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Senate

The Senate met at 10:30 a.m. and was called to order by the President pro tempore (Mr. GRASSLEY).

PRAYER

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

Let us pray.

Eternal God, the fountain of wisdom, we cherish Your presence and honor Your Name.

Give our lawmakers the wisdom to live with honor, as they remember their accountability to history and You. Lord, remind them that You are glorified when they walk on the path of integrity, striving to please You in all they say and do. May their lives bring light to darkness, unity to division, and order to chaos. Lord, grant that they will become living letters read by those who desire to believe that You continue to rule in our world.

We pray in Your sovereign Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mrs. HYDE-SMITH). Under the previous order, the leadership time is reserved.

The Senator from Iowa.

Mr. GRASSLEY. Madam President, I ask unanimous consent to address the Senate for 1 minute in morning business.

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

CORONAVIRUS

Mr. GRASSLEY. COVID-19, as we all know, has thrown a wrench into Amer-

ica's corners of commerce and manufacturing, in addition to threatening lives and the loss of lives. The unprecedented effort to stop the spread has shut down life as we know it, closing schools, movie theaters, gyms, salons, and restaurants in a hysterical approach to it.

I always say we have had pandemics before, but never have we shut down the government, shut down Congress the way we have. Our moves have disrupted our food supply chain and pulled the rug out from underneath our economy. Yet, across my home State, Iowa businesses and industries stepped up to the plate. Ethanol plants, local distilleries, and others teamed up to produce hand sanitizers for hospitals, nursing homes, and local law enforcement. Others retooled their factories and redirected their workforce to sew masks and produce face shields and other supplies to replenish personal protective equipment for our frontline workers. Across Iowa, businesses have shown there is nothing halfway about the Iowa Way.

I yield the floor.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

CORONAVIRUS

Mr. McCONNELL. Madam President, our healthcare sector continues to battle the coronavirus at every level. Doctors, nurses, hospital workers, researchers, and public health leaders are working constantly to protect Americans and fight this invader.

Unfortunately, the last 2 months' stoppage of much of our national life was never going to permanently extinguish the virus. That task will be ongoing. The stated purpose of this effort was to prevent a rapid spike that could have completely overwhelmed the med-

ical capacities of many areas. The patriotic sacrifices of the American people have worked. We have bought our healthcare system that breathing room we needed.

As we cautiously move forward, major precautions will remain in place. Some routines will not go back to normal for a long time. But as a nation, we will need to regroup and find a more sustainable middle ground between total lockdown and total normalcy. Let me say that again. We need to find a middle ground between total lockdown and total normalcy.

While we keep battling the virus through testing, tracing, isolation, treatment, and hopefully soon, a vaccine, we need to smartly and safely begin to reopen our country. If Americans want to go back to work and back to school in the fall, we will need to reopen the country. No doubt, there will be many discussions here in Congress about more ways we can help make that happen.

Already, we are hearing that House Democrats are cobbling together another big laundry list of pet priorities. Even the media is describing it as a partisan wish list with no chance of becoming law. That is exactly the wrong approach. It is the wrong approach when a senior Democrat calls this pandemic "a tremendous opportunity to restructure things to fit our vision." It is the wrong approach when former Vice President Biden calls this tragedy an "incredible opportunity . . . to fundamentally transform the country."

The American people don't need a far-left transformation. They just need a path back to the historically prosperous and optimistic moment that they had built for themselves until about 12 weeks ago. The American people don't need a far-left transformation. They just need a path back to the historically prosperous and optimistic moment they had built for themselves until about 12 weeks ago.

American workers don't need Washington to inflict some far-left, extreme

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



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makeover on our country. They need us to get rid of obstacles that might stand in their way. One such obstacle is becoming obvious.

A second epidemic of frivolous lawsuits could follow the actual pandemic and crush our recovery before it begins. Already, more than two-thirds of independent business owners say they are specifically worried about a legal liability minefield getting in the way of reopening.

Already, lawyers have begun filing hundreds of COVID-related complaints in courts all across our country. This is exactly the kind of hostile environment that could take our reopening and recovery from challenging to downright impossible. So the Senate is going to act. Senate Republicans are preparing a major package of COVID-related liability reforms to foster our economic recovery. This package, which Senator CORNYN and I are spearheading, will extend significant new protections to the people who have been on the frontlines of this response and those who will be on the frontlines of our reopening.

First and foremost, we are going to protect the healthcare workers who have been locked in combat with this mysterious new disease. We are not going to let healthcare heroes emerge from this crisis facing a tidal wave of medical malpractice lawsuits so that trial lawyers can line their pockets.

We aren't going to federalize the entirety of medical malpractice law, but we are going to raise the liability threshold for COVID-related malpractice lawsuits. This will give our doctors, nurses, and other healthcare providers a lot more security as they clock in every day and risk themselves to take care of strangers.

Second, we are including new legal protections for the businesses, nonprofits, and government agencies that have kept serving throughout the crisis and for those that will need to lead the reopening.

We are facing the worst layoffs since the Great Depression and a storm of uncertainty for Main Street businesses. Americans want to get back to work, and we need to do everything in our power to help that happen.

Also, K-12 schools, colleges, and universities right now are completely uncertain about the fall. If we want schools to reopen this fall, we will have to create the conditions to make that possible. If we want schools to reopen this fall, we have to create the conditions to make that possible.

If we want even an outside shot at the kind of brisk rehiring that American workers deserve, we have to make sure opportunistic trial lawyers are not lurking on the sidewalk outside every small business in America, waiting to slap them with a lawsuit the instant they turn the lights back on.

Our legislation is going to create a legal safe harbor—safe harbor—for businesses, nonprofits, governments, and workers and schools that are fol-

lowing public health guidelines to the best of their ability. To be clear now, we are not talking about immunity from lawsuits. There will be accountability for actual gross negligence and intentional misconduct. That will continue. We aren't going to provide immunity, but we are going to provide some certainty. If we want American workers to clock back in, we need employers to know that if they follow the guidelines, they will not be left to drown in opportunistic litigation. We are going to make sure it is the trial lawyers and not struggling job creators who will need to clear a very high legal burden.

In addition, I hope our bill will find ways to expand existing protections for the manufacturers of therapeutics, diagnostics, and potential vaccines—things we are urging the private sector to produce as fast as possible. And I hope we will be able to create new protections for other medical equipment manufacturers, as well, like the policies we put in the CARES Act to increase the supply of masks.

So it is all well and good to give rhetorical tributes here on the floor to healthcare professionals, essential workers, key industries, small businesses, charities, and nonprofits. Rhetoric is well and good. Words matter, but actions matter more. Americans on the frontlines do not just need Senators to talk about how important they are. They need action. They need us to provide the same kinds of commonsense legal protections that Congress has enacted a number of times previously in difficult or unusual periods.

American taxpayers deserve these protections as well. The men and women of this country just saw Congress commit historic amounts of their own money to sweeping recovery legislation so that we could help healthcare facilities and small businesses survive the crisis. We are not going to stand idly by while a small group of wealthy lawyers vacuum up this relief money and redirect it into their own pockets.

Strong legal protections are the right move for doctors, nurses, hospitals, schools, and universities; for workers who want their jobs back, for small business owners who are struggling to stay open, and for nonprofits that have helped the vulnerable; and for taxpayers, who want their money to finance a real national rescue and not the biggest trial lawyer bonanza in American history.

Senate Republicans are going to continue to develop this legislation. It is going to be a redline for us in any future coronavirus legislation. The administration has already stated its support for action on this issue as well.

American heroes across our country deserve these basic protections. This Senate majority will make sure they get them.

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, no challenge in our lifetime resembles the depth of our current challenge. We have faced diseases, recessions, and natural disasters, but at no time in my lifetime has a public health crisis on this scale been paired with such an extensive economic disaster.

Finally—finally—we are beginning to see signs that the spread of this evil disease has abated in parts of the country—not over but at least the curve is going down. My home State of New York is just beginning to turn the corner, but, unfortunately, there are many parts of the country that have not yet reached their peak.

The unemployment rolls are as long as they have been since the Great Depression. Working Americans are struggling to pay rent and put food on the table, and many have no idea when the next paycheck may arrive.

It breaks your heart to see people waiting for hours in their cars to line up at food banks. When they are interviewed by the press, they are people who never went to a food bank before. That is how deep and troubling this crisis is.

So we in Congress have an obligation to do the Nation's business during this time of crisis, to be focusing on this crisis, to help the millions of American workers and businesses pleading—pleading—for assistance.

The Constitution instructs us to provide for the common welfare, but at this critical juncture in our Nation's history, the Republican leadership, led by Leader MCCONNELL, is ducking their responsibility, plain and simple. Leader MCCONNELL has yet to schedule any legislative business for the floor of the Senate this month having to do with COVID.

It has taken sustained pressure from Senate Democrats to force our Republican colleagues to conduct even the routine business of holding hearings on the coronavirus. We have had a few hearings now, but not many. Where is the SBA Administrator to talk about the problems in PPP? Where is Secretary Scalia to talk about the problems in unemployment insurance? Where are the OSHA executives to talk about how we protect workers from this pandemic, particularly when they are required to go to work? They are not around.

Even the hearings we are having are slow. They are sort of eked out like