

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.