

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