

They are worried about the carpet-bombing of opportunistic litigation. After all, these are some of the very same people we have said must show up for work, must continue to provide essential goods and services to their communities during this crisis. Now they are worried that we are going to throw them under the bus and make them subject to lawsuits for doing the best they could under very difficult circumstances.

Well, we can already see the commercials on TV or the billboards soliciting these lawsuits. The trial bar is prepared to file lawsuits against doctors, nurses, teachers, small business owners—anyone and everyone who might be able to pay a judgment or, more likely, who has an insurance policy.

According to the law firm Hunton Andrews Kurth, nearly 4,000 claims have already been filed—more than 275 in Texas—but we are also talking about circumstances under which the statute of limitations is 2 years. So 2 years from the claimed incident, you could file a lawsuit. So this is just the tip of the iceberg.

As our economy begins to reopen, so will the floodgates, and we need to take action now to prevent this tidal wave of litigation from wiping out the very workers, businesses, and institutions we have been fighting to keep afloat.

Leader MCCONNELL and I have introduced the SAFE TO WORK Act to address this issue and to prevent this trial lawyer bonanza from bringing even more harm to our country and to our economy.

Unlike the unserious Heroes Act, this would give our healthcare workers exactly the kind of support they need, but I want to make clear what this legislation does and does not do.

First, it is not a blanket shield from liability. It will not prevent bad actors from being held accountable. It will not prevent people from filing coronavirus lawsuits, and it will not give anyone a “get out of jail free” card.

In cases of gross negligence or willful misconduct, where applicable public health guidelines were ignored, the person bringing the claim has every right to sue and to be made whole, and we are not suggesting any change to that.

What we do need to do, though, is put some safeguards in place to help those who were operating in good faith under uncertain circumstances, under sometimes changing guidance and direction, even though they were trying to follow all of the relevant guidelines.

That includes protections for non-profits that have gone above and beyond to support their communities, as the demand for their services has skyrocketed. It includes the schools, the colleges, the universities that are preparing to take every conceivable precaution to keep students and teachers safe this fall. It includes the hospitals that have been on the frontlines and have fought significant headwinds to

keep their staff, their patients, and their communities safe. And, of course, it includes protections for our incredible healthcare workers who have been on the frontlines of this crisis for months.

Amid rapidly changing guidelines, staffing shortages, and scarce supplies of personal protective equipment, they continued to adapt and deliver the best possible care to their patients.

Just to give you one example of how rapidly the guidelines are changing, in March, the Texas Health and Human Services Commission provided a manual to nursing homes with guidance on managing and preventing a COVID-19 outbreak. The manual was 28 pages long. Since then, it has nearly tripled in length.

As we have learned more about this virus, guidelines have evolved, as you would hope they would, to ensure that our healthcare workers know the most effective ways to quarantine, test, and treat patients. That is an unequivocally good thing. It is strengthening our response, it is helping us slow the spread of the virus, and it is saving lives.

But it has also created a host of challenges for the healthcare workers who are the very ones complying with these rapidly changing guidelines, doing the best they can under difficult circumstances.

I learned about an elderly patient who arrived at a hospital emergency room during the early stages of the pandemic with a fever but no other COVID-19 symptoms.

At that point, testing supplies were constrained, and the applicable CDC protocol was to limit testing only to patients who met the strict criteria, who had symptoms. And with only a fever, this patient did not meet those criteria so he was not tested.

The healthcare workers identified an infection site that could have been causing his fever, so they treated him and discharged him with instructions to return if his condition worsened.

Several days later, unfortunately, his condition did worsen, and he went to a different hospital where he was given a COVID-19 test. The result came back positive, and ultimately he was admitted to the intensive care unit.

Then, several days later, he tragically passed away from coronavirus-related symptoms.

For the man's family, I know this raises questions of how things might have been different today if he had been tested on that initial visit in the emergency room. They have said they may file a lawsuit against the physician and the hospital for not performing a test and admitting the man to the hospital on the first visit.

But the doctors there were simply following the best advice they had at the time and were constrained by the number of tests available—only to test patients when they had symptoms of the virus and, unfortunately, this man's symptoms did not qualify.

If the doctor and the hospital did the best they could following those guidelines, they should not be subjected to these types of litigation.

Now, as I have said, the legislation would not provide blanket immunity. Nobody is arguing for that, but we do need clear guardrails to ensure that the dedicated healthcare workers and other essential workers who were acting in good faith will not be drained dry by the trial bar.

This legislation sets a willful misconduct or gross negligence standard to ensure that only bona fide, legitimate claims are brought against these healthcare workers.

The patients subjected to that type of treatment have every right to sue and to be made whole, and this will preserve that basic right. But it will also make sure that the hard-working doctors, nurses, emergency medical technicians, and other medical professionals who have acted in good faith are not pulled into litigation that could send them into bankruptcy.

Over the past several months, our healthcare workers have navigated the dark, treacherous, and rapidly changing waters of this storm to save as many lives as possible.

I should point out that I think about 30 States have, at the State level, provided the kind of protection to healthcare workers I am talking about.

So we need to throw them a lifeline, not feed them to the sharks. Instead of naming a bill in honor of our healthcare heroes that does absolutely nothing to help them, as the House has done, let's pass a bill that will honor them.

If our friends across the aisle want to help our healthcare workers and thank them for their immeasurable sacrifices they have made, liability protection would do exactly that.

So I hope our colleagues are prepared to acknowledge the widely known truth—that the Heroes Act is an unserious piece of legislation that has zero chance of becoming law. It is time to stop playing games and get serious about what our country needs at this critical moment.

As negotiations on the next relief package continue, I would ask our colleagues to set aside the completely unrelated priorities in the Heroes Act and focus on the changes that need to be made to keep our healthcare and other essential workers safe but also to protect them from frivolous litigation.

The PRESIDING OFFICER. The Senator from Minnesota.

BROADBAND

Ms. KLOBUCHAR. Mr. President, I rise today to talk about a focus subject, which is access to broadband.

I will say that I know the negotiations between the House and the Senate and the White House are continuing. I think it is very important for the American people that we do this in good faith.

I disagree with my colleague from Texas on a few of the descriptions of the bill that came over from the House, which I think the fact that the bill that was first introduced here in the Senate had only 20 percent of the funding for testing that the House bill had is very concerning, when you look at people waiting to get test results, the fact that there was no money to keep our elections safe. You can just go through line by line on the issues and the differences in the bill.

But my interest today is not actually emphasizing those differences; it is how can we come together, what are the things we can agree on, and the fact that we cannot just pass a bandaid for the American people when we have learned that the GDP annualized is going to be down 30 percent, when we learned that so many people are losing their homes or being evicted, and so many are filing for unemployment. This is the time for action.

Broadband, I would say, has been an issue, especially in rural America, for a long time, and having once traveled to Iceland and having seen how the Icelanders have high-speed internet at every corner of their country, despite the fact that they are a country of lava and volcanoes and volcanic ash, we can certainly do better.

The problems I was hearing about for years that we tried to get at slowly but surely with access to internet have become very clear to parents who are simply trying to make sure their children are able to participate remotely in school. While other kids of other parents who happen to have high-speed internet are able to fully participate, others aren't. Sometimes it is because of equipment, but oftentimes, in my State, it is because of a lack of access to high-speed internet.

Stories of one girl in Southern Minnesota who had to take her biology test in a liquor store parking lot because that is where she could get the high-speed internet; the doctor—this is pre-pandemic—who could, yes, access x rays in the hospital, but if, late at night, he had to help a patient in a remote area, he had to go to the McDonald's parking lot, drive in from his home, because he did not have access there.

I thank Senator VAN HOLLEN for bringing us together this afternoon and for his work in organizing this time to focus attention on the pressing education priorities in the relief bill.

Access to broadband, as I just noted, has become more critical now than ever, as schools and workplaces are closed in an effort to limit the spread of the coronavirus, where teachers, many with preexisting conditions, simply cannot put themselves at risk, and where we know, going forward, we will continue to have a substantial number of kids learning remotely.

As I said, even before the pandemic, one study found that about 42 million Americans nationwide lacked access to broadband. Reports have also found

that only 66 percent of Black households, 61 percent of Latino households, and 63 percent of rural households have broadband at home of the quality that would allow them to work and to conduct their business and to participate in school and host a meeting in healthcare.

In rural areas in my State, about 16 percent of households lack broadband even at baseline speeds. That means we have 144,000 households that don't have access to the internet. One of the saddest stories I remember was a household in one of our Tribal areas that got and paid for their own high-speed internet and the parents looked out the window and saw all these kids in their lawn, and that is because they were trying to get access to the internet from that one household to be able to do their homework. That was a story from Leech Lake Reservation.

Many students have shifted to online and will continue distance learning, and we need to make sure that all kids can learn. That is why I wrote a letter to Senators PETERS and TESTER, urging the FCC to ensure that all K-12 students have internet access to continue learning from home during this pandemic. Following the announcement of school closings in Minnesota and the remote learning, I worked with Senator SMITH to urge the FCC to ensure that Minnesota students have access to high-speed internet.

I am grateful for Senator MARKEY's leadership in ensuring students have the connectivity they need. I was proud to join him and 43 of our Democratic colleagues in the Senate to introduce the Emergency Educational Connections Act, to establish a fund at the FCC to help schools and libraries provide Wi-Fi hotspots or other connected devices to students without home internet access. This bill, in fact, as I think of the comments of my colleague from Texas—this bill was included in the Heroes Act that was passed by the House, and it is incredibly important that we have broadband capabilities in the bill that we pass in the Senate.

It is not just K-12 students who need help connecting to the internet during this crisis. Colleges and universities across the country have also moved classes online, and many low-income students who rely on campus resources are struggling to continue their education from home and are at serious risk of falling behind.

I know for quite a while the White House was hoping this crisis would magically go away, with false claims of improved situations and false claims of chugging bleach and the like to make it go away, but, in fact, I would say the President was accurate a week or two ago in one way when he publicly said that this is going to get worse before it gets better.

So the thought that we would allow these disparities to continue, where households cannot get high-speed internet, they are at a complete disadvantage, not just for a month—that

might be OK—not just for 3 months but for a year and beyond when it comes to education. Little kids, first graders and second graders, when they are supposed to be learning to read, they can't be apart from teaching for that long a period of time without it having a major impact on their education. Again, that also includes higher education. Not every kid in a college or community college can afford high-speed internet.

That is why I introduced the Supporting Connectivity for Higher Education Students in Need Act in May, with Senators HIRONO, PETERS, and ROSEN, that creates a fund at the National Telecommunications and Information Administration to help ensure that college students with the greatest financial need can access critical internet services and equipment like laptops and tablets.

Our bill prioritizes Historically Black Colleges and Universities, Tribal colleges and universities, Hispanic-serving institutions, and other minority-serving institutions, as well as rural-serving institutions. As we continue to confront this pandemic, ensuring that students get internet from kindergarten and preschool on through college and the like is really important.

I have spoken with small broadband providers and superintendents across my State who have been working with school districts to connect students to the internet, going that extra mile to help, including providing free internet services and installing public Wi-Fi hotspots in their communities. They helped our kids, but we know we need better long-term solutions.

That is why Senator CRAMER and I introduced the Keeping Critical Connections Act to create a fund at the FCC to help small broadband providers continue to provide critical internet services. It has been my experience after many years in my State that many of these smaller providers on the ground are much quicker and do a better job of keeping their promises and building out as opposed to some of the big telephone companies—or maybe they don't see this as economical to reach these rural areas. I don't think it is a surprise. So many of my colleagues have had the same experiences listening to people in the rural areas of their States that our bill will now have 34 cosponsors, half Democrats, half Republicans. It would put \$2 billion in to work with small providers to give them the funding they need to expand immediately out to these areas.

I don't want to hear another story like the high school student taking her biology exam in the liquor store parking lot simply because she doesn't have internet.

We also need to make sure people know about existing resources that can help them connect to the internet. Due to job losses or reductions in income during the pandemic, millions of Americans are newly eligible for nutrition benefits and Medicaid and can also get

help connecting to the internet through FCC's Lifeline Program to help low-income people connect. Some of these people have never been low income and because of the pandemic they now are. According to FCC Commissioner Starks, only about 7 million of the 38 million households that were eligible for the Lifeline Program were enrolled. That is why in April I wrote a letter to Senator DURBIN and Representative MARCIA FUDGE of Ohio and ANNA ESHOO of California, along with 140 Members of Congress, urging the FCC to work with the USDA and HHS to ensure that the millions of Americans who are now eligible for SNAP are informed about their eligibility for the FCC's Lifeline Program. As we work to bring high-speed internet to communities across the country, it is simply critical that we have a clear understanding of where broadband is available.

My bipartisan bill with Chairman WICKER and Senators PETERS and THUNE to improve the accuracy of the FCC's broadband maps was, in fact, signed into law in March. It was not soon enough for this pandemic, but we simply just hear: Hey, we have high-speed internet in our area, which I know Senators WICKER and THUNE heard, just like I did, and in fact you go there and that isn't true at all. That is why having these updated maps, as we look at not just what we are dealing with today but the day after tomorrow—which is a metaphor for next year when the vaccine starts coming out, when things start going back to a place where people are out and about freely—well, we have to make sure that if we haven't expanded to everyone with broadband at that moment, that we do it then, and to do that we need accurate mapping.

The last bill I wanted to mention is a bill that has passed the House, and that is Representative CLYBURN's investment of \$100 billion to build high-speed broadband infrastructure in underserved areas, including rural areas, to expand affordable high-speed internet to everyone. I am the lead on the Senate version of that bill, and given that it has passed, it is a part of another piece of legislation, and it is something else we must be looking at as we move forward the next few months.

We all depend on reliable broadband, and we must make sure that we get reliable broadband to all. I always believed that when we invest in broadband, we invest in opportunities for every American.

If we could bring electricity to everyone's home, even the smallest farms in the middle of areas with very little population, we can do this in the modern era. Otherwise, we are going to continue with the haves and have-nots. It shouldn't depend on your ZIP Code whether your kid can learn to read. It shouldn't depend on where your ZIP Code is to figure out what their homework is the next day. It shouldn't depend on where your ZIP Code is to find

out whether you are going to be able to virtually visit your mom and dad in the senior center because some places will have high-speed access that will allow us to do that and others won't. It shouldn't depend on your ZIP Code to figure out if you could actually have your doctor show you an x ray instead of going into a medical setting that maybe you don't feel comfortable going into.

All Americans should have access to high-speed internet. This pandemic has put a big magnifying glass on what has been a problem for many, many years, and it is time to act now.

I yield the floor, and I again thank Senator VAN HOLLEN for bringing us together and thank Senator HASSAN from the State of New Hampshire for her leadership in bringing us together.

The PRESIDING OFFICER. The Senator from New Hampshire.

Ms. HASSAN. Mr. President, I want to thank Senator KLOBUCHAR for her leadership in this area, and her capacity to understand not only the policy that we need to address and change but also the practical impacts it will have on not only her constituents but people all over the United States of America.

I want to thank Senator VAN HOLLEN as well for gathering us all this afternoon to focus, as we need to, on the needs of our young people, our students, their educators and their families in these coming months.

(Mrs. BLACKBURN assumed the Chair.)

Ms. HASSAN. Madam President, in New Hampshire and all across the country, school supplies are lining the shelves of stores, but school board members, teachers, and parents are still wrestling with the decisions about what exactly this school year will look like.

No matter if schools open fully remote, fully in person or a hybrid of both, we have to do all we can to ensure that young people receive a quality education while also keeping students, school faculty, and their families safe.

Just as schools are trying to make decisions, just as administrators, educators, and families are trying to figure out what this school year will look like in their communities, they have been met by a lack of resources and clear guidance from this administration and from my colleagues on the other side of the aisle.

We have known for months that schools would face enormous challenges this fall, and Federal delays have only made the situation more challenging across the country.

For months, the Senate majority leader stalled action on an additional COVID-19 relief package, saying that he felt "no urgency." But school districts across this country have felt plenty of urgency. Instead of giving them time and appropriate resources to plan, Senator MCCONNELL kicked the can down the road. Now he has released a completely inadequate and unaccept-

able proposal that provides too few resources to schools and would actually withhold aid if schools don't fully reopen in person.

My Democratic colleagues and I have focused on an approach that would actually help schools navigate the year ahead. We proposed \$430 billion to help schools implement public health protocols, address the challenges of students who have fallen behind, and provide quality education to all students regardless of how schools reopen. This proposal would help address some of the most pressing issues facing our students.

When I talk to educators back home in New Hampshire, a common theme I hear from students and educators is that they need more and better high-speed internet access to support online learning. This is a challenge both for remote and also in-person learning. For instance, last week, Kevin Carpenter, principal of Kennett High School in North Conway, told me that part of his school's reopening plan requires expanding broadband capacity at the school. This would enable students to access online materials in every classroom and minimize the risk of spreading COVID-19 by minimizing physical transitions from class to class.

Other educators have noted that in many areas of our State, families are still having trouble accessing an adequate broadband connection and devices that can support online learning throughout the day at home. Just as Senator KLOBUCHAR referenced some of the conversations she has had in Minnesota, in a discussion I had in New Hampshire earlier this summer, a teacher in the Gilmanton School District said that some parents were taking their children to the parking lots of their school to do their schoolwork from the car because it was the only way they could access a Wi-Fi connection.

Too many students are at risk of falling behind because they lack broadband access. Our proposal includes \$4 billion in funding to help ensure that all K-12 students have adequate home internet connectivity and devices during the pandemic, which is a priority that I have been fighting for throughout the last several months.

I urge my Republican colleagues to support this proposal and to work with Democrats to deliver sufficient relief without any further delay.

As we approach the upcoming school year, our families and educators are facing unprecedented, heart-wrenching uncertainty. Even in areas where the infection rates are low and schools are well-resourced, the lack of testing capacity and the lack of clear guidance from this administration, for example, on what to do if a teacher or a student tests positive for the virus are exacerbating the effects of this awful pandemic. Inaction and ineptitude are making a truly difficult set of challenges much, much worse, and at a certain point, inaction and ineptitude are indistinguishable.

Congress must address these needs so that our educators can overcome these immense challenges and do what they do best—help our children learn and grow.

Thank you.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. VAN HOLLEN. Madam President, I thank my colleague from New Hampshire, Senator HASSAN, for the important points she made about what is happening in New Hampshire. In listening to her, I think each of us could say that that holds true for our State. Certainly, what she says holds true in my State of Maryland.

In Maryland, we are just weeks away from the opening day of school. In other parts of the country, schools have already reopened.

I think all of us can remember back to when we were going back to school during our K–12 years. We had a mix of excitement and anxiety. And those of us who are parents with children shared the excitement and anxiety of our children as they went off to school.

This year, we are facing a sense of emotions and realities that none of us has ever experienced before. I think all of us agree that we would like all students to be able to return to actual classrooms as soon as safely possible. I hope we would all also agree that we want to make sure that in returning, we don't put at risk those children, students, teachers, or others in the school community.

We all agree that in-classroom instruction provides the best learning environment for students, but we should also agree that students should not be returning to classrooms if it will put them at greater risk to their lives or their health or the health or lives of their teachers or others in the school community.

We know that in order to reopen schools safely, we have to do two things: We have to reduce the spread of COVID-19 in those communities where it still exists and is still spreading, and we need much more rapid testing capacity so that we can quickly detect and isolate somebody who has COVID-19. We need to be able to quickly detect an outbreak of COVID in a school, whether that be a student or a teacher, so we can make sure that others do not get infected.

In so many places, such as the majority of major school systems in my State of Maryland, the reason they have not been able to plan to reopen the classrooms on opening day is that the spread continues in so many areas, and we don't have rapid, comprehensive testing. That is the result of a failed and botched policy at the highest levels—the fact that this administration, this President, has not put in place a comprehensive national strategy to slow and then stop the spread.

Even today, you have to wait days and days and days to get the results of a test. That dramatically reduces the

usefulness of that test when it comes to identifying an outbreak, doing all of the following up to figure out who else has been in contact with that person, and preventing the spread.

That is why so many schools, including so many in the State of Maryland, will not be able to return to their classroom's opening day. It is not because they don't want to—of course, they want to—but because they don't want to put students, teachers, and the community at risk. That is the reality we are facing at the moment.

In order to ensure that our kids, our students, get an education beginning on the first day of school, we need to dramatically scale up our ability to provide distance learning to those students. It is simple common sense that distance learning for our students requires two things to happen: No. 1, teachers need to have the necessary equipment and training to connect via the internet to their students; No. 2, students need to be able to connect to the internet so they can receive the lessons from their teachers. That is simple logic, and that is common sense.

In our country, right now, we have a major problem, a major gap, a major inequity, and that is that millions of students, as we prepare to begin the first day of school, don't have access to the internet. That means they will be cut off from that form of distance learning, and that is unacceptable, given the fact that that is the approach we have to take at least for some period of time in many schools around the country.

I think we should agree—and I hope we agree—that every child in our country, regardless of his or her ZIP Code or their family's income, should receive a high-quality, top-notch education that allows each of those students to achieve their full potential. They can't even connect to the internet if they can't even connect to their teachers. That, obviously, can't happen.

In many ways, what we have seen from the coronavirus is, unfortunately, not anything new. It is the magnification of deep, systemic inequities that existed in our country before the outbreak of the pandemic and have been amplified since then—inequities in our healthcare system, inequities in various social systems, and, certainly, inequities in our social system.

Those inequities have put students—many students—at an increased disadvantage, primarily students from lower income families and neighborhoods and, especially, students of color.

Before the pandemic, we used to refer to this distance learning gap for students as the “homework gap.” What do we mean by the homework gap? Well, when I was at school and we were given a homework assignment, we pretty much needed our textbooks, and we needed our pens and paper. But now the overwhelming majority of homework

assignments given by teachers require access to the internet to do your assignment and to do your research.

Before the pandemic, we had millions of American students who couldn't access the internet for the purposes of doing their homework, and that was a serious problem. We called that the homework gap. But now what we call the homework gap has become a full-blown learning gap. It is not just a question of not being able to access the internet to do our homework assignment; these millions of students can't access the internet at all for their learning.

This is not an isolated, small problem, and it is not just relegated to certain parts of the country. It is everywhere.

In urban communities, 21 percent of students do not have access to adequate internet. In suburban areas, it is 25 percent. In rural areas, it is 37 percent.

There are three reasons for this lack of access. One is lack of access to a device, a computer device. Obviously, you need to have a device to get on the internet.

Here is a letter I received when schools had to shut down earlier this spring as a result of the pandemic. I received a letter from an 11-year-old Marylander who shared that his family has one computer, which he needs to share with his sister, who is in fourth grade, while his mom, who is a single parent, has to work full time using that same computer. He said that his family hadn't gotten any other help with additional electronics and that his mom, who “is the most supportive and strongest mom . . . can only do so much.” That is just one example of a student who doesn't have access to a device.

What is another reason you can't connect? Well, if you don't have an internet connection either because you don't have a hotspot for your cell signal or you are not otherwise connected through a wire, then you obviously can't get the signal. So we need to make sure that we have more hotspot devices available for more students and do our best to build out the infrastructure to reach those who cannot be reached by hotspots. That is a second reason: You just can't connect to the internet and get the signal.

A third reason is that in some places, internet access is available, but it is unaffordable. It just costs too much. We should not have any situation where a student, during this pandemic, can't get on the internet because his or her family cannot afford to pay for it.

Just to give you an idea of the magnitude of this problem, in the spring, 50 million K–12 students were trying to access the internet from home for their lessons. But 15 to 16 million of those students either did not have access to high-speed broadband or they did not have a device. Nine million of them lacked both access to high-speed internet and did not have a device. This is

not a small problem, and it is not an isolated problem. It is a problem we need to address now, since schools are opening in a few weeks in Maryland and schools have already opened in parts of the country.

Here is a note I received from an elementary schoolteacher—someone who has been in the classroom for over 20 years—during the spring when they were trying to get their students connected:

Like thousands of my colleagues, I rose to the occasion in transitioning to distance learning and engaging with all of my students who had access to devices. What was disheartening was the students whose faces I did not see—a high number of which were my African American students.

This does hit communities of color disproportionately, but it does hit students in every geographic area in every part of each one of our States.

To give you an example of the disparity based on race and ethnicity, you have 18 percent of White students who lack access to the internet, 26 percent of Latinx students, 30 percent of Black students, and 35 percent of Native American students.

I hear some people say: Well, we are going to do distance learning, so that is not so expensive. Why do we need to provide schools with additional help during this period of time?

The reality is, transitioning to a viable distance learning system that helps every one of our students costs money. In fact, it is an average of \$500 per student.

In Maryland, schools are already struggling to try to connect their students, trying to purchase these devices, trying to make sure that they sign up families who qualify for the Lifeline service, but we are falling short, and they need help.

That is the students. We also have learned that 400,000 teachers are currently unable to connect to the internet because they lack connections. School superintendents have reported to us stories of teachers who are going to the school parking lots to access the school hotspots to do their teaching and provide their lessons. So we have to act urgently to address this issue. This should not be a political matter. There should not be a debate about the need to make sure every student can get classroom instruction via distance learning during this pandemic.

That is just for starters. We also have schools who have to make sure that they provide education to the special ed students. We need to make sure that students who receive nutrition and lunches continue to be able to receive those, and we need to make sure that community schools, which in many of our States provide essential wraparound services, have the resources that they need.

So let me just end by listing the key steps that we need to include in this next emergency package that we have been working hard to do. One are the resources to close this distance learn-

ing gap, including the Emergency Education Connections Act which I, along with Senator MARKEY and many others, have introduced. We need \$4 billion to make those connections.

I see Senator CORTEZ MASTO on the floor, and I want to thank her for her leadership here, as well as Senator BLUMENTHAL and Senator REED.

Two, we need to provide \$12 billion for additional help for the IDEA program for special ed. Three, we need to make sure that we continue the flexibility for school lunch programs and increase the SNAP benefit by 15 percent. Four, we need to provide the \$175 billion to help all of our K-12 schools, including our community schools.

I will end with this. Childcare facilities are really feeling stretched and going under. If we want to have a safe and calibrated reopening, we need to make sure that those childcare centers remain open to parents so that they are able to go back to work—as they are allowed to safely—and make sure that their kids are well cared for.

We have got a lot of work to do. We have been trying to have these discussions for over 2½ months, since the House passed the Heroes Act. This is long overdue. We hope these negotiations will conclude quickly because many of the protections that are in place right now are expiring.

As we do that, let's make sure that our kids, who are going back to school in a matter of weeks in my State of Maryland—that all of them can connect to the internet so all of them can learn.

It is simply unacceptable that millions of American kids are going to be going back to school, just like we all remember doing at one point in time, but they are not able to go in the classroom, and their only way to learn is by connecting to their teachers via the internet. We need to solve that problem and do it now.

With that, Madam President, I yield the floor to the next Senator who is going to speak on this issue.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Madam President, I am proud to follow my very distinguished colleague from Maryland after those very powerful and eloquent remarks, and I subscribe to literally every point that he has made in representing Maryland. We are joined by Senators from all over the country, Senator REED, and Senator CORTEZ MASTO. This issue is truly national in scope.

It occurred to me as I was listening to Senator VAN HOLLEN: We would not ask students to go through an education where they had no books, where they had no desks, where they had no writing instruments, where they had no teachers. The internet is as fundamental to education today as the basic building blocks of desks and teachers and books. They are our future. Our students are our future, and the internet is part of their present and future.

I want to bring this issue home to Connecticut. I convened a roundtable—as I have done in many parts of the State—in Hartford a week or so ago with the superintendent of schools, the mayor of Hartford, and parents and community groups to talk about the digital divide—or the homework gap, as it is now known so widely and colloquially.

The stories they told me about attempting to connect during this time when their students were learning remotely were absolutely heartbreaking. Students who wanted to learn and sought to participate did not have that basic opportunity because either they weren't connected or they couldn't afford it or they didn't have the computer or, in some instances, their parents couldn't connect, lacked the expertise. Many of us have been there.

It is about connectivity, written broadly, but it is also about the affordability of that service; it is about the mechanical instruments, the computers, necessary to do it; it is about parents having the expertise; and it is also about the learning habits of sitting in front of a screen and absorbing knowledge in that way—not playing video games but absorbing knowledge through distance learning.

In the absence of a robust and adequate governmental response, private groups and philanthropists are filling some of the gaps. I want to cite one in particular because it arose during that meeting. The Dalio Foundation—specifically, Barbara and Ray Dalio—along with the Hartford Foundation for Public Giving, have provided computers to schools in the Hartford area.

In fact, Barbara and Ray Dalio have provided thousands of computers to schools all around Connecticut, filling that gap through their enormous generosity. They are people of vision who know that students need this basic instrument of learning. It is about access to the building blocks of education.

They are providing it, but private sources of funding and philanthropy go only so far, and that is why we are here today to talk about this really urgent issue. It is urgent for Connecticut but, literally, for every State. There should be nothing political about it. We have the wherewithal. We need the will. It is not a red State or a blue State issue. It is the United States that has to come to the rescue of American education and provide broadband connectivity.

The COVID-19 pandemic has literally exposed deep inequities—and one of them is in education—in connectivity. There are inequities in housing; redlining still exists. There are inequities in healthcare, which is the reason why the burden of this pandemic has fallen disproportionately on communities of color. In Connecticut, if you are Black, you are 2½ times more likely to die of the coronavirus, but one of the most pernicious injustices are the barriers that prevent access to virtual learning and online education.

Schools in communities across Connecticut and the country are grappling

with this unprecedented question: When is it safe to reopen? That answer will depend on local circumstance, the opinions of scientists, public health experts' views. Listen to the epidemiologists and the scientists, not to the politicians. Undoubtedly, there will be, in some cases, virtual learning and, in others, a hybrid of virtual and physically present learning.

We have to recognize that the internet is going to be essential in many, many communities in Connecticut and around the country, and some communities will choose virtual learning in order to keep their students, their teachers, and their parents safe, but the digital divide will plague it, and it will plague almost every community.

We have this notion that somehow it is limited to rural areas or it is limited to some States. It is, in fact, endemic to almost every community in our Nation that some students are isolated and divided and that some of our young people experience this homework gap.

As my colleague Senator VAN HOLLEN said, one-quarter of all students nationally are at risk of losing months of education because their homes still lack adequate home internet.

We take broadband for granted. We rely on it every day in this building and in many others around the country, in office buildings and in many schools; but for some parents and children, it is absent, and that is why the measures that we have suggested are so vital.

As with far too many of our divisions, the weight of these inequities falls disproportionately and dangerously on communities of color. In fact, at least 30 percent of African-American students lack access to broadband, as well as 35 percent of Native Americans. We are leaving behind those students who most need the help, and in this time of national reckoning over racial justice, these barriers to education and opportunity are even more dramatic, more profound, and more lasting.

We have to take the kind of significant steps now that we took after Hurricane Katrina. The FCC took sweeping action to make sure that individuals whose lives were upended by disaster were connected. Within 1 month, the FCC dedicated more than \$200 million to fund connectivity efforts and aggressively expanded Lifeline and E-Rate programs. We are not even close to matching that commitment.

Remember, the bold plan in that instance was from George W. Bush and from the FCC majority he appointed. This time, again, we must take bold, bipartisan action. We can help bridge this divide and close the gap.

I have joined my colleagues in pushing for emergency funds for broadband access, for the Lifeline program, for E-Rate; yet, when I asked the chairman of the FCC at a most recent Commerce Committee hearing, he was unwilling to commit to the billion-dollar program that I have suggested in various

proposals, along with colleagues, is a minimum that we should set forward. These proposals should be a first step toward congressional action, a kind of rubric.

I was proud to introduce the Emergency Broadband Connections Act with Senator WYDEN to provide families with assistance so they can afford broadband connections and to reinforce the Lifeline program. I am also proud to work with Senator MARKEY and others on the Emergency Education Connections Act to ensure that the FCC's E-Rate program can help all K-12 students obtain broadband and devices.

As a country, there have been so many sacrifices made by so many and so much heartbreak and hardship. This absence of broadband should not be one of those sacrifices that we impose on our children.

We have the opportunity and the obligation to act now. I urge my Republican colleagues to take this stark reality and include funding to address the Homework Act within the long-overdue COVID-19 package. We need to take this obligation seriously. We need to seize this moment. It is a moment of reckoning, and we cannot fail to meet the challenge.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nevada.

Ms. CORTEZ MASTO. Madam President, in a couple of weeks, students in Nevada and around the country are going to begin their studies again. I want what every parent in America wants—a safe school year that allows schoolchildren to thrive in mind and body. To make that happen, students and parents need the flexibility to make decisions that are best for their families. They need school systems that can afford the technology, the equipment, and the resources to keep students and staff safe. They need access to the internet and the devices that will support education as well as allow parents to work from home and supervise their kids.

I have been working to bridge the digital divide for Nevadans as part of my Innovation State Initiative, which helps Nevada develop groundbreaking solutions to 21st-century problems. That is why last month I held a statewide conversation about broadband. I heard local officials in rural communities talk about the challenges they faced getting high-quality internet access to their communities.

A 9-year-old student told me how she struggled to do schoolwork because she only had her mother's cell phone for internet access. I also heard stories about how libraries in my State are stepping into the digital breach through the FCC's E-rate Program, which subsidizes internet access for schools and libraries.

Most of all, we talked about how widespread the issue is in my State. The FCC's own figures show that half of rural Nevadans and 6 percent of people statewide can't even get high-speed

wired internet. That is not counting people who can't afford services or devices or those who can't get reliable wireless services. We are talking hundreds of thousands of people in the Silver State without the ability to stay connected to one another during a time of social distancing.

Students in Nevada need internet access not just to attend class remotely but to submit homework online. Between 12 million and 16 million students across the country can't complete their homework because they lack access. It is not just families with school-age kids who need better broadband access; businesses need it, too, to reach new customers and offer new services, particularly during a time when we are dealing with a healthcare crisis and asking people to shelter in place.

That is why we must build on the \$2 billion the CARES Act included for various broadband technology investments and allocate funds in this next coronavirus package to make access to broadband more affordable in every ZIP Code.

With my colleagues, I introduced the Accessible, Affordable Internet for All Act to invest over \$100 billion in things like E-rate support, including Wi-Fi on schoolbuses, and digital literacy training. That investment can fund vouchers to offset broadband costs for those who might not otherwise be able to afford it. It can go toward establishing a one-stop clearinghouse of Federal broadband program information for communities and organizations that need it and offer the ability to track funds, through my bipartisan ACCESS BROADBAND Act. Fundamentally, it can help a confused high school sophomore watch a video explaining her geometry homework, while her parents video-conference with colleagues in the next room and her little sister talks with her grandparents.

It is our job at the Federal level to ensure that Americans across this country have the resources and tools they need as local districts so that those districts can decide what is best for their communities as we move forward. To do that, we need to set aside those proposals that force schools to make decisions they are uncomfortable with. We need to listen to local teachers on the ground who know what is best for their school districts, not legislators in Washington trying to mandate what schools must do. Local districts are in touch with their leaders and are monitoring the actual spread of the virus in our local communities.

Yet, unfortunately, some of my colleagues want to withhold two-thirds of schools' funding unless students are physically present at school. It makes no sense to make schools all over the country move in lockstep. We need to listen to local school boards, to parents, to teachers, and to our public health experts about the safest way to teach in our local communities.

Back home in Nevada, I am listening to my school districts, to parents and

teachers. I am fighting to get the resources and support they need so that everyone can feel safe and learn in an environment that is best for them right now. I want to make sure we get our families and school districts alike the resources and tools they need for the safest possible year ahead. I want to let them do it on their terms, whether that is in person or online. But that requires Congress and this Senate to ensure we are doing everything in the next package to put funding into broadband so that we can ensure every student has equal access to the opportunity to learn and no one is left behind.

I encourage all of my colleagues to come together in a bipartisan way so that we can fund the necessary relief when it comes to broadband and any other relief that is necessary for our families and our students and our teachers and our staff during this healthcare crisis.

I yield the floor to my esteemed colleague, the senior Senator from Rhode Island.

Mr. REED. Thank you very much, Senator, for those very thoughtful remarks.

Twenty-one days—that is how long one Florida public school teacher was on a ventilator after contracting COVID this spring. Plasma transfusions and anti-viral medication ultimately saved her life. And now she is being asked to return to the classroom—a job she loves, teaching kids she loves. She wants to go back but is afraid to go back while the virus is surging, while more people in her community are being sent to the very same hospital.

In Arizona, a small school district lost a teacher to COVID despite following all the protocols. The superintendent called a safe reopening a fantasy, saying: “Kids will get sick or worse. Family members will die. Teachers will die.”

Yet children will be denied needed education funding unless classes are in person, according to the President.

Should the majority, which has failed to take action on the House-passed Heroes bill for months—should the Trump administration itself have done a better job making it safe for kids and teachers to return to school? Absolutely. And the continued failure to act, to lead, to do a better job of containing COVID will cost people their lives and children their education. What is the Republican plan to avert this catastrophe? “OPEN THE SCHOOLS!!!!” the President tweets in all capital letters. The Republican plan is to open the schools for in-person learning—or else. Open the schools even when the transmission of the virus is not contained. Open the schools even if testing and contact tracing are inadequate to manage the spread of the virus. Open the schools even if your facilities do not have adequate ventilation. Open the schools or we will privatize the public school system. Open or else.

We know what happens when things reopen when community transmission remains high, when proper public health safety measures are not in place, when we do not have the rapid-result testing and contact tracing necessary to contain the virus. We get outbreaks. People get sick. Hospitalizations and deaths increase. What is the President’s response? He said: “It is what it is.”

What has Senate Republican leadership prioritized? Shielding businesses from liability and being sued for negligence. In other words, if reopening too quickly results in more sickness, “it is what it is.” This approach is appalling and unacceptable and must be rejected.

School is a lifeline for children in the communities hit hardest by the pandemic and the ensuing economic fallout. The Federal Government must step in with a comprehensive plan and the resources to make sure that school is there for these children, the teachers, the custodians, the parents, the family.

We know this school year will be like no other. School districts will need to redesign the school day and be prepared to switch to distance learning, as necessary. There will be new protocols for sanitization, transportation, and staffing.

Teachers need training on how to stay safe in the classroom. You will recall that many in this body wanted to add firearms training to the list of teacher duties. It is disheartening to note that many of the same Members who wanted to equip teachers with guns and firearms training are now unwilling to provide them with basic cleaning supplies and personal protective equipment. They are denying them the resources and training they need to keep themselves and their students safe from a very clear and present danger: COVID-19.

Schools will have to reengineer the use of space in and around the school building and reconfigure classrooms to ensure that social distancing can be maintained. With the recent Government Accountability Office report showing that over half of school districts nationwide need to update or replace multiple systems in their schools, such as heating, ventilation, air-conditioning—HVAC—and plumbing, dedicated funding for infrastructure is needed as well. In fact, we need significant money for school infrastructure. We needed it before COVID. We need more of it today.

More critically, schools will need to increase their capacity to support children’s well-being—including nutrition, health screening, and mental health support—whether in person or at a distance.

The first step in any reasonable plan to reopen schools starts with robust, rapid-result testing and contact tracing to contain the spread of the virus. There is no path for safe in-person schooling without it. That is step one,

and the President has not taken that step yet.

A comprehensive plan for schools would also stabilize State and local budgets, ensure equity and access to technology and broadband, enhance nutrition services, and provide support for our broader educational ecosystem, including afterschool programs, museums, and libraries. For example, without a robust investment in our public libraries, we will continue to struggle to close the digital divide and the homework gap.

Many, many, many, many school systems today are beginning their classes on a remote basis. The children need an electronic device—some type of laptop, something—and they also need access to Wi-Fi. Many families don’t have that. And unless we step in with the resources to support the localities and States in providing those capacities, those children will be denied an education.

One way, as I suggested, to do that is through our public libraries. As I have gone through Rhode Island, it was encouraging to see in the afternoon, throughout the State—in small libraries, everywhere—young people doing their homework. They don’t have Wi-Fi at home; they have it in the library. This is just part of what we have to do, and libraries can be at the heart of that.

We have to put the resources, the commitment, the plan, the leadership, the force, and the momentum behind this effort, and we have seen none of that in the administration. The most fundamental aspect of all of this is that it does come down to the resources—the substantial, dedicated resources that have to go to our public schools to meet these additional costs, to meet these additional demands, to serve this generation of young Americans who, if they are denied these services, will be denied an education. And that is not just a momentary loss; that is a cumulative, lifetime effect that will not only deny them a chance at opportunity, it will deny this Nation their talent.

These are the issues that we are struggling with at this moment. These are the issues we must confront. We—the Democratic caucus—have been calling for \$175 billion to support our public schools, to put education in a place in which this generation of students can learn, to make this country or continue to keep this country what we always thought it was: a special place in which anyone with the ability and the desire to learn would have the opportunity to do so. And that would mean their success and our community’s and our country’s success.

We are counting on schools being able to deliver for students despite the challenges caused by this pandemic. Yet the Senate majority and the Trump administration are unwilling to commit the resources necessary to avoid a potential generational catastrophe. State and local governments

are reeling from the loss of revenue due to the economic shutdown caused by the pandemic. There is no Governor in this country—Republican or Democrat—there is no county administrator or city leader who I think would stand up and say: “We are fine. We don’t need any help. We are in great shape.”

No. They all have one message, and it has been coming through from the National Association of Republican Governors and the National Association of Democratic Governors: You must give us resources and flexibility to use these resources to fulfill our obligation to the people of our States.

That is the message. We are seeing school districts across the Nation starting to lay people off in anticipation of budget cuts. Even if they are able to maintain current levels of staffing and financial resources, it would not be enough to meet the upcoming challenges. Even if they could keep their staff in place, where do they get the extra money for the infrastructure repairs, for the traditional Wi-Fi, for the additional teaching changes that have to take place, for the different approaches to education one must take in order to be effective in social distancing?

The School Superintendents Association of the United States estimates that the average traditional COVID-related cost per student will be \$490. We need at least that.

We must go forward with a package that includes provisions of the Childcare Educational Relief Act, the Library Stabilization Fund Act, and the State and Local Stabilization Fund Act to ensure that this generation of Americans can overcome the pandemic and reach its full potential.

This is a generational crisis. Just as Americans of previous generations have been called upon to sacrifice and to commit themselves to the young of this country so that they could have a better future, we are being called upon to do that, and we are waiting for an answer.

Thank you.

I yield the floor.

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

The PRESIDING OFFICER (Mr. CRAMER). Without objection, it is so ordered.

IMMIGRATION

Mr. MENENDEZ. Mr. President, I come to the Senate floor to speak about a topic that is very close to my heart.

As the son of Cuban refugees and as a first-generation American, the struggles of immigrant families are not something I read about in books or watched on television. I lived them. I

saw with my own eyes what it meant to grow up in an immigrant family in a low-income tenement in Union City, NJ. My mother worked tirelessly as a seamstress and sacrificed everything to make sure that my siblings and I could have a better life and a better future, because that is the very essence of what we call the American dream. It is about ensuring that the next generation has it better than we do and that our children and grandchildren and their children and grandchildren have greater opportunities than we do to realize their full potential.

It doesn’t matter who you are, where you are from, or when your ancestors came to this country. We are a nation built by immigrants. Every single member of this great and storied body is a descendant of those who came to America, seeking better lives for themselves and their loved ones.

The President is a second-generation American. His grandfather, Friedrich Trump, came here from Germany. Our First Lady is herself an immigrant. Yet this administration and President Trump have gone to painstaking lengths to deny, erase, and ignore the contributions of immigrants to American life and culture, innovation and ingenuity, economy and prosperity. They have worked overtime to deny the very fact that the immigrant story is America’s story.

As an old saying in Spanish goes, (English translation of the statement made in Spanish is as follows): “There is nothing worse than not wanting to see what is right in front of you.”

Donald Trump’s endless lies and attacks on immigrants started long before he descended down that escalator in Trump Tower to announce his run for the Presidency. They haven’t stopped since.

The President recently took another aggressive step in his war to erase immigrants from the portrait of America when he issued an unconstitutional edict to exclude our undocumented brothers and sisters from being counted in the 2020 census for the purpose of determining representation in Congress.

His message was loud and clear to immigrant communities across the country: You are not welcome here. You don’t belong here. You don’t count.

His goal is to instill fear in immigrant communities, and that is shameful and un-American.

Let’s be clear. The U.S. Constitution is explicit on this particular point. Article I, section 2 clearly reads: “Representatives and direct Taxes shall be apportioned among the several States which may be included within this Union, according to their respective Numbers, which shall be determined by adding to the whole Number of free Persons.”

The census requires an accurate count of all persons living in the country. It does not distinguish between status or citizenship. It could have

read that it requires an account of all citizens of the then-United States, of the Union. It could have read that it is an account of all citizens and all legal permanent residents. It didn’t read that either.

It specifically recognized this because, as the Union was developing, there were people from different walks of life in the United States, and it purposely understood that not all of them would necessarily be citizens at the time of accounting, but who was in America at any given time from the creation of the Constitution was important—all persons.

My friends, we have been sent here to serve all of our constituents in our home States, no matter the color of their skin, their gender, or their legal status.

The history of America is intertwined with immigrant stories. In every State of our Union, immigrants work in every industry and contribute in all facets of American life—the most important parts of our lives.

They work in our fields, picking our fruits and vegetables. They are checkers at grocery stores and construction workers, building our bridges and homes. They educate our children in our schools. They treat the sick in our hospitals as nurses, doctors, and mental health professionals. They wear the uniform and carry our flag in the U.S. armed services.

In fact, during this pandemic, hundreds of thousands of immigrants, including undocumented immigrants, have put their lives on the line to serve as essential frontline workers and to keep businesses open, despite the administration actively seeking to deport them.

Like many American citizens, they are risking their lives every day, while being disproportionately affected by COVID-19, to provide others with the services they need and to protect the health and safety of our fellow Americans. All the while, they are facing disproportionate infection and death rates from this horrible disease. They are the invisible heroes of this pandemic. They are the ones who make it possible for us to receive the essential goods and services so that we can stay home, which is what we are told by the Nation’s public health officials.

But the message from the President to these essential workers, who perform backbreaking work in our fields, care for our children, or treat you at the hospital is: You are not worthy.

I ask every single one of my colleagues if, God forbid, you were infected with COVID-19, would you really care about the citizenship status of the doctor or nurse treating you? Would you ask for his or her legal papers before getting help? Would any of you refuse to eat fruit or vegetables in your homes picked by the calloused hands of an undocumented immigrant sweating in our fields? Would you rather not have a highway built in your State because the workers have a native language other than English?