Leader MCCONNELL tried the same stunt last month. It failed. Instead of trying to work with the Democrats or increase the size of the relief package to meet the needs—the desperate needs—of the American people, Leader MCCONNELL is back with the same sorry excuse for a bill. It fails to include robust unemployment insurance, enough funding for schools and universities, or funding for rental, housing, or nutrition assistance. It does nothing for the census or our elections and abandons State, local, and Tribal governments on the brink of catastrophe. It doesn't include recent bipartisan legislation that helps independent music and theater venues—the Save our Stages Act—or bipartisan legislation to help our ailing restaurants. It is totally inadequate when it comes to funding for testing and tracing, especially given the new spike in cases and especially given the fact that a second wave may be upon us. I hope and pray it isn't. It, once again, includes the poison pill of all poison pills—a sweeping corporate immunity provision that would shield corporations from accountability if they put their workers in harm's way.

Let me be clear: The Republican proposal was unacceptable a month ago, and it remains unacceptable now, even more so in that the crisis has gotten even worse.

Remember, Leader MCCONNELL has been clear that as many as 20 Republican Senators don't want to provide any more relief to the American people. According to press reports, one Senator said: ''Not another dime.'' Republican Senators gave their counterparts in the White House an earful for even considering a bigger package of aid. So this is not a serious attempt at pandemic relief. It seems to be another attempt at giving the Republicans political cover before the election.

Speaker PELOSI continues to negotiate with Secretary Mnuchin and the White House in the hopes of finding a deal that would actually meet the needs of the American people. Instead of repeating the same failed partisan gambit, Leader MCCONNELL should be working with the Democrats and the administration on a proposal that actually has a chance of making it through both Houses of Congress. The longer he waits, the greater the cost to the American people.

Now, before I yield the floor, I want to be clear about one thing. Because our Republican colleagues have made such a mockery of the Supreme Court confirmation process, we are not going to have business as usual here in the Senate. Tonight, I will move to bring up a vote under the Congressional Review Act and force action on a resolution to undo the Trump administration's gutting of the Community Reinvestment Act. This is an important fight in its own right. We should be standing up for critical civil rights laws, like the Community Reinvestment Act—laws that help deliver opportunity and resources to communities of color.

The Trump administration's rewrite of the rule not only undermines core elements of the CRA, but it replaces past practices with complicated requirements that would lead to less lending in communities that need it most. I have fought too hard throughout my career to lift up the protections of the CRA to stand idly by as the Trump administration tries to tear them down.

The window to challenge this rule under the Congressional Review Act closes today, so I will move to consider the resolution this evening. Normally, we would work these votes out with the majority, but its abuse of the Supreme Court process means we will not have business as usual—not now, not until the Republicans stop their mad dash to confirm a Supreme Court Justice mere days before a Presidential election.

PROVIDING FOR CONGRESSIONAL DISAPPROVAL UNDER CHAPTER 8 OF TITLE 5, UNITED STATES CODE, OF THE RULE SUBMITTED BY THE OFFICE OF THE COMPTROLLER OF THE CURRENCY RELATING TO ''COMMUNITY REINVESTMENT ACT REGULATIONS''—MOTION TO PROCEED

Mr. SCHUMER. Madam President, I move to proceed to H.J. Res. 90, providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Office of the Comptroller of the Currency relating to ''Community Reinvestment Act Regulations,'' which was received from the House.

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

Motion to proceed to H.J. Res. 90, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Office of the Comptroller of the Currency relating to ''Community Reinvestment Act Regulations''.

Mr. SCHUMER. Madam President, I ask unanimous consent that the vote on the motion to proceed to H.J. Res. 90 occur at 5:45 p.m. today, with the time equally divided between the two leaders or their designees.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. SCHUMER. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays are ordered.

The PRESIDING OFFICER (Mr. BOOZMAN). The Senator from Tennessee is recognized.

CENSORSHIP AND SOCIAL MEDIA

Mrs. BLACKBURN. Mr. President, it doesn't take a genius to figure out that there is a small but very loud sector of the American people who are willing to condition their tolerance for diverging viewpoints on how they feel, they themselves feel about what is being said, worshipped, or reported. And as scary and as frightening as that attitude is to many of us, it is increasingly reflected in the very companies that have the most influence over how we access and consume information.

Last week, we saw two of these companies go to extremes to get in line with radicals who are trying to block, censor, and intimidate their way into power. We all know the companies and the controversy I am talking about. Twitter and Facebook censored the spread of a New York Post article containing allegations that could potentially affect the outcome of the upcoming election.

That is all I am going to say about the article itself because, frankly, the content bears no importance on how anyone should react to what happened after it was posted. Someone working for a private company—someone who is a content reviewer or content moderator—someone working for a private company made a unilateral decision to stop Americans from reading the article. They didn't like it. They said: I have the power to stop it, and because I have that power, I am going to stop it.

Now that is precisely what happened, and I will tell you, colleagues, it is not just that they blocked the link and the text of the article, it is that at least in Twitter's case, they suspended the Trump campaign's account; they suspended the New York Post account; they locked the White House Press Secretary's account; and they suppressed information posted by the House Judiciary Committee Republicans. They couldn't even provide a plausible explanation for why they did this. Think about that.

They made themselves the arbiters of free speech, and they, in their almighty position, decided they were going to determine what you could hear, when you could hear it, and how you could hear it. They decided.

The common element, of course, in all of this action that took place was the New York Post story. Was it information or hacked information or just inconvenient information? No one seems to want to answer that question. Why do they not want to answer that question? It is because they didn't like the information. It did not suit their narrative, but the way things stand, they didn't have to, because there is no real accountability and now their weak explanations have been co-opted into arguments made by activists, rival media organizations, and even journalists who were insisting that the information is harmful and must be stricken from the record.

Mr. SCHUMER. Would the Senator yield? I have brought an announcement to the floor that will take a brief minute. I don't mean to interrupt.

Mrs. BLACKBURN. I would be happy to yield to the Democratic leader.

Mr. SCHUMER. I thank the Senator from Tennessee.

NOTICE OF INTENT

Mr. SCHUMER. I just want to put the Members on notice. Later this evening, I will make a motion to adjourn the Senate until after the November election.

The Republican majority refused to consider the Supreme Court nominee of a duly elected Democratic President because it was 8 months before the election. Now they are trying to ram through a Justice in mere days—days—before an election. It is the most rushed, the most partisan, the least legitimate nomination process in Supreme Court history, and it should not proceed.

So I want the Members to know that I will move to adjourn until after the election with the ability to come back into session if there is a bipartisan agreement on a COVID relief package.

I thank the Senator for letting me put Members on notice that we will do this later this evening.

The PRESIDING OFFICER. The Senator may proceed.

CENSORSHIP AND SOCIAL MEDIA

Mrs. BLACKBURN. Thank you very much, Mr. President. I have to tell you, listening to the Democratic leader there, this is one of the things that social media has taken off on.

They lost. They lost the 2016 Presidential election, and they have never accepted the results. Never. It doesn't fit their narrative. So what do they do? Look at this. Let's just not even work. Let's just adjourn. Let's not do our constitutional duty.

I tell you what, you can't make this stuff up. You really can't. Cognitive dissonance of this moment in history has overwhelmed the discourse.

It is important to make it abundantly clear that the outrage—the absolute outrage from the American people over this incident with social media has everything to do with their very fluid and subjective standards that these companies use to control the flow of information, and over the last few years, they have gotten worse about it. And you know what? They do it until we slap their hands and then pull them back in, and we say: You can't do this.

Now, in the case that we are discussing that happened last week, it looks suspiciously like they applied a brandnew set of standards because someone got spooked at the prospect of losing momentum on a political narrative.

They are all working together on this. So let's go home; let's not work; let's not do our job; let's bury a story on social media. Why? Their gal didn't win in 2016, and Donald Trump did because the American people said: We are with him, not her.

Now, here in Washington we can argue all over election-year politics, but in Tennessee, the people are seeing this for what it is, and they are not talking about politics. They think this is pretty terrifying. They are seeing a news platform censor the news, and they are seeing extremely powerful people cheer it on. To them and to me, that is frightening.

They are looking to us to get into one of those policy debates my colleagues across the aisle were so eager to jump into just last week during Judge Barrett's confirmation hearing.

Fortunately, for them, we have got a head start on that discussion. Big Tech has spent the last several years building up a body of evidence against its own intentions, and if we don't address their growing influence, we will lose our ability to create responsive policy.

I have already come to the floor several times to speak on various ways we are doing this—through legislation, antitrust investigations, and some good old-fashioned committee hearings. Congress doing its job, precisely why we ought not to adjourn, precisely why we should stay here and do our work.

On October 28, the Commerce Committee will host a few familiar faces for a hearing where we will analyze the effect that the liability shield found in section 230 of the Communications Decency Act has on Big Tech's behavior. Over the course of the hearing, we will speak with Jack Dorsey of Twitter, Mark Zuckerberg of Facebook, and Sundar Pichai of Google about their approach to using the section 230 shield.

We will also examine various legislative proposals to modernize section 230, including one of my own that would resolve some ambiguities regarding what sorts of content moderation policies are shielded from liability and which ones aren't protected. We are going to talk about the unintended consequences that stem from these policies. We are going to talk about their platforms' interaction with activists and with the media.

I think we will probably get around to talking about it, whether they like it or not, because we have the bipartisan and unanimously authorized subpoenas in hand to do it, and those subpoenas are good through the end of this Congress.

Hopefully, by going straight to the top, we will gain a better understanding of why these companies can't seem to regulate themselves, why they can't seem to stop themselves from having a complete meltdown every single time we turn up the heat and talk about these issues of privacy, talk about censorship, talk about prioritization, talk about preferencing, talk about holding them accountable for the spectrum they use to put out their message and the activity that they are taking now to censor the free speech of the American public.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN. Mr. President, I am glad to see a Member of the majority saying that MITCH MCCONNELL ought to have us around here doing some work. I appreciate the Senator from Tennessee saying that.

Senator MCCONNELL said there was no urgency to help unemployed workers. Six hundred thousand unemployed workers in my State in August lost their $600 a week. What are they to do?

Foreclosures are up. There are no dollars for public education so schools can open safely.

I appreciate the Senator from Tennessee. Maybe she will talk to Senator MCCONNELL and ask him to do his job so we can do our job.

H.J. RES. 90

Mr. President, I rise to speak in support of H.J. Res. 90, the joint resolution of disapproval of the Office of the Comptroller of the Currency's Community Reinvestment Act rule.

We know who gets hit the hardest by this pandemic and economic crisis. It is not Wall Street. It is not CEOs. It is not U.S. Senators. It is low-income workers. It is essential workers. It is workers who go to work every day and get exposed to this virus and then come home, anxious about potentially infecting their family. It is the middle class. It is communities of color. Those are the people getting hit the hardest. It is the same story we see over and over and over. Corporate lobbyists and their allies in Washington do whatever it takes—whatever it takes to make sure that Wall Street recovers, and then they say: Oh, no, we can't afford to—we can't—the budget, the deficit. We can give a tax cut to rich people, explode the deficit, but we can't do anything for regular people, for middle-class people, and for low-income people. We just can't afford to help anyone else.

The stock market is back up, so Leader MCCONNELL and President Trump seem to think that everything is just fine, thank you, in our country. Meanwhile, families don't know how to feed their children and how to make rent. They don't know about family businesses closing their doors and schools can't open for in-person learning. But, oh, yeah, the stock market is up, so Leader MCCONNELL and President Trump seem to think everything is fine.

Black-owned businesses have closed down at twice the rate—including in the State of Arkansas—closed at twice the rate of White-owned businesses during this pandemic. Black and Latino renters are more likely to be behind on their rent or mortgage. But the stock market is up, so Leader MCCONNELL and President Trump seem to think that everything is just fine.

Low-wage workers are more likely to remain out of work. There are 600,000 people in my State who can't find jobs. They have lost their unemployment insurance. But the stock market is up, so Leader MCCONNELL and President Trump seem to think that everything is fine.

Low-wage workers are more likely to remain out of work and more likely to be struggling to pay for food. We

should—we should—but we are not because Leader MCCONNELL is taking care of his contributors, he is taking care of the big-money people, and he is taking care of Wall Street. The stock market is up—I know I have said that a few times—but that is what matters to far too many people around here, and to the President of the United States, that is what matters. We should be rolling up our sleeves to invest in neighborhoods and the small businesses that sustain them. Instead, we have had another Trump appointee working to actually make it harder to invest in these communities at a time when they need support the most.

For decades, redlining and government bank sanctions—you know how they started. It was the Black codes after reconstruction; then it was Jim Crow; then it was redlining; and now it is locking in discrimination by Trump nominees who have had another Trump appointee working to make it harder to invest.

For decades, redlining and government- and bank-sanctioned discrimination left parts of this country—often Black and Brown communities, often rural areas in Southeast Ohio and Arkansas—with virtually no investment from banks. All kinds of people had dreams to start businesses, to build houses, to grow and support their communities, but they couldn't get the loans to do it. Even after Congress outlawed housing and lending discrimination based on race, whole communities struggled to get the loans they needed. Banks were happy to take Black and Brown and low-income people's deposits, and then they would lend their money to wealthy investors and companies outside of the community. Long after redlining and long after legal segregation officially ended, people living in largely Black and Brown neighborhoods weren't able to get mortgages to buy a home because the bank just wasn't making loans in those parts of town.

Small farms and small businesses couldn't get the loans they needed to grow. That is why we passed the Community Reinvestment Act, the CRA, to make it clear that banks have a responsibility to serve all of the places where they do business, including low- and moderate-income areas. As I said, they would take the deposits and then take the money and lend it out to wealthy investors.

The CRA is one of the foundational civil rights laws passed to address decades of explicit disinvestment and begin to undo the legacy of redlining. For 40 years, our government and banks alike have recognized in theory—in theory—that banking shouldn't just be about serving the people with six-figure salaries and big mortgages. It is about helping a family farm take out a loan. It is about helping a busdriver buy their first home or a brother and sister open a corner store in a neighborhood where there is nowhere to buy fresh groceries. It is about listening to what the communities need and making it happen, like helping to finance a new affordable housing development or offering small loans so that people don't have to turn to payday lenders. It is about investing in neighborhoods and borrowers who are locked out of the financial system based on who they were and where they were born.

The three entities that oversee our banking system—the Comptroller of the Currency, the Federal Reserve, the FDIC—acted together over those 40 years so that there was one CRA for all banks to follow and one set of expectations about serving customers in communities.

But, in May, the Trump OCC threw out 40 years of progress—just threw it out the window. But, you know, the stock market is up, so Leader MCCONNELL and President Trump seem to think everything is just fine. In the middle of a pandemic disproportionately—we have established, and even Senator MCCONNELL understands, this pandemic disproportionately harms Black and Brown communities in Kentucky, Arkansas, New Jersey, Delaware, Ohio, and all over this country, but Trump's OCC unilaterally rewrote the CRA—unilaterally. The other Trump nominees didn't even go that far.

Just 6 weeks before the rule was finalized, civil rights leaders, community development organizations, State and local officials, Senator MENENDEZ on the Banking, Housing, and Urban Affairs Budget Committee, and I and others submitted over 7,500 comments on the OCC's and FDIC's proposed rewrite of the CRA. The vast majority of commenters opposed the agency's proposal. A coalition of civil rights leaders, the NAACP, the National Fair Housing Alliance, and UnidosUS said the proposed rule invited—their words—''a return to discrimination against communities of color and low- and moderate-income neighborhoods.''

Remember how this worked. It was the Black codes; then it was Jim Crow; then it was redlining. Now it is locking in these discriminatory rules, and we said no to that. But, unfortunately, the Trump administration says yes to that. But 22 State attorneys general wrote that the proposal was ''contrary to the [Community Reinvestment Act's] purpose and text, will harm communities in the States, and should be withdrawn.''

Across my home State of Ohio, cities such as Akron, Toledo, Dayton, Cincinnati, Mansfield, Lima, and many others wrote and passed resolutions opposing this plan. Some in government—those not directly connected to the Trump administration—listened to the people we serve. The FDIC heard the feedback. FDIC saw the financial pain of the pandemic, and they declined to move forward. The Federal Reserve also said no, but the OCC plowed ahead. It ignored the thousands of civil rights groups and local nonprofits and banks, all of whom told them their plan just wouldn't work for low- and moderate-income communities. Instead, the agency said: We know best.

They think these Trump appointees in Washington know better than mayors and city council members and local advocates and small businesses in Ohio and around the country.

The day after they announced they were ignoring the rest of the country and plowing ahead, Comptroller of the Currency Otting announced he would resign. Imagine that. First he inflicts this on us, and then he walks away, probably for a better paying job down the road.

Since the rule was finalized, the Federal Reserve has set out on a path for all three regulators to work together to create a CRA rule that will increase the focus on lending and investments and services in low- and moderate-income communities and to small businesses and farms. That is what CRA is there for. That used to be bipartisan. That used to be the consensus around here. We should be investing in these communities that have been systematically excluded from sharing in our country's prosperity. That means strengthening the CRA. It means listening to communities when they tell us what they need. But the OCC's rule does the opposite. They even acknowledge there was widespread opposition to this rule, particularly from the communities the CRA was meant to serve.

It should be easy for my Republican colleagues to join us in voting to revoke the OCC's rule and to stand up for the underserved in low- and moderate-income communities, rural communities, and communities of color whom CRA was meant to serve.

I would just ask our Republican colleagues to join with what the FDIC wants to do—the Trump appointees there. Join with the Federal Reserve—Jay Powell, Chair of the Federal Reserve, Trump appointee. It is what the Senate should be doing—working to get our country through the worst crisis we have seen in our lifetime and investing in the communities getting hit the hardest.

Instead, Leader MCCONNELL is using the final days before an election to jam through another special interest judge who will carry out the corporate agenda that the voters keep rejecting. The Senate needs to get back to focusing on the people we are here to serve and to repeal the OCC's misguided rule to gut the Community Reinvestment Act.

I urge my colleagues to support the resolution so that we can get back to the task of strengthening the CRA. The stock market being up—as important as that is to Leader MCCONNELL and President Trump in their belief that everything is fine because the stock market is up, there is way more to measure our economy than that. Support our resolution; strengthen the CRA; and help our communities across the country.

Before yielding the floor, I ask unanimous consent that the letters from the National Urban League, the Center for Responsible Lending, and 45 civil rights organizations, consumer advocates, and unions in support of H.J. Res. 90 and opposing OCC's CRA rule be printed in the RECORD. Along with these letters that I have requested to be printed, I would also like to refer to a coalition letter supporting the resolution which can be found at: https://ncrc.org/wp-content/uploads/dlm_uploads/2020/10/FINAL-H.J.-Res-90-SignOn-Letter.pdf.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

NATIONAL URBAN LEAGUE,
October 19, 2020.

U.S. SENATE,
Washington, DC.

DEAR SENATORS: On behalf of the National Urban League and our 90 affiliates across 36 states and the District of Columbia, I write to express strong support for H.J. Resolution 90 (H.J. Res. 90), a Congressional Review Act resolution intended to reverse the Office of the Comptroller of the Currency's (OCC) harmful and woefully misguided changes to the implementation of the Community Reinvestment Act of 1977 (CRA).

The framework represented by OCC's final CRA rule represents a serious shift from the CRA's original intent of addressing the history of redlining, disinvestment, and the market failures that continue to leave communities of color in America underserved. Notably, it is illustrative that two of the three federal agencies charged with enforcing the CRA—the Federal Reserve (the Fed) and the Federal Deposit Insurance Corporation (FDIC)—did not join the OCC in finalizing this controversial rule. Moreover, under the leadership of Chair Jerome Powell and Governor Lael Brainard, the Fed has now proposed a different approach to modernizing the CRA that better aligns with the original intent of this crucial civil rights law.

If fully enacted, the OCC's final rule would effectively give banks under the agency's jurisdiction more credit for performing less CRA activity, resulting in significantly fewer lending opportunities and bank services for the many low- and middle-income (LMI) families nationwide who most need the vital access to the sustainable lending and homeownership opportunities made possible by the CRA. Additionally, the OCC's final rule favors investments that are already well-served by current market trends and for which the CRA was never intended.

The CRA was designed to combat generations of discrimination and redlining by requiring banks to better meet the lending needs of the surrounding communities in which they are chartered to serve, including underserved areas. This important law was enacted in large part because communities of color continued to face barriers accessing credit despite the passage of federal fair lending laws, including the Fair Housing Act, the Equal Opportunity Act, and the Home Mortgage Disclosure Act.

In light of the very serious concerns about the OCC's finalized changes to the implementation of the CRA, the National Urban League urges Senators to vote in favor of H.J. Res. 90 when it comes to the Senate floor for consideration. Should you have any questions, please feel free to contact Julius Niyonsaba at the National Urban League.

Sincerely,

MARC H. MORIAL,
President & CEO, National Urban League.

CENTER FOR RESPONSIBLE LENDING
October 19, 2020.

U.S. SENATE,
U.S. Capitol, Washington, DC.

DEAR SENATOR: The Center for Responsible Lending writes to express our strong support for H.J. Res. 90, a Congressional Review Act resolution of disapproval that will invalidate the Office of the Comptroller of the Currency (OCC) final rule on the Community Reinvestment Act.

The Community Reinvestment Act of 1977 (CRA) was one in a series of landmark civil rights legislation and is a critical tool to help our nation work toward overcoming the legacy of redlining. Today's racial wealth gap and lending disparities are in large part the result of decades of government policies and practices that enabled the redlining of communities of color for most of the 20th century. In the post-Depression era, federal policies that created housing opportunities for returning veterans and their families explicitly excluded people of color from the benefits of government-supported housing programs. Among these programs were public housing, the Home Owners' Loan Corporation (HOLC), and mortgage insurance through the Federal Housing Administration (FHA). Not only did this redlining segregate residential neighborhoods across the United States, but it granted whites the ability to build wealth through homeownership while denying equal opportunities for families of color to build similar home equity over the same period. The inequities that result from these discriminatory programs are part of the injustices that today's people led protests are demanding to be addressed.

The CRA imposes continuing and affirmative obligations on banks to help meet the credit needs of the local communities in which they are chartered and continues to be an important tool for fostering access to credit for these communities today. The law has urged banks to more actively lend in LMI areas; it has also played a key role in ensuring bank participation in community revitalization efforts across the country.

Despite the importance of CRA and the community investment it has spurred, CRA rules must be strengthened. The CRA as applied has not done nearly enough to revitalize previously redlined areas and has not made a substantial dent in the lagging homeownership rate for people of color. The white homeownership rate is 73% while the rate is 44% and 48% for Black and Latino borrowers respectively. Additionally, bank lending in LMI communities and communities of color has declined dramatically since the Great Recession. And existing disparities will be further perpetuated in the face of the COVID–19 global public health and economic crisis.

Unfortunately, the OCC decided to act unilaterally—without the Federal Reserve and Federal Deposit Insurance Corporation—to issue a structurally flawed final rule that weakens the CRA and will harm low- and moderate-communities and communities of color. Rather than postpone rulemaking to focus on the devastating economic crisis caused by the COVID–19 health pandemic, the OCC issued the rule a mere six weeks after the closing of the comment period on its proposed rule despite broad requests for delay from community groups, civil rights and consumer organizations, and industry. The OCC acknowledged in the preamble to the final rule that most of the comments disagreed with the proposal's approach. Yet, the OCC decided to side with the minority of comments in support of the proposed rule. The OCC's rule will harm the communities most adversely affected by the current crisis, including many families that were hardest hit by the Great Recession and have yet to recover.

The final rule imposes an overly simplistic evaluation measure that fails to ensure that local banking needs are met, and sanctions bank redlining. The rule overvalues the dollar amount of CRA activities in comparison to the quality of such activities and allows banks to earn more credit for easier and larger investments in communities from which they can get the highest return. Indeed, the rule permits banks to ignore 20% of their assessment areas and still pass, resulting in unchecked neighborhood disinvestment and redlining. The rule also disincentives investment in LMI neighborhoods and communities of color. It incentivizes activities and investments that do not "primarily" benefit LMI communities, such as large-scale infrastructure projects. Estimating such projects' impact on LMI neighborhoods is difficult and thus will likely divest funds away from smaller scale, yet impactful community development activities. Furthermore, the rule reduces the importance of retail lending and retail services, resulting in less lending and investments in communities that are already credit starved. The rule is opposite to the CRA's statutory mission and will cause deep harm to communities.

We urge support for H.J. Res. 90 to reverse the OCC's regulatory attack on the Community Reinvestment Act. Thank you for your consideration.

Sincerely,

CENTER FOR RESPONSIBLE LENDING.

NATIONAL COMMUNITY
REINVESTMENT COALITION,
October 19, 2020.

DEAR SENATOR: We, the undersigned organizations, write to express our strong support for H.J. Res. 90, a Congressional Review Act resolution of disapproval that will nullify a rulemaking by the Office of the Comptroller of the Currency (OCC) that, if allowed to stand, would drastically undermine one of our nation's most important civil rights laws, the Community Reinvestment Act of 1977 (the CRA).

Enacted in 1977, the Community Reinvestment Act (CRA) has been vital in fighting redlining, a practice that systematically—and for decades, as a matter of federal policy—shut neighborhoods of color and lower-income communities out from home loans and other essential financial services. The CRA requires banks to undertake reasonable efforts to lend to and invest in all of the neighborhoods in areas where they do business. The law has helped to spur increased investments in formerly-redlined communities. It did not, however, prevent non-bank lenders (who are not subject to the CRA) from flooding communities of color with toxic subprime mortgages in the years before the 2008 crisis; and research shows that racial disparities in lending—which cannot be explained away by differences in credit scores—persist to this day.

It is clear that the CRA needs to be modernized and strengthened in order to fulfill its original purpose. But in January, the OCC and the Federal Deposit Insurance Corporation (FDIC) published a Notice of Proposed Rulemaking (NPRM) that would instead significantly weaken the CRA. The agencies proposed new overly simplistic metrics system that would make it far easier for banks to pass their CRA exams by making large investments in communities where they can reap the largest rewards, rather than carefully-targeted, smaller investments in underserved consumers and neighborhoods.

Even before the NPRM was published, a wide range of stakeholders weighed in with

both the OCC and FDIC to raise concerns and to ask for more data justifying the changes. Those concerns were not addressed, and the data was never released. By the time the NPRM was published, the United States and the world were just beginning to learn about the growing threat posed by a dangerous new respiratory virus. In the coming weeks, it became clear that the virus had not been contained, and it spread rapidly to multiple countries including the United States. As stakeholders and the public began devoting more and more resources and attention to the health, social, and economic fallout of the growing pandemic, and many urged the OCC and FDIC to temporarily suspend rulemaking not related to COVID–19, the agencies continued plowing ahead, only agreeing to a one-month extension for comments.

In the days before the deadline for comments on the rule, it had become clear that COVID–19 was proving fatal to communities of color—the very communities the CRA was intended to help—at a rate several times higher than the population at large; the U.S. Surgeon General warned the public to prepare for ''our 9/11 moment,'' and models predicted 100,000 or more deaths in the United States alone. Only 41 days after the comment period ended, and even though only a minority of commenters voiced support for the new framework, the OCC rushed through a final rule that left it largely intact. The FDIC, to its credit, declined to finalize its version of the rule at this time.

In the months since the OCC finalized its rule, our nation has been facing a long-overdue reckoning with our troubled legacy of racial and ethnic discrimination. While much of the conversation has rightly been focused on police brutality and the impact of over-policing in communities of color, this conversation is inexorably tied to the lasting economic, social, and legal legacy of redlining and other forms of racial discrimination.

We will not succeed in addressing issues surrounding law enforcement in communities of color without also addressing decades of underinvestment in housing, employment, education, health care, transportation, and other factors that, to this day, have contributed to the longstanding disparities that are once again coming to light. Now is certainly not the time to weaken the most important civil rights laws we have at our disposal to correct those disparities.

As such, we urge Congress to support H.J. Res. 90, to overturn the OCC's regulatory attack on the Community Reinvestment Act. Thank you for your consideration.

Sincerely,

9to5, National Association of Working Women; Alianza Nacional de Campesinas; Alliance for Justice; Americans for Financial Reform; Andrew Goodman Foundation; AREAA—Asian Real Estate Association of America; Bend the Arc: Jewish Action; Campesinos Sin Fronteras; Center for Responsible Lending; Color of Change; Consortium for Citizens with Disabilities Housing Task Force; Consumer Action; Equality California; Farmworker Association of Florida; Green For All, a program of Dream Corps; Impact Fund; Japanese American Citizens League; Justice in Aging; The Leadership Conference on Civil and Human Rights; League of Women Voters of the United States; Matthew Shepard Foundation; Multicultural Efforts to end Sexual Assault (MESA).

NAACP; NAACP Legal Defense and Educational Fund, Inc.; National Association for Latino Community Asset Builders (NALCAB); National Association of Consumer Advocates; National Association of Human Rights Workers; National Center for Lesbian Rights; National Community Reinvestment Coalition; National Community Stabilization Trust; National Consumer Law Center (on behalf of its low-income clients); The National Council of Asian Pacific Americans (NCAPA); National Council of Churches; National Fair Housing Alliance; National Housing Law Project; National LGBTQ Task Force Action Fund; National Urban League; OCA-Asian Pacific American Advocates; Poverty & Race Research Action Council; Prosperity Now; Service Employees International Union; Silver State Equality-Nevada; Tash; Union for Reform Judaism; Woodstock Institute.

Mr. BROWN. I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. COONS. Mr. President, I rise to join my colleagues from Ohio and from New Jersey in saying that we should not allow this OCC rule, gutting the core elements of the CRA, to move forward. The Community Reinvestment Act is a landmark civil rights and antiredlining law created to improve the welfare of low- and moderate-income Americans all over our Nation and to assess banks lending to, investing in, and serving of the communities in which they do business.

The Community Reinvestment Act works. Since its enactment in 1977, it has resulted in trillions of dollars invested in low- and moderate-income communities. It promotes fair treatment and equal access to credit and capital for Black and Brown communities, for underserved populations, and it is essential to the economic health of our country. It is a successful incentive for banks to provide mortgage lending and financial services to neighborhoods of color and low- and moderate-income communities.

There is a long legacy of racial discrimination in our Nation in financial services, and the Community Reinvestment Act has been a vital tool in helping to fight that cruel legacy. In Delaware, I have seen the benefits of the CRA firsthand. I have seen investments in affordable housing, homeownership opportunities, and economic and small business development as a result.

Discover Bank, for example, partnered with the Delaware State Housing Authority to provide mortgages to low- and moderate-income borrowers throughout the State by purchasing loans. WSFA made a $1.5 million investment in NCALL's Restoring Central Dover Initiative and a $500,000 line of credit to help build homes for new homeowners who were low- and moderate-income and gave a $1 million low-interest loan for economic development in our capital city. Capital One recently made a $20 million loan to finance the community education building in downtown Wilmington where Kuumba Academy is residing.

The OCC final rule is wrong in substance and in process. The CRA has been beneficial for more than four decades. Sure, there is some room for modernization or improvement, and it is necessary to continue to build on this monumental act, but the OCC final rule goes in exactly the wrong direction. In substance, it is unlikely to encourage investment in underresourced and overlooked regions. Instead, it expands qualifying CRA activities to include ones that don't directly benefit communities in need. This OCC rule will cause harm to current investment areas, leading to less community development in Delaware and across our Nation.

The OCC rule would allow banks to pass their CRA assessments with broad-stroke, large investments instead of smaller, targeted investments in underserved communities. In process, the OCC hasn't worked to achieve consensus with fellow Federal regulators, the Fed and the FDIC, nor with banks, community advocacy, and civil rights groups. That is why I am joining my colleagues from New Jersey, Ohio, and many other States in voting for congressional disapproval of this OCC final rule. It undermines and actively weakens this important civil rights law. We must ensure changes to the CRA strengthen the law, not weaken it, and all the related regulators and stakeholders must work together to ensure that any changes to the CRA work to combat racial inequality and to lift up communities long overlooked by traditional banking and their investment priorities.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, today, I rise to urge my colleagues to take a stand for civil rights and basic financial fairness and join us in defense of the Community Reinvestment Act. I appreciate my distinguished colleagues from Delaware and the ranking Democrat on the Banking Committee, Senator BROWN, for their remarks.

For more than four decades now, this core civil rights law has helped ensure that banks that do business in our low- and moderate-income communities actually invest—invest—in those communities. Before the Community Reinvestment Act, or CRA, as it is called, banks often avoided lending to customers and businesses in the lower income neighborhoods where they opened branches. This practice was known as redlining because, back then, banks would draw literal red lines around the communities that they did not want to lend money to. Not surprisingly, the communities that were redlined were African American, Latino, and low-income communities.

In essence, they were content to take the deposits from low- and moderate-income families, people of color, small businesses, and farms, but then they turned around and denied those very customers mortgages, loans, and other lines of credit.

The Community Reinvestment Act was enacted to put an end to that redlining and spur greater investment in our minority communities and lower income neighborhoods. But even today, we are still grappling with the socioeconomic and racial consequences of this systemic financial discrimination.

Many of our most impoverished neighborhoods are the same neighborhoods that were redlined decades ago. It is one of the reasons that the generational wealth of Black and Brown Americans remains drastically lesser than those of their White counterparts. That is why we have to reject the Trump administration's proposed rule changes to the Community Reinvestment Act.

The Office of the Comptroller of the Currency's—the OCC—CRA new rule would result in significantly fewer loans, investments, and services to low- and moderate-income communities, and it would permit banks to avoid businesses and investments in these neighborhoods. In essence, it would lead to a new form of modern-day redlining, all with the Federal Government's blessing. It is no wonder why civil rights groups, including the NAACP and the Leadership Council on Civil and Human Rights, have fought so hard against this rule. They do not want banks to be given the green light to discriminate against minority and low-income consumers. Make no mistake—industry stakeholders and regulators are just as divided over the Trump administration's actions. That is why, in fact, neither the Federal Deposit Insurance Corporation nor the Federal Reserve has joined in this effort. Neither of them has joined in this effort.

That is why I urge our colleagues to do the right thing and repeal this harmful new CRA rule.

In a year where the entrenched racial and economic disparities that have long plagued our Nation have been exacerbated and on full display, the last thing we need to do is to steer money away from Black and Brown families, homeowners, consumers, and businesses. As a matter of fact, in the midst of this pandemic, we can see the consequences to those communities that are often at the frontline of mortgage foreclosure and losing their homes.

I urge my colleagues to join me in rejecting this new CRA rule. This is about protecting civil rights. This is about protecting economic opportunity for all. And this is about continuing to do the hard work of reversing the discrimination, the financial disparities, and the socioeconomic injustices that have plagued our Nation for far too long.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Idaho is recognized.

Mr. CRAPO. Mr. President, I rise to oppose the resolution vacating the OCC's final rule on the Community Reinvestment Act, or CRA.

Acting Comptroller of the Currency Brian Brooks has noted: ''The new Community Reinvestment Act rule was finalized for one reason—to promote more lending and investment in underserved areas—including low- and moderate-income neighborhoods.''

The key changes the rule makes are these: It clarifies what counts for CRA credit, updates where activity is evaluated, evaluates CRA performance more objectively, and makes record-keeping and reporting timelier and more transparent.

The OCC's efforts to improve the CRA framework began in 2017 with an extensive and deliberate process, engaging numerous stakeholders along the way. The OCC issued its advance notice of proposed rulemaking in 2018, and in December 2019, the OCC jointly issued a proposed rule with the FDIC, which received 7,500 comments. The OCC says those comments made it better and significantly different from the proposal.

The status quo was failing. The OCC found that the regulatory status quo had failed to improve economic outcomes for underserved groups, including minorities and low- and moderate-income communities.

The CRA regulatory process was broken. Acting Comptroller Brooks stated:

> In addition to not achieving the societal goals of the statute, the regulatory process around CRA was broken. Banks and stakeholders were uncertain of what activities would qualify for CRA consideration from exam to exam. The framework's lack of objectivity, transparency, consistency, and fairness left the whole process open to sweetheart deals and made it nearly impossible to assess the impact of billions of dollars that were spent each year. Stakeholders have voiced the need to update the CRA regulations now for more than a decade.

What does the final rule do? The final rule establishes objective criteria for determining and an illustrative list of what qualifies for CRA credit, while also creating a preapproval process for banks. It updates and expands assessment areas to better reflect how banks serve customers today by adding deposit-based assessment areas. It also incentivizes CRA activity in new areas of need, including Indian Country and rural and distressed areas. The final rule establishes new general performance standards to more objectively evaluate a bank's CRA performance. Finally, the rule requires banks to report better data to improve the transparency and accountability of banks and their regulators to their communities.

Importantly, the rule does not change the OCC's authority or obligation to fight discrimination and illegal practices.

Several organizations have praised the final rule, including the Consumer Bankers Association, the National Disability Institute, the National Congress of American Indians, and the National Diversity Coalition.

FDIC Chairman McWilliams noted: ''There are many provisions in the final rule that will greatly benefit low- and moderate-income communities, and provide greater clarity to banks on CRA expectations.''

Last month, the Federal Reserve issued its own advance notice of proposed rulemaking, and Acting Comptroller Brooks observed that ''there is a significant amount of overlap between what the Fed has proposed and what the OCC has finalized.''

The OCC issued this rule in May. Senate Democrats have waited until the end of the Congressional Review Act window to act, timing this vote to be most disruptive to the Senate's floor schedule. More importantly, this vote comes after the rule's effective date of October 1. Voiding it would create confusion and uncertainty for communities, industry, and other stakeholders, harming the very communities the CRA would help.

Acting Comptroller Brooks said it well:

> Overturning the OCC's new CRA rule would roll back benefits to Native Americans, people with disabilities, American farmers, and small business owners. It would preserve a status quo that on its face has failed to make the progress promised 43 years ago. It would force banks, communities groups, and examiners to operate in the dark without the transparency, objectivity, and regulatory certainty that the new rule provides. It would also prevent future Comptrollers from taking up the rule to improve how CRA works in the future.

Additionally, former Comptroller Joseph Otting wrote:

> The coronavirus pandemic has only made it more dire that communities—particularly low- and moderate-income communities—need more capital and better access to capital. And they need it now.

I urge my colleagues to join me in voting against this resolution, to preserve this important modernization of our CRA regulations.

Thank you.

Mr. President, I ask unanimous consent that the vote scheduled for 5:45 p.m. begin immediately.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

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 Arizona (Ms. MCSALLY), the Senator from Alaska (Ms. MURKOWSKI), the Senator from Kentucky (Mr. PAUL), and the Senator from Florida (Mr. RUBIO).

Mr. DURBIN. I announce that the Senator from California (Ms. HARRIS), the Senator from Alabama (Mr. JONES), the Senator from Virginia (Mr. KAINE), the Senator from Washington (Mrs. MURRAY), and the Senator from Arizona (Ms. SINEMA) are necessarily absent.

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

The result was announced—yeas 43, nays 48, as follows:

[Rollcall Vote No. 201 Leg.]

YEAS—43

Baldwin	Carper	Feinstein
Bennet	Casey	Gillibrand
Blumenthal	Collins	Hassan
Booker	Coons	Heinrich
Brown	Cortez Masto	Hirono
Cantwell	Duckworth	King
Cardin	Durbin	Klobuchar

Leahy	Rosen	Udall
Manchin	Sanders	Van Hollen
Markey	Schatz	Warner
Menendez	Schumer	Warren
Merkley	Shaheen	Whitehouse
Murphy	Smith	Wyden
Peters	Stabenow	
Reed	Tester	

NAYS—48

Alexander	Ernst	Perdue
Barrasso	Fischer	Portman
Blackburn	Gardner	Risch
Blunt	Graham	Roberts
Boozman	Grassley	Romney
Braun	Hawley	Rounds
Burr	Hoeven	Sasse
Capito	Hyde-Smith	Scott (FL)
Cassidy	Inhofe	Scott (SC)
Cornyn	Johnson	Shelby
Cotton	Kennedy	Sullivan
Cramer	Lankford	Thune
Crapo	Lee	Tillis
Cruz	Loeffler	Toomey
Daines	McConnell	Wicker
Enzi	Moran	Young

NOT VOTING—9

Harris	McSally	Paul
Jones	Murkowski	Rubio
Kaine	Murray	Sinema

The motion was rejected.

The PRESIDING OFFICER. The Democratic leader.

MOTION TO ADJOURN

Mr. SCHUMER. Mr. President, our Republican majority refused to consider the Supreme Court nominee of the duly elected Democratic President on the supposed principle that the American people should have a voice in selecting their next Supreme Court Justice. Now they are moving forward with a Supreme Court nomination while the Presidential election is already under way.

This is the most rushed, most partisan, least legitimate Supreme Court nomination process in our Nation's history—in our Nation's entire history—and it should not proceed. Therefore, I will move to adjourn the Senate until after the November 3 election with the ability to come back into session if there is a bipartisan agreement on a COVID relief package.

Therefore, I move to adjourn and then convene for pro forma sessions only, with no business being conducted, at 12 noon on the following dates, and that, following each pro forma session, the Senate adjourn until the next pro forma session: Tuesday, October 20; Friday, October 23; Tuesday, October 27; Friday, October 30; Tuesday, November 3; Friday, November 6; that when the Senate adjourns on Friday, November 6, it reconvene at 4:30 p.m., Monday, November 9, and that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed.

The PRESIDING OFFICER. That motion would require consent and is not in order.

MOTION TO TABLE

Mr. SCHUMER. I appeal the ruling of the Chair, and I move to table the appeal.

The PRESIDING OFFICER. The question is on the motion to table the appeal.

Mr. SCHUMER. I ask for the yeas and nays.

Mr. BOOZMAN. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Missouri (Mr. BLUNT), the Senator from Arizona (Ms. MCSALLY), the Senator from Alaska (Ms. MURKOWSKI), the Senator from Kentucky (Mr. PAUL), and the Senator from Florida (Mr. RUBIO).

Mr. DURBIN. I announce that the Senator from California (Ms. HARRIS), the Senator from Alabama (Mr. JONES), the Senator from Virginia (Mr. KAINE), the Senator from Washington (Mrs. MURRAY), and the Senator from Arizona (Ms. SINEMA) are necessarily absent.

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

The result was announced—yeas 48, nays 42, as follows:

[Rollcall Vote No. 202 Leg.]

YEAS—48

Alexander	Ernst	Perdue
Barrasso	Fischer	Portman
Blackburn	Gardner	Risch
Boozman	Graham	Roberts
Braun	Grassley	Romney
Burr	Hawley	Rounds
Capito	Hoeven	Sasse
Cassidy	Hyde-Smith	Scott (FL)
Collins	Inhofe	Scott (SC)
Cornyn	Johnson	Shelby
Cotton	Kennedy	Sullivan
Cramer	Lankford	Thune
Crapo	Lee	Tillis
Cruz	Loeffler	Toomey
Daines	McConnell	Wicker
Enzi	Moran	Young

NAYS—42

Baldwin	Gillibrand	Rosen
Bennet	Hassan	Sanders
Blumenthal	Heinrich	Schatz
Booker	Hirono	Schumer
Brown	King	Shaheen
Cantwell	Klobuchar	Smith
Cardin	Leahy	Stabenow
Carper	Manchin	Tester
Casey	Markey	Udall
Coons	Menendez	Van Hollen
Cortez Masto	Merkley	Warner
Duckworth	Murphy	Warren
Durbin	Peters	Whitehouse
Feinstein	Reed	Wyden

NOT VOTING—10

Blunt	McSally	Rubio
Harris	Murkowski	Sinema
Jones	Murray	
Kaine	Paul	

The PRESIDING OFFICER. The motion to table was agreed to, and the decision of the Chair stands.

The Senator from Ohio.

Mr. PORTMAN. Mr. President, I am glad we just voted down the motion by the Democratic leader to adjourn because we have work to do here, including the COVID–19 legislation that we need to be here to be working on. So I am glad the motion to table was successful. And, yes, we also have to fill a vacancy on the Supreme Court.

TRIBUTE TO JOHN RUTHVEN

Mr. President, I have come to the floor today to pay tribute to John Ruthven, a beloved son of Ohio who passed away last week at the age of 95.

John Ruthven was a nationally recognized wildlife artist and a naturalist whose extraordinary artistic skills earned him numerous awards and other recognitions. But it was John's integrity, his humility, his generosity, and personal warmth that led to so many admirers.

John never met a stranger, and even in these strident times, John never had an enemy. He was an eternal optimist who looked for the best in people and in doing so, brought out the best in everyone.

John was a true son of Ohio who grew up in Cincinnati and, as a boy, was often found fishing and hunting and sketching along the Ohio River. He was a lifelong patriot who was very proud of his country and proud of having served his country as an 18-year-old sailor during World War II. He was generous of spirit and generous in giving back to his community, contributing his time and artwork to literally hundreds of good causes.

John loved his family—his kids, Ricki and Kevin; his grandsons, Adam and Matt; and his great-grandsons, William, Jack, and Michael. He lost the love of his life, Judy, just under a decade ago. They were inseparable, and they are now together.

My wife Jane and I feel John's presence every day through his artwork that hangs on our walls at home and at work. Here in my Washington, DC, office, we displayed his painting ''Eagle to the Moon,'' for the past decade, a masterpiece of natural painting signed not just by John but also John's good friend, the famous astronaut Neil Armstrong.

Each Ruthven painting has its own story, and ''Eagle to the Moon'' is no exception. Ohio Governor James Rhodes had commissioned John to paint an eagle on the Moon in honor of the Apollo 11 mission and Neil Armstrong's famous words, ''The eagle has landed.'' John told the Governor there were no eagles on the Moon, and as a naturalist painter, he refused to place one there. Governor Rhodes insisted, so John—always a peacemaker—found a compromise. He painted a majestic bald eagle flying past an Ohio buckeye tree—tying the eagle, therefore, to the Earth and to Ohio—and put a glowing Moon in the background to please Governor Rhodes. The Governor could not say no to such a beautiful portrayal, and it is beautiful.

His paintings are displayed in the statehouse in Columbus and in thousands of offices and living rooms all across Ohio and beyond. You will see his work when strolling through my hometown of Cincinnati, where the side of a downtown building displays a three-story high mural dedicated to Martha, the last passenger pigeon who died at the Cincinnati Zoo. At age 88, high on a rickety scaffolding in the August heat, John Ruthven led the volunteers in creating that rendition of passenger pigeons, taking it from one of

his paintings. Those passenger pigeons, once numerous and now extinct, are soaring through the air in a thick flock, warning us all of the fragility of nature.

I will always feel John's presence personally when I am in the woods of Southern Ohio, where I had the privilege of spending many hours with him hunting for edible wild mushrooms, hunting turkeys, and learning from an accomplished naturalist who had stories about every single tree, flower, and bird. It was a joy to learn from John. It wasn't a lecture; like every good teacher, John drew you in.

John was called a modern-day James Audubon, and there were striking similarities between the two. Both were naturalists, good hunters, artists, and authors whose work was influential in teaching us about the natural world. Like Audubon, John was rightly recognized as one of the most important ambassadors for nature of his time.

Starting with his delivery of a hummingbird to the Cincinnati Museum of Natural History at age 10, his name is on specimens he collected around the world and donated to museums. Four Presidents commissioned painters from John Ruthven, and his artwork is hung in the galleries of the Smithsonian and right here in the Halls of Congress.

Early in his career, John had the great honor of being selected as the artist for the annual Federal duck stamp. He has been featured in many major magazines and documentaries. He received numerous awards and honors, including from some of his favorite organizations like the Cincinnati Zoo, the Cincinnati Nature Center, the Museum Center, and so many others.

One accolade John was most proud of was when he and his wife Judy were inducted into the Brown County Hall of Fame. Judy and John had a beautiful farm and an art gallery in Brown County, 50 miles east of Cincinnati. They developed lifelong friendships there and dedicated time and energy to their adopted home, leading to the restoration of the historic courthouse in Georgetown, OH, and preserving and promoting the boyhood home of Ulysses S. Grant, one of John's heroes.

In 2004, I was with John and President George W. Bush at the White House when he became the first wildlife artist ever to receive the National Medal of the Arts, the highest honor that can be bestowed upon an artist.

Until his death, John continued to paint every day at his home studio. He still had a number of commissions he was working on. For countless young artists and lovers of nature, he was and will continue to be a true inspiration.

As we mourn our loss, we take heart in knowing that we will all continue to feel his presence, that John Ruthven will live on through his masterful artwork, his loving family, and all he did to advance the cause of appreciating and protecting the natural world.

I yield the floor.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

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 bill clerk read the nomination of Michael Jay Newman, of Ohio, to be United States District Judge for the Southern District of Ohio.

The PRESIDING OFFICER. The Senator from Ohio.

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. PORTMAN. Mr. President, I ask unanimous consent that the Senate proceed to legislative session for 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.

NOTICE OF INTENT TO SUSPEND THE RULES

Mr. SCHUMER. Mr. President, I submit the following notice in writing:

In accordance with Rule V of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend rule XIV, Paragraphs 1, 2, and 3, for the purpose of proposing and considering S. 4800, the Heroes Act, including same day consideration.

U.S. SENATE CHAMBER AND GALLERIES REGULATIONS

Mr. BLUNT. Mr. President, in accordance with rule 23 of the Rules of Procedure of the Committee on Rules and Administration and pursuant to Senate Rule XXXIII, on October 7, 2020, the Committee on Rules and Administration adopted the ''United States Senate Chamber and Galleries Regulations,'' which supersede and replace the current ''Rules for Regulation of the Senate Wing of the United States Capitol and Senate Office Buildings.''

There being no objection, the material was ordered to be printed in the RECORD, as follows:

UNITED STATES SENATE CHAMBER AND GALLERIES REGULATIONS

ADOPTED BY THE COMMITTEE ON RULES AND ADMINISTRATION ON OCTOBER 7, 2020, PURSUANT TO RULE XXXIII OF THE STANDING RULES OF THE SENATE

1.0 Scope—These regulations are applicable only to the Senate Chamber and Galleries.

2.0 Definitions—For purposes of these regulations, the following terms have the meaning specified.

2.1 Cloakroom means the two spaces, one assigned to the majority party and one assigned to the minority party, adjacent to the Senate Chamber.

2.2 Galleries means the ten seating galleries located in the Senate Chamber.

2.3 Marble Room means the Senators meeting room adjacent to the Senate Lobby.

2.4 Senate Chamber means the space that encompasses the Senate Floor and Galleries.

2.5 Senate Floor means the floor of the Senate Chamber.

2.6 Senate Lobby means the hallway space adjoining the Senate Chamber to the Marble Room.

2.7 Sergeant at Arms means the Sergeant at Arms of the Senate.

3.0 Sergeant at Arms Chamber and Galleries Duties—The Sergeant at Arms of the Senate, under the direction of the Presiding Officer, shall be the Executive Officer of the body for the enforcement of all rules made by the Committee on Rules and Administration for the regulation of the Senate Chamber and Galleries.

3.1 The Senate Floor shall be at all times under the Sergeant at Arms' immediate supervision, and the Sergeant at Arms shall see that the various subordinate officers of the Office of the Sergeant at Arms perform the duties to which they are especially assigned.

3.2 The Sergeant at Arms shall see that the messengers assigned to the doors upon the Senate Floor are at their posts and that the Senate Floor, Cloakrooms, and Senate Lobby are cleared at least five minutes before the opening of daily sessions of all persons not entitled to remain there.

3.3 In the absence of the Sergeant at Arms the duties of the office, so far as they pertain to the enforcement of the rules, shall devolve upon the Deputy Sergeant at Arms.

4.0 Messengers Acting as Assistant Doorkeepers—The messengers acting as Assistant Doorkeepers shall be assigned to their duties by the Sergeant at Arms.

5.0 Assignment of Majority and Minority Secretaries—The secretary for the majority and the secretary for the minority shall be assigned, during the daily sessions of the Senate, to duty upon the Senate Floor.

6.0 Use of the Senate Chamber—When the Senate is not sitting in session or otherwise using the Chamber for some function of the Senate, no Senator shall seat any person or persons in chairs of Senators other than the chair assigned, no other persons shall seat anyone in a chair of a Senator; and lectures, talks, or speeches shall not be given at such times to groups on the Senate Floor by Senators or others except for the purpose of explaining the Chamber.

7.0 Use of the Marble Room—No persons shall be admitted to the Marble Room except Senators.

8.0 Use of the Cloakrooms—No persons shall be admitted to the Cloakrooms except those entitled to the privileges of the Senate Floor under the Rule XXIII of the Standing Rules of the Senate.

9.0 Use of the Senate Lobby—No persons shall be admitted to the Senate Lobby except those entitled to the privileges of the Senate Floor under the Rule XXIII of the Standing Rules of the Senate.