

to give the veterans the recognition they deserve or to stand in their way.

Madam President, with that, I ask unanimous consent that the Committee on Energy and Natural Resources be discharged from further consideration of S. 849 and the Senate proceed to its immediate consideration. I ask unanimous consent 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.

The PRESIDING OFFICER. Is there objection?

The Senator from Alaska.

Ms. MURKOWSKI. Madam President, reserving the right to object, I have the honor to serve as the chairman of the Energy and Natural Resources Committee, which does have jurisdiction over S. 849, the U.S.S. Frank E. Evans Act, but in that capacity as chairman, I now have the unenviable position of having to rise to register an objection at this moment.

I want it to be clear to my colleague from North Dakota, my colleague from New Hampshire, my colleague from New York, and all of those for whom this is a measure on which they are seeking this legislative endorsement—know that I have the absolute highest regard for the men and women who serve our country and the sacrifices they have made for all of us.

As the Senator from New Hampshire just mentioned, as we approach Memorial Day, I think what we seek to do is to try to find ways to honor more of those who have served our great Nation and a recognition that those who lost their lives on the *Frank E. Evans* deserve a form of recognition—a recognition of all those who lost their lives in Vietnam. The story that has been relayed by colleagues here of the USS *Frank E. Evans* is truly one of the most tragic that occurred during the Vietnam war. I am absolutely sympathetic. I have had these discussions with my colleague Senator CRAMER. I appreciate the efforts that he is making now and that he has made prior to his time here in the Senate to recognize these sailors who gave their lives in the incident.

The reality that we face in the Energy and Natural Resources Committee—again, we are the committee of jurisdiction, as we have the oversight of the National Park Service. But it is not the National Park Service that determines what or who is eligible for inscription on the wall. It is the Department of Defense that is responsible for determining whether members' names are eligible for inscription. This is based on very specific criteria that is set not by those of us here in Congress, not by those of us on the Energy Committee; it is set specifically by the Department of Defense.

As has been raised here on the floor, the criteria do not allow or accommodate the timing. The Evans sailors do not meet the eligibility criteria the DOD has set out because it was not in the defined combat zone of Vietnam at the time of the 1969 mishap.

I agree with my colleagues that it is indeed unfortunate that we have this designation, this eligibility criteria that has left the honor that is due these sailors open and unaddressed. It is unfortunate that we are here today and that I stand left in a position to object despite the efforts that my staff on the Energy and Natural Resources Committee and I have made to work with Senator CRAMER, work with his team, work with DOD to find an approach that we should all be able to agree on to memorialize these sailors.

As we are looking for that path, I do stand to object to discharging this bill from the committee, but I will make this commitment: This is a matter that must be addressed. It is long overdue. We will find a way to honor these sailors. But at this juncture, there remain practical, legal, and technical considerations we have to resolve with the text with regard to the effort that my colleague from North Dakota is offering today. At this time, I would like to note my objection.

The PRESIDING OFFICER (Mr. YOUNG). Objection is heard.

The Senator from North Dakota.

Mr. CRAMER. Mr. President, if I might address a couple of things, first of all, we are here to change legal objections. That is why we are the legislative branch. We are the policymaking branch. The Department of Defense, with as much respect as I have for them and particularly for the Secretary—they work for us. We don't work for them.

I appreciate the commitment of the chairman. I look forward to working with her and the committee on getting to a markup and passing the legislation so that we don't have to submit ourselves to the bureaucracy but, rather, can get things turned around to where the bureaucracy submits itself to the legislative branch.

I thank the President, and I thank my colleagues from New York and New Hampshire and certainly the chairwoman of the Energy Committee and look forward to working on a resolution soon.

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.

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

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

Ms. DUCKWORTH. Mr. President, I ask unanimous consent to begin the vote immediately.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

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

Ms. DUCKWORTH. 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 legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from Arizona (Ms. MCSALLY), and the Senator from Nebraska (Mr. SASSE).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted "yea" and the Senator from Arizona (Ms. MCSALLY) would have voted "yea."

Mr. DURBIN. I announce that the Senator from Vermont (Mr. SANDERS) is necessarily absent.

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

The result was announced—yeas 80, nays 16, as follows:

[Rollcall Vote No. 92 Leg.]

YEAS—80

Barrasso	Gardner	Peters
Bennet	Gillibrand	Portman
Blackburn	Graham	Reed
Blumenthal	Grassley	Risch
Blunt	Harris	Roberts
Booker	Hassan	Romney
Boozman	Hawley	Rosen
Braun	Hoeven	Rounds
Capito	Hyde-Smith	Rubio
Cardin	Inhofe	Schumer
Carper	Johnson	Scott (FL)
Casey	Jones	Scott (SC)
Cassidy	Kaine	Shaheen
Collins	Kennedy	Shelby
Coons	King	Sinema
Cornyn	Klobuchar	Smith
Cortez Masto	Lankford	Stabenow
Cotton	Leahy	Sullivan
Cramer	Lee	Thune
Crapo	Loeffler	Tillis
Cruz	Manchin	Toomey
Daines	McConnell	Van Hollen
Duckworth	Menendez	Warner
Enzi	Moran	Whitehouse
Ernst	Murkowski	Wicker
Feinstein	Murphy	Young
Fischer	Perdue	

NAYS—16

Baldwin	Hirono	Tester
Brown	Markey	Udall
Burr	Merkley	Warren
Cantwell	Murray	Wyden
Durbin	Paul	
Heinrich	Schatz	

NOT VOTING—4

Alexander	Sanders
McSally	Sasse

The bill (H.R. 6172), as amended, was passed.

The PRESIDING OFFICER. The Senator from Wisconsin.

MORNING BUSINESS

Mr. JOHNSON. Mr. President, I ask unanimous consent that the Senate proceed to 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.

The PRESIDING OFFICER. The Senator from Minnesota.

UNANIMOUS CONSENT REQUEST

Ms. KLOBUCHAR. Mr. President, I come to the floor today to urge the Senate to immediately take action to address the issue of elections and specifically to address technical changes to the \$400 million in election security funding passed in the CARES Act and to talk about the coronavirus threat to our democracy itself.

Sixteen States have already postponed their Presidential primaries or transitioned their primaries to almost entirely voting by mail. We have seen Republican and Democratic Governors across the country, from States like West Virginia, Indiana—the Presiding Officer's State—New York, and Kentucky, issue waivers allowing all voters to cast their ballots by mail during the pandemic. This includes States that used to have requirements that you have to give a reason to even get a mail-in ballot to vote from home. Both Democratic and Republican Governors have waived it—not in every State but in a number of States.

While it is important that individual States are taking action to protect voters during this pandemic, it is the responsibility of us, of Congress, to ensure that States have the funds they need to make our elections more resilient and to make sure voters don't have to risk their health to cast their ballots. We must do this because, as we have seen over the last several weeks, not all States are doing everything they can to protect voters. That is sad, but it is true.

What is coming before us in the fall is a national election. Just yesterday, we learned that the attorney general of Texas has asked the Texas Supreme Court to stop county election officials from letting voters who are afraid of getting the coronavirus to vote by mail. He basically went to court and said that the counties that are giving out these ballots should stop. He tried, he tried, and he is continuing to try to stop them from simply sending out ballots to voters who are afraid to vote in person. Some of them have preexisting conditions. Some of them are veterans who served our country. Some of them are seniors.

Basically, in this one State—by the way, there are other things going on in other States—the attorney general is trying to stop them from actually voting from home. Under Texas law, you have to have an excuse in order to vote by mail.

This pandemic, as we know, has killed more than 85,000 Americans. Local officials in Texas have told the voters that the coronavirus—they have looked at the law and said that it is a valid excuse to request a mail-in ballot. I guess it is. I would think it is. But the Texas attorney general disagrees and has asked the Texas Supreme Court to stop these local election officials from sending voters a mail-in ballot.

That is a disgrace. We shouldn't be playing politics with people's lives.

Even the most cynical Americans believe that. They know people play politics all the time, but they don't think you should play it with their lives.

We know from what happened in Wisconsin that people who show up to vote during this crisis are, in fact, risking their health if precautions are not taken. A little over a month ago, both Democratic and Republican voters and Independent voters in Wisconsin stood for hours in the cold and the rain, wearing garbage bags and homemade masks, in order to cast their votes. There were just 5 polling locations open in Milwaukee instead of the usual 180 and 2 in Green Bay instead of the usual 30, and two-thirds of Wisconsin's African-American voters live in Milwaukee.

There is no question that this vast reduction in polling places, without there being the adequate time to transition to mail-in voting, ended up disenfranchising voters, particularly in the case of African-American voters. At the same time, we saw people trying to vote in whatever way they could. They tried to mail in their ballots even when it was at the last minute.

Now health officials say that more than 67 people in Wisconsin may have become infected with the coronavirus as a result of that election. This is unacceptable. No one should have to choose between exercising the right to vote and protecting the health of themselves and their loved ones. What happened in Wisconsin will be forever etched in the memory of our Nation. We can't allow this to happen again.

In the face of this, yesterday, the Wisconsin Supreme Court actually struck down the Governor's stay-at-home order.

We should actually be taking steps forward now instead of backward. Public health experts have warned of the possibility of another, more serious outbreak of this virus in the fall. Congress must act now to give States the funding they need. We know the States are strapped—that every single State in this country is strapped.

Even if we were to do nothing here, we would know there are going to be States that are going to get humongous requests for mail-in ballots that they have never gotten before. We know that in the State of Wisconsin, Senator JOHNSON's State. It is traditionally a State in which about 6 percent of the people vote by mail. Next-door, in my home State of Minnesota, it is 25 percent. Yes, it is more, but we know it is probably going to at least double—and more—no matter what party you are in.

This is why the Republican Governors are asking for money. They may not agree with everything in my bill, but so many of them are asking for funding to be able to help them send out those ballots and send out the postage so as to keep their polling places open, say, for 1 week, 2 weeks, or, we think, 20 days in advance so that people could actually vote and not con-

gregate in one location. That is why this is happening right now.

Nearly 2 months ago, I introduced legislation, the Natural Disaster and Emergency Ballot Act, with Senator WYDEN, along with 35 of my colleagues. The bill would simply ensure that every voter could cast a ballot by mail, that those who need it could have expanded access to early in-person voting, and that States could have the funding and resources that are necessary to safely administer elections.

This week, the House introduced the COVID 4 bill, the fourth COVID relief package, the HEROES Act. It contains the election reforms found in my legislation as well as \$3.6 billion to help States protect our elections from COVID-19. That is because mailing mail-in ballots all over the country is going to cost some change. We know that. Yet what is the alternative? Is it telling veterans who served on the battlefield in World War II, like the one I heard about yesterday, that they can't vote or that they have to stand in line? What is the alternative—telling seniors they have to stand in line? No, that is not a good alternative. The alternative is to make sure we expand mail-in ballots.

I know negotiations will occur over the coming days regarding the next relief package. I look forward to working with my Democratic and Republican colleagues.

I see the chairman of the Committee on Rules and Administration is here, Senator BLUNT. I look forward to working with him just as we have recently done on remote committee hearings, which have actually, by all accounts, gone pretty well in the Senate over the last few weeks.

I am here today to push for a change that we know needs to be done, and that is to make some changes to make sure the first grouping of money we got—the \$400 million of emergency funding in the first bill—can get out to the States, because of some changes that were made to the original proposal that have made it hard for some of our States to be able to get that money out. There is a matching requirement, and we see it already playing out. Utah and Oklahoma have indicated they will only be able to access a portion of the funding they have been provided because they can't come up with the full matching requirement. Florida has not yet accessed the funds at all because it is working to see if its legislature can accommodate the matched funding.

These are all things we have to work on for this forthcoming legislation, as well as to look at what we did in the first package. There are also issues with the reporting requirements in the bill, but the last thing we want to do is to put an undue burden on the States.

What I really want to focus on now, at the end of my remarks, is the need to pass the legislation in front of us—and I know it will be negotiated—to make sure that we fund and help our