

Another thing we can do—and, quite frankly, I think there is bipartisan support and a willingness on behalf of the administration—is to deal with returning citizens who were denied any ability to participate in the PPP program. My goodness, for a person who has paid their debt to society, who has returned to the community, who is working a small business, should we say no, we are not going to help them survive? They have enough challenges out there. We certainly don't want to take away their ability to take advantage of tools that are available to all Americans in order to help their small businesses. I believe there is bipartisan support for this, and we hope that we will be able to get that done administratively. After all, the restrictions were imposed administratively. They can be removed administratively.

Then there is another issue that we need to deal with immediately, and that is the 8-week restriction that is in the PPP program. It was well intended when we passed it. It was based on the dollars that were available, and we thought that after 8 weeks, by June, we would see our economy back performing at a level in which small businesses could be expected to be able to do well. Well, that is clearly not the case. We now need to provide additional help to small businesses as it relates to the 8-week period.

We can do that. We recognize that. The monies have already been appropriated. This does not really require any additional funding, but it will allow us to give small businesses the opportunity to spend the money over a longer period of time. Why? Because their businesses aren't open. The 8 weeks started the day they got the loan. Yet today they are still not at full operation, and some are not at any operation.

So I was pleased to see that the House acted on this by extending this to 24 weeks. I hope that we could find common ground, because I think there is support on both sides of the aisle and with the administration to give greater discretion on that 8-week period so that it is a longer period of time and so that the small businesses have the opportunity to spend the funds that are under the loan in a way that they can get maximum forgiveness of that loan, which will also require us to extend the June 30 date for those businesses that need extra time in order to bring their workers back.

I think there is general agreement on this. I hope that we can act this week on that provision, because by the time we come back after recess, the very first loans that have been issued under the PPP program will have reached their 8-week period, where loan forgiveness applications are going to start to be processed. We need to act before that date. There is a sense of urgency. We need to get that done this week, if at all possible, and we should work to try to get that done.

Let me also point out that, even when we fix the problems with these

programs—and I hope that by oversight we can get the EIDL Program working properly and get those loans out there—we can increase the size of the EIDL grants, get more information about the loan forgiveness, and get the PPP program working in all communities, including the underserved communities, giving more flexibility to businesses on the 8-week period.

We are going to need additional help. Eight weeks of payroll help is not going to be enough for many small businesses. So as we start to consider the next round, I hope that we will look at a program that is targeted to the small businesses that need the help the most.

When we passed the bill 8 weeks ago, our objective was to get money out quickly, and we succeeded in doing that. It was successful. Now we need to look at those small businesses that have the greatest need. We need to target it to those that have had significant revenue losses. We need to target it to the underserved communities. We need to target it to the smaller of the small businesses. If we can target the program properly, the cost will be much less than the original cost, and we can save businesses that otherwise would have a hard time surviving.

The key to what we did is that we worked together. It was bipartisan from the beginning. We need to do that again. Our small businesses, our workers, and our economy depend upon our getting this right. I look forward to working with my colleagues in order to get this done.

With that, I yield the floor.

THE PRESIDING OFFICER. The Senator from Oklahoma.

Mr. LANKFORD. Madam President, I ask unanimous consent to complete my remarks before the vote begins.

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

NOMINATION OF JOHN F. HEIL III

Mr. LANKFORD. Madam President, in a few minutes, the Senate will vote on the nomination of John Heil to serve as a district court judge for Oklahoma.

We have three areas in Oklahoma: the Northern District, Eastern district, and Western district. This judge position covers all three of those, and they move to wherever there is the greatest need, and we are in great need. This is a position that we have needed for a while, and I am proud that John Heil has gone through this process. He was overwhelmingly confirmed in his nomination process through committee. I expect him to have wide bipartisan support when it passes this floor in a few moments and look forward to him transitioning from being a great attorney in our State to being a great judge to serve the people of Oklahoma and the United States on the Federal bench. So I am looking forward to that vote being completed.

MEMORIAL DAY

Madam President, in the days ahead, we will celebrate Decoration Day.

Decoration Day was first declared locally in 1866, after the Civil War. It was a day to remember those who gave their lives in battle for our country by decorating the graves and remembering their sacrifice.

Now we call it Memorial Day. We remember all of those who have given their lives for our Nation. It is, unfortunately, not those who just gave their lives long past. Unfortunately, it is still in the painful present.

Last weekend, I sat in the agonizing funeral of TSgt Marshal Roberts, who was killed by rocket fire just 2½ months ago. He was in the process of getting others to safety when a rocket took his life. He is the first Oklahoman air guardsman to ever lose his life in battle. This Memorial Day will be very different for his wife, his daughter, their family, and the State of Oklahoma, because it is not just a day about sleeping in and sales on dishwashers and cars. It will evoke the memory of TSgt Marshal Roberts and the hundreds of thousands of others like him. They gave their everything for the sake of our liberty. Those men and women are not forgotten. They are our heroes, and this Memorial Day we will remember.

AGRICULTURE

Madam President, in this time, it is interesting to note that, with all that is going on, America is still eating, and America is still moving because there are essential workers who are still serving. They are healthcare workers. They are grocery store workers. They are truckers. They are folks at convenience stores, gas stations, sanitation workers, and in power generation. They are farmers and ranchers. They are the refineries. Yes, they are even in government—public safety and law enforcement.

While the news every day covers folks who are at home waiting to return to work, at times we forget the people who are working twice as hard right now to be able to make sure that is even possible. And we are grateful for what they are doing. We are grateful for the sacrifices of their families and of the hours they are putting in.

But I want to highlight a couple of different groups that are unique in this mix—some of the folks who are really and truly behind the scenes and whom we really don't see a lot, but we see the end result of their products.

Let me start with farmers and ranchers. They are folks who are on the farm and the ranch, and they are taking care of our food because, as we know well, food does not grow in a grocery store. It actually has to happen somewhere by folks putting in the workout in the Sun and getting the chance to be able to bring that crop in.

We are watching it happen across my State and across the country right now. In Oklahoma, wheat is coming in, and it looks beautiful. It is green still, but in the days ahead, as it comes in, it will be very important to us. But it will be interesting to see this crop, if it

is not taken out by the hail that is coming in this weekend. As it comes in, this crop will be very important to us. But this year the challenge will be that the H2A workers who typically come in literally from all over the world to do custom cutting are not able to come because of the coronavirus. And the challenge will be this: Will Americans step up when, literally, the harvest is plentiful, but the workers are few? Will Americans step up and say: I will not let that harvest go to waste; I will engage and bring the harvest in.

Folks who are in forestry—yes, forestry and logging is a crop in Oklahoma. For those of you who haven't been there, it is the eastern side of our State. It is incredibly important to us. We are seeing a boom in that area, thanks to things like a great need for boxes, for everyone who is getting all of their materials shipped to their house right now and this small commodity we call toilet paper, for which there seems to be a run on going on right now.

Cotton, corn, sorghum, beans—there are so many things that are so important and behind the scenes. If we lose sight of that fact, we will just miss it.

One of the things that has been in the news lately is livestock and the processing of the livestock. There has been news about how coronavirus has spread in some of those facilities. I have one of those facilities in my State. It is Seaboard. It is a tremendous operation, where folks have worked for decades in a tremendous place to be able to harvest those hogs and to turn them into fabulous things like bacon and pork chops.

In this location in Texas County, in Guymon, we have seen an outbreak. The folks at Seaboard Farms have stepped up to it. Ninety-five percent of their workers have now been tested, and they are in the process of actually doing an entirely different test all over again just to be able to track and to be able to find, even for the people who were negative, if they will show up positive the next time and to make sure they are staying on top of it. But they are running at 60 percent operation right now. That may not seem like a big deal to you, but that is about 7,000 hogs a day that are not being harvested. They are having to be—what is euphemistically called—depopulated. That is a tremendous loss to everybody in the entire country.

We are seeing major issues that are also happening with our beef production, as we have had enormous issues on trying to harvest those animals.

As we go through the process and all the challenges, it has become extremely personal to a lot of the folks in my State. In my State, this is not just a theory. In my State, this is actually happening to real people. It is Jim Howard, a fourth-generation rancher, who ranches in Jefferson County. His whole family—his brother, his wife, his grandson, his sons-in-law—everyone is

involved in the operation. They are ranching cows, calves, and stockers. They have a food lot operation. They have it all. But at this point, they are facing between 35 and 40 percent loss in the price of cattle. Literally, he loses money on every single cow.

It is Robert Frymire, from Custer County. He is a third-generation wheat and cattle farmer. Using today's wheat prices, even with the crop that is coming in, he will lose \$150,000 this year on his wheat crop, not to mention what is going to happen on the beef cattle.

There is a reason we are trying to put solutions in the CARES Act. There is a reason we put \$19 billion there to help our food supply, and \$3 billion dollars of that has gone toward providing for our food pantries and nonprofits and places to be able to get food out to people so that food doesn't go to waste. But there is direct aid that is going to farmers and ranchers to make sure we keep those operations alive long term, because we need them to exist at the end of this. We are grateful to be able to come alongside of them.

There are real challenges in the packing operations that are not new. They have been around for a while. We are pushing in a couple of areas to say: We have to solve a couple of these problems. Our small packing houses that are out there pay almost \$80 an hour for overtime fees. That is \$80 an hour for each inspector to do overtime. So if we have a location like Seaboard Farms that goes down, and they want to be able to go out to another location and to ramp up, they are actually financially punished from being able to do that, and they can't make the math work. We have to solve that so that we are not punishing small to medium-sized operations for ramping up in moments when we need them. And we need the small and medium-sized businesses to be able to ramp up and grow larger.

And we have to solve the issue of the CIS Program, which is allowing folks to be able to sell over State lines. Twenty-seven States, including my own, have State inspection programs that are equal to the USDA program. They have to be equal to it, but they are still not allowed to sell over State lines until they get the CIS Program done, and only three States have been able to complete that. This should be logical. We should be able to solve this.

Those two things would allow long-term fixes for the packing house operations. It is something we have complained about for a long time, and we should have solved this at this moment because it has become even more obvious.

The issues about energy continue to rise for us. As a nation, we are finally energy independent—finally. We choose to buy energy from places where we want to buy energy because we can produce it ourselves, but we cannot go backward to a time period when we were dependent on the Middle East again because of what has happened

with COVID-19. We have to pay attention to this. There are commonsense solutions, and I understand full well that there are some folks who don't like fossil fuels. I get it, but those same folks fly on planes and drive cars and trucks. And we like wearing clothes, and we like having paint. And as for all of those things that are disposable now, like PPE, guess what they are made of. Petroleum. There is this whole challenge about trying to get away from petroleum. It has been interesting to me how many people have suddenly gone from "let's reuse everything" to the last 2 months saying: No, actually, we want to have disposable everything now. Well, guess what. Those disposable items are made with petroleum products.

We do need this balance. We can do it clean, but we have to be able to keep this part of industry open and still functioning. And if the whole system collapses, we will not be able to do that.

Many of you know that my State is a production State. At times, we will have hundreds of wells for oil and gas running. Right now, in the entire State of Oklahoma, there are 12 rigs working—12. That is the collapse of thousands and thousands of jobs, and if those jobs and those companies go away and do not recover, then, we are suddenly dependent on the Middle East again. We cannot go there. We have to resolve that. That is why the Paycheck Protection Program was opened up to small businesses—and, yes, even energy companies—to help sustain them for a couple of months to be able to get through this. But it is going to be a very big challenge for them.

Quite frankly, there is something that is news to this body that I want to raise. In 2007, long before I was in Congress, Congress passed an act dealing with ethanol, mandating a certain number of gallons of ethanol to be used every year. Well, guess what. America wasn't driving in March and in April. That means we are not going to be close to the number of gallons of gasoline that we normally use, but we still have a requirement sitting out there for the number of gallons of ethanol that have to be used this year. We literally have an energy-ticking timebomb, based on a bad law that was written years ago dealing with ethanol, and if we are not careful, we are going to cause even bigger challenges in energy based on that ethanol law and the number of gallons that are required when there is literally no way, even if we poured it on the ground, that we can use the gallons required in that law.

That is going to be an issue for us, and it is one that we need to work cooperatively on and in a nonpartisan way to say: Let's have some common sense in this moment to solve how we deal with our energy, lest the prices of gasoline explode at the backside of this, not because of undersupply but because of ethanol regulations. We

should not allow that to occur. We should be able to not only solve that for this year but solve it long term.

I am grateful for the folks who are farmers and ranchers who are working, and in energy, the folks who work behind the scenes, who make America move, because in the days ahead, we will start moving.

My State has already reached phase 2 of reopening, and we continue to see a decline in the number of cases, but those folks who were working behind the scenes the whole time are making the difference for us.

ORDER OF PROCEDURE

Madam President, I ask unanimous consent that the Senate vote on confirmation of the Ratcliffe nomination at noon tomorrow. I further ask that, notwithstanding the provisions of rule XXII, the cloture vote with respect to the Badalamenti nomination occur at 1:30 p.m. tomorrow. Further, I ask that if cloture is invoked on the nomination, the postcloture time be deemed expired and the confirmation vote occur at 5:30 p.m. on Monday, June 1. Finally, I ask that if either of the nominations are confirmed, the motions to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

VOTE ON THE HEIL NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Heil nomination?

Mr. CARDIN. 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 senior assistant legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from North Carolina (Mr. BURR), the Senator from Alaska (Ms. MURKOWSKI), and the Senator from South Dakota (Mr. ROUNDS).

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

Mr. DURBIN. I announce that the Senator from Vermont (Mr. LEAHY), the Senator from Massachusetts (Mr. MARKEY), the Senator from Vermont (Mr. SANDERS), and the Senator from Rhode Island (Mr. WHITEHOUSE) are necessarily absent.

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

The result was announced—yeas 75, nays 17, as follows:

[Rollcall Vote No. 100 Ex.]

YEAS—75

Baldwin	Blackburn	Braun
Barrasso	Blunt	Capito
Bennet	Boozman	Cardin

Carper	Hawley	Reed
Casey	Heinrich	Risch
Cassidy	Hoeven	Roberts
Collins	Hyde-Smith	Romney
Coons	Inhofe	Rosen
Cornyn	Johnson	Rubio
Cortez Masto	Jones	Sasse
Cotton	Kaine	Scott (FL)
Cramer	Kennedy	Scott (SC)
Crapo	King	Shaheen
Cruz	Lankford	Shelby
Daines	Lee	Sinema
Duckworth	Loeffler	Smith
Durbin	Manchin	Sullivan
Enzi	McConnell	Tester
Ernst	McSally	Thune
Feinstein	Moran	Tillis
Fischer	Murphy	Toomey
Gardner	Paul	Udall
Graham	Perdue	Warner
Grassley	Peters	Wicker
Hassan	Portman	Young

NAYS—17

Blumenthal	Hirono	Schumer
Booker	Klobuchar	Stabenow
Brown	Menendez	Van Hollen
Cantwell	Merkley	Warren
Gillibrand	Murray	Wyden
Harris	Schatz	

NOT VOTING—8

Alexander	Markey	Sanders
Burr	Murkowski	Whitehouse
Leahy	Rounds	

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's actions.

The Senator from Tennessee.

MORNING BUSINESS

Mrs. BLACKBURN. 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.

MEMORIAL DAY

Mrs. BLACKBURN. Mr. President, last week, I received the very sad news that the 5th Special Forces Group, which is stationed at Fort Campbell, which is in Tennessee, was going to have to forgo and cancel their annual Memorial Day Gold Star Ceremony. This is a tradition at the post. It is something that is so special to those Gold Star families, and we are disappointed with that but understand.

I have really been pleased that today Senator ERNST has organized a time for us to come to the floor to really come together to honor not only our fallen but also their loved ones, who have had to spend this year's remembrance separated from other Gold Star families, and we know that is a time they cherish, having that togetherness.

Although the formal ceremonies are canceled, please note that each of these families is in our prayers, they are in our thoughts, and that we grieve alongside them.

This Memorial Day, reflections are framed by a world that has really been made much smaller by our shared experiences with COVID-19. Even so, the

state of our world makes the battlefields we send our soldiers and sailors and airmen and marines to seem very far away because in their world, authoritarian regimes rule with an iron fist, and they violate human rights with impunity. Violence often replaces diplomacy as the preferred method of dispute resolution and freedom, when it is discussed at all. Many times, it feels like an impossibility. This is what they deal with on a daily basis.

The danger this creates is no secret to anyone. Like the rest of us, our soldiers read the news reports from the frontlines. They hear the enemy propaganda. They hear those who repeat the enemy propaganda. Many of them have experienced the ferocity of the enemy attacks against our forces and against our allies. They know what they are up against. They see it and they live it each and every day. Yet, in spite of the danger, they answer the call because they have something inside them that says that freedom is worth fighting for. It is their commitment to that cause of liberty to allow us to live in a free and open society, to allow us and our children to pursue those dreams, to dream those big dreams and to make them come true.

Whether we lost loved ones and friends on the battlefield or, later, lost them to the trauma of combat and loss, this weekend, we thank them for their sacrifice, we honor their memory, and we express our gratitude to their families, who this year will have to celebrate as a family and not with others.

I yield the floor.

The PRESIDING OFFICER. The Democratic whip.

FOR-PROFIT COLLEGES AND UNIVERSITIES

Mr. DURBIN. Mr. President, this week Congress submitted to the President the bipartisan Congressional Review Act resolution that overturned Education Secretary DeVos's borrower defense rule.

The rule that she came up with at the Department of Education makes it almost impossible for student loan borrowers, including many, many veterans, who have been defrauded by their schools—these are usually for-profit schools—to have Federal student debt discharged because of the fraud under the Higher Education Act's borrower defense provisions.

Ten Republicans joined with the Democrats in March to reject this rule in the Senate and pass this resolution. I thank those on the other side of the aisle who stood up for the veterans and for students who have been defrauded.

I urge President Trump to sign this bill without delay. More importantly than my urging, 30 different veteran organizations urged the President to sign our resolution. We are going to be giving a lot of speeches about veterans on the Senate floor and back home over Memorial Day weekend. Here is a chance for the President to stand up