

every single thing he said, they followed through on.

That is the Governor of California talking about the Republican President of the United States. He praised the administration's work on this and said: "It starts at the top."

So, clearly, this does not have to be a time for partisan bickering. The American people know that. The leaders around the country know that. I hope our Democratic colleagues here in Washington understand the American people expect us to be working together on this problem.

#### ELECTION SECURITY

Mr. McCONNELL. Madam President, now on another matter, yesterday, both the House and Senate were briefed by top intelligence community officials on the state of ongoing efforts to protect the security of American elections.

I was glad that so many Members took the chance to hear directly from the experts. This issue is very important, and it is bad for our democracy that some have sought to politicize it.

All of us should acknowledge the threat, and all of us should applaud the unprecedented step this administration has taken to protect against it. These significant efforts undertaken by the administration and funded by the Congress are actually working.

Since 2017, the hundreds of millions of dollars we have directed to help State and local election officials reinforce their systems have been finding their mark.

In all 50 States and across thousands of jurisdictions, new tools, more resources, and greater coordination have our Nation's defenses in a stronger place. This includes far greater coordination with the social media companies to combat foreign disinformation, as well as close collaboration between the Federal Government and State and local jurisdictions on protecting electoral infrastructure.

And to date, the intelligence community reports they have not seen any foreign interference that aims to change vote tallies or prevent Americans from voting. So the American people are absolutely right to have confidence in the integrity of our voting systems, and they actually do.

As I mentioned yesterday, one new survey has found that more than 70 percent—70 percent—of Americans are confident their State and local authorities will oversee a fair and accurate election this November. That is 70 percent of the American people who have confidence in the fairness of the elections this November.

As an aside, this is worth remembering as our Democratic colleagues try to claim that election security demands things like an unprecedented Washington power grab over the nuanced details of how States and localities conduct elections or addressing things like campaign finance. These

are longtime leftwing goals that have basically nothing whatsoever to do with the actual threats now before us.

But the American people's confidence in the key institutions of our democracy does not mean they are complacent; they aren't. The same survey shows the American people understand full well that foreign adversaries like Russia want to divide our country and distort our discourse through disinformation.

The intelligence community confirms that as well. Our intelligence experts have publicly assessed that Russia and other adversaries will continue looking for ways to warp our public debate from overseas.

We all need to be aware that our adversaries seek to exploit the openness of our society to turn Americans against ourselves. Adversaries like Russia want to exacerbate social and political tensions in our country. They want to undermine our confidence in our own election and our democratic institutions. This is why I have stressed that politicians need to be careful not to take the bait. It is why the President signed an Executive order to enable sanctions against any person or any country that attempts to meddle in our elections. It is why this administration has created new procedures for promptly notifying campaigns that are targeted by foreign entities, unlike—unlike—how the Obama administration hid the ball back in 2016, and it is why the new, tough foreign policies of the last 3 years will continue to be essential.

Narrow, tailored solutions are important, but the best way for the United States to defend ourselves and our interests against any malign behavior is to possess unquestionable strength and make it perfectly clear we are not interested in being pushed around.

I have been a Russia hawk for more than 30 years. I am on record from the late years of the Clinton administration warning Democrats not to be naive about a new President-elect by the name of Vladimir Putin, so I applaud this administration's tough stance with Russia. And I am pleased that Democrats have stopped—stopped—mocking Republicans for being too tough on Russia and have come around to our point of view.

We have come a long way since the passivity and the failures of the Obama administration back in 2016, but the work is not finished, and Senators are fooling themselves if they think this is just about Russia.

We must stay vigilant—all of us; Federal leaders, State and local election officials, and every American citizen. Every one of us has a part to play in protecting our democracy.

#### 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.

#### LEGISLATIVE SESSION

PROVIDING FOR CONGRESSIONAL DISAPPROVAL UNDER CHAPTER 8 OF TITLE 5, UNITED STATES CODE, OF THE RULE SUBMITTED BY THE DEPARTMENT OF EDUCATION RELATING TO "BORROWER DEFENSE INSTITUTIONAL ACCOUNTABILITY"—Resumed

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S.J. Res. 56, which the clerk will report.

The senior assistant legislative clerk read as follows:

A joint resolution (S.J. Res. 56) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Department of Education relating to "Borrower Defense Institutional Accountability".

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

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

#### CORONAVIRUS

Mr. THUNE. Madam President, yesterday afternoon, South Dakota Governor Kristi Noem notified me that multiple residents of South Dakota have tested positive for the coronavirus. While this is obviously something we had hoped to avoid, we knew this was a possibility, and South Dakota has spent weeks preparing to deal with an outbreak.

Over the next few days, public health officials will be checking into where these individuals have been so that anyone with whom they came in contact can be notified. My staff and I are working closely with the Governor and her team, and I will continue to carefully monitor the situation.

At the Federal level, I am focused on making sure that State and local governments have the resources they need to deal with the virus. Last week, I was proud to support bipartisan legislation committing significant Federal resources to the coronavirus fight.

I am praying for all of the South Dakotans who are affected by the virus, and I want to thank the healthcare workers who are on the frontlines of this fight. We are lucky to have you.

S. 2657

Madam President, I am disappointed that the Senate failed to move forward on the American Energy Innovation Act this week. This is a bipartisan

piece of legislation that should have been able to advance in the Senate. It contains measures from more than 60 Senators, and 90 Senators voted last week to begin debate on the bill. I am disappointed that we couldn't maintain that bipartisan momentum and get this bill over the finish line.

The United States is in a pretty good position when it comes to energy right now. Our energy supply is abundant, and energy prices are generally affordable. But we are in this position for a reason—because we took steps to increase our domestic energy supply and lessen our dependence upon foreign oil.

We can't afford to become complacent. If we want to keep American energy affordable and abundant, we need to make sure that we stay on the cutting edge of energy innovation and continue to invest in our domestic energy supply, from oil and natural gas to renewable energy sources like hydropower and wind. We also need to make sure we stay on top of threats to our energy grid and our energy security.

The American Energy Innovation Act is designed to help maintain American strength in the energy sector. It invests in a wide range of clean energy technologies, from wind and solar to hydropower and geothermal. It focuses on improving research into carbon capture, and it directs the establishment of a research and development program to identify ways to use captured carbon.

The bill also invests in advanced nuclear energy research so that we can regain our edge in the use of this clean energy technology, and it focuses on improving energy storage. Many modern clean energy technologies are intermittent or lack the reliability of traditional electric sources. The amount of energy produced from wind, for example, is dependent on the amount of wind on any given day, so it must be backed up by a traditional plant, often powered by natural gas. Creating new ways to store clean energy will allow us to increase our reliance on renewable energy sources.

Another area that needs to be addressed when it comes to renewable energy is recycling. Solar panels, wind turbine blades, and electric car batteries are key components of clean energy production, but all of these components eventually reach the end of their life. Both solar panels and wind turbine blades eventually have to be replaced, and car batteries eventually lose their ability to hold a full charge.

The question becomes what to do with these components. Wind turbine blades can be well over 150 feet long and weigh somewhere around 15 tons. That takes a lot of room in a landfill. In the case of electric vehicle batteries, we are not just talking about filling up landfills. We are talking about potentially hazardous waste if lithium or other materials leak from the battery.

While recycling and reuse methods exist for clean energy components, much more work needs to be done to

ensure that clean energy doesn't eventually result in massive buildups in landfills. Since roughly a quarter of the net electricity generated in my home State of South Dakota comes from wind, I am particularly interested in what it would take to recycle or reuse the blades from wind turbines on a large scale.

I am very pleased that my wind energy recycling amendment was included in the chairman's substitute amendment to the American Energy Innovation Act. My amendment would establish a competition to identify innovative uses for wind blades that have reached the end of their life, with a focus on uses that present the greatest potential for large-scale commercial deployment.

With an estimated 32,000 wind blades likely to be removed from U.S. wind turbines in the next 4 years, it is past time to get American innovators focused on this problem. I appreciate Chairman MURKOWSKI's interest in addressing this side of green energy and hope that we can continue this work.

In addition to clean energy and innovation, the American Energy Innovation Act focuses on boosting the security of our electric grid. It invests in cyber security and grid modernization and focuses on improving our domestic supply of some of the key elements and minerals that we rely on for manufacturing—everything from computer chips, to batteries, to defense applications.

Right now, we have to import too much of these critical minerals from countries like China. For the sake of our national security, it is important that we find ways to identify supplies of these minerals here at home.

Finally, the American Energy Innovation Act invests in workforce development. All of the innovative technologies in the world will not help us if we don't have the skilled workers to operate and maintain these technologies. We need to ensure that, while we are investing in innovation, we are also investing in the energy workforce of the future.

As I said, it is disappointing that the Senate wasn't able to move forward on this bipartisan legislation. I hope we will be able to continue discussing this bill and the Senate will take it up again in the near future.

The American Energy Innovation Act would promote clean energy development, help maintain a strong domestic energy supply, increase the security of our energy grid, and invest in American workers. We need to get this legislation across the finish line.

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

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

#### RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

#### CORONAVIRUS

Mr. SCHUMER. Madam President, the United States has more than 1,000 confirmed cases of COVID-19, the coronavirus. The actual number, however, could be much higher. We don't truly know how many cases of coronavirus there are in the United States because our testing regime has been entirely inadequate.

The CDC took weeks to develop testing kits that worked properly, and the Federal Government was far too slow in allowing hospitals, medical labs, and public health clinics to conduct tests on their own. The New York Times this morning has a story about how doctors and clinicians in Washington State were forced to wait a period of weeks for samples of the coronavirus and approval to test patients for the virus, even after they had suspected cases. The virus was spreading in the United States for weeks, without our knowledge, because we could not reliably test for it.

Even now, the administration has been laggard about making sure that testing kits are available to all who need them, and the United States is trailing countries around the world in our testing capacity. We, who were supposed to have the greatest public health system in the world, are lagging behind many countries, and it is a matter of life and death.

Last night, I spoke with the mayor of New Rochelle, NY, where multiple infections have been confirmed and where residents are now living under a 3-square-mile containment area. The mayor told me that despite the best efforts of the State of New York—and they are doing a good job—there are not enough coronavirus testing kits for the community. I asked him what his major problem was. He said: Lack of testing kits, lack of testing. I fear that what is happening in New Rochelle will happen in cities and towns across the country. It is virtually certain that a limited quarantine or containment area will be imposed on other cities, like they were in New Rochelle, and we need to make sure the mistakes that have plagued the whole testing regime is not repeated when other cities have to be under some limited quarantine. Those cities have to be able to get the tests and resources they need, and New Rochelle still isn't getting them because of the Federal Government.

I honestly don't know why it has taken so long for the Trump administration to get a handle on testing, which is the most powerful tool in helping us respond to the spread of the virus. I honestly don't know why, after this issue with testing has been glaring and very public, the administration has still not announced anything resembling a coherent plan to fix the problem.

This morning, I am demanding that the Trump administration do five

things to improve the Nation's ability to test for the coronavirus in the United States:

One, expedite the approval of labs that are ready and willing to provide testing. Every lab that is able to provide testing should be up and running as soon as possible.

Two, provide daily updates on the volume of tests, both available and expected, and set up a special office or bureau within HHS dedicated to managing the acquisition and distribution tests. The conflicting reports and lack of information have left States unable to plan.

Three, support the use of automated testing to increase the speed and volume with which testing is conducted.

Four, ensure that patients who need tests face no out-of-pocket costs. The coverage requirements for testing are currently a patchwork of State executive orders and private company actions. We need Federal leadership. Hundreds of millions of Americans do not know if they can access affordable testing.

And, five, ensure that COVID-19, coronavirus, hotlines are fully staffed and responsive to patients and providers who have questions and concerns.

Our top priority at the moment is to confront the spread of this disease head-on. The first is making sure communities across the country have the testing capability and capacity that they need.

The public also needs clear guidance from the Federal Government regarding how to best avoid contracting this virus. It has been reported that Federal health officials recommended that older Americans refrain from air travel for this reason, but the White House overruled them. What exactly happened here? Were health officials overruled for political reasons? What is the truth? And what is the recommendation of our Federal health experts going forward, most importantly?

The coronavirus has also created turbulence in our economy and disrupted daily life for many Americans. As I have said before, by far, the best way to respond to any adverse effects on our economy is to deal with the coronavirus itself. You treat the disease, not the symptoms. But even as we focus primarily on combating the spread of COVID-19, we should consider relief to American families and workers who are impacted.

Later this morning, I will join Senators MURRAY, BROWN, DURBIN, WYDEN, CARDIN, and others to announce a series of measures that Senate Democrats believe we should take up to provide economic relief to working Americans during the coronavirus outbreak.

I will have more details at that time, at 11:30. But for now, I want to make one thing clear. When it comes to providing short-term economic relief, our priority should be the American people, not corporations.

That means targeted measures that give working families the flexibility

and support they need during a medical emergency. That means money goes directly to the people and workers affected and who need help, not money tossed out of an airplane and hope that some lands on the people who need the help.

It does not mean bailing out the oil and gas industry, as the press reported was under consideration at the White House. It does not mean deregulating the banking industry, as another report said was a part of the discussion at the White House. It does not mean another corporate tax cut.

In the face of test shortages, growing cases, and lack of medical supplies, President Trump seems more interested in bailing out oil and gas companies and other big interests than in helping the families struggling to afford coronavirus treatment.

As the spread of coronavirus continues within our borders, Democrats remain committed—absolutely committed—to finding ways we can protect Americans most at risk by this disease. President Trump should work with us in Congress to make sure we continue managing this pandemic in a measured, responsible, and transparent manner.

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

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

UNANIMOUS CONSENT REQUEST—S. 3415

Mr. BROWN. Mr. President, Senator ALEXANDER is here. Senator MURRAY will be joining us in a moment. They are the chair and ranking member of the Health, Education, Labor, and Pensions Committee, which has jurisdiction over this very important issue of sick leave with sick pay. Many companies do that in this country. We are the only wealthy country in the world that doesn't have a real policy. As Senator ALEXANDER says, we do this for Federal employees. It should be for more than those of us who are Federal employees.

Today, we need to get help to the people who need it now: parents whose children's schools are closed; people who aren't getting paid; people who have trouble making rent or making their mortgage payments or their student loan payments. Paid sick days are one of the most important ways we do that. That is why we need to pass this bill today.

Think about restaurant workers preparing our food. Think about what you do if your child's school closes down for a week. For so many people, taking a sick day means going without pay and potentially losing their jobs. Put yourself in their position. It is hard for us to do—we are lucky enough and privileged enough to have these jobs—and for most of our staff also. But think

about a worker making \$12 an hour. That worker has symptoms. She is the only working person in her family. She might think her illness is the coronavirus; nonetheless, her illness is debilitating enough that it is hard for her to go to work. She is making \$12 an hour. She stays home and loses \$100 that day. She has a \$700-a-month rent payment or possibly lower than that if she is making \$12 an hour. She has to make a decision: Do I go to work and potentially infect others but get my pay and maybe make myself sicker, or do I stay home to get well and give up that \$100?

Then you think about some of those other workers. Someone might be a restaurant worker preparing our food. What do you do if your child's school closes down for a week, as schools—already Ohio State, Kent State, Case Western, and Baldwin Wallace have shut their doors. They have not really shut their doors; they are doing learning by distance, tele-learning. It means a number of people at those schools are in a very different situation with their employment.

Taking a sick day means going without pay. Taking a sick day may mean losing your job. It hurts everyone. If you are lucky enough to have paid time off—everybody is at risk when more people are out and about when they are sick.

Our office gets calls from workers all the time. Senator ALEXANDER has Tennesseans calling him. Senator MURRAY has Washingtonians calling her, asking: What do I do if I come down with something? I have to choose between going to work while I am sick or losing a paycheck or losing my job.

Because of our policy, we have put people in that situation or they are in that situation, and we have an obligation now to do something about it. It is unacceptable that millions of Americans are faced with that impossible choice.

That choice gets worse. I don't know how many people are faced with that choice today. We know it is millions. Tomorrow, it will be 1.2 times that, and the next day, it may be half again. We know this is getting worse before it gets better.

I am not an alarmist. I think we have some of the best health officials in the world. We have public health professionals who I think—the Governor of Ohio, a Republican, Mike DeWine, and I have talked a couple of times extensively. People in Ohio are doing this right.

We don't always get the leadership out of the White House we would like when we see the President saying something that is almost the opposite of our public health professionals. I tend to listen to the public health professionals. I know Senator ALEXANDER does too. I would be hopeful that the President does.

We know this impossible choice is getting more and more serious. Some corporations do the right thing, but

many are not doing the right thing. Some are promising they are going to do the right thing, but promises are not enough. We need to pass this bill now.

Our legislation would require all employers to allow workers to accrue 7 days of paid sick leave, and the bill would also provide an additional 14 days that would be available immediately in the event of any public health emergency like we have right now. This is a public health emergency. We need to do emergency kind of legislation. This is an unusual, extraordinary problem. We have to do something extraordinary here. Passing this bill allowing workers to accrue 7 days of paid sick leave and providing an additional 14 days available immediately in the event of any public health emergency is what we need to do.

Congress can't wait. People are choosing between going to work sick and missing a paycheck. They are making that choice every day. People in Memphis and Cleveland and people in Omaha and Dayton are making that choice every day—do I go to work sick, or do I stay home and miss that \$120 I was going to earn this week?

We need to do this today. We need this bill to prevent the spread of coronavirus and stop this crisis from getting worse. It is about the dignity of work. It is about public safety.

I will wait for Senator MURRAY to make the UC request.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I ask unanimous consent to speak as in morning business.

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

Mrs. MURRAY. Mr. President, I also want to thank all of my colleagues who are coming down to speak about this today.

Families in my home State of Washington are scared. They are frustrated. They are angry. And so am I. New reporting now makes it clear that even after researchers in Seattle raised serious concerns about the possibility of community spread in Washington State and tried to work with Federal agencies to conduct testing, the administration didn't work with them to let the public know how serious the coronavirus was. You can be sure I am going to get to the bottom of this and make sure it will never happen again. I am furious that instead of acting with urgency, they did nothing; instead of acting with transparency, they kept quiet; instead of working to keep families safe, they wasted valuable time. And now in my State, 24 people have died. Over 1,000 across the country are confirmed to be infected, and experts are telling us that many more are likely to be ill.

I am hearing from people in my home State of Washington who are worried about their older relatives who are dying alone; worried about having to

miss work and being unable to pay their rent; worried about how to keep their children safe at school and how to care for them and make sure they get a nutritious meal if their schools cancel. I am hearing from small business owners who are worried because no one is now coming through their door and they are unsure how to support the workers going forward. I am hearing from communities that are worried about how they protect people who are experiencing homelessness. I have seen a lot in my years as a Senator, but I am not exaggerating when I say this is one of the most trying times I have ever seen in my State experience.

I am absolutely going to be holding this administration accountable for missing so many opportunities to get ahead of this, but I am also going to be doing everything in my power to make sure we do not miss significant opportunities. We still have time to slow this down and manage it as best we can.

Our primary goal right now for people in my home State and across the country needs to be slowing the spread of the virus in areas where there are outbreaks so that areas where it has not hit so hard yet have the time to prepare. One of the best ways we can do this is by allowing workers who feel sick or who need to stay home with a child whose school is closed to do so without losing a paycheck or their job.

Workers and their families want to do the right things for themselves and for their communities, but for many of our workers—restaurant workers, truckdrivers, service industry workers—they may not have an option to take a day off without losing their pay or losing their job. That leaves them with the impossible choice between putting food on their table and paying the bills or the rent and protecting themselves and others. That is not a choice we should be asking anyone to make in the United States of America in the 21st century. Yet 32 million people in our country today—or about one out of every four private sector workers—are faced with this impossible choice every time they get sick. Right now, this choice has unique and potentially dire consequences.

I have been advocating for legislation to allow workers to earn paid sick days since 2004, along with my colleague Congressman ROSA DELAUNO in the House. Time and again, we have been told no even though that simple step is critical, as we now see, for public health and gives workers the flexibility they need. In fact, we last introduced our bill in March of 2019, and here we are almost a year later to the day without the very policies in place that would have now helped millions of our workers and bolstered our resilience in the face of this exact kind of public healthcare crisis that paid sick days are intended to prevent and to mitigate.

We now have another opportunity to get this right. I am here to ask my col-

leagues to support our new emergency paid sick days legislation, which would ensure workers would have 14 days of paid sick leave immediately in response to public health emergencies like the one we face today in addition to allowing workers to gradually earn their 7 days of paid sick leave.

It would mean you would not lose a paycheck if, like so many parents in my home State of Washington and across the country are facing, your child's school has to close in the coming weeks because of this health outbreak. It would mean you would not lose a paycheck if your family member were quarantined and you needed to stay home to take care of him so that you would not spread the virus. Also, if you could not go to work because you were sick or your workplace were shut down, as we are seeing in so many places, you wouldn't lose pay. These are the real challenges people are now facing and will continue to face.

Our bill would help these workers immediately, the minute it becomes law. We have enough delay when it comes to paid sick days, so let's get this done. Let's keep working, as we need to do, on a comprehensive, coordinated response that focuses squarely on what our families and our workers and our small businesses need in the weeks and months ahead.

The Democrats on this side have a lot of ideas that we are laying out in response to this, including how to make sure these tests are affordable, that we support our most vulnerable communities, and that we reckon with the economic impact this crisis is having on our communities and Nation. There is a lot we need to do in the weeks and months ahead, but I urge us to start today with this simple, really important issue.

Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be discharged from further consideration of S. 3415, a bill to allow Americans to earn paid sick time so that they can address their own health needs and the health needs of their families; that the Senate proceed to its immediate consideration; 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 with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, in reserving the right to object, I will continue to work with the Senator from Washington State, as we always do, and on a comprehensive response to the this issue, the coronavirus. She and I have had four briefings, and we will have another one tomorrow. We have a history of being able to come to agreement on these matters.

The idea of there being paid sick leave is a good idea, but if Washington, DC, thinks it is a good idea, Washington, DC, should pay for it. When I

was the Governor of Tennessee, nothing used to make me more unhappy than when some well-meaning individual in the U.S. Senate or U.S. House would come up with a big idea, pass it, take credit for it, and send me the bill.

Employees are struggling, and so are employers struggling, but it is not a cure for the coronavirus to, in the middle of this matter, put a big, new, expensive Federal mandate on employers who are struggling. Paid sick leave is a good idea, and we do it in my office. The Federal Government now does it, and many businesses do it. Yet, if the Federal Government wants to require it, the Federal Government should pay for it.

I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Washington.

Mrs. MURRAY. Mr. President, I do appreciate the fact that the Senator from Tennessee has been a great partner with me on many issues. I will keep talking to him about this.

Let me just say, without doing this, the cost to businesses is going to grow exponentially. We have already seen it on Wall Street, and we are seeing it in our communities. Because people are not getting paid, they are going to work and are spreading this virus. We are seeing the impact and will continue to see it in our communities as fewer people go to their stores or as fewer people go to their businesses.

We either do this now or we are going to continue to pay for it in the future. I am sorry it has been objected to today, because I think it is such a critical step with regard to this public health crisis we are having. We need to get this done.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN. Mr. President, as I watch up close and from afar Senator ALEXANDER's and Senator MURRAY's so often working together on issues like this, I absolutely believe Senator ALEXANDER when he says it is a good idea. Yet, as Senator MURRAY just said, there are all kinds of costs being imposed on businesses as a result of people who go to work sick. It is also more expensive for public hospitals and more expensive as more people get sick and what that means to Medicaid. These costs are impossible to quantify today with our not having a sick leave policy. A year from now, we will be able to look back on what the costs really were, and they will have been overwhelming. A solid, coherent sick leave policy—something modest like Senator MURRAY is calling for—could really make a difference.

The PRESIDING OFFICER. The Senator from Colorado.

REMEMBERING FELIX SPARKS

Mr. GARDNER. Mr. President, I come to the floor to remember the life and service of a Colorado hero and to reflect on an upcoming anniversary of an event during World War II.

The hero's name is Felix Sparks—a name that may very well be familiar to

the people of Colorado. Felix Sparks was born in Texas, though. We have a lot of Texans in Colorado, but this one made the right choice and stayed in Colorado. He was born in San Antonio, TX, in 1917, and he spent his childhood around Miami, AZ, where his family and father worked in a mining company. He was in high school during the Great Depression and was the eldest of five siblings.

Soon after graduating from high school, Felix decided to enlist in the U.S. Army. Upon completing his enlistment, Felix enrolled at the University of Arizona and completed the Citizens' Military Training program, which earned him a commission as a second lieutenant. Mr. Sparks then went on to pursue a pre-law degree. He had just finished his first semester of that effort when he was ordered to report for duty to the 157th Infantry Regiment in Colorado. He was ordered to report at the very beginning of World War II. That year was 1940—right before the United States officially entered World War II.

Neither Felix Sparks nor the American people knew it at the time, but World War II was about to change the history of the United States and the world forever. Felix would be on the frontlines of one of the most pivotal moments of World War II.

As a little bit of background on his work, along with the National Guard units from Oklahoma, Arizona, and New Mexico, Colorado's 157th Infantry Regiment mobilized in support of the U.S. Army's 45th Infantry Division in Oklahoma, also known as the Thunderbird Division.

The division set sail for North Africa in June 1943 for its first mission—the invasion of Sicily. Over the next 511 days, Felix Sparks and his fellow soldiers in the Thunderbird Division would participate in so many well-known combat operations in Sicily, Naples-Foggia, Rome-Arno, Southern France, the Ardennes-Alsace, Rhineland, and Central Europe. It was an incredibly well-documented, decorated campaign. Yet, of these 511 days, Felix Sparks most often recounted one day in particular more than any other. That day was April 29, 1945.

On April 29, 1945, LTC Felix Sparks was the commander of the 3rd Battalion, 157th Infantry Regiment, and on that day, that April day, after so many days of fighting and after what they had already seen, the 157th Infantry Regiment, along with units of the 42nd Infantry Division and the 20th Armored Infantry Division, led the liberation of approximately 32,000 prisoners at the Dachau concentration camp. Although his unit had suffered thousands of casualties over the course of the war, what Lieutenant Colonel Sparks and his soldiers discovered at Dachau was beyond compare.

Felix Sparks described that day as one of the darkest days of his lifetime and, I can only imagine, one of the darkest days of lifetimes put together. Along with many of his fellow soldiers,

he would spend the rest of his life reliving the horrors of what he witnessed at Dachau. As they neared the camp, the American forces discovered nearly 40 railroad cars that were filled with decomposing bodies. Felix Sparks said the “stench of death was overpowering” and that what he saw at the camp made Dante's *Inferno* seem “pale compared to the real hell of Dachau.” Inside the camp were even more bodies and more than 30,000 survivors—survivors of one of the darkest places in one of the darkest moments in world history.

We say we must never forget the horrors of the Holocaust, but Felix Sparks and the Americans who liberated Dachau didn't have a choice. They could never forget and will never forget.

Felix Sparks said:

The men of the 45th Infantry Division were hardened combat veterans. [We had seen so many fights.] We had been in combat almost two years at that point. While we were accustomed to death, we were not able to comprehend the type of death that we encountered at Dachau.

There is no going back. There is no forgetting. There is no trying to erase from memory the horrors of Nazism and seeing it up close. The liberation of Dachau would be one of the Thunderbird Division's final missions during World War II. The division was officially deactivated on December 7, 1945—4 years after Pearl Harbor.

Following the end of the war, Felix Sparks attended the University of Colorado Law School in Boulder, CO—my alma mater. He graduated in 1947 and started a law practice in Delta, CO, while he also served as a district attorney. In 1956, Felix Sparks was appointed as the youngest ever—in Colorado's history—associate justice of the Colorado Supreme Court.

Then, in 1958, Felix accepted the role of director of the Colorado Water Conservation Board, where he was instrumental in the development of sustainable water policies for the State. For those not familiar with Colorado, this is an incredibly important position. We are a State whose history is written in water. Yet that wasn't enough for Felix Sparks. It was not all.

Felix Sparks wasn't just serving in his civilian life; he continued his military service as well. After returning home from World War II, Felix had joined the Colorado Army National Guard. He would go on to serve in and take command of the Colorado National Guard for nearly 30 years between the two—both service and commanding. He retired at the rank of brigadier general.

As both a civilian and a soldier, Felix Sparks truly exemplified servant leadership. His sense of duty to our Nation and to my home State lives on today, and I am proud to honor his legacy and life of service. Felix Sparks died on September 24, 2007, at the age of 90. He is buried in Wheat Ridge, CO.

Along with a number of my colleagues from both sides of the aisle, I

will soon be introducing a resolution to commemorate the 75th anniversary of the liberation of the Dachau concentration camp during World War II and to honor the service of Felix Sparks, as well as of the courageous personnel he fought alongside and of the brave men and women they saved along the way, and in memory of the tens of thousands who were brutally and savagely murdered by the Nazi regime.

We must never forget what happened. Unfortunately, far too many Americans and far too many people around the world may put aside these moments of our darkest time in history and forget or can't name a ghetto or a concentration camp today. That is something that we have to fix, that we have to correct, that we have to continue to speak of—the horrors that can never be repeated in the darkest times of our history.

I invite all of my colleagues to join me in supporting this resolution. We already have the Senators from the States that participated in the Thunderbird Division so that we may remember the lives lost to the atrocities of the Holocaust and to World War II and remember the tens of thousands who were spared by the brave acts of our Nation's military. We must never forget. I urge my colleagues to support this resolution in one more showing to never forget.

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. DURBIN. 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. DURBIN. Mr. President, I would like to address the issue which will be before us at noon on the vote, but, preceding that, I would like to say a word on a different topic that certainly is on everybody's mind, and that is the coronavirus.

I was recently notified by my Governor, Governor Pritzker, that we have run into a shortage in our State of the test kits that are necessary. Some 330 Illinoisans have been tested to date, and these are people who, on physician's orders, should be tested because of exposure to coronavirus or because of the vulnerability of the patient and the suspicion that they may have been exposed to the virus.

The difficulty that we have run into is that the testing process apparently is coming to a stop. We are running out of the test kits, and there has been contact made with the Centers for Disease Control to determine why we are not getting responses on this need for additional kits in our State to test people who are truly vulnerable.

I don't believe our situation could be unique. I imagine other States are facing this same challenge.

I reached out to the Centers for Disease Control within the hour and had a lengthy conversation about the situation that we are facing.

Originally, the coronavirus test kits faced a shortage of reagents that were necessary to take the initial test. It turns out they are now facing a new challenge: It is an issue of the global supply of enzymes that are used by laboratories to analyze the test results. This is a commercially available enzyme that is now in short supply, and CDC is desperately looking for other commercial sources that are reliable that can come to the rescue.

The testing process, of course, is going to stop if the laboratories can't take the initial test results and test them to see whether they are positive or negative. They are looking for alternative ways at the CDC to meet this need. It is a critically important issue, and the lack of these enzymes limits the actual tests that can be taken across the United States.

The source at the CDC told me this situation is not unique to our country. It is a commercially produced product, and they are looking for other sources, either within the United States or without, as quickly as possible. This is a market-driven problem, and the CDC is looking across the market for sources to solve the problem.

For the time being, there is no relief in sight in Illinois or other places that have run into this same issue, where people desperately need to be tested to determine whether they are positive for this virus, and the testing, even if it takes place, cannot go through the laboratory approval.

The commercial supplies of this enzyme, apparently, are depleted at this moment. It is an urgent issue, as I mentioned repeatedly. They are looking for optional alternative platforms for this laboratory testing.

Now, I would say at this point I don't want to speculate on what that means. It is far beyond my personal expertise. But it is an indication of a desperate situation in many places. It is one that we need to respond to and quickly.

To argue that there are enough test kits that have been distributed is questionable to start with. But even if distributed and they cannot be analyzed, it really doesn't give us the information necessary to protect the Americans who may be vulnerable.

The bottom line is this. This administration is facing a challenge over test kits that still have many unanswered questions. How did other countries in the world—Korea and others—come up with test kits early on in volumes that were necessary to address this problem, and the United States did not? Why didn't we accept these test kits in other countries that apparently do come up with results that are needed and necessary?

I don't know those answers. Only time will provide them to us. But, in the meantime, we have appropriated all the funds and more asked for by the

Trump administration to deal with this issue, on a bipartisan basis, and that is exactly what we should continue to do. But we need start-to-finish straight answers from everyone in the administration and outside about this public health threat.

Credibility is the first step toward dealing with a public health challenge such as the one we face today, and this test kit issue is clearly central to our bringing this situation under control—the sooner we get straight answers and good information and can respond to it quickly, the better for our Nation.

H.J. RES. 76

Mr. President, in just a few minutes, we will see a vote on the floor of the U.S. Senate that is fairly unique. There aren't many votes in this Chamber. This one, actually, is meaningful, because this issue before us on a vote at noon today relates to student borrowers who went to colleges—primarily, for-profit colleges and universities—and ended up attending those schools, going deeply into debt by borrowing money from the government to go to school, only to learn at a later stage that they were misled.

The schools didn't tell them the truth. The schools many times told them that if they took certain courses, there was a job waiting for them. In some cases they even told how much the jobs paid. They went on to say that the schools themselves had certain people on the faculty with certain qualifications, and it turned out that wasn't true. In addition, many students were told that the hours that they took at these for-profit schools could be transferred to other schools if they wanted to complete someplace else. It turns out that wasn't true either. These students were basically defrauded.

If you can understand the predicament, here is a student customer sitting at a desk in an office at a for-profit college or university being asked questions and being given information for the most important contract they will sign in their early lives. Many of these students incurred substantial student debt based on the representations and misrepresentations of these colleges and universities.

They find out now that the schools have gone bankrupt in some cases, and some schools that didn't go bankrupt ended up providing them with training and education completely inadequate for them to find a job. Here is the student deep in debt, having wasted years of their lives in these for-profit colleges and universities with nowhere to turn. Their lives are affected by it.

Who wouldn't be? Whether it is \$20,000 or \$50,000 or \$100,000 in debt, it quickly adds up, and students find themselves literally in chains because of student debt and because of misrepresentations made by the schools.

You might say: What is the government going to do about it? We decided years ago exactly what we should do about it. We put in the Higher Education Act something called the borrower defense, and here is what it said.



If you went to a school and they lied to you, if they misrepresented what you were going to receive in your education, if they deceived you and defrauded you, and then you incurred a student debt because of it, you can go to the U.S. Department of Education under what is known as the borrower defense program and seek relief from some or all of your student debt.

This borrower defense program is not new. It has been around many years. But in the year 2014, it became a popular situation, sadly, because these for-profit schools were defrauding so many thousands of students. Over 200,000 students currently have a claim at the U.S. Department of Education that they were deceived by these for-profit schools, which are notorious for the representations and misrepresentations they make to these students.

These 200,000 students went to the Department of Education and said: Because there is statutory relief here, we are asking you, Secretary Betsy DeVos, to give us relief from this debt. We were students at these schools.

And she has refused. She has refused to take up their cases, refused to consider the merits of them, despite the fact that President Obama, before her and through the Department of Education, was actually using this program and this law to help the students.

To add insult to injury, Secretary DeVos said: Incidentally, we are going to change the standards at the Department of Education for students who feel that they have been defrauded and that the schools have misrepresented things to them.

How did she change the standards? She made it extremely difficult for these students to get any relief from the student debt from the schools that misrepresented them. Instead of the students' being able to rely, for example, on the fact that many States have investigated these schools and found fraudulent misconduct, she has established a new standard that each of the students has to prove that there was, in fact, an intentional defrauding of that student.

What does that mean? Each of these students has to lawyer up and each of these students has to have some investigative capacity to meet the new standard that has been established by Betsy DeVos at the Department of Education.

It turns out that these students are up in arms over it, and I am joining them. This measure on the floor would put an end to this new rule by Secretary DeVos and say that you have to treat students fairly when it comes to those who have been defrauded.

Yesterday, the Senate voted 55 to 41 on a bipartisan rollcall—fairly unusual, but a bipartisan rollcall—where 10 Republicans joined the Democrats to move the measure disapproving of this new rule by Secretary DeVos. I want to thank my Republican colleagues who stood up for these students and veterans.

We have veteran organizations coming to us saying: You can't do this. What happens is that we have military men and women who, when they are discharged from service, qualify for the GI bill. The GI bill pays for their college education, as it should, and I am proud that we do that. These very same schools not only take the GI benefits but then tell the students they have to turn around and borrow more money to finish what turns out to be an absolutely worthless education and training. The American Legion and many other veterans organizations are leading the charge with us to change this new Secretary Betsy DeVos standard. I thank them for that.

In 1992—that is how far back it goes—we put into law in the Higher Education Act this borrower defense so that students who were defrauded had somewhere to turn when it came to student debt they incurred. The schools misrepresented how many job placements would take place if they finished the courses. They misrepresented the earning potential of these jobs after graduation. They lied about the cost of attending these schools. They told the students their credits would transfer when, in fact, they did not. This kind of misrepresentation left these students to sign up for more student loans and go more deeply in debt because they were lied to. Those are just a few of the examples.

Congress rightly didn't want to leave the students to be left holding the bag for the misconduct of the schools. So it created in 1992 this statutory borrower defense. No one had ever heard of it until 2014, when Corinthian Colleges collapsed and the lid was blown off of other for-profit colleges and universities' fraud. We are talking about the University of Phoenix and DeVry and others. If you look, you will find them, and it is a long list. There are two numbers you need to know about the for-profit colleges and universities, and this will be on the final. One number is 8: 8 percent of all postsecondary students go to for-profit colleges and universities—8 percent. The other is 33: 33 percent of all federal student loan defaults are students from for-profit colleges and universities. For the very reasons that we come to the floor today, these schools are notorious for misrepresenting to students, overcharging them in tuition, and providing them with little or no education for the future. These schools take the money and run, and the students are left holding the bag with massive debts.

Corinthian is a good example. It collapsed in 2014. Thousands of students were the victims of Corinthian's misrepresentations. They inflated job placement rates, took out loans for students without their knowledge, and lied to the students about employers recognizing their degrees. Corinthian was not unique. Nearly every other major for-profit college has been the subject of multiple State and Federal

investigations and lawsuits for similar predatory practices.

Since the year 2015, nearly 300,000 student borrowers—mostly from for-profit colleges—have applied to the Department of Education for this discharge, and it is not going to stop. These for-profit colleges are the coronavirus of higher education. The Department of Education estimates that nearly 200,000 borrowers will be subject to further illegal practices by their schools in 2021 alone. This new DeVos rule is going to make it extremely difficult, if not impossible, for students to find relief. The best estimate is that 3 percent of the students who are defrauded by their school will get relief, and the other 97 percent will not under this new rule that we will have a chance to vote against this afternoon.

The rule by Secretary DeVos makes it almost impossible for future defrauded borrowers to receive the borrower defense discharge that Congress intended. It eliminates all group relief. Each of the students is supposed to lawyer up. To prove their claims under the rule, the borrowers must provide evidence that the school intended to deceive them, had knowledge of the deception, or acted with reckless disregard.

How many students fresh out of school are able to make that legal proof? In addition, borrowers under the DeVos rule are required to show financial harm above and beyond the fact that they took out the loans that now burden them later in life.

This is a situation where we can respond as a Congress and should on a bipartisan basis. The House has already passed this measure saying that we reject this new Secretary Betsy DeVos rule when it comes to this mistreatment of students who were defrauded and have a debt as a result of it.

One of my Senate colleagues whom I respect very much yesterday used a car analogy to defend Secretary DeVos' rule. He said:

If your car is a lemon, you don't sue the bank; you sue the dealer. A college can be a lemon, just like a car can be.

That is what the Senator said. His point is that the students who were defrauded by the school, sold a lemon of an education, should go after the school and not the Department of Education—except that the DeVos rule allows the schools to prevent students from suing them. It eliminates a prohibition in current rules on the use of mandatory arbitration clauses and class actions.

Under the existing rule, students of Corinthian could have come together in a class action and ask for relief in a court of law directly from the school. Secretary DeVos eliminates that: Go on your own. Each one of you students stand up for yourself.

Is that fair? I don't think it is. It certainly isn't the kind of thing that we want to see in terms of justice for these students. The DeVos rule causes

the person who bought the lemon to be forced to sue the bank instead of the car dealer. You can't have it both ways.

It is not just me who believes that the DeVos rule is bad for student borrowers. A number of student, consumer, veteran, and other organizations are supporting this resolution to overturn the rule: the American Federation of Teachers, the National Education Association, the NAACP, Third Way, Bipartisan Policy Center Action, the Leadership Conference on Civil and Human Rights, and 20 different State attorneys general. But the groups I want to highlight as I close in these final 2 or 3 minutes are the veterans organizations.

Many of the students who have been defrauded are veterans. These men and women have served our country in uniform, and after serving they seek an education to provide a better life for themselves and their families, and they deserve it. We have story after story after story of veterans who signed up at these for-profit colleges. They were told the GI education benefits were all they needed, only to waste the entire benefits on a worthless degree and be forced to take tens of thousands of dollars of student debt on top of it.

That is why our effort in this vote in just 2 minutes on the floor of the Senate—our effort to overturn this rule—is supported by the American Legion, the Student Veterans of America, the Iraq and Afghanistan Veterans of America, the National Military Families Association, the Paralyzed Veterans of America, Tragedy Assistance Program for Survivors, VetsFirst, Veterans for Common Sense, and Veterans Education Success.

James "Bill" Oxford is the national commander of the American Legion, and he wrote to me and said: "Thousands of student veterans have been defrauded over the years—promised their credits would transfer when they wouldn't, given false or misleading job placement rates in marketing, promised one educational experience . . . but given something completely different."

He, the American Legion commander, calls the DeVos rule "fundamentally rigged against defrauded borrowers" and says that it "flagrantly denies defrauded veterans [fair and timely] decisions [on their claims]."

How many speeches do each of us give as Senators about how much we value our military and veterans? We have a chance to prove it in just 1 minute, because there will be a roll call. Are you going to stand up for these veterans and these students and are you going to say to Secretary DeVos you are headed the wrong way?

These students and these veterans have been defrauded. Give them a fighting chance to rebuild their lives. Don't make it next to impossible.

I yield the floor.

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

The joint resolution was ordered to be engrossed for a third reading and was read the third time.

#### PROVIDING FOR CONGRESSIONAL DISAPPROVAL UNDER CHAPTER 8 OF TITLE 5, UNITED STATES CODE, OF THE RULE SUBMITTED BY THE DEPARTMENT OF EDUCATION RELATING TO BORROWER DEFENSE INSTITUTIONAL ACCOUNTABILITY

The PRESIDING OFFICER. Pursuant to the Congressional Review Act, the clerk will report H.J. Res. 76.

The legislative clerk read as follows:

A joint resolution (H.J. Res. 76) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Department of Education relating to "Borrower Defense Institutional Accountability".

The PRESIDING OFFICER. The clerk will read the joint resolution a third time.

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

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

Mr. DURBIN. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

(Mr. LANKFORD assumed the Chair.)

Mr. THUNE. The following Senator is necessarily absent: the Senator from Texas (Mr. CRUZ).

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

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

The result was announced—yeas 53, nays 42, as follows:

[Rollcall Vote No. 70 Leg.]

#### YEAS—53

Baldwin	Gillibrand	Portman
Bennet	Harris	Reed
Blumenthal	Hassan	Rosen
Booker	Hawley	Schatz
Brown	Heinrich	Schumer
Cantwell	Hirono	Shaheen
Capito	Jones	Sinema
Cardin	Kaine	Smith
Carper	King	Stabenow
Casey	Leahy	Sullivan
Collins	Manchin	Tester
Coons	Markey	Udall
Cortez Masto	McSally	Van Hollen
Duckworth	Menendez	Warner
Durbin	Merkley	Whitehouse
Ernst	Murkowski	Wyden
Feinstein	Murray	Young
Gardner	Peters	

#### NAYS—42

Alexander	Fischer	Perdue
Barrasso	Graham	Risch
Blackburn	Grassley	Roberts
Blunt	Hoeben	Romney
Boozman	Hyde-Smith	Rounds
Braun	Inhofe	Rubio
Burr	Johnson	Sasse
Cassidy	Kennedy	Scott (FL)
Cornyn	Lankford	Scott (SC)
Cotton	Lee	Shelby
Cramer	Loeffler	Thune
Crapo	McConnell	Tillis
Daines	Moran	Toomey
Enzi	Paul	Wicker

#### NOT VOTING—5

Cruz	Murphy	Warren
Klobuchar	Sanders	

The joint resolution (H.J. Res. 76) passed.

#### MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. The Senator from Texas.

#### UNANIMOUS CONSENT

##### AGREEMENT—S.J. Res. 56

Mr. CORNYN. Mr. President, I ask unanimous consent that Calendar No. 439, S.J. Res. 56, be indefinitely postponed.

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

#### CORONAVIRUS

Mr. CORNYN. Mr. President, over the last several weeks, the world has watched closely as the coronavirus has spread from China to more than 100 countries around the world.

Since this rapid spread began—before cases were discovered in at least 35 States, including the District of Columbia—folks in my hometown of San Antonio were already providing top-notch care for Americans evacuated from Wuhan Province overseas with suspected exposure.

From the first evacuees from China to more than 120 passengers from the Diamond Princess cruise ship, to those who will soon arrive from the Grand Princess cruise ship, the dedicated healthcare professionals in San Antonio have been operating—have been hitting on all cylinders.

So far, Lackland Air Force Base has been used to quarantine 235 evacuees, with hundreds more to arrive in the coming days. I must say, they have done a good job of managing this rapidly evolving situation, but that is not to say there haven't been challenges.

A few weeks ago, I organized a meeting with officials from the city of San Antonio, including the mayor and two city council persons, as well as the Department of Health and Human Services and the Defense Department, to discuss the ongoing mission and any concerns the city might have. Anytime officials at every level of government