

from time to time the attempted overreach of the Federal Government to mandate things. It violates the principles of the Constitution, and it violates, really, the best practices of States' rights, of communities' rights, of rural electric's rights because it assumes that somehow we here in these Chambers know better than the utility regulators who are appointed by Governors—the ones who are elected, like I was—the municipalities that set the rates for water and sewer; that somehow we are better equipped to make the decisions for a local utility and, yes, their consumers; that somehow we are better at doing that. It makes no sense. In fact, it would be very harmful to the very consumers the Senator from Oregon says he wants to look out for.

Let's just take some examples. Utilities are not capitalized to provide services for free. That is what this bill would do. And guess what happens to a regulated utility, an investor-owned utility, when something like this happens, when the Federal Government throws a wrench into their local rate structure. Well, somebody eventually has to pay for that. And guess how the money is raised to pay for the moratorium? The rates go up. They have to. That is how rate structure is designed.

If you are a utility—let's say a rural electric cooperative or a rural telephone cooperative that is providing broadband—that is even better yet because it is actually the consumers who are the board of directors. It is the most direct experiment of self-governance that we have.

So let's please leave the regulation to the locals and to the States. If there is a need for a moratorium or a design for some different structure, they can do it in concert with the consumers, the regulators, and, of course, the utilities in a way that does the least harm. That makes all the sense in the world.

But here is, in my mind, the richest irony of this moment. The Senator from Oregon talked about the high unemployment rate, the large unemployment numbers. Just today we had the opportunity on this floor, when Republicans brought a bill that would have provided \$300 a week of federally funded supplement to unemployment insurance benefits to those unemployed people—\$300 a week—do you know how many utility bills that would have helped pay without disrupting the utilities' rate structure? Just today we had that moment, and the Senator from Oregon and every one of his Democratic colleagues voted against it—not for the first time, by the way, but for the second time. And here we are tonight coming up with a piecemeal solution when the more comprehensive one was rejected.

So for those reasons and several others I could think of, but the hour is getting late, I object.

The PRESIDING OFFICER. The objection is heard.

The Senator from Oregon.

Mr. MERKLEY. Mr. President, my colleague not only objected but laid out his thinking on the idea that has been adopted at local governments across the country, and he said it is unconstitutional. Of course he didn't bother to actually check to see if it was unconstitutional because, no, it is not. If it was, it would have been ended in all of those places at the State and local levels where it had been done. So much for that false argument.

He brings in his experience as a regulator, but it might be helpful to actually check the lawbooks before making a spurious argument.

Then he says: You know, a moratorium would hurt ordinary families.

Well, try talking to an ordinary family. An ordinary family says: You know what, I lost my job because of the economic collapse. We have an economic collapse because of the failure to address coronavirus, and now you are telling me it is good for me if I lose my electricity and my water while I try to help my kids get through this year when they can't attend class or school and they have to do it at home. But you are OK having my electricity turned off.

That is hardly helping the families get through this. I must say, it represents an awareness that is so distant from the experience of ordinary Americans as to confound the mind and really challenge the heart.

My colleague notes that, my goodness, the utilities have expenses. Yes, which is exactly why I have proposed that we compensate those utilities for those expenses. So why don't we have this bill on the floor, and then we can actually have the arguments and get the facts out about it?

My colleague said: I have these arguments—arguments I have just noted and disagree with, but at least we are having a debate, which is rare in this Chamber. So let's have this bill on the floor, and let's have everyone bring their experiences to bear, and let's open it to amendment.

My colleague noted that there are piecemeal items that the majority leader brought forward because there is an election in a couple of weeks. He didn't say "because there is an election in a couple of weeks," but that is why they were brought forward. That is my opinion. I would have been fine bringing those to the floor if they were open to amendment, but, no, they were a political stunt. It is, here is our version we want to vote on so we can do a campaign commercial, but we are not going to let there actually be a debate, a possible amendment. The Senate might actually legislate? We haven't done that in years. Why would we start now? Because that is the vision of our Constitution, that there actually be debates on this floor; that we actually allow relevant amendments to have a majority vote and be considered so that the collective interaction of Members can produce a better outcome for America. By voting on those amend-

ments, we can be accountable to the people of the United States of America.

So bring back the bill and guarantee that it will get amendments by simple majority, and let's have a real debate because we owe it to the American people.

Let's bring the Heroes Act to the floor—the one that has been trapped for 5 months. Amend the hell out of it if you want, but at least you are taking votes to be accountable to the people of the United States of America. At least we are having a debate—a debate—in front of Americans about what works and what doesn't. We need more of that in this Chamber. We need a bipartisan consensus that will restore the ability of Senators to amend.

It is not that long ago that in this Chamber, amendments were common and blockades were rare. That was a functioning legislative body. That benefits every single Member. I can't tell you how many Members on both sides of the aisle say that we need to restore the vision of a functioning legislative body.

I want to do amendments. Let's restore that vision. Let's work together to restore that vision for the betterment of this Chamber but certainly for the betterment of America. And one idea that should be considered is protecting Americans from having their utilities cut off until we are on the far side of this crisis.

Thank you.

The PRESIDING OFFICER (Mr. CRAMER). The Senator from Wyoming.

MORNING BUSINESS

ARMS SALES NOTIFICATION

Mr. RISCH. Mr. President, section 36(b) of the Arms Export Control Act requires that Congress receive prior notification of certain proposed arms sales as defined by that statute. Upon such notification, the Congress has 30 calendar days during which the sale may be reviewed. The provision stipulates that, in the Senate, the notification of proposed sales shall be sent to the chairman of the Senate Foreign Relations Committee.

In keeping with the committee's intention to see that relevant information is available to the full Senate, I ask unanimous consent to have printed in the RECORD the notifications which have been received. If the cover letter references a classified annex, then such annex is available to all Senators in the office of the Foreign Relations Committee, room SD-423.

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

DEFENSE SECURITY
COOPERATION AGENCY,
Arlington, VA.

Hon. JAMES E. RISCH,
Chairman, Committee on Foreign Relations,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of

the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 20-75 concerning the Air Force's proposed Letter(s) of Offer and Acceptance to the Taipei Economic and Cultural Representative Office in the United States (TECRO) for defense articles and services estimated to cost \$367.2 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

HEIDI H. GRANT,
Director.

Enclosures.

TRANSMITTAL NO. 20-75

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: Taipei Economic and Cultural Representative Office in the United States (TECRO)

(ii) Total Estimated Value:

Major Defense Equipment* \$0 million.

Other \$367.2 million.

Total \$367.2 million.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

Major Defense Equipment (MDE):

None.

Non-MDE: Six (6) MS-110 Recce Pods, three (3) Transportable Ground Stations; one (1) Fixed Ground station; spare and repair parts; repair and return; site surveys; integration and test equipment; system support and equipment; personnel training and training equipment; publications and technical documentation; U.S. Government and contractor engineering, technical, and logistical support services; and other related elements of logistical and program support.

(iv) Military Department: Air Force (TW-D-QAS).

(v) Prior Related Cases, if any: None.

(vi) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None.

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: See Attached Annex.

(viii) Date Report Delivered to Congress: October 21, 2020.

*As defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

Taipei Economic and Cultural Representative Office in the United States (TECRO)—MS-110 Recce Pod System

TECRO has requested to buy six (6) MS-110 Recce Pods; three (3) Transportable Ground Stations; one (1) Fixed Ground station; spare and repair parts; repair and return; site surveys; integration and test equipment; system support and equipment; personnel training and training equipment; publications and technical documentation; U.S. Government and contractor engineering, technical, and logistical support services; and other related elements of logistical and program support. The total estimated program cost is \$367.2 million.

This proposed sale is consistent with U.S. law and policy as expressed in Public Law 96-8.

This proposed sale serves U.S. national, economic, and security interests by supporting the recipient's continuing efforts to modernize its armed forces and to maintain a credible defensive capability. The proposed sale will help improve the security of the recipient and assist in maintaining political stability, military balance, economic and progress in the region.

This proposed sale will improve the recipient's capability to meet current and future threats by providing timely Intelligence,

Surveillance, and Reconnaissance (ISR), capabilities for its security and defense. The enhanced capability is a deterrent to regional threats and will strengthen the recipient's self-defense. The recipient will have no difficulty absorbing these systems into its armed forces.

The proposed sale of this equipment and support will not alter the basic military balance in the region.

The principal contractor will be Collins Aerospace, Westford, MA. The purchaser typically requests offsets. Any offset agreement will be defined in negotiations between the purchaser and the contractor.

Implementation of this proposed sale will not require the assignment of any additional U.S. Government or contractor representatives to the recipient.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

TRANSMITTAL NO. 20-75

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act

Annex Item No. vii

(vii) Sensitivity of Technology:

1. The MS-110 is a Non-Program of Record electro-optic and infrared airborne reconnaissance system with long range, day/night, multi-spectral sensor technology. The multi-spectral sensor lets the end user see color and better distinguish subtle features that traditional gray-scale imagery cannot. The pod can transmit imagery via a datalink to ground-stations for near-real time analysis and exploitation.

2. The highest level of classification of information included in this potential sale is UNCLASSIFIED.

3. If a technologically advanced adversary were to obtain knowledge of the hardware and software elements, the information could be used to develop countermeasures or equivalent systems, which might reduce system effectiveness or be used in the development of a system with similar or advanced capabilities.

4. A determination has been made that the recipient can provide substantially the same degree of protection for the sensitive technology being released as the U.S. Government. This sale is necessary in furtherance of the U.S. foreign policy and national security objectives outlined in the Policy Justification.

5. All defense articles and services listed in this transmittal have been authorized for release and export to the recipient.

ARMS SALES NOTIFICATION

Mr. RISCH. Mr. President, section 36(b) of the Arms Export Control Act requires that Congress receive prior notification of certain proposed arms sales as defined by that statute. Upon such notification, the Congress has 30 calendar days during which the sale may be reviewed. The provision stipulates that, in the Senate, the notification of proposed sales shall be sent to the chairman of the Senate Foreign Relations Committee.

In keeping with the committee's intention to see that relevant information is available to the full Senate, I ask unanimous consent to have printed in the RECORD the notifications which have been received. If the cover letter references a classified annex, then such annex is available to all Senators in the office of the Foreign Relations Committee, room SD-423.

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

DEFENSE SECURITY
COOPERATION AGENCY,
Arlington, VA.

Hon. JAMES E. RISCH,
*Chairman, Committee on Foreign Relations,
U.S. Senate, Washington, DC.*

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 20-77 concerning the Army's proposed Letter(s) of Offer and Acceptance to the Taipei Economic and Cultural Representative Office in the United States (TECRO) for defense articles and services estimated to cost \$436.1 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

HEIDI H. GRANT,
Director.

Enclosures.

TRANSMITTAL NO. 20-77

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: Taipei Economic and Cultural Representative Office in the United States (TECRO)

(ii) Total Estimated Value:

Major Defense Equipment* \$357.5 million.

Other \$78.6 million.

Total \$436.1 million.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

Major Defense Equipment (MDE):

Eleven (11) High Mobility Artillery Rocket Systems (HIMARS) M142 Launchers.

Sixty-four (64) Army Tactical Missile Systems (ATACMS) M57 Unitary Missiles.

Seven (7) M1152A1 High Mobility Multipurpose Wheeled Vehicles (HMMWVs).

Eleven (11) M240B Machine Guns, 7.62MM.

Seventeen (17) International Field Artillery Tactical Data Systems (IFATDS).

Non-MDE: Also included are fifty-four (54) M28A2 Low Cost Reduced Range Practice Rocket Pods (LCRRPR); eleven (11) M2A1 machine guns, .50 caliber; twenty-two (22) AN/NRC-92E dual radio systems; seven (7) AN/NRC-92E dual radio ground stations; fifteen (15) AN/VRC-90E single radio systems; eleven (11) M1084A2 cargo Family of Medium Tactical Vehicles (FMTV) Resupply Vehicles (RSV); two (2) M1089A2 cargo wrecker FMTV RSV; eleven (11) M1095 trailer cargo FMTV, 5-ton; support equipment; communications equipment; spare and repair parts; test sets; laptop computers; training and training equipment; publication; systems integration support technical data; Stockpile Reliability Program (SRP); Quality Assurance and Technical Assistance Teams; U.S. Government and contractor technical, engineering, and logistics support services; and other related elements of logistical and program support.

(iv) Military Department: Army (TW-B-ZDJ).

(v) Prior Related Cases, if any: None.

(vi) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None.

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: See Attached Annex.

(viii) Date Report Delivered to Congress: October 21, 2020.

As defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

Taipei Economic and Cultural Representative Office in the United States (TECRO)—HIMARS, Support, and Equipment

TECRO has requested to buy eleven (11) High Mobility Artillery Rocket Systems