

One of the most important items that Congress failed to reach agreement on was funding for State and local governments. States and localities are struggling with increased costs and decreased revenues due to the pandemic. By this summer, my home State of Illinois will have lost more than \$5 billion in revenues. I can tell you that this is going to cause pain and cutbacks. This is not money that was lost in our pension system, which has its own share of troubles; it is money that was directly attributable to the downturn in revenues because of the COVID-19 pandemic. It isn't just happening in Illinois; it is happening all around the country—in red and blue States. Our neighboring State of Kentucky, to the south of us, is facing the same hardships we are.

Federal funding for States and localities needs to be done for our great cities and great States that are struggling, and I certainly hope that the next President, when he is sworn in on January 20, will take this up as one of his highest priorities. Our Nation's economic recovery is slowed down by budget cuts that will be necessary in States and localities because of this cutback in revenues.

Now, the most widely discussed measure of the COVID-19 relief bill is a second round of economic impact payments. Just yesterday, the House of Representatives passed the CASH Act, which is a measure that would increase the direct payments to individuals—adults and children—from \$600 to \$2,000 for those who earn less than \$75,000 a year. The measure passed in the House by a vote of 275 to 174. Over the past several months, we have heard time and again from economists that we run the risk of doing too little, which far outweighs the risk of doing too much when it comes to this economic recovery.

The head of the Federal Reserve, Chairman Powell, has really instructed us to keep the foot on the accelerator so that our economy doesn't slump into a recession. At a time when so many American families are laid off, unemployed, and simply struggling to get by, there is nothing more invigorating to the economy than to have a cash infusion. Those with limited resources who are battling to pay bills turn around and spend that money quickly. They don't salt it away for some future rainy day. They need it now. That is why we should seriously consider this.

By passing this enhanced measure, we can restore the American public's confidence in Washington and by the fact that we are listening and working together, on a bipartisan basis, to respond. This measure that passed the House of Representatives has the support of the President, Speaker PELOSI, House Democrats, as well as many House Republicans. Leader SCHUMER and my Senate Democratic colleagues support it. So I hope Senator MCCONNELL—the Republican leader—and his

colleagues in the Republican caucus will join us and allow us to pass this bill quickly this week. Let's step up to the plate and get this done. The American people have waited too long for this relief.

I, for one, am proud of my colleagues on both sides of the aisle for coming together and passing a meaningful relief bill, but the time for patting one another on the back is over. Let's finish the job. Let's make sure that we have this authorization bill for the Department of Defense and that we come to the rescue of our families across America who need defense against the vagaries of this pandemic and this economy. We can finally see a slight glimmer of light at the end of this tunnel. If we want to address the needs of Americans in crisis, it starts with passing this legislation.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

COMPETITIVE HEALTH INSURANCE REFORM ACT

Mr. DAINES. Mr. President, I rise today to speak about my bipartisan legislation, the Competitive Health Insurance Reform Act, which I introduced with my colleague Senator PATRICK LEAHY. This is important legislation that will protect consumers from anticompetitive practices by repealing the outdated antitrust exemption for the health insurance industry. This bill has wide bipartisan support, as well as a strong history of near-unanimous congressional consensus, having passed the House of Representatives three times, most recently this September.

In 1944, the Supreme Court ruled in *United States v. South-Eastern Underwriters* that the business of insurance was a form of interstate commerce. This meant that the health insurance industry would be subject to Federal antitrust laws under the Commerce Clause of the Constitution. The insurance industry began raising uncertainties about whether this meant that States would no longer have authority to regulate insurance. When Congress acted to reaffirm this State authority, in the McCarran-Ferguson Act, the insurance industry managed to add a last-minute special-interest loophole that exempted the business of insurance from Federal antitrust laws.

It has become clear that this antiquated exemption has effectively given insurance companies the power to collude to drive up prices, restrict competition, and deny consumers choice. The large health insurance companies of today have taken advantage of this exemption to abuse the market and ar-

tificially inflate healthcare costs. As a result, consumers are paying higher prices to get basic healthcare services, which couldn't be a worse outcome in the middle of a major pandemic.

I recognize concerns have been raised about whether this legislation might impair or create uncertainty regarding the authority of State insurance regulators. I appreciate hearing from all stakeholders and wish to put those concerns to rest by making clear the intent and scope of the bill. This legislation merely amends a peripheral provision of the McCarran-Ferguson Act containing an antiquated exemption from Federal antitrust laws as it applies to health insurance companies. It does not in any way interfere with, supersede, or abrogate the authority provided and guaranteed by the McCarran-Ferguson Act to State insurance regulators to regulate the health insurance industry.

This legislation would ensure that health insurance companies would be subject to Federal antitrust laws in the same way as the rest of the American economy, including other regulated sectors. Most importantly, as this bill does not disturb any of the authority provided to State insurance regulators under the McCarran-Ferguson Act, it does not empower Federal authorities to interfere with, supersede, or prevent states from regulating the health insurance industry however they see fit.

Simply put, this legislation would give the Department of Justice and the Federal Trade Commission authority to apply antitrust laws to anticompetitive practices in the health insurance industry. Furthermore, it is the intent of the authors of this legislation that the DOJ and FTC notify and work with states on investigations they have received or are undertaking that involve health insurance entities in their state.

The Competitive Health Insurance Reform Act will restore full transparency, promote oversight, and encourage competition within the health insurance industry. I look forward to this legislation being signed into law by the President.

Ms. COLLINS. Mr. President, I appreciate Senator DAINES joining me to clarify the intent of the Competitive Health Insurance Reform Act of 2019. This legislation, which Senator DAINES has introduced with Senator LEAHY, would modify the McCarran-Ferguson Act by eliminating the health insurance industry's exemption from Federal antitrust laws. That sounds like a good idea, but it has implications for longstanding State regulation of the insurance industry.

States have had the primary responsibility for the regulation of health insurance since the 1940s. Given my past experience as commissioner of Maine's Department of Professional and Financial Regulation, I know firsthand that State insurance regulators do a good job of responding to the needs and concerns of their insurance consumers. To protect consumers, State insurance

regulators hold probing hearings on rate requests which often lead to lower rates being approved. Most State insurance regulators have consumer protection advocates who resolve disputes between insurers and individual consumers. State regulators do not tolerate unfair or anticompetitive practices. As the National Association of Insurance Commissioners wrote to the leaders of the Senate and the Senate Judiciary Committee, "The potential for bid rigging, price-fixing and market allocation is of great concern to state insurance regulators and we share your view that such practices would be harmful to consumers and should not be tolerated. However, we want to assure you that these activities are not permitted under state law. Indeed, the state insurance regulators in all states actively enforce their antitrust rules and review rates to ensure they are actuarially justified, sufficient for solvency and nondiscriminatory."

Based on this experience, I have consistently raised concerns about legislation that could interfere with the current State-level regulation of insurance and could ultimately harm Maine consumers and smaller insurers. These concerns extend to the Competitive Health Insurance Reform Act.

While the bill does not directly modify the portion of McCarran-Ferguson that affirms State regulatory authority, it, however, does add a layer of Federal review, and we need to ensure that in doing so we do not create increased confusion, cost, and possible conflicts between State and Federal efforts.

This is why it is very important to make clear Congress's intent that along with the changes specified in the bill, it is Congress's expectation that the Department of Justice and the Federal Trade Commission must notify State bureaus of insurance and attorneys general of any complaints or investigations they have received or are performing that involve entities in their state. I appreciate Senator DAINES' willingness to join me today to ensure this intent is clearly stated in the CONGRESSIONAL RECORD.

Given the agreement to provide formal clarification of the expectation that DOJ and FTC shall provide notification to States regarding complaints or investigations they have received or are performing, I will withdraw my objection to passage of this legislation.

Thank you.

CONFIRMATION OF ERIC J. SOSKIN

Mr. PETERS. Mr. President, for over 40 years, inspectors general have acted as independent, nonpartisan watchdogs tasked with preventing and uncovering fraud, waste, and abuse in the Federal Government. Simply put, inspectors general make sure government is doing what it's supposed to do. To accomplish this immense task, inspectors general must be experienced in oversight, trusted by both political parties,

and ready to hit the ground running on any audits, investigations, and other reviews of their agencies.

Unfortunately, the nominee for inspector general that we considered last week does not meet this basic test.

The Department of Transportation is charged with ensuring that America has the safest, most efficient and modern transportation system in the world, so that Americans are able to travel safely and efficiently by road, rail, or air. The Department has an annual budget of over \$87 billion and employs over 55,000 personnel, with a footprint in every State.

The DOT inspector general must be ready to oversee the full range of these activities, from every dollar that funds our highways to every safety decision issued by DOT regulators. To meet this task, the office employs over 400 personnel, with an annual budget of over \$94 million.

Eric Soskin, the nominee for DOT inspector general, is not qualified to oversee an agency of this size and scope, or to lead the activities of one of the largest Offices of Inspector General in the Federal Government. Mr. Soskin does not have any experience managing large organizations. He has never worked in an Office of Inspector General, and he does not have experience in many of the basic activities of such an office, like audits or inspections. Although he has legal experience, he has not focused on DOT or transportation issues at any point in his career.

While I appreciate Mr. Soskin's service at the Department of Justice and his enthusiasm for the position, he simply lacks the qualifications to ensure DOT is fulfilling its responsibilities.

I am most troubled, however, by the increasing politicization of inspectors general by the President and by the majority.

Since 1981, this body has confirmed over 150 inspectors general; until last week, all but two of these nominees had been confirmed by unanimous consent, a voice vote, or a unanimous vote. The reason for this is simple: To do their jobs, inspectors general must be trusted by each member of Congress and by every American, regardless of political party.

Until this Congress, when an inspector general has faced significant opposition, the Senate either worked through any concerns or declined to advance the nomination. The majority did not force through partisan or unqualified nominees. That is how we have upheld this institution. That is how we have maintained trust in the independence, qualifications, and integrity of inspectors general.

This Congress, we held our first party-line vote in 40 years to confirm a deeply partisan inspector general nominee. We have now confirmed yet another inspector general on a party-line vote during a lameduck session, with a nominee who was already rejected by nearly half of the Commerce

Committee and as well as on the Senate floor.

The inspector general is a position that continues across administrations. It is one with tremendous authority to look at every agency record, to interview any employee, and to carry out criminal investigations. We cannot transform this institution into one of Democratic inspectors general and Republican inspectors general. This is not and cannot become a political position.

Inspectors General hold government accountable to the law and to the American people. And it is our responsibility to protect this institution and reject any nomination that will undermine their independent, nonpartisan work.

MESSAGES FROM THE HOUSE RECEIVED DURING ADJOURNMENT

ENROLLED BILLS SIGNED

Under the authority of the order of the Senate of January 3, 2019, the Secretary of the Senate, on December 22, 2020, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker pro tempore (Mr. BEYER) had signed the following enrolled bills:

H.R. 1240. An act to preserve United States fishing heritage through a national program dedicated to training and assisting the next generation of commercial fisherman.

H.R. 4031. An act to amend the Federal Water Pollution Control Act to reauthorize the Great Lakes Restoration Initiative, and for other purposes.

H.R. 5458. An act to modify the boundary of the Rocky Mountain National Park, and for other purposes.

H.R. 5852. An act to redesignate the Weir Farm National Historic Site in the State of Connecticut as the "Weir Farm National Historical Park".

H.R. 6535. An act to deem an urban Indian organization and employees thereof to be a part of the Public Health Service for the purposes of certain claims for personal injury, and for other purposes.

H.R. 7460. An act to extend the authority for the establishment by the Peace Corps Commemorative Foundation of a commemorative work to commemorate the mission of the Peace Corps and the ideals on which the Peace Corps was founded, and for other purposes.

Under the authority of the order of the Senate of January 3, 2019, the enrolled bills were signed on December 24, 2020, during the adjournment of the Senate, by the Acting President pro tempore (Mr. BLUNT).

ENROLLED BILL SIGNED

Under the authority of the order of the Senate of January 3, 2019, the Secretary of the Senate, on December 24, 2020, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker pro tempore (Mr. BEYER) had signed the following enrolled bill:

H.R. 133. An act making consolidated appropriations for the fiscal year ending September 30, 2021, providing coronavirus emergency response and relief, and for other purposes.