

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 senior executive legislative clerk read the nomination of Scott H. Rash, of Arizona, to be United States District Judge for the District of Arizona.

The PRESIDING OFFICER. The Senator from Illinois.

## UNANIMOUS CONSENT REQUEST—S. RES. 579

Mr. DURBIN. Madam President, some of you at home may be old enough to remember a distinct circular scar on your upper arm. You may remember a parent or grandparent who had one. That mark was probably one of the world's greatest public health successes—the eradication of the deadly smallpox virus. That so many alive today no longer remember the death and misery caused by this disease is a testament to global efforts in a cooperative manner.

The smallpox virus likely originated more than 3,000 years ago and was one of the most devastating diseases ever in the history of humanity. It was barely visible under the most powerful microscope and was known for fiery bumps covering the face and body, profuse internal bleeding, black vomit, and pieces of destroyed skin that would shed off one's body.

Smallpox is estimated to have killed up to 300 million people in the 20th century—300 million—and around 500 million in the last hundred years of its existence.

In 1967, the World Health Organization launched a historic, intense effort to eradicate smallpox. The global eradication effort initially used a strategy of mass vaccination to achieve 80 percent vaccine coverage in each country and, thereafter, used contact tracing—familiar with the word?—to reduce and rein in additional outbreaks.

Ultimately, the global eradication of smallpox was certified and endorsed in 1980, making it one of the most successful collaborative public health initiatives in the history of the world. In fact, this month marks the 40th anniversary of the World Health Organization's historic achievement: the end of smallpox.

Similar global efforts have been taken to deal with diseases such as polio and Ebola. So imagine my concern and that of the rest of the world that, amid the devastating global coronavirus pandemic, the United States decided just recently to sit out a conference to collaborate and raise

funds to research, manufacture, and distribute a possible coronavirus treatment and vaccine.

Just as with the smallpox effort, such a global collaborative approach makes sense, being both morally and strategically the thing to do to save lives around the world. You see, joining forces with other countries would help speed up the development and eventual distribution of a coronavirus vaccine that we all desperately seek. It would save lives in America, but it would also save lives around the world.

No one knows—no one knows—where the vaccine will eventually be perfected or produced, so we should be on this. The United States should be at the table. We should be part of the collective global effort to find this vaccine.

Clearly, other world leaders get it. They understand the obvious imperative of raising \$8 billion to be spent over the next 2 years. Eight billion dollars is a massive sum of money until you place it up against the price we are currently paying for this virus.

Our allies in the European Union and Norway came to this table that the United States vacated, or refused to attend, and each pledged \$1 billion toward this \$8 billion goal.

Who was absent from this critical effort to save lives around the world, including lives in the United States? Sadly, it was the United States itself. We were not part of this virtual global conference. You see, again, another short-sighted and critically missed opportunity to address the coronavirus, a question about what this administration was thinking. Why were we missing in action when all of these countries came together?

I don't know where this vaccine will be found. It will be a great source of pride if it is in the United States. I have the greatest confidence in the men and women who are researchers and the businesses prepared to produce and develop it. I have the greatest confidence in them. But what if the very safest vaccine, the most effective vaccine, the one that is proven to be the best comes instead from England or Germany? Does that mean we will not use it because it is not the American vaccine? We know better than that. We want the safest, most effective vaccine, wherever it may come from, to be available to the world and, certainly, to the United States of America.

Supporters in Congress said little or nothing when it came to the decision to vacate and to not be present at this international conference. The President has blamed others for problems that we face today, but it was his decision not to participate in this global conference on the vaccine. It could have devastating consequences.

So what does it mean for America? Well, we continue to have some of the world's best researchers: experts at the National Institutes of Health, the Centers for Disease Control and Prevention, and many universities and private

researchers that work across the country and around the world. Many NIH-funded researchers have spent years studying coronaviruses. Their knowledge could help to pave the way for future breakthroughs.

I applaud them, and I have to tell you, for the last 4 or 5 years there has been a quartet of Senators of both political parties who have given dramatic investments to the National Institutes of Health for additional research. We have been led by ROY BLUNT, the Republican chair of the Appropriations Subcommittee, as well as LAMAR ALEXANDER, the Republican chair of the Health, Education, Labor, and Pensions Committee. PATTY MURRAY has always been at the forefront of this effort, and I have done my best to back them up every way possible.

We have had a 30-percent or more increase over the last 4 years in research at the NIH, so I believe in the NIH, and I have made it a major part of the job that I have undertaken here in the U.S. Senate with my bipartisan colleagues.

Clinical trials, we know, are underway at NIH for vaccines. I want to commend that agency; Dr. Fauci, a friend of more than 20 years; and Dr. Collins, the same, for their tireless, unwavering, and inspired effort. But it is plausible, as I mentioned earlier, that the best vaccine candidate may turn up in some other country, not in the United States; that it will be some overseas company that decides to initiate and lead the production of the vaccine.

In a rush to research and validate a vaccine, ramp up production, and address global allocation and supply needs that would ensure affordability and access worldwide, where will the United States stand: in the fray, in the battle, or on the sidelines?

Last week we decided to stay on the sidelines and not to work with global partners to find this vaccine. When the United States pursues a go-it-alone approach while the rest of the world is working together, where does that leave us? That is why last week Senators Schumer, Murray, Leahy, Menendez, Murphy, Duckworth, and nearly three dozen others joined me in introducing a straightforward resolution that calls on the United States to join these global efforts.

I am grateful to organizations like PATH, Shot@Life, Better World Campaign, and the UN Association of the United States for their support of this resolution as well. Quite simply, we should be part of these efforts to not only offer American expertise but to share in lifesaving benefits.

We used to have a profound, well documented, proud bipartisan history of such effort. For example, I was pleased to rally around President Bush's call to stem the scourge of AIDS around the world through the historic PEPFAR Program. Many of my Republican colleagues in the Senate supported these efforts.

Now we face this coronavirus outbreak. I was equally proud of President

Obama's efforts to set up infectious disease prevention systems and his leadership on the Ebola crisis.

I have been told that one of my colleagues on the other side of the aisle is going to object to enacting this resolution this morning. I wanted to read the resolution clause that this colleague will be objecting to. I want those who are following this debate to ask whether they find this objectionable.

Here is what it says: "... calls on the United States Government to boost funding for and strengthen collaboration with key multilateral institutions at the forefront of responding to COVID-19, such as the Coalition for Epidemic Preparedness Innovations; Gavi, The Vaccine Alliance; and the Solidarity Trial."

This is not a radical or partisan suggestion. We did our best to make it nonpartisan because it should be. Does anyone in this country care if the researcher who finds that vaccine is a Republican or a Democrat? I certainly don't. We shouldn't care, either, whether it is found in the United States or another country. I would be so proud if it is found here, but if there is a safe and effective vaccine found in another country, we certainly want to participate in its discovery, its production, and its distribution. To stay on the sidelines at that point in history would be disastrous.

Last Friday I was driving from Chicago to Springfield. It is about a 3-hour and 15-minute ride. I had plenty of time in that rental car to listen to a lot of radio, but it was interrupted—interrupted by the President who, in a press conference, made it clear to us that he was going to address the need for this global vaccine, as he said, at warp speed.

I have disagreed with this President on a lot of things, but I sure don't disagree with that statement. The sooner we can find it, the better, and I want the United States to use all of its resources to make it happen.

The President was asked in a press conference afterward what that meant in terms of sharing this vaccine with the world, and he said, "We'll do it." It was a simple statement. There was no reservation. He made a pledge right then and there that, if we discover this vaccine, it will be shared with the world. Thank you, Mr. President. That was the right thing to say, at the right moment, as the whole world was watching to see the United States' leadership.

What I am calling on in this resolution is simply that we use our expertise and an investment—and we make investments every day in global efforts—that we use this for a collaborative effort, a global effort, to find this vaccine. As I have said from the beginning, it will be a great source of pride if it is found here, but if it isn't, if there is a safer or effective vaccine that is available and it is discovered in another country, what difference does it make, if it saves lives in America and around the world.

Let's be part of this effort. Let's set our pride aside and, instead, talk about the impact it would have on the people today who are in fear, suffering and, sadly, dying as a result of this global virus.

Madam President, I ask unanimous consent, as in legislative session, that the Committee on Foreign Relations be discharged from further consideration of S. Res. 579 and the Senate proceed to its immediate consideration. I further ask that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

THE PRESIDING OFFICER. Is there objection?

Mr. RISCH. Madam President.

THE PRESIDING OFFICER. The Senator from Idaho.

Mr. RISCH. Madam President, reserving the right to object, let me state the resolution referred to by my friend from Illinois is comfortably residing in the Foreign Relations Committee at the present time and is subject to the regular order of Congress and of the committee.

There is almost nothing that the Senator said that I disagree with, although from time to time I do disagree with my good friend and colleague from Illinois.

I think that this is a matter of most consequence to the United States of America today, and certainly the pursuit of a vaccine and/or a cure are of utmost importance. I think that the process by which we go through that is incredibly important.

Like the Senator from Illinois, I am a huge fan of the NIH and, for that matter, the CDC, which do great things for the public health system in not only America but in the world. They are vastly underappreciated. They are much like the electric switch in our rooms. Every morning, we get up and turn on the electricity and everything is fine, and we just take it for granted and don't even think about it. That is true of the NIH and the CDC. They do good work regardless of whether we are thinking about it.

In America, we have something more than just a government effort when it comes to public health. We have this great machine called the free market and free enterprise system that incentivizes Americans, through the private sector, to do great and glorious things.

Indeed, while my good friend from Illinois was bragging on the efforts by other countries to pursue the kinds of things that are needed, within the last 24 hours we have had a very important announcement from part of our private sector, which is making great strides in this regard.

I think it is important that we do accept that there are various ways that we can and should pursue the vaccine and the cure for this horrible scourge. This matter is a lot deeper than that. It is the intent of our committee to

hold hearings and develop very comprehensive legislation regarding how we pursue this in the future. What has just recently happened to us is of great interest to all of us but not nearly as important as what is going to happen to us in the future.

There are parts of S. Res. 579, if not the vast majority of it, that I hope will be included when we get to what, hopefully, will be a comprehensive piece of bipartisan legislation to address this. Some of the whereases I am not too red-hot about, but as far as the resolutions are concerned, certainly, they state things that there would be unanimity, I think, in agreement.

Where are we going with this? What my friend from Illinois has raised is a very small facet—an important facet but a small facet—of what we are going to do, what is the intent of our committee to do, going forward in what I think will be a bipartisan fashion. Again, like I said, I hope we are able to include these. I welcome the Senator's participation and all Members of the Senate's participation as the Foreign Relations Committee does move forward on some comprehensive legislation.

What do we know for sure right now? I think Senator DURBIN did an excellent job of taking us through history when it comes to some of the things we have had in the past like smallpox, AIDS, polio, and Ebola. And, certainly, the United States has been a leader and will be a leader on this particular scourge.

The WHO—and, for that matter, other world organizations—have been large players, important players, helpful players in those efforts in the past on smallpox, AIDS, polio, and Ebola. Again, I come back to, just as an example, polio. A huge factor in that was not the U.S. Government involvement—well, it was a huge factor, but another huge player in that were private citizens, a couple in the United States, Bill and Melinda Gates, who played a huge role in eradicating polio, working with the WHO, working with the USG, and many others.

I have no doubt, as we go forward on this, there will be that type of collaboration in the future. As the good Senator noted, this is not a political issue. This is not a Democratic issue. It is not a Republican issue. The virus doesn't care who you are or what you are. It is just looking for a home. We need to deny it that home, and we will. I think we will make great strides as we go forward.

What do we know for sure right now? What we know is that this particular virus evolved in China, particularly in Wuhan Province, and specifically in a species of bat.

What we also know is that there are about 2,000, so far, identified viruses that are in the same position that are carried by bats in the Wuhan Province. What we also know is that a virus has escaped from China before. There is a lot of speculation as to exactly how

this happened. We know that the virus jumped species, from the bat to a human being and then went around the world.

We also know, for a fact, that this particular virus, like all viruses, acts uniquely. It is not exactly the same as other viruses that have jumped species and gone around the world. This one was unique in that, unlike some of the ones we have had in the past—this is our sixth experience since 2003 with the virus—this moved around the world at an incredibly fast speed. It was much more like a house on fire than the other diseases that we have talked about, like smallpox or polio. Its speed was unique. It was new. It was different.

As a result of that, historical organizations that have dealt with these in the past were not expecting it and were not geared for it. They thought this virus would move much like the others that we have dealt with. The result of that, of course, was that it got away from us, from the world, and we now find ourselves in the position we are in because that happened.

It is my hope, and it is my objective—and hopefully will be the objective of our committee, eventually the objective of the U.S. Senate, and hopefully eventually the objective of the world—that we develop a protocol for dealing with a virus or, for that matter, any other health challenge that moves at the speed of light and like a house on fire as opposed to a small, creeping thing that we have had in the past in some of the other challenges we have had.

It is different. There is no doubt it is different. It is going to have to be dealt with differently, and we are going to have to develop a protocol that does address this speed. It is going to entail—and this is probably the heaviest lift of all of it we are going to do—the 200 governments around the world to come together and agree that when something like this happens in their country, instead of covering it up or instead of making political excuses, or instead of hoping it is going to go away, that instead they call the fire department. And the fire department will be a new agency or perhaps even one of the old agencies that we have had that are geared to handle a pandemic that moves at this speed or presents other challenges.

The institutions we have simply aren't geared to do that, which we found out with this epidemic. I think a good example is, as my good friend from Illinois mentioned, the Ebola challenge we had. The historical institutions, I think, dealt quickly with that and really held down the damage from it, which could have been much worse than what it was. We need to develop protocols for dealing with this.

This is going to be a challenge. There is no question it is going to be a challenge because politics comes into this simply because of governments in the various 200 countries around the world

have to deal with this. When they do deal with it, they have different ways of dealing with it.

As chairman of the Foreign Relations Committee, I deal with our diplomats who deal with the diplomats from other countries. We deal with them on the committee directly, but since this thing has hit, we haven't had as much direct contact, but our diplomats have continued to have contact. In talking with them, one of the things I find particularly disturbing is, I ask: Are the Chinese humble about this? How are they dealing with this? What is their view of what has happened here? Interestingly enough, they take it as an opportunity to compare our form of government to their form of government. And they say: Look, we had a problem; we dealt with it. You guys had the same problem, and you dealt with it. And the reason is because we have this strong authoritarian central government that can control people and can control people in the most severe fashion, and we can deal with it. You people, with all these freedoms and your democracies, you have speech, you have these political arguments, you have these disagreements, and you allow dissent, and when you have that, you can't deal with it. Therefore, our form of government is better than your form of government. That is very dangerous talk.

I am disturbed and disappointed the Chinese Government has viewed this as they have and has not viewed it as we have, as a challenge that is going to take historical changes as we go forward. That is a huge challenge as we go forward, but that shouldn't stop us from making every effort that we can to go forward, and we will.

On the Foreign Relations Committee, it is our intent to hold hearings to deliberate, as the U.S. Senate does, and to produce what hopefully will be a bipartisan piece of legislation, which is substantially broader than what we have here, but hopefully that will include many of the things that we have here, and that will include—as the good Senator from Illinois has indicated—the necessity of including other governments in the effort as we go forward.

I commit to Senator DURBIN, and I commit to all that our committee will undertake this challenge. It is within the jurisdiction and the responsibility of our committee. We take it seriously. We are still in the throes of this, although it feels like we are on the downhill side and are starting to come out of this. As we go forward in a very commonsense, deliberative fashion, we hope to construct legislation that will address all of these very serious issues.

If there is one thing we know for sure—and I am absolutely convinced of it—this is going to happen again. Given the physical situation on the ground in Wuhan, China, and given the fact that there are 2,000 other viruses, probably some of which are substantially worse than this—and, for that matter, the

same situation in other parts of the world—this is going to happen again. Given the population of the world and given the culture of the way we live today in the world and our travel and interconnectedness, this is going to happen again.

We need to be ready for it. We need strong legislation that will address this, not only at the U.S. level but also at the international level. The United States has been the world leader in world health issues, and I anticipate that we will continue to be like that. At the present time, it is under consideration in our committee. At the present time, we can't go forward with this.

Before I state an objection, I want to yield to my good friend from Indiana, who also has some ideas in this regard, and all of which will be, I am sure, constructive on both sides of the aisle. I want to yield the floor to Senator BRAUN at this time.

The PRESIDING OFFICER (Mrs. LOEFFLER). Is there an objection?

Mr. RISCH. Not yet.

I want to yield to Senator BRAUN.

The PRESIDING OFFICER. The Senator from Indiana.

#### UNANIMOUS CONSENT REQUEST—S. 658

Mr. BRAUN. Madam President, I object, but my colleague from Illinois is not wrong. I think after I get through explaining my objection, hopefully, there will be something we can work out.

The United States should be engaging more in global efforts to find treatments and vaccines for coronavirus. Governments, academic institutions, scientists, researchers across the world are racing to do it. The United States must work at home and with international partners to develop treatments and vaccines. There is no reason we can't be doing something on our own and working with others across the world.

This is a joint venture, if there ever has been one. However, the nonbinding resolution that my colleague has offered is not an actual solution. I come from the world—and one of the frustrations for being here for just a year and a half is that we don't get more stuff across the finish line. I have a real solution to ensure Americans benefit from the vaccine and treatment development efforts happening across the world. My bill, the ADAPT Act, S. 658, as amended, would create an expedited, almost automatic approval process at the FDA for vaccines and treatments that might occur across the world. We do not have the market cornered on good ideas.

These countries have all developed regulatory systems that are compatible and that should make us feel comfortable. But instead of just talking about it, which we do so much of here, this bill would actually establish the approval reciprocity for treatments and vaccines between the FDA and other trusted counterparts.