina):

S. 3457. A bill to amend title XVIII of the Social Security Act to clarify congressional intent and preserve patient access to home infusion therapy under the Medicare program, and for other purposes; to the Committee on Finance.

By Mrs. SHAHEEN:

S. 3458. A bill to direct the Secretary of Veterans Affairs to submit to Congress a plan to address certain high risk areas identified by the Comptroller General of the United States regarding the Department of Veterans Affairs in the 2019 High-Risk List of the Government Accountability Office, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. TILLIS:

S. 3459. A bill to amend title 5, United States Code, to deny Federal retirement benefits to Members of Congress convicted of a felony; to the Committee on Homeland Security and Governmental Affairs.

By Mr. KENNEDY:

S. 3460. A bill to amend the Food and Nutrition Act of 2008 to disqualify certain convicted felons from eligibility in the supplemental nutrition assistance program; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. CORNYN (for himself and Mr. CRUZ):

S. 3461. A bill to designate the facility of the United States Postal Service located at 2600 Wesley Street in Greenville, Texas, as the "Audie Murphy Post Office Building"; to the Committee on Homeland Security and Governmental Affairs.

By Mr. CORNYN (for himself and Mr. CRUZ):

S. 3462. A bill to designate the facility of the United States Postal Service located at 909 West Holiday Drive in Fate, Texas, as the "Ralph Hall Post Office"; to the Committee on Homeland Security and Governmental Affairs.

By Mr. MARKEY:

S. 3463. A bill to authorize appropriations for highway-rail grade crossing improvement projects; to the Committee on Commerce, Science, and Transportation.

By Mrs. SHAHEEN:

S. 3464. A bill to amend title 38, United States Code, to make permanent the temporary increase in number of judges presiding over the United States Court of Appeals for Veterans Claims, and for other purposes; to the Committee on Veterans' Affairs.

By Ms. ROSEN (for herself and Ms. CORTEZ MASTO):

S. 3465. A bill to provide for the conveyance of certain Federal land to Lander County, Nevada, and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. MCSALLY (for herself and Mr. JONES):

S. 3466. A bill to amend title XVIII of the Social Security Act to eliminate cost sharing for biosimilar biological products fur-

nished under part B of the Medicare program during the first 5 years such products are marketed; to the Committee on Finance.

By Mr. KENNEDY:

S. 3467. A bill to direct the Secretary of Homeland Security to share with State, local, and regional fusion centers release information from a Federal correctional facility, including name, charging date, and expected place and date of release, of certain individuals who may pose a terrorist threat, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mrs. LOEFFLER (for herself and Mr. CASEY):

S. 3468. A bill to require the manufacturers of certain essential medical devices to notify the Food and Drug Administration when such manufacturers become aware of a circumstance that could lead to a shortage of such devices, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. COTTON (for himself, Mr. SCHUMER, Mr. VAN HOLLEN, and Mr. SCOTT of Florida):

S. 3469. A bill to impose sanctions with respect to foreign telecommunications companies engaged in economic or industrial espionage against United States persons, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. MARKEY (for himself and Ms. HIRONO):

S. 3470. A bill to establish the National Office of New Americans, to reduce obstacles to United States citizenship, to support the integration of immigrants into the social, cultural, economic, and civic life of the United States, and for other purposes; to the Committee on the Judiciary.

By Mr. RUBIO (for himself, Mr. MERKLEY, Mrs. BLACKBURN, Mr. VAN HOLLEN, Mr. ROMNEY, Mr. YOUNG, Mr. DAINES, Mr. COTTON, Mr. CRUZ, Mr. DURBIN, and Ms. WARREN):

S. 3471. A bill to ensure that goods made with forced labor in the Xinjiang Uyghur Autonomous Region of the People's Republic of China do not enter the United States market, and for other purposes; to the Committee on Foreign Relations.

By Mr. PETERS (for himself and Ms. STABENOW):

S. 3472. A bill to increase the authorization of appropriations for the Keweenaw National Historical Park Advisory Commission; to the Committee on Energy and Natural Resources.

By Mr. CASEY (for himself, Ms. BALDWIN, Mr. MARKEY, Mr. BROWN, Ms. DUCKWORTH, and Mr. BLUMENTHAL):

S. 3473. A bill to amend title 49, United States Code, to improve the accessibility of airline information and entertainment programming provided by air carriers on passenger flights, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Ms. DUCKWORTH (for herself, Mr. BRAUN, and Ms. MCSALLY):

S. 3474. A bill to authorize the Women Who Worked on the Home Front Foundation to establish a commemorative work in the District of Columbia and its environs, and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. DUCKWORTH (for herself, Mrs. FEINSTEIN, Mr. BROWN, Mr. SANDERS, Mr. DURBIN, Mr. BLUMENTHAL, Mr. BOOKER, Mr. REED, Mr. MENENDEZ, and Ms. WARREN):

S. 3475. A bill to direct the Secretary of Labor to issue an emergency temporary standard that requires certain employers to develop and implement a comprehensive infectious disease exposure control plan to protect employees in the health care sectors and

other employees at elevated risk from exposure to SARS-CoV-2, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. PETERS (for himself, Mr. DAINES, Mr. BLUMENTHAL, Ms. KLOBUCHAR, Ms. HIRONO, Mr. ROMNEY, Mr. SCHATZ, and Mr. YOUNG):

S. 3476. A bill to provide for unemployment benefits to workers affected by the 2019 Novel Coronavirus; to the Committee on Homeland Security and Governmental Affairs.

By Ms. SINEMA (for herself and Mr. ROMNEY):

S. 3477. A bill to establish a matched savings program for low-income students; to the Committee on Health, Education, Labor, and Pensions.

By Mr. DURBIN (for himself, Mr. ALEXANDER, Mrs. MURRAY, Mr. ROMNEY, Mr. JONES, Mr. BLUNT, Ms. SMITH, Ms. BALDWIN, Mr. REED, Ms. KLOBUCHAR, and Mr. BLUMENTHAL):

S. 3478. A bill to require a report to assess, evaluate, and address the dependence of the United States on critical drugs and devices sourced or manufactured outside of the United States; to the Committee on Health, Education, Labor, and Pensions.

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

S. 3479. A bill to amend the Federal Crop Insurance Act to encourage the planting of cover crops following prevented planting, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mrs. SHAHEEN (for herself, Mr. SCHUMER, Mr. CARPER, Ms. STABENOW, Ms. HASSAN, Mr. REED, Mr. PETERS, Mr. MARKEY, Mr. WHITEHOUSE, Mr. BOOKER, Ms. WARREN, Mr. MERKLEY, Mr. BLUMENTHAL, Mr. CASEY, Ms. HARRIS, Mr. DURBIN, Mr. COONS, Ms. DUCKWORTH, Mrs. GILLIBRAND, and Mr. SANDERS):

S. 3480. A bill to amend the Safe Drinking Water Act and the Federal Water Pollution Control Act to authorize additional assistance to address pollution from perfluoroalkyl and polyfluoroalkyl substances and other emerging contaminants, and for other purposes; to the Committee on Environment and Public Works.

By Mr. MERKLEY (for himself, Mr. WYDEN, Mr. MENENDEZ, Mrs. MURRAY, Mr. COONS, and Mr. CASEY):

S. 3481. A bill to amend title 13, United States Code, to provide that individuals in prison shall, for the purposes of a decennial census, be attributed to the last place of residence before incarceration, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. BOOKER:

S. 3482. A bill to provide full Federal funding for regular unemployment compensation for the first week of otherwise compensable unemployment in areas; to the Committee on Finance.

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

S. 3483. A bill to amend the Small Business Investment Act of 1958 to establish the Scale-Up Manufacturing Investment Company ("SUMIC") Program; to the Committee on Small Business and Entrepreneurship.

By Mrs. GILLIBRAND:

S. 3484. A bill to authorize the establishment of HOPE Account Pilot Projects, HOPE Action Plans Pilot Projects, and competitive grants for pilot projects; to the Committee on Health, Education, Labor, and Pensions.

By Mr. WHITEHOUSE (for himself, Mr. CASSIDY, and Mr. KING):

S. 3485. A bill to expand the Outer Continental Shelf Lands Act to expand revenue sharing for offshore wind, to reauthorize the National Oceans and Coastal Security Act, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. UDALL:

S. 3486. A bill to improve State, local, and tribal public health security; to the Committee on Health, Education, Labor, and Pensions.

By Ms. BALDWIN (for herself, Mr. CASSIDY, and Mr. BLUMENTHAL):

S. 3487. A bill to amend the Victims of Crime Act of 1984 to provide for the compensation of elderly victims of property damage, to provide increased funding for the crime victim compensation fund, and for other purposes; to the Committee on the Judiciary.

By Mr. MERKLEY (for himself, Mr. MARKEY, and Mr. SANDERS):

S. 3488. A bill to amend the Mineral Leasing Act to repeal a provision relating to the suspension, waiver, or reduction of rents or royalties by the Secretary of the Interior to promote development or operation, to amend the Outer Continental Shelf Lands Act to limit the authority of the Secretary to reduce or eliminate certain royalties and net profit shares, and for other purposes; to the Committee on Energy and Natural Resources.

By Mrs. MURRAY (for herself, Mrs. GILLIBRAND, and Mr. SCHUMER):

S. 3489. A bill to support children and students in responding to safety and health risks presented by qualifying emergencies, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Ms. MURKOWSKI (for herself and Mr. SULLIVAN):

S. 3490. A bill for the relief of Rebecca Trimble; to the Committee on the Judiciary.

By Ms. SMITH (for herself, Mrs. GILLIBRAND, Mr. BENNET, Mr. VAN HOLLEN, Mrs. FEINSTEIN, Mr. CASEY, Mr. Kaine, Mr. SANDERS, and Ms. KLOBUCHAR):

S. 3491. A bill to prohibit adverse employment actions against quarantined or isolated individuals, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Ms. CORTEZ MASTO (for herself and Ms. ROSEN):

S. 3492. A bill to transfer administrative jurisdiction over certain Bureau of Land Management land from the Secretary of the Interior to the Secretary of Veterans Affairs for use as a national cemetery, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. ROUNDS (for himself, Mrs. LOEFFLER, Mr. GRAHAM, Mr. TILLIS, Mrs. HYDE-SMITH, Mr. CRUZ, Mr. CRAPO, Mr. BRAUN, Mrs. CAPITO, Mr. RUBIO, Mr. RISCH, Mr. LANKFORD, Mr. INHOFE, Mr. CRAMER, Mr. ENZI, Mr. THUNE, Ms. ERNST, and Mr. COTTON):

S. 3493. A bill to amend title 18, United States Code, to provide that a member of the Armed Forces and the spouse of that member shall have the same rights regarding the receipt of firearms at the location of any duty station of the member; to the Committee on the Judiciary.

By Mr. REED (for himself, Mr. WHITEHOUSE, and Mr. SANDERS):

S. 3494. A bill to provide for temporary financing of short-time compensation programs; to the Committee on Finance.

By Mr. RUBIO:

S. 3495. A bill to reduce the excessive appreciation of United States residential real estate due to foreign purchases; to the Committee on Finance.

By Mr. REED (for himself, Mr. WHITEHOUSE, and Mr. SANDERS):

S. 3496. A bill to provide for Federal financing of short-time compensation programs during public health emergencies; to the Committee on Finance.

By Mr. PETERS (for himself, Mr. WYDEN, Mr. SCHUMER, Mr. REED, Mrs. MURRAY, Ms. WARREN, Ms. HIRONO,

Mr. MARKEY, Ms. DUCKWORTH, Mr. SANDERS, Mr. TESTER, Mr. DURBIN, Mr. WHITEHOUSE, Mr. BROWN, Mr. KAINE, Ms. BALDWIN, Mr. VAN HOLLEN, Mr. MENENDEZ, Mr. BOOKER, Mr. CASEY, Mrs. SHAHEEN, Ms. KLOBUCHAR, and Mr. BLUMENTHAL):

S. 3497. A bill to provide unemployment assistance to individuals affected by COVID-19, and for other purposes; to the Committee on Finance.

By Mr. SCOTT of Florida:

S. 3498. A bill to require the Secretary of Health and Human Services to reimburse States for the cost of operating drive-through sites for COVID-19 testing; to the Committee on Health, Education, Labor, and Pensions.

By Ms. SMITH (for herself, Mr. PETERS,

Mr. SCHUMER, Mrs. MURRAY, Mr. WYDEN, Mr. CASEY, Mr. JONES, Mr. BROWN, Ms. DUCKWORTH, Mr. TESTER, Mr. WHITEHOUSE, Mr. SANDERS, Ms. BALDWIN, Mr. REED, Mr. MURPHY, Ms. KLOBUCHAR, Ms. HIRONO, Mr. SCHATZ, Mr. KING, Mr. COONS, Ms. STABENOW, Mr. BOOKER, Mrs. FEINSTEIN, Ms. HARRIS, Mr. UDALL, Ms. HASSAN, Mrs. GILLIBRAND, Mr. HEINRICH, Ms. ROSEN, Mrs. SHAHEEN, Mr. KAINE, Ms. WARREN, Mr. CARPER, Mr. WARNER, Mr. VAN HOLLEN, Mr. DURBIN, Mr. MARKEY, Mr. BLUMENTHAL, Mr. BENNET, and Mr. MENENDEZ):

S. 3499. A bill to amend coverage requirements to ensure that no person incurs cost-sharing when receiving a test to confirm a COVID-19 infection; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MENENDEZ (for himself, Mr. WHITEHOUSE, Mr. CARPER, Mr. BOOKER, Mr. REED, and Mr. COONS):

S. 3500. A bill to amend title XVIII of the Social Security Act to codify and permanently extend the Medicare hospital wage index imputed rural floor; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. GARDNER (for himself, Ms. SINEMA, Ms. MCSALLY, Mr. BENNET, and Mr. INHOFE):

S. Res. 542. A resolution commemorating the 75th anniversary of the liberation of the Dachau concentration camp during World War II; to the Committee on Foreign Relations.

By Mrs. CAPITO (for herself, Ms. DUCKWORTH, Ms. COLLINS, Mrs. SHAHEEN, and Mr. KAINE):

S. Res. 543. A resolution recognizing Girl Scouts of the United States of America on its 108th birthday and celebrating its legacy of creating leaders in Gold Award Girl Scouts, including the 2019 National Gold Award Girl Scouts; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 803

At the request of Mr. TOOMEY, the name of the Senator from Georgia (Mrs. LOEFFLER) was added as a cosponsor of S. 803, a bill to amend the Internal Revenue Code of 1986 to restore incentives for investments in qualified improvement property.

S. 1330

At the request of Ms. DUCKWORTH, the name of the Senator from Nevada (Ms. CORTEZ MASTO) was added as a cosponsor of S. 1330, a bill to amend the Energy Reorganization Act of 1974 to clarify whistleblower rights and protections, and for other purposes.

S. 1942

At the request of Mr. CARPER, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 1942, a bill to amend chapter 81 of title 5, United States Code, to create a presumption that a disability or death of a Federal employee in fire protection activities caused by any of certain diseases is the result of the performance of the duty of the employee, and for other purposes.

S. 2042

At the request of Mr. SCHUMER, the name of the Senator from Arizona (Ms. SINEMA) was added as a cosponsor of S. 2042, a bill to require the Secretary of the Treasury to mint coins in commemoration of the National Purple Heart Hall of Honor.

S. 2115

At the request of Mr. LANKFORD, the name of the Senator from Georgia (Mrs. LOEFFLER) was added as a cosponsor of S. 2115, a bill to amend title 5, United States Code, to modify the period after retirement for authority of the Department of Defense to appoint retired members of the armed forces to positions within the Department after retirement.

S. 2615

At the request of Mr. CASSIDY, the names of the Senator from Mississippi (Mr. WICKER) and the Senator from Mississippi (Mrs. HYDE-SMITH) were added as cosponsors of S. 2615, a bill to amend the Internal Revenue Code of 1986 to improve the historic rehabilitation tax credit, and for other purposes.

S. 2898

At the request of Mr. INHOFE, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 2898, a bill to amend title 5, United States Code, to provide for a full annuity supplement for certain air traffic controllers.

S. 2994

At the request of Mr. SCOTT of South Carolina, the names of the Senator from Kansas (Mr. ROBERTS) and the Senator from Arizona (Ms. MCSALLY) were added as cosponsors of S. 2994, a bill to amend the Internal Revenue Code of 1986 to require information reporting with respect to the qualified opportunity zone tax incentives enacted by the 2017 tax reform legislation, to require public reports related to such tax incentives, and for other purposes.

S. 3231

At the request of Mr. SCHATZ, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 3231, a bill to increase the rates of pay under the General Schedule and other

statutory pay systems and for prevailing rate employees by 3.5 percent, and for other purposes.

S. 3296

At the request of Mr. TOOMEY, the name of the Senator from Georgia (Mrs. LOEFFLER) was added as a cosponsor of S. 3296, a bill to amend the Internal Revenue Code of 1986 to permanently allow a tax deduction at the time an investment in qualified property is made, and for other purposes.

S. 3301

At the request of Mrs. SHAHEEN, the names of the Senator from New Hampshire (Ms. HASSAN), the Senator from Tennessee (Mr. ALEXANDER), the Senator from West Virginia (Mrs. CAPITO) and the Senator from Nevada (Ms. ROSEN) were added as cosponsors of S. 3301, a bill to promote the empowerment, development, and prosperity of women globally, and for other purposes.

S. 3350

At the request of Mr. CRAPO, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 3350, a bill to amend title XVIII of the Social Security Act to deem certain State Veterans homes meeting certain health and safety standards as meeting conditions and requirements for skilled nursing facilities under the Medicare and Medicaid programs.

S. 3368

At the request of Mr. ENZI, the name of the Senator from Utah (Mr. LEE) was added as a cosponsor of S. 3368, a bill to amend the Consumer Financial Protection Act of 2010 to set the rate of pay for employees of the Bureau of Consumer Financial Protection in accordance with the General Schedule.

S. 3372

At the request of Mrs. FISCHER, the name of the Senator from Louisiana (Mr. CASSIDY) was added as a cosponsor of S. 3372, a bill to amend the Public Health Service Act to provide for treatment of certain respiratory protective devices as covered countermeasures for purposes of targeted liability protections for pandemic and epidemic products and security countermeasures, and for other purposes.

S. 3422

At the request of Mr. GARDNER, the name of the Senator from North Dakota (Mr. CRAMER) was added as a cosponsor of S. 3422, a bill to amend title 54, United States Code, to establish, fund, and provide for the use of amounts in a National Parks and Public Land Legacy Restoration Fund to address the maintenance backlog of the National Park Service, the United States Fish and Wildlife Service, the Bureau of Land Management, the Forest Service, and the Bureau of Indian Education, and to provide permanent, dedicated funding for the Land and Water Conservation Fund, and for other purposes.

S. 3432

At the request of Mrs. BLACKBURN, the name of the Senator from Arizona

(Ms. MCSALLY) was added as a cosponsor of S. 3432, a bill to support the advanced manufacturing technologies program of the Food and Drug Administration, to establish National Centers of Excellence in Advanced Pharmaceutical Manufacturing, and for other purposes.

S. 3444

At the request of Mr. TESTER, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of S. 3444, a bill to amend title 38, United States Code, to expand the list of diseases associated with exposure to certain herbicide agents for which there is a presumption of service connection for veterans who served in the Republic of Vietnam, and for other purposes.

S. CON. RES. 35

At the request of Ms. SINEMA, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. Con. Res. 35, a concurrent resolution providing for a joint hearing of the Committee on the Budget of the Senate and the Committee on the Budget of the House of Representatives to receive a presentation from the Comptroller General of the United States regarding the audited financial statement of the executive branch.

S. RES. 499

At the request of Mr. YOUNG, the name of the Senator from Indiana (Mr. BRAUN) was added as a cosponsor of S. Res. 499, a resolution acknowledging the reprehensible policy of the United States regarding the forced relocation of the Potawatomi people from their homeland east of the Mississippi River to Kansas and Oklahoma and the devastating hardships the Potawatomi people endured during the march west, known as the "Potawatomi Trail of Death".

S. RES. 528

At the request of Ms. STABENOW, the names of the Senator from Washington (Mrs. MURRAY), the Senator from Washington (Ms. CANTWELL) and the Senator from Georgia (Mr. PERDUE) were added as cosponsors of S. Res. 528, a resolution recognizing the importance of the blueberry industry to the United States and designating July 2020 as "National Blueberry Month".

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DURBIN (for himself, Mr. ALEXANDER, Mrs. MURRAY, Mr. ROMNEY, Mr. JONES, Mr. BLUNT, Ms. SMITH, Ms. BALDWIN, Mr. REED, Ms. KLOBUCHAR, and Mr. BLUMENTHAL):

S. 3478. A bill to require a report to assess, evaluate, and address the dependence of the United States on critical drugs and devices sourced or manufactured outside of the United States; to the Committee on Health, Education, Labor, and Pensions.

Mr. DURBIN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 3478

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Commission on America’s Medical Security Act”.

SEC. 2. NATIONAL ACADEMIES REPORT ON AMERICA’S MEDICAL PRODUCT SUPPLY CHAIN SECURITY.

(a) IN GENERAL.—Not later than 60 days after the date of enactment of this Act, the Secretary of Health and Human Services shall enter into an agreement with the National Academies of Sciences, Engineering, and Medicine (referred to in this section as the “National Academies”) to examine, and, in a manner that does not compromise national security, report on, the security of the United States medical product supply chain.

(b) PURPOSES.—The report developed under this section shall—

(1) assess and evaluate the dependence of the United States, including the private commercial sector, States, and the Federal Government, on critical drugs and devices that are sourced or manufactured outside of the United States, which may include an analysis of—

(A) the supply chain of critical drugs and devices of greatest priority to providing health care;

(B) any potential public health security or national security risks associated with reliance on critical drugs and devices sourced or manufactured outside of the United States, which may include responses to previous or existing shortages or public health emergencies, such as infectious disease outbreaks, bioterror attacks, and other public health threats;

(C) any existing supply chain information gaps, as applicable; and

(D) potential economic impact of increased domestic manufacturing; and

(2) provide recommendations, which may include a plan to improve the resiliency of the supply chain for critical drugs and devices as described in paragraph (1), and to address any supply vulnerabilities or potential disruptions of such products that would significantly affect or pose a threat to public health security or national security, as appropriate, which may include strategies to—

(A) promote supply chain redundancy and contingency planning;

(B) encourage domestic manufacturing, including consideration of economic impacts, if any;

(C) improve supply chain information gaps;

(D) improve planning considerations for medical product supply chain capacity during public health emergencies; and

(E) promote the accessibility of such drugs and devices.

(c) INPUT.—In conducting the study and developing the report under subsection (b), the National Academies shall—

(1) consider input from the Department of Health and Human Services, the Department of Homeland Security, the Department of Defense, the Department of Commerce, the Department of State, the Department of Veterans Affairs, the Department of Justice, and any other Federal agencies as appropriate; and

(2) consult with relevant stakeholders, which may include conducting public meetings and other forms of engagement, as appropriate, with health care providers, medical professional societies, State-based societies, public health experts, State and local public health departments, State medical boards, patient groups, medical product

manufacturers, health care distributors, wholesalers and group purchasing organizations, pharmacists, and other entities with experience in health care and public health, as appropriate.

(d) DEFINITIONS.—In this section, the terms “device” and “drug” have the meanings given such terms in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321).

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

S. 3479. A bill to amend the Federal Crop Insurance Act to encourage the planting of cover crops following prevented planting, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. THUNE. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 3479

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Cover Crop Flexibility Act of 2020”.

SEC. 2. COVER CROPS PLANTED DUE TO PREVENTED PLANTING.

(a) IN GENERAL.—Section 508A of the Federal Crop Insurance Act (7 U.S.C. 1508a) is amended—

(1) in subsection (c)—

(A) in paragraph (1)(B)(ii)—

(i) by striking “collect an indemnity” and inserting the following: “collect—

“(I) an indemnity”;

(ii) in subclause (I) (as so designated), by striking the period at the end and inserting “; or”;

(iii) by adding at the end the following:

“(II) an indemnity payment that is equal to the prevented planting guarantee for the acreage for the first crop, if the second crop—

“(aa) is an approved cover crop that—

“(AA) will be planted for use as animal feed or bedding that is hayed, grazed (rotationally, adaptively, or at equal to or less than the carrying capacity), or chopped outside of the primary nesting season; or

“(BB) will not be harvested, such as a crop with an intended use of being left standing or cover; and

“(bb) cannot be harvested for grain or other uses unrelated to livestock forage or conservation, as determined by the Corporation.”;

(B) in paragraph (3)—

(i) by inserting “a second crop described in item (aa) or (bb) of paragraph (1)(B)(ii)(II), or” before “double cropping”;

(ii) by striking “make an election under paragraph (1)(B)” and inserting “makes an election under paragraph (1)(B)(ii)(I)”;

(2) by inserting at the end the following:

“(f) PREVENTED PLANTING COVERAGE FACTORS.—For producers that plant cover crops following prevented planting, the Corporation may provide separate prevented planting coverage factors that include preplanting costs, the cost of cover crop seed, and the cost of fencing and supplying water to livestock.”.

(b) RESEARCH AND DEVELOPMENT.—Section 522(c) of the Federal Crop Insurance Act (7 U.S.C. 1522(c)) is amended by adding at the end the following:

“(20) COVER CROPS.—

“(A) IN GENERAL.—The Corporation shall carry out research and development, or offer

to enter into 1 or more contracts with 1 or more qualified persons to carry out research and development, regarding a policy to insure crops on fields that regularly utilize cover crops.

“(B) REQUIREMENTS.—Research and development under subparagraph (A) shall include—

“(i) a review of prevented planting coverage factors described in section 508A(f) and an evaluation of whether to include cover crop seed costs and costs related to grazing in the calculation of a factor;

“(ii) the extent to which cover crops reduce the risk of subsequent prevented planting;

“(iii) the extent to which cover crops make crops more resilient to or otherwise reduce the risk of loss resulting from natural disasters such as drought;

“(iv) the extent to which increased regularity of using cover crops or interactions with other practices such as tillage or rotation affects risk reduction;

“(v) whether rotational, adaptive, or other prescribed grazing of cover crops can maintain or improve risk reduction; and

“(vi) how best to account for any reduced risk and provide a benefit to producers using cover crops through a separate plan or policy of insurance.

“(C) REPORT.—Not later than 18 months after the date of enactment of this paragraph, the Corporation shall make available on the website of the Corporation, and submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate, a report that—

“(i) describes the results of the research and development carried out under subparagraph (A); and

“(ii) includes any recommendations with respect to those results.”.

By Mr. REED (for himself, Mr.

WHITEHOUSE, and Mr. SANDERS):

S. 3496. A bill to provide for Federal financing of short-time compensation programs during public health emergencies; to the Committee on Finance.

Mr. REED. Mr. President, today I am joined by several of my colleagues in introducing the Layoff Prevention Extension Act and the Preventing Layoffs During a Public Health Emergency Act. Both bills would renew Federal support for State short-time compensation—or work sharing—programs and provide assistance for States to adopt and improve existing programs in law. The latter bill would specifically activate financing for work sharing programs when there is a public health emergency.

The coronavirus has officially reached a pandemic level, with an increasing impact on individual lives, communities, and businesses across the United States. Last week, I was pleased that the Senate voted on an overwhelming bipartisan basis to approve nearly \$8 billion in supplemental funding for public health agencies to respond to this outbreak, but that was only the down payment.

While Congress has taken initial steps to address coronavirus as a public health crisis and stop the spread of COVID-19, it is also important to support the workers, students, families, and businesses that are already being impacted as this outbreak ripples

across the economy. In response to a reduced workforce due to workers that are ill, quarantined, or have new caregiving duties, companies that are losing business may need to lay off workers—even those that are healthy, if they are unable to keep their doors open. We need to extend emergency UI benefits, but just as importantly, we should incentivize employers to not lay off workers for what we hope will be a temporary public health emergency.

That is where work sharing can play a critical role, as it encourages, through the UI system, employers and employees to voluntarily reduce hours instead of laying people off. The concept of work sharing is simple—it provides an alternative to help businesses that are experiencing a temporary slowdown the chance to retain employees on a less than full-time basis. By giving struggling companies the flexibility to reduce hours instead of their workforce, work sharing programs prevent layoffs and help employers save money on rehiring costs. All the while, workers who otherwise would be in danger of losing their jobs completely—would keep their jobs instead, with the UI system making up for lost wages.

According to the Department of Labor, work sharing saved approximately 570,000 jobs in the wake of the Great Recession (2008–2015). As part of the Middle Class Tax Relief and Job Creation Act, Congress enacted my Layoff Prevention Act of 2012, which provided temporary Federal financing for 100 percent of work sharing benefits paid to workers. States also received -1/ grants for implementation, improved administration, and program enrollment efforts. This assistance helped save over 130,000 jobs from 2012 to its sunset in 2015. Multiple studies have found that communities that adopted more robust work-sharing programs weathered the recession with lower unemployment rates. But even more jobs could have been saved if these programs had been in place before business slowed down.

The legislation I am introducing today would address the current public health emergency and help soften the blow of future slowdowns. The Preventing Layoffs During a Public Health Emergency Act would provide financing to States with and without formal work sharing laws during the period of a public health emergency, and up to one year after the termination of the emergency. The Layoff Prevention Act would provide a more permanent solution to give States an incentive to expand their work sharing programs to prevent future layoffs and blunt economic downturns.

I urge my colleagues to join me and Senators WHITEHOUSE and SANDERS in supporting passage of both bills to keep American workers on the job, save taxpayers money, and provide employers with a practical, positive, and cost-effective alternative to layoffs.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 542—COMMEMORATING THE 75TH ANNIVERSARY OF THE LIBERATION OF THE DACHAU CONCENTRATION CAMP DURING WORLD WAR II

Mr. GARDNER (for himself, Ms. SINEMA, Ms. MCSALLY, Mr. BENNET, and Mr. INHOFE) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 542

Whereas the Dachau concentration camp, established in March 1933—

(1) was the first concentration camp established by the German National Socialist, or “Nazi”, government; and

(2) operated continuously until the end of World War II in 1945;

Whereas the Dachau concentration camp housed Germans who were deemed political, racial, or social threats by the Nazi regime, including Communists, Social Democrats, Jews, Roma, members of the clergy, Jehovah’s Witnesses, and other religious and cultural minorities;

Whereas, in addition to Germans, prisoners at the Dachau concentration camp included Poles, Hungarians, Austrians, Italians, Lithuanians, Czechs, Slovenes, Belgians, and other foreign nationals from countries occupied or invaded by Germany;

Whereas the Nazis imprisoned more than 200,000 civilians in the Dachau concentration camp and the more than 100 subcamps of the Dachau concentration camp;

Whereas the Nazis murdered tens of thousands of innocent civilians at the Dachau concentration camp, one of many camps where the Nazis brutally killed millions of people, including 6,000,000 Jews, during the Holocaust;

Whereas the Nazis tortured and conducted medical experiments on civilian prisoners at the Dachau concentration camp, including by—

(1) subjecting the prisoners to pressure extremes;

(2) submersing the prisoners in freezing water;

(3) forcing the prisoners to drink salt water; and

(4) infecting the prisoners with malaria;

Whereas the Nazis subjected civilian prisoners at the Dachau concentration camp to forced labor—

(1) first for the initial construction and expansion of the camp; and

(2) later primarily for armaments production to supply the German military;

Whereas, following the advance of Allied Forces, the Nazi regime began the systematic transfer of prisoners from evacuated concentration camps to the Dachau concentration camp for continued imprisonment;

Whereas, in December 1943, Dwight D. Eisenhower was appointed as Supreme Commander of the Allied Expeditionary Forces and led the formal coordination of the Allied Forces, with the mission to liberate Europe;

Whereas, on April 29, 1945, the 45th Infantry “Thunderbird” Division of the Seventh Army of the United States (referred to in this preamble as the “45th Infantry Division”), under the leadership of Lieutenant Colonel Felix Sparks, member of the Colorado Army National Guard and Commander of the Third Battalion of the 157th Infantry Regiment of the 45th Infantry Division, along with units of the 42nd Infantry Division and the 20th Armored Division, led the

liberation of the main Dachau concentration camp;

Whereas the 45th Infantry Division—

(1) was composed of National Guard units from Colorado, Oklahoma, Arizona, and New Mexico; and

(2) deployed in June 1943 in support of the Allied Forces during World War II;

Whereas, in the European theater of operation, the 45th Infantry Division suffered—

(1) 1,831 deaths in battle; and

(2) 7,791 casualties;

Whereas, in 1985, the United States Army Center of Military History and the United States Holocaust Memorial Museum honored the 45th Infantry Division with recognition as a “liberating unit”; and

Whereas commemoration of the liberation of the Dachau concentration camp will instill in all people of the United States a greater awareness of the unspeakable tragedies of the Holocaust: Now, therefore, be it

Resolved, That the Senate—

(1) commemorates April 29, 2020, as the 75th anniversary of the liberation of the Dachau concentration camp during World War II;

(2) condemns the crimes against humanity committed by the Nazi regime; and

(3) recognizes the valorous efforts of the 45th Infantry Division, the 42nd Infantry Division, and the 20th Armored Division of the Seventh Army of the United States in the liberation of the thousands of individuals imprisoned at the Dachau concentration camp.

SENATE RESOLUTION 543—RECOGNIZING GIRL SCOUTS OF THE UNITED STATES OF AMERICA ON ITS 108TH BIRTHDAY AND CELEBRATING ITS LEGACY OF CREATING LEADERS IN GOLD AWARD GIRL SCOUTS, INCLUDING THE 2019 NATIONAL GOLD AWARD GIRL SCOUTS

Mrs. CAPITO (for herself, Ms. DUCKWORTH, Ms. COLLINS, Mrs. SHAHEEN, and Mr. KAINE) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 543

Whereas the Girl Scout Movement was founded on March 12, 1912, in Savannah, Georgia, by Juliette Gordon Low, whose life mission was to build girls of courage, confidence, and character who make the world a better place;

Whereas Girl Scouts continues to help girls build a strong sense of self, seek challenges and learn from setbacks, display positive values, form and maintain healthy relationships, and identify and solve problems in their communities;

Whereas, in 2020, Girl Scouts combines research-backed, innovative programming catered to girls in science, technology, engineering, and math, the outdoors, entrepreneurship, civic engagement, and other areas, in an all-girl, girl-led environment in which the specific needs of girls are addressed and met;

Whereas Girl Scouts in grades 9 through 12 can advance their civic engagement by earning the Gold Award, the most highly regarded award in the world for girls;

Whereas, to earn the Gold Award, Girl Scouts tackle issues that are important to them and drive lasting innovation while demonstrating essential skills, such as critical thinking, communication, project management, collaboration, and public speaking;

Whereas, each year, approximately 6,000 Girl Scouts earn the Gold Award, displaying

their leadership as trailblazers and opening opportunities for scholarships, preferred admission for college, and amazing career opportunities;

Whereas, each year, Girl Scouts selects 10 exceptionally inspiring Gold Award Girl Scouts, nominated by local councils, as National Gold Award Girl Scouts;

Whereas National Gold Award Girl Scouts have completed projects that demonstrate extraordinary leadership, have a measurable and sustainable effect, and address a local challenge relating to a national or global issue; and

Whereas the 2019 National Gold Award Girl Scouts are Isabella Madrigal from Temecula, California, Mary Katherine Futrell from Dallas, Texas, Minely Millan from Calle Rosa Imperial in Puerto Rico, Lauren Vanlandingham from St. Louis, Missouri, Phoebe Wall from Redmond, Washington, Taryn-Marie Jenkins from Wilmington, Delaware, Grace Goodpasture from Ashland, Virginia, Megan Loh from Placentia, California, Ana De Almeida Amaral from Chula Vista, California, and Kai Zaragoza from Pembroke Pines, Florida; Now, therefore, be it

Resolved, That the Senate—

(1) recognizes Girl Scouts of the United States of America for 108 years of creating changemakers by nurturing and supporting the leadership development of girls;

(2) congratulates the Girl Scouts who earned the Gold Award in 2019, including the National Gold Award Girl Scouts; and

(3) encourages Girl Scouts of the United States of America to continue to champion the ambitions, cultivate the talents, and develop the skills of future women leaders.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1555. Ms. MURKOWSKI (for Mr. TESTER) proposed an amendment to the bill H.R. 4920, to amend title 38, United States Code, to provide for an exception to certain small business contracting requirements applicable to the Department of Veterans Affairs procurement of certain goods and services covered under the Ability One program, and for other purposes.

TEXT OF AMENDMENTS

SA 1555. Ms. MURKOWSKI (for Mr. TESTER) proposed an amendment to the bill H.R. 4920, to amend title 38, United States Code, to provide for an exception to certain small business contracting requirements applicable to the Department of Veterans Affairs procurement of certain goods and services covered under the Ability One program, 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 “Department of Veterans Affairs Contracting Preference Consistency Act of 2020”.

SEC. 2. EXCEPTION TO DEPARTMENT OF VETERANS AFFAIRS SMALL BUSINESS CONTRACTING REQUIREMENT FOR CERTAIN GOODS AND SERVICES COVERED UNDER ABILITY ONE PROGRAM.

(a) IN GENERAL.—Subsection (d) of section 8127 of title 38, United States Code, is amended—

(1) by striking “Except” and inserting “(1) Except”;

(2) by inserting “in paragraph (2) and” before “in subsections (b) and (c)”; and

(3) by adding at the end the following new paragraph:

“(2)(A) Notwithstanding paragraph (1) and except as provided by subparagraph (B) of this paragraph, with respect to the procurement of a covered product or service, a contracting officer of the Department shall procure such product or service from a source designated under chapter 85 of title 41, and in accordance with the regulations prescribed under such chapter.

“(B)(i) Subject to clause (ii), subparagraph (A) shall not apply in the case of a covered product or service for which a contract was—

“(I) awarded under paragraph (1) after December 22, 2006; and

“(II) in effect on the day before the date of the enactment of the Department of Veterans Affairs Contracting Preference Consistency Act of 2020.

“(ii) Clause (i) shall cease to apply to a covered product or service described in such clause upon a determination of the Secretary that when the current contract for the covered product or service is terminated or expires there is no reasonable expectation that—

“(I) two or more small business concerns owned and controlled by veterans will submit offers as described in paragraph (1); and

“(II) the award can be made at a fair and reasonable price that offers best value to the United States.

“(C) In this paragraph, the term ‘covered product or service’ means—

“(i) a product or service that—

“(I) is included on the procurement list under section 8503(a) of title 41; and

“(II) was included on such procurement list on or before December 22, 2006; or

“(ii) a product or service that—

“(I) is a replacement for a product or service described under clause (i);

“(II) is essentially the same and meeting the same requirement as the product or service being replaced; and

“(III) a contracting officer determines meets the quality standards and delivery schedule of the Department.”.

(b) CONFORMING AMENDMENTS.—Such section is further amended in each of subsections (b) and (c), by striking “For” and inserting “Except as provided in subsection (d)(2), for”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to a contract entered into on or after the date of the enactment of this Act.

AUTHORITY FOR COMMITTEES TO MEET

Mr. THUNE. Mr. President, I have 5 requests for committees to meet during today’s session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today’s session of the Senate:

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

The Committee on Agriculture, Nutrition, and Forestry is authorized to meet during the session of the Senate on Thursday, March 12, 2020, at 10 a.m., to conduct a hearing on pending nominations.

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services is authorized to meet during the session of the Senate on Thursday, March 12, 2020, at 10 a.m., to conduct a hearing.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Thursday, March 12, 2020, at 10:10 a.m., to conduct a hearing on the following nominations: John Leonard Badalamenti, to be United States District Judge for the Middle District of Florida, William Scott Hardy, to be United States District Judge for the Western District of Pennsylvania, John F. Heil III, to be United States District Judge for the Northern, Eastern and Western Districts of Oklahoma, David Cleveland Joseph, to be United States District Judge for the Western District of Louisiana, Anna M. Manasco, to be United States District Judge for the Northern District of Alabama, Drew B. Tipton, to be United States District Judge for the Southern District of Texas, Stephen Sidney Schwartz, of Virginia, Kathryn C. Davis, of Maryland, and Edward Hulvey Meyers, of Maryland, each to be a Judge of the United States Court of Federal Claims, and Vincent F. DeMarco, to be United States Marshal for the Eastern District of New York, Department of Justice.

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

The Committee on Small Business and Entrepreneurship is authorized to meet during the session of the Senate on Thursday, March 12, 2020, at 10:30 a.m., to conduct a hearing.

COMMITTEE ON VETERANS’ AFFAIRS

The Committee on Veterans’ Affairs is authorized to meet during the session of the Senate on Thursday, March 12, 2020, at 11:45 a.m., to conduct a hearing on the following nomination: James E. Trainor III, of Texas, to be a Member of the Federal Election Commission.

Mr. MURKOWSKI. Mr. President, I have a request for one committee to meet during today’s session of the Senate. It has the approval of the Majority and Minority leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committee is authorized to meet during today’s session of the Senate:

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services is authorized to meet during the session of the Senate on Thursday, March 12, 2020, at 12 p.m., to conduct a closed hearing.

AUTHORIZING THE USE OF EMANICIPATION HALL FOR A CEREMONY AS PART OF THE COMMEMORATION OF THE DAYS OF REMEMBRANCE OF VICTIMS OF THE HOLOCAUST

Ms. MURKOWSKI. Mr. President, I now ask unanimous consent that the Senate proceed to the immediate consideration of H. Con. Res. 87, which was received from the House.

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

The senior assistant legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 87) authorizing the use of Emancipation Hall for a ceremony as part of the commemoration of the days of remembrance of victims of the Holocaust.

The PRESIDING OFFICER. Is there objection to proceeding to the measure?

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

Ms. MURKOWSKI. I ask unanimous consent that the resolution be agreed to and the motion 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 concurrent resolution (H. Con. Res. 87) was agreed to.

DEPARTMENT OF VETERANS AFFAIRS CONTRACTING PREFERENCE CONSISTENCY ACT

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be discharged from further consideration of H.R. 4920 and the Senate proceed to its immediate consideration.

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

The senior assistant legislative clerk read as follows:

A bill (H.R. 4920) to amend title 38, United States Code, to provide for an exception to certain small business contracting requirements applicable to the Department of Veterans Affairs procurement of certain goods and services covered under the Ability One program, and for other purposes.

The PRESIDING OFFICER. Is there objection to proceeding to the measure?

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

Ms. MURKOWSKI. I further ask that the Tester substitute amendment be considered and agreed to; that the bill, as amended, be considered read a third time and passed; and that the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The amendment (No. 1555), in the nature of a substitute, was agreed to as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Department of Veterans Affairs Contracting Preference Consistency Act of 2020".

SEC. 2. EXCEPTION TO DEPARTMENT OF VETERANS AFFAIRS SMALL BUSINESS CONTRACTING REQUIREMENT FOR CERTAIN GOODS AND SERVICES COVERED UNDER ABILITY ONE PROGRAM.

(a) IN GENERAL.—Subsection (d) of section 8127 of title 38, United States Code, is amended—

(1) by striking "Except" and inserting "(1) Except";

(2) by inserting "in paragraph (2) and" before "in subsections (b) and (c)"; and

(3) by adding at the end the following new paragraph:

"(2)(A) Notwithstanding paragraph (1) and except as provided by subparagraph (B) of this paragraph, with respect to the procurement of a covered product or service, a contracting officer of the Department shall procure such product or service from a source designated under chapter 85 of title 41, and in accordance with the regulations prescribed under such chapter.

"(B)(i) Subject to clause (ii), subparagraph (A) shall not apply in the case of a covered product or service for which a contract was—

"(I) awarded under paragraph (1) after December 22, 2006; and

"(II) in effect on the day before the date of the enactment of the Department of Veterans Affairs Contracting Preference Consistency Act of 2020.

"(ii) Clause (i) shall cease to apply to a covered product or service described in such clause upon a determination of the Secretary that when the current contract for the covered product or service is terminated or expires there is no reasonable expectation that—

"(I) two or more small business concerns owned and controlled by veterans will submit offers as described in paragraph (1); and

"(II) the award can be made at a fair and reasonable price that offers best value to the United States.

"(C) In this paragraph, the term 'covered product or service' means—

"(i) a product or service that—

"(I) is included on the procurement list under section 8503(a) of title 41; and

"(II) was included on such procurement list on or before December 22, 2006; or

"(ii) a product or service that—

"(I) is a replacement for a product or service described under clause (i);

"(II) is essentially the same and meeting the same requirement as the product or service being replaced; and

"(III) a contracting officer determines meets the quality standards and delivery schedule of the Department."

(b) CONFORMING AMENDMENTS.—Such section is further amended in each of sub-

sections (b) and (c), by striking "For" and inserting "Except as provided in subsection (d)(2), for".

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to a contract entered into on or after the date of the enactment of this Act.

The bill (H.R. 4920), as amended, was ordered to a third reading, was read the third time, and passed.

ORDERS FOR MONDAY, MARCH 16, 2020

Ms. MURKOWSKI. Mr. President, I now ask unanimous consent that when the Senate completes its business today, it adjourn until 3 p.m., Monday, March 16; 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 approved for their use later in the day, and morning business be closed; further, that following leader remarks, the Senate resume consideration of the motion to proceed to H.R. 6172; and that notwithstanding rule XXII, the cloture motion filed during today's session ripen at 5:30 p.m.

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

ADJOURNMENT UNTIL MONDAY, MARCH 16, 2020, AT 3 P.M.

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

There being no objection, the Senate, at 5:53 p.m., adjourned until Monday, March 16, 2020, at 3 p.m.

NOMINATIONS

Executive nomination received by the Senate:

DEPARTMENT OF ENERGY

MARK WESLEY MENEZES, OF VIRGINIA, TO BE DEPUTY SECRETARY OF ENERGY, VICE DAN R. BROUILLETTE, RESIGNED.

CONFIRMATION

Executive nomination confirmed by the Senate March 12, 2020:

FEDERAL ENERGY REGULATORY COMMISSION

JAMES P. DANLY, OF TENNESSEE, TO BE A MEMBER OF THE FEDERAL ENERGY REGULATORY COMMISSION FOR THE REMAINDER OF THE TERM EXPIRING JUNE 30, 2023.