

This week, legal briefs are due in the Supreme Court case that will determine the future of our healthcare law. In the midst of a global pandemic, at a time when our healthcare system has never been more important, Senate Republicans are preparing to jam through a judge who believes it should all be crashing down. Tens of millions of people would lose their health insurance, and protections for Americans with preexisting conditions would be eliminated.

Mr. Walker's nomination would be controversial in normal times, to say the least—less experience in the court than on TV. During this public health crisis, his nomination is nothing short of a disgrace. The Senate should be focused on helping the country—hospitals and doctors, nurses and healthcare workers, essential employees and small businesses and families suffering from huge financial hardship.

There are millions of newly unemployed Americans, but the only jobs issue the Republican majority seems to be focused on this week is the jobs of rightwing judges who wish to dismantle healthcare at a time when healthcare is needed more than ever. Let me say that again. There are millions of newly unemployed Americans, but in the Senate, the Republican majority is spending time giving jobs to rightwing judges.

Now, let's get back to what matters. Democrats are focused on helping workers, small businesses, and American families. In times of crisis and economic hardship, these average Americans, working people—they take it on the chin. That is where our focus needs to be—not on legal immunity for big corporations, not on big oil or gas companies, not on juicing the markets. The focus should be on average folks. That is who all of us in Congress should be focused on helping right now.

#### TRUMP ADMINISTRATION

Now, on the administration, Congress can only do so much. I have actually been very proud of how both parties have come together over the past few months to pass historic legislation 96 to nothing—96 to nothing—with a great deal of input and improvement by the Democratic minority. But to make this legislation work, we need a competent, steady, focused administration to not only implement our laws but coordinate our national response.

It is no secret that the Trump administration has been anything but focused, anything but steady, anything but competent. President Trump seems to spend more time deflecting blame, attacking others, pushing quack medicines, and hiding from the truth than he does actually leading our Nation's response to this crisis.

Last night, in an interview on ABC News, the President said that his failure to prepare our national stockpiles with medical equipment was because "he had a lot of other things going on." The national stockpile for the vital PPE that our frontline workers need

and other materials—the President failed to prepare our stockpiles with this equipment because he had a lot of other things going on? That is a President?

Vice President PENCE yesterday confirmed that the White House was winding down its Coronavirus Task Force long before the disease has been contained, waving the white flag of surrender to COVID-19 long before the battle is over.

A report in today's New York Times details the failures of the administration and Mr. Kushner in particular to procure critical supplies at a time when we lack masks, gloves, and other protective equipment. Instead of appointing a military person with experience in command and control, as I suggested, Mr. Kushner recruited a team of consultants who had "little to no experience with government procurement procedures or medical equipment."

Now we are reading reports of a whistleblower from the Department of Health and Human Services who reports that there was "pressure from HHS leadership to ignore scientific merit and expert recommendations and instead to award lucrative contracts based on political connections and cronyism." This whistleblower is scheduled to appear before a House committee next week. This whistleblower should come before the Senate as well. Senators have many questions to ask him. I believe Senators on both sides of the aisle would have those questions.

So this was and is a time when the American people need the executive branch to lead a coordinated response to this evil virus, to listen to medical experts, to heed their advice, to respect and listen to science, but President Trump seems unwilling and unable to handle the truth, and it is hurting our country each and every day.

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

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

#### NATIONAL NURSES WEEK

Mr. THUNE. Mr. President, today is the first day of National Nurses Week—an annual commemoration each May celebrating the contributions of nurses—so today seemed like a fitting day to come down to the floor and talk about the contributions of nurses and other essential workers over the past couple of months.

When we think about heroism, we tend to think of striking actions that take place in extreme circumstances—running into burning buildings, jumping onto a grenade to save a fellow soldier, racing out under fire to rescue a wounded comrade. And it is right that when we think of heroism, we think of such acts—acts of superhuman courage, generosity, and self-sacrifice.

The past couple of months have also reminded us of another kind of heroism—the quiet heroism of doing one's duty, of getting up and going to work and doing your job day after day in difficult circumstances, even when you are tired, even when you are scared, even when you know that doing your job could place you in danger. We have seen a lot of that heroism over the past couple of months.

A lot of Americans have been able to telework during the coronavirus crisis, but many, many more have had to go out and do the work that can't be done from home: police officers, first responders, pharmacists, grocery store employees, farmers and ranchers, food supply workers, cleaning personnel, bank employees, utility workers, delivery drivers, and most of all, doctors and nurses.

Over the past few weeks, we have come to realize how much we rely on these individuals and that society couldn't operate without them. All the food in the world won't do us any good if it doesn't make it to grocery store shelves. That prescription from the doctor for lifesaving blood pressure medication is useless without a pharmacist to dispense the drug. We tend to take our utilities for granted, but what would we do during this crisis if no one was picking up our trash or making sure that the water keeps running and the electricity keeps flowing?

Sometimes heroism looks like running into a burning building, and sometimes it looks like putting on a mask and gloves and stocking the shelves with bread and pasta and cereal.

I want to say a special word about medical personnel. Of all the essential workers who have gotten up and gotten on with their duty in these days of the pandemic, medical personnel have displayed a special courage. They have been on the frontlines of this battle, the ones directly confronting the disease. Every day when they go to work, they go to work knowing that day could be the day they catch the virus from a sick patient, but they go to work anyway. They have read about and sometimes seen colleagues die from the disease. At times, they have lacked adequate protective equipment, but they have gone to work anyway.

Those nurses we are celebrating this week have worked 12-hour shifts providing medical care in a high-stress environment and have still found time to sit with and comfort patients. I have read more than one story about nurses making sure coronavirus patients separated from family and friends don't die alone.

To our Nation's doctors and nurses and other medical personnel: Thank you. We are so grateful for your courage and for your sacrifice.

Before I close, I want to say a special thank-you to the essential workers around the Capitol Complex here in Washington.

While Senators have been able to do aspects of our job remotely, we have

also had to be here in the Capitol to do the critical work of responding to the crisis, and we simply couldn't be here without the contributions of a number of individuals: the men and women of the Capitol Police, the cleaning staff, the food service workers, the maintenance technicians and other support staff, the staffers who have to be in the office for the Senate to be able to operate, and the staffers right here on the floor—the doorkeepers and cloakroom staff and individuals from the Offices of the Secretary and the Parliamentarian.

I know these are stressful days to be coming to work. I know you have been asked to exceed your normal duties. I am incredibly grateful and I know that all of my colleagues are incredibly grateful for everything you have done to keep the Senate operating safely. It is because of you that we are able to get keeping our work done for the American people.

Sooner or later, we are going to get through this pandemic and life will return to something resembling normal, but I hope we will still remember to be grateful for the people who have kept our society running during this crisis, who have shown us, in a difficult and challenging time, how to get up every day and do our duty.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

NOMINATION OF WILLIAM R. EVANINA

Mr. WYDEN. Mr. President, I rise to oppose the confirmation of William Evanina, whom we will be voting on shortly. Because of his failure to protect whistleblowers, leading whistleblower protection organizations support the opposition to Mr. Evanina's confirmation.

I ask unanimous consent that the statements of two organizations, true advocates of whistleblower rights at this crucial time, be printed in the RECORD.

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

[From the Government Accountability Project, May 6, 2020]

SENATOR WYDEN OPPOSES SENIOR INTELLIGENCE OFFICIAL'S NOMINATION OVER WHISTLEBLOWERS

WASHINGTON—Today, Senator Ron Wyden (D-OR) opposed William Evanina's nomination to serve as the Senate-confirmed Director of the National Counterintelligence and Security Center (NCSC). Sen. Wyden's opposition comes days after Senator Charles Grassley (R-IA) lifted his 2018 hold on Mr. Evanina, placed in part because "Mr. Evanina was responsible for developing policies and procedures to address retaliatory security clearance actions" taken against whistleblowers. Mr. Evanina has yet to produce those policies and procedures, leaving government investigators with little guidance.

Government Accountability Project's National Security Analyst Irvin McCullough said,

"Losing your security clearance means losing your livelihood for many Intelligence Community employees. These folks' whistle-

blowing protections were specifically designed to give special care to whistleblowers whose security clearances are revoked in retaliation for making protected disclosures. However, the Director of National Intelligence never implemented uniform policies and procedures for these whistleblowers, meaning agencies can act as their own fiefdoms when adjudicating these complaints. While a whistleblower at the CIA has the same rights as a whistleblower at the NSA, one may find it much harder to enforce their rights simply because their agency is free to apply harsher standards than the other. That is unacceptable. Bill Evanina was directed to issue universal guidance for all agencies to follow when investigating these types of retaliation complaints, but he hasn't done it. While Mr. Evanina is a dedicated public servant who has contributed greatly to our country's national security, this is his job and he needs to do it. We thank Senator Wyden for taking a stand to protect whistleblowers and ensure accountability inside the Intelligence Community."

Contact: Andrew Harman, Communications Director.

STATEMENT FROM LIZ HEMPOWICZ, DIRECTOR OF PUBLIC POLICY, PROJECT ON GOVERNMENT OVERSIGHT

"POGO commends Senator Wyden for standing up for whistleblowers by refusing to confirm Mr. Evanina until this critical issue is resolved. Any security clearance action must be based on the national interests of our country, not personal bias or retaliation. Retaliatory security clearance actions undermine the security clearance process, this is why Congress made it unlawful to retaliate against a whistleblower by restricting their access to classified information. ODNI charged Mr. Evanina's office with the creation of uniform guidance for investigating retaliatory actions, but he has failed to fulfil that mandate even after several years. Thank you to Senator Wyden for standing up for whistleblowers and their right to a fair and equal investigation."

Mr. WYDEN. Mr. President, it is currently open season on whistleblowers under the Trump administration. Donald Trump and those around him have made it clear that anyone who speaks up about waste, fraud, abuse, or lawbreaking can be punished. If you are a whistleblower under the Trump administration, Donald Trump himself and his echo chamber will publicly call you a liar. They will threaten to make your name public, even at the cost of your physical security. They will prevent your complaints from getting to the Congress, and they will fire the inspectors general who investigate your complaints.

Now, more than ever, courageous whistleblowers deserve leaders who are going to protect them, defend them, and vigorously advocate and work for them. They deserve leaders who are going to stand up to Donald Trump and anybody else who tries to punish those who are going to speak truth—truth, especially, to those in power.

I am rising today, taking this time of the Senate, to speak on behalf of whistleblowers who feel under siege right now. I am on the floor to oppose the confirmation of William Evanina's track record of inaction and why he should not be the Director of the National Counterintelligence and Security Center.

The fact is that Mr. Evanina has failed, repeatedly, the key test on protecting whistleblower rights. Specifically, he failed to enact whistleblower protections that the Congress required in 2014. Think about that—all those years to get the job done and he didn't do it. That is a 6-year track record of letting down whistleblowers and failing to follow the law.

Today, Congress ought to stand up for whistleblowers, protect our democracy, and the rule of law. And when Congress does act and pass whistleblowers' protection legislation the way this body did in 2014, the Congress must not reward those who ignore the whistleblower protection laws. Here, you have a case of exactly that, refusal to implement it for almost 6 years, and the person we are discussing with that track record of not being there for whistleblowers at a crucial time is being considered for a job promotion in the Senate.

I want to unpack, for a few minutes, what the world looks like now to a potential whistleblower in today's intelligence community. One of the biggest threats faced by whistleblowers who work with classified information is that their bosses are going to retaliate against them by revoking their security clearances. Without clearances, they can't do their jobs, their livelihoods are ruined, and their families suffer. That threat has a chilling effect on potential whistleblowers and makes it less likely that abuses are going to be investigated and brought to light.

The Congress has cared about this for years. It is why, in 2014, the Congress passed legislation specifically prohibiting the revocation of security clearances as a form of retaliation against whistleblowers.

Here is what the questions were. What happens if a whistleblower's boss simply insists that they revoked the clearance for some other reason? What if they say it wasn't retaliation for being a whistleblower? Does the whistleblower have any recourse? Is there an appeals process? Or are whistleblowers, who stick their neck out to report waste, fraud, and abuse, just out of luck?

The Congress then stood with whistleblowers. In that same 2014 law, Congress required the Director of National Intelligence, in consultation with the Attorney General and the Secretary of Defense, to develop and implement policies and practices to make that appeals process for whistleblowers a reality. In other words, the Congress recognized that if whistleblowers were truly going to be protected from retaliation, there had to be a meaningful process for them to defend themselves against agencies that always have all the power and always have an obvious incentive to silence and remove those who speak up about abuses.

This important law was passed by Congress in July 2014. As of that day in 2014, the Director of National Intelligence should have been drafting those