

When corporate swindling at Enron and other large corporations cheated millions of Americans out of their life savings, it was Paul Sarbanes' leadership that enabled the Senate to pass the most far-reaching corporate accountability reform since the Securities and Exchange Commission was created 70 years before.

That Sarbanes-Oxley reform law passed in 2002. It was designed to prevent the kind of corporate abuses that had so damaged America's economy and shaken the faith of the American people in the economic markets.

In 2002, things came full circle for me. There was created an award in the name of Senator Paul Douglas of Illinois—a man whom I first met as a college intern who inspired me to get started in this business. Paul Sarbanes won in 2002 and became the first recipient of the Senator Paul Douglas Ethics in Government Award that is presented by the University of Illinois to honor men and women in public service who exhibit the finest qualities of leadership. It was a perfect match, and, for me, it came full circle.

What a coincidence it is that the people who have been my heroes in public life so far, so many are named Paul: Paul Douglas, who had started me as an intern, who introduced me to Paul Simon, who preceded me in the U.S. Senate, where I served with Paul Sarbanes.

They basically say in my office that I have been raised according to the Gospel of "Saints" Paul.

I want to quote briefly from Senator Sarbanes' final speech in the Senate before he retired in 2006. It speaks powerfully to the kind of leaders America is looking for today.

Here is what Paul Sarbanes said:

Throughout my years in public service, I have worked to the limits of my ability to provide the people of Maryland and the Nation dedicated, informed, and independent representation based upon the fundamental principles of integrity and intelligence. I have been guided in this effort by a vision of a decent and just America, based on a strong sense of community and offering fairness and opportunity to all its people.

I know I join all my colleagues in thanking Paul for doing his part so nobly and so well to help us move toward a more perfect Union.

And let me say a word about his wife Christine. She was his real partner in life. I can recall when he retired, and I said: Paul, I am sorry to see you go. And he said: Let me ask you a question. When are you supposed to leave around here? It is a question many of us have asked ourselves over and over.

As far as he was concerned, I said: What do you want to do the most? He said: Travel with Christine.

They were able to do that for a limited period of time because Christine died of cancer in 2009. She was a wonderful person—intelligent, just like Paul—and the two of them were pure happiness together.

Loretta and I wish to express our condolences to the Sarbanes family, es-

pecially to their children—Michael, Janet, and a man I have come to know and respect, his son, Congressman JOHN SARBANES, as well as their grandchildren, his friends and former staff members, and the countless people whose lives are better because of Paul Sarbanes.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

#### ARMS SALE RESOLUTION

Mr. CORNYN. Madam President, over the last 4 years, we have seen a series of encouraging developments in the Middle East—a place where there isn't a long trend line of positive developments.

We have destroyed the ISIS caliphate. We have brought down dangerous terrorist leaders like al-Baghdadi and, of course, the head of the IRGC, Soleimani, who was personally responsible for American blood on his hands, particularly providing explosives that penetrated our armor in Iraq.

Through congressional action and the work of the Trump administration, we strengthened bilateral ties with our closest friends and allies, including Israel and Jordan. This summer, the administration helped forge historic peace deals between Israel and Arab nations in the region. The United Arab Emirates became the third Arab country and first Gulf State to recognize and normalize relations with Israel by the signing of the Abraham Accords Peace Agreement. It was only a matter of days until Bahrain followed suit and announced its agreement with Israel to open formal diplomatic negotiations.

These historic breakthroughs represent serious progress in our efforts to fight terrorism and establish lasting peace and stability in the Middle East. While more work obviously remains, it is great to see the mounting pressure against Iran—the region's greatest antagonist and largest state sponsor of terrorism.

Last month, the Trump administration announced that it intended to sell arms to our friends in the United Arab Emirates—a move that I support. This will help the UAE work with the United States and our friends to deter and defend these threats from Iran and other hostilities in the region. What it seems to me is that it focused everybody's attention on the recognition that Iran represents the single biggest destabilizing and dangerous influence in the Middle East today, and it is the recognition that they are the common adversary of not only the Arab nations in the region but also the United States and our ally Israel that

has, I think, brought them to the negotiating table.

As Iran grows increasingly belligerent toward the United States and our allies, these military assets that we will sell to our friends in the UAE will serve as a stabilizing force, a force multiplier, and a source of protection for the United States and our security interests. We have learned a hard lesson that American boots on the ground is something we want to do as a last resort. But if we can work by, with, and through our friends and allies to provide that security and stability against a common enemy, we should do it.

The arms sale will allow greater military cooperation between the United States, the UAE, and Israel and strengthen a growing coalition of aligned forces in the region. It will also make sure the United States remains the partner of choice.

It is not as if the United States is the only one that has a say. Obviously, if we don't provide them the military equipment they need, they will go looking for other sellers, and that would certainly be less desirable for us and for them because we are their partner of choice in the region. Russia and particularly China have sought to increase their malign influence in the Middle East, and they would be more than happy to fill the void left by any refusal on the part of the United States to make this sale. So blocking this sale would only strengthen the position of China and Russia, while significantly weakening our own.

As we continue to make progress in the decades-long quest for peace and stability in the Middle East, I support the administration's strategic decision to sell arms to the UAE. This would provide the UAE with critical national security assets, such as access to the F-35 fifth-generation fighter, unmanned aerial vehicles, and other advanced munitions to act as a deterrent, and if worse comes to worse, it actually gives them a comparative advantage with other countries in the region.

The Israeli Ambassador to the United States, Ron Dermer, perhaps summed it up best when he said:

What keeps me up at night is actually not the proposed F-35 sale to the Emirates. What keeps me up at night is the idea that somebody would return to the nuclear deal with Iran.

#### CORONAVIRUS

Mr. CORNYN. Madam President, on another matter, this week, I hope we are able to make more progress on the coronavirus relief negotiations so we can pass another bill before recessing for the holidays. There are a lot of people in this country, all throughout the country, who are hurting, who are anxious, and who are worried about their ability to pay the rent and to meet their other obligations in the face of this pandemic, and I think it would be a dereliction of duty on our part to leave here without addressing those real needs.

Earlier this year, we worked in a quick, bipartisan fashion to pass relief bills totaling more than \$3 trillion. Thinking back on it, it was pretty remarkable to do as much as we did as fast as we did, but we knew we were up against a common enemy in this virus, and we knew we had to respond quickly, and we did. The funding we provided has gone a long way to support our healthcare and economic response, but as our war against COVID-19 continues to rage on, additional support is needed, and it is needed now.

The good news is, as earlier, there are a number of areas that we agree on what the support should look like, including funding for schools, assistance for the hardest hit workers and small businesses, and another investment in the distribution of the vaccine that can't come soon enough, but we remain hung up on a couple of important points, including liability protection for businesses, schools, nonprofits, and others who in good faith did their best to follow guidance from the CDC and other public health authorities but now face the prospect of litigation.

It is pretty hard to follow the guidance as knowledge of this virus has evolved. I remember before April, the head of the CDC, including Dr. Fauci and others, said that masks were useless. Then they changed their guidance in April. That is fine. I respect that based on what we have learned about the virus. But we simply can't expose people who have tried their best to muddle along in the face of this pandemic, following the guidance from public health officials, and say: You didn't know then what we know now, so you must have been negligent, and you need to pay compensation in the form of litigation.

Well, I don't think that is fair to those entities, those individuals, those businesses, those schools, those churches, mosques, and synagogues. But this is something that is on the minds of a lot of people, from healthcare workers, to teachers, to nonprofits, to small business owners. Those who continue to provide essential services and goods didn't have any choice but to show up and go to work. Now they are worried that by opening their doors to people who really needed their help at the time, they have also now opened themselves up to an endless parade of lawsuits by the trial bar.

We all know that lawyers can be very creative and opportunistic. That is part of what lawyering involves. But the litigation we expect against doctors, nurses, colleges, churches, small businesses—anyone and everyone could be blamed for another person's harm. If those lawsuits are feasible, they will follow. And the statute of limitations is a couple years, so even though we are not necessarily seeing it now, we do know that class action litigation could be filed in any favorable jurisdiction

anywhere in the country and basically bankrupt many businesses and certainly discourage businesses from safely reopening and following those guidelines.

I think there is another reason to reward people who have tried their best to follow those guidelines—because it ensures more compliance. To now play a game of “gotcha” with them and say: It wasn't good enough, so now you are going to have to pay or maybe even just defend a lawsuit that you ultimately will win—we all know that will cost a lot of money and will take a lot of time, and I would prefer to see them rebuild their businesses and restore the jobs that were lost as a result of the pandemic.

So because of my concern about the need for some liability shield, we introduced a bill called the SAFE TO WORK Act that provides commonsense protections for those who acted in good faith to keep their customers and their employees safe, while still preserving the right to sue for those who were victims of gross negligence or intentional misconduct.

This is not a blanket liability shield that won't permit the really truly bad actors from facing due consequences. It won't ban coronavirus lawsuits, and it won't give anyone a get-out-of-jail-free card. So we need to get that straight up front. In cases of gross negligence or willful misconduct, where the applicable public health guidelines were not followed, the person affected has every right to sue and be made whole in a court of law. No one is asking to change that. What we do need, though, is to put safeguards in place to ensure that those who operated in good faith and were following all the relevant guidelines, even as they evolved over time, cannot be sued out of existence.

First and foremost are protections for our incredible healthcare heroes who made tremendous physical and mental sacrifices over the last several months. This legislation sets a willful misconduct or gross negligence standard for coronavirus-related medical liability suits to ensure that only legitimate cases are brought against our healthcare workers who, again, didn't have any choice but to show up for work.

In addition to protecting our healthcare heroes, we need to ensure that a fear of lawsuits doesn't prevent schools, nonprofits, churches, small businesses, and a range of other organizations and institutions that are vital to our communities and our economy from opening their doors. This spells out in black and white that these entities will be protected from COVID-19 exposure claims as long as they comply with mandatory public health guidelines.

It is true that a number of States have already provided similar protections, including the minority leader's

home State of New York, and it is time that we extend these liability limitations to the rest of the country, particularly States like mine where the legislature does not meet on a continual basis. They haven't even been in session during 2020. They will go into session in January, and I presume they will try to fill in any holes they feel like we left when it comes to liability protection. But without a uniform Federal standard, we are going to end up in a dangerous venue shopping situation, and it is only to be expected that the lawyers will find the place most favorable for their lawsuits. They will seek to pursue those claims using class action procedures, and we will be right back at the worst nightmare that I think many folks would have contemplated unless we provide for this Federal liability shield.

The goal is not to protect bad actors. What we do need to clearly spell out is for the schools, colleges, nonprofits, churches, and businesses that are asking us to provide them some guidance and some security.

Our Democratic colleagues have not expressed a lot of enthusiasm for this legislation, and my Republican colleagues and I have tried to work with them to reach a result that both sides can support. But the nature of compromise, as we all know, is give-and-take, but so far it has been pretty much one-sided. We have offered changes to appease our Democratic colleagues' concerns while still preserving the basic goal of the legislation, but the truth is, they really haven't moved much in any meaningful way.

I think the truth is that our country's long-term economic recovery from this virus depends on these liability protections in large part. Businesses doing the best they can during a worldwide emergency should not face bankruptcy because of concerns about the trial bar. I mean, who are we here working for—the American people or for lawyers who—and this isn't necessarily designed to be a criticism—who are looking out for their own economic interests first and foremost? Our view must be much broader than that, and the greatest good for the greatest number I think should be our guiding principle.

Our essential workers and institutions need to know that if they have been operating in good faith and obeying the guidelines that have been promulgated by the public health authorities, they won't be subjected to litigation, and only Congress can provide that certainty.

Now, this is not a permanent Federal takeover of State tort law by any means. It really is comparable to what we did after Y2K—or in the run up to Y2K—and also with other national

emergencies like 9/11. We have even given some protection to pharmaceutical companies, which we have asked to take risks to come up with world-class vaccines and therapies, to encourage them and to incentivize them to do that because we know it is in the public interest.

But across the country, we are already seeing these lawsuits rolling in, and without action from Congress, we are going to emerge from this pandemic only to find ourselves in not another wave of the virus but in a second wave of litigation that will be devastating for many.

In order for our country and our economy to recover, these workers and these institutions need to know that they can follow the guidelines and then safely reopen their doors and do their jobs with confidence. They need to know that if they follow these guidelines and act in good faith, they won't be subjected to perhaps business-ending litigation that could tie them up in court and drain their remaining resources dry.

As I have said, the way we reach agreements around here is through bipartisan negotiations. It took a little compromise, and neither side achieved 100 percent of what they wanted, but we eventually have gotten there. We have done that four times in the coronavirus response, and I hope we can do it again here.

I hope our Democratic colleagues will approach these negotiations with the gravity they deserve. We can't leave people waiting and wondering what their future looks like any longer if there is something we can do to provide them some safety and security and some confidence about what the future may look like.

I hope we will all work together to deliver these critical liability protections for folks across the country in all 50 States.

The PRESIDING OFFICER. The Senator from Maryland.

#### HONORING THE LIFE AND ACHIEVEMENTS OF FORMER UNITED STATES SENATOR PAUL SPYROS SARBANES

Mr. CARDIN. Madam President, I take this time, along with my colleague from Maryland, Senator CHRIS VAN HOLLEN—and I am also pleased that we are joined by Senator STABENOW and Senator REED. We take this time, on a very sad note, to announce the death of Paul Spyros Sarbanes, our former colleague in the U.S. Senate, who passed away on December 6, 2020, at the age of 87.

I first got to know Senator Sarbanes when he first ran for public office in 1966. We both were elected to the Maryland General Assembly that year, and we became good friends. Delegate Sarbanes at that point made a name for himself on the House Judiciary Committee in the Maryland General Assembly and was a rising star from his first day in the Maryland General Assembly.

He shortly thereafter ran for the House of Representatives. He served three terms in the House of Representatives with a very distinguished career. During that time, it was the time of the Watergate issues, and Congressman SARBANES was on the Judiciary Committee and was given the responsibility of the first Article of Impeachment against President Nixon. That article dealt with obstruction of justice. It was the key engagement against President Nixon on impeachment, and it is very telling that that responsibility was given to a young Member of the House of Representatives, Congressman Paul Sarbanes. It was because of his work ethic, his commitment to scholarship, and his understanding of issues that he was entrusted with that responsibility.

He then served five terms in the U.S. Senate, the longest term for any Senator in Maryland. Paul Sarbanes was known as a Senator's Senator for his integrity, for his public commitment to public service, and his strong commitment to principles. He was a Rhodes scholar who chose to serve the public rather than using his skills in the private sector for his own personal gain. His entire life was devoted to public service. What a legacy he has left us by his incredible public service.

In 2002, the Enron scandal hit America, and Chairman Sarbanes, the chairman of the Banking Committee here, teamed up with Chairman Oxley in the House to pass the Sarbanes-Oxley legislation. George W. Bush—President Bush—said it was “the most far-reaching reforms of American business practices since the time of Franklin Delano Roosevelt.” The leadership of Senator Sarbanes was deeply needed at that time, and he delivered on behalf of the American people.

Senator VAN HOLLEN and I know firsthand what Senator Sarbanes did in helping to create the Federal partnership in the Chesapeake Bay Program. It was during the time that he was the junior Senator from Maryland, along with Senator Mathias, that the two of them partnered in order to develop the Federal program for the Chesapeake Bay, and then Senator Sarbanes carried the burden of that partnership. For many years, it was through his efforts in the U.S. Senate that we were able to continue and expand the Federal partnership for the bay.

Now, those of us who live in the bay region—and I know that Senator STABENOW has heard me talk about this many times when we talk about the great water bodies. We know that the Chesapeake is the largest estuary in our hemisphere. It is the most diverse estuary, and it is a challenge because of the way that the water flows and it cleanses itself. So we started this Federal partnership—Senator Sarbanes did—and it has provided incredible dividends for the people of Maryland and the people of our Nation—indeed, the global community.

He was an expert on foreign policy. He served on the Senate Foreign Rela-

tions Committee. He was involved in the leadership of passing ratification of the Panama Canal Treaty, and there are so many other areas in which Senator Sarbanes excelled.

We all receive honors; I know that. I am just going to mention three because they were really reflective of what Senator Sarbanes accomplished during his career. He got the Paul H. Douglas Ethics in Government Award for his incredible standard of integrity and ethics; the Roth Award for extraordinary impact on policy, on economic business, and finance—his lasting legacy on the financial institutions here in America; and the Cox, Richardson, Coleman Award for distinguished public service. He was a Senator's Senator. He devoted his life to public service.

In a way, Paul Sarbanes represents the American success story. He was a son of Greek immigrants, grew up on the Eastern Shore of Maryland in Salisbury, and rose to serve in the U.S. Senate.

His lifetime partner was Christine. All of us remember Paul and Christine together. What a couple they made. What a love story it was.

There are three children. JOHN, whom we all know very well because he serves in the House of Representatives, holds the seat in the Third Congressional District. It is the same seat that Barbara Mikulski held, the same seat that I held; the same seat that Paul Sarbanes held is now being held by Paul's son JOHN, and what a great job he is doing. It is interesting that he was the leading sponsor of H.R. 1 in this Congress, which was basically the good governance legislation that passed overwhelmingly in the House, and so many other things that follow in his father's tradition.

Paul's other son Michael has had a distinguished career, and Janet, his daughter, has also had a distinguished career.

Paul had seven grandchildren. Christine predeceased Paul.

I want to just talk a moment about the partnership between Senator Sarbanes and Senator Mikulski. They had different styles. I think most people would acknowledge that from the beginning, Paul was very much stately and represented the traditional, I guess, demeanor that you would expect of a U.S. Senator. And I love Barbara Mikulski, but no one would ever accuse her of having that type of demeanor. But the two of them had an incredible relationship together. They were called the “Diner Democrats” because Paul's father's family ran a diner, and Barbara Mikulski's family ran Mikulski's Bakery, as we all know. They worked together in true partnership over so many years. It was a friendship that was really one of total trust and respect.

I had a chance to communicate with Senator Mikulski, and she, because of COVID, could not join us tonight.

Madam President, I ask unanimous consent that her statement be printed in the RECORD of these proceedings.