



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 116th CONGRESS, SECOND SESSION

Vol. 166

WASHINGTON, MONDAY, SEPTEMBER 21, 2020

No. 163

Senate

U.S. SENATE,

PRESIDENT PRO TEMPORE,

Washington, DC, September 21, 2020.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JOSH HAWLEY, a Senator from the State of Missouri, to perform the duties of the Chair.

CHUCK GRASSLEY,

President pro tempore.

Mr. HAWLEY thereupon assumed the Chair as Acting President pro tempore.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

REMEMBERING JUSTICE RUTH BADER GINSBURG

Mr. McCONNELL. Mr. President, our Nation is mourning the end of an exceptional American life. Justice Ruth Bader Ginsburg meant so much to our country.

First and foremost, she was a brilliant, generational legal mind who climbed past one obstacle after another to summit the very pinnacle of her profession.

Justice Ginsburg was a fixture on our Nation's highest Court for more than a quarter of a century. She was not just a lawyer—no, not just a lawyer—but a leader. From majority opinions to impassioned dissents, her life's work will not only continue to shape jurisprudence but also enlighten scholars and students for generations.

By all accounts, Justice Ginsburg loved her work because she loved the law. In a more ordinary life story, her courage and continued excellence in

the face of multiple serious illnesses would itself be the heroic climax rather than just one more remarkable chapter among so many.

On the Court, Justice Ginsburg was a universally admired colleague. It is no wonder that many Americans have taken particular comfort these past days in remembering her famous friendship with her ideological opposite, the late Justice Scalia.

Together, they made sure the halls of justice also rang with laughter and comedy. They rarely sat on the same side of a high-profile decision, but they still sat together at the opera and most any other time they could manage to be together.

The legal world is mourning a giant, but Justice Ginsburg's fellow Justices, a legion of loyal law clerks, and countless many others are mourning a close friend or a mentor. The Senate sends condolences to them all.

Yet Justice Ginsburg's impact on American life went deeper still. Friday's loss feels personal to millions of Americans who may never have made her acquaintance.

Justice Ginsburg was a spirited, powerful, and historic champion for American women to a degree that transcends any legal or philosophical disagreement. As she climbed from the middle-class, Brooklyn, Jewish roots, of which she was so proud, into the most rarefied air of law and government, the future Justice had to surmount one sexist obstacle after another.

Justice Ginsburg did not only climb the mountain; she blazed the trail. Through deeds, through words, and simply through her example, she helped clear away the cobwebs of prejudice. She opened one professional door after another and made certain they stayed open behind her.

Directly or indirectly, she helped entire generations of talented women build their lives as they saw fit and enrich our society through professional

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal God, who has given us the gift of life, consecrate with Your presence the way our lawmakers work today. Since they don't know what a day will bring, help them to strive to serve You in faithfulness each moment. In all things, draw their minds to the goal of seeking to please You. As they draw near to You, illuminate their paths with Your wisdom and grace. Lord, show them how to unselfishly serve Your great purposes for humanity, proving themselves worthy of Your manifold blessings.

And, Lord, as millions mourn Supreme Court Justice Ruth Bader Ginsburg's death, send the solace of Your comfort.

We pray in Your unifying Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. GRASSLEY).

The bill clerk read the following letter:

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



Printed on recycled paper.

S5719

work. Law and politics aside, no friend of equality could fail to appreciate Justice Ginsburg's determination.

Finally, while Justice Ginsburg relished forceful writing and detailed argument, she was also, in important ways, a uniter. In recent years, many who consider themselves her admirers and might wish to claim the Justice for their political "side" have come to embrace reckless proposals to politicize the very structure of the Court itself. But Justice Ginsburg remained unswerving in her public commitment to preserving the neutral foundation of the institution she loved.

The entire Senate is united in thinking of and praying for Justice Ginsburg's family—most especially her daughter Jane, her son James, her grandchildren, step-grandchildren, great-granddaughter, and everyone who called her their own.

SUPREME COURT NOMINATIONS

Mr. MCCONNELL. Mr. President, President Trump's nominee for this vacancy will receive a vote on the floor of the Senate. Now, already, some of the same individuals who tried every conceivable dirty trick to obstruct Justice Gorsuch and Justice Kavanaugh are lining up—lining up—to proclaim that the third time will be the charm.

The American people are about to witness an astonishing parade of misrepresentations about the past, misstatements about the present, and more threats against our institutions from the same people who have already been saying for months—well before this—that they want to pack the Court.

Two years ago, a radical movement tried to use unproven accusations to ruin a man's life because they could not win a vote fair and square. Now they appear to be readying an even more appalling sequel. This time the target will not just be the presumption of innocence for one American but our very governing institutions themselves.

There will be times in the days ahead to discuss the naked threats that leading Democrats have long been directing at the U.S. Senate and the Supreme Court itself. These threats have grown louder, but they predate this vacancy by many months. There will be time to discuss why Senators who appear on the steps of the Supreme Court and personally threaten Associate Justices if they do not rule a certain way are ill-equipped to give lectures on civics, but today let's dispense with a few of the factual misrepresentations right at the outset.

We are already hearing incorrect claims that there is not sufficient time to examine and confirm a nominee. We can debunk this myth in about 30 seconds. As of today, there are 43 days until November 3 and 104 days until the end of this Congress.

The late, iconic Justice John Paul Stevens was confirmed by the Senate

19 days after this body formally received his nomination—19 days from start to finish. Justice Sandra Day O'Connor, another iconic jurist, was confirmed 33 days after her nomination. For the late Justice Ginsburg herself, it was just 42 days.

Justice Stevens' entire confirmation process could have been played out twice between now and November 3, with time to spare, and Justice Ginsburg herself could have been confirmed twice between now and the end of the year, with time to spare.

The Senate has more than sufficient time to process a nomination. History and precedent make that perfectly clear.

Others want to claim that this situation is exactly analogous to Justice Scalia's passing in 2016 and so we should not proceed until January. This is also completely false.

Here is what I said on the Senate floor the very first session day after Justice Scalia passed: "The Senate has not filled a vacancy arising in an election year when there was divided government since 1888, almost 130 years ago."

Here is what I said the next day, when I spoke to the press for the first time on the subject: "[You] have to go back to 1888, when Grover Cleveland was President, to find the last time a vacancy created in a Presidential election year was approved by a Senate of a different party."

As of then, only six prior times in American history had a Supreme Court vacancy arisen in a Presidential election year and the President sent a nomination that year to a Senate of the opposite party. The majority of those times, the outcome was exactly what happened in 2016—no confirmation—the historically normal outcome when you have divided government.

President Obama was asking Senate Republicans for an unusual favor that had last been granted nearly 130 years before then, but voters had explicitly elected our majority to check and balance the end of his Presidency. So we stuck with the basic norm.

And, by the way, in so doing, our majority did precisely what Democrats have indicated they would do themselves. In 1992, Democrats controlled the Senate opposite President Bush 41. Then-Senator Joe Biden chaired the Judiciary Committee. Unprompted—unprompted—he publicly declared that his committee might refuse to cooperate if a vacancy arose and the Republican President tried to fill it.

In 2007, Democrats controlled the Senate opposite President Bush 43, and with more than a year and a half left in President Bush 43's term, the current Democratic leader declared that "except in extraordinary circumstances," the opposite-party Senate should boycott any further confirmations to the Supreme Court. That is the current Democratic leader a year and a half before the end of the Bush administration. So in 2016 Senate Republicans did

not only maintain the historical norm. We also ran the Biden-Schumer playbook.

When voters have not chosen divided government, when the American people have elected a Senate majority to work closely with the sitting President, the historical record is even more overwhelming in favor of confirmation. Eight such times in our Nation's history, new vacancies have arisen and Presidents have made nominations, all during the election year. Seven of the eight were confirmed, and the sole exception, Justice Abe Fortas, was a bizarre situation including obvious personal corruption that extended into financial dealings.

Apart from that one strange exception, no Senate has failed to confirm a nominee in the circumstances that face us right now. Aside from that one strange exception, no Senate has failed to confirm a nominee in the circumstances that face us right now. The historical precedent is overwhelming, and it runs in one direction. If our Democratic colleagues want to claim they are outraged, they can only be outraged at the plain facts of American history. There was clear precedent behind the predictable outcome that came out of 2016, and there is even more overwhelming precedent behind the fact that this Senate will vote on this nomination this year.

The American people reelected our majority in 2016. They strengthened it further in 2018 because we pledged to work with President Trump on the most critical issues facing our country. The Federal judiciary was right at the top of the list.

Ironically, it was the Democratic leader who went out of his way to declare the midterm 2018 elections a referendum on the Senate's handling of the Supreme Court. My friend, the occupant of the Chair, was running that year. The Democratic leader went out of his way to declare the 2018 midterms a referendum on the Senate's handling of the Supreme Court.

In his final speech before Justice Kavanaugh was confirmed, he yelled—literally, yelled—over and over at the American people to go vote. He told Americans to go elect Senators based on how they had approached their advice-and-consent duties over these weeks. Unfortunately for him, many Americans did just that. After watching the Democrats' tactics, voters grew our majority and retired four—four—of our former colleagues who had gone along with their party's behavior.

We gained two seats. They lost four. That was the issue. Perhaps more than any other single issue, the American people strengthened this Senate majority to keep confirming this President's presumptive judicial nominees who respect our Constitution and understand the proper role of a judge.

In 2014, the voters elected our majority because we pledged to check and balance a second-term, lame-duck President. Two years later, we kept our word.

In 2018, the voters grew that majority on our pledge to continue working with President Trump, most especially on his outstanding judicial appointments. We are going to keep our word once again. We are going to vote on this nomination on this floor.

MEASURE PLACED ON THE CALENDAR—S. 4618

Mr. MCCONNELL. Mr. President, I understand there is a bill at the desk due a second reading.

The ACTING PRESIDENT pro tempore. The clerk will read bill by title for the second time.

The bill clerk read as follows:

A bill (S. 4618) making emergency supplemental appropriations for disaster relief for the fiscal year ending September 30, 2020, and for other purposes.

Mr. MCCONNELL. In order to place the bill on the calendar under the provisions of rule XIV, I would object to further proceedings.

The ACTING PRESIDENT pro tempore. Objection having been heard, the bill will be placed on the calendar.

Mr. MCCONNELL. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Democratic leader is recognized.

REMEMBERING JUSTICE RUTH BADER GINSBURG

Mr. SCHUMER. Mr. President, in the Jewish tradition, only a person of great righteousness dies at the end of the year, near Rosh Hashanah, because God determined that they were needed until the very end. On Friday evening, shortly after the sundown on the eve of the Jewish New Year, we learned that Supreme Court Justice Ruth Bader Ginsburg—a woman of great righteousness, a woman of valor—passed away.

She was many things to many people: a brilliant mind, a quick wit, a lover of the opera, a friend, a colleague, a workout guru, a feminist icon. She might be the only Supreme Court Justice to become a meme. What began as a joke, “the Notorious RBG”—likening a legendary rapper to an octogenarian jurist—struck a chord of deep resonance in American society because Ruth Bader Ginsburg was, in fact, a rebellious force to be reckoned with.

In a male-dominated legal establishment that wasn’t waiting for someone

like Ruth to shake up the system, she elbowed her way through. Her brains, her strength, her fortitude changed the world for women long before the rest of the world caught up.

Over the course of two decades, as an academic and general counsel for the ACLU, Ruth worked to challenge the foundations of the legal system that had long treated women as a group that had to be “protected”—and thus excluded—from full participation in American life. Not only did she reverse those laws and convince the majority of the Supreme Court that the Constitution forbids discrimination on the basis of sex, she was a living, breathing example of how absurd an idea it ever was that women needed additional protections.

And when she got to the Court, she ruled in a manner that brought the same equality and justice to so many different people, from all walks of life.

The daughter of Russian immigrants who came to this country like my own grandparents, Ruth went to the same high school as I did in Brooklyn, NY—James Madison High School—two decades before I did. I followed her career and her ascent to the bench with that special pride you feel watching someone from your neighborhood make a great difference in the world. The fact that at the end of her long life and illustrious career, young women, and indeed young men across America, looked at Ruth Bader Ginsburg with the same sense of pride and hope and sometimes adoration, gives me great hope.

May she forever rest in peace.

SUPREME COURT NOMINATIONS

Mr. SCHUMER. Mr. President, now, Justice Ginsburg’s death leaves a vacancy on the Supreme Court with only 44 days left before a national election that could result in a different President—a vacancy that could determine the future of the Supreme Court for generations and make rulings that touch every aspect of American life.

Reporters will no doubt cover the political machinations here in Washington, but for hundreds of millions of Americans, this vacancy on the Supreme Court puts everything—everything—on the line.

Americans’ right to healthcare hangs in the balance. President Trump is pursuing a lawsuit which would eliminate protections for more than 130 million Americans with preexisting conditions, send drug prices soaring for seniors on Medicare, and take health insurance away from tens of millions of people. He will nominate a Justice that would ensure that result in a Supreme Court case that will be argued only a few weeks after election day.

A woman’s fundamental, constitutional right to make her own medical decisions—to control her own body, her right to choose—hangs in the balance. The right of workers to organize and collectively bargain for fair wages at a

time of growing income inequality hangs in the balance. The future of our planet, environmental protections, and the possibility of bold legislation to address climate change hang in the balance. Voting rights and the right of every American citizen to have a voice in our democracy hang in the balance. The stakes of this election, the stakes of this vacancy concern no less than the future of fundamental rights of the American people.

I was with my daughter and her wife to celebrate the Jewish New Year, and they thought to themselves and mentioned at the table: Could their right to be married, could marriage equality, be undone?

Those are questions hundreds of millions of Americans are asking about things near and dear to them as this nomination hangs in the balance. That is what it is all about—all the rights enshrined in our Constitution that are supposed to be protected by the Supreme Court of the United States; all the rights that could be undone or unwound by a conservative majority on the Court; the right to join a union, marry whom you love, freely exercise your right to vote; the right of a parent with a child who has cancer not to watch, helpless, as their son or daughter suffers without proper healthcare.

If you care about these things and the kind of country we live in, this election and this vacancy mean everything. And by all rights, by every modicum of decency and honor, Leader MCCONNELL and the Republican Senate majority have no right to fill it—no right.

In the final few weeks, sensing her failing health, Justice Ginsburg told her family that it was her “most fervent wish that [she] not be replaced until a new president is installed.”

That was Justice Ruth Bader Ginsburg’s dying wish—her most fervent wish—that she should not be replaced until a new President is installed.

The Senate Republican majority should have no problem adhering to Justice Ginsburg’s dying wish. Leader MCCONNELL held a Supreme Court vacancy open for nearly a year in order to “give the people a voice” in selecting a Supreme Court Justice.

I just heard the remarks of the Republican leader, and it is obvious why he is so defensive.

This is what Leader MCCONNELL said in 2016, mere hours after the death of Justice Scalia. His words:

The American people should have a voice in the selection of their next Supreme Court Justice. Therefore, this vacancy should not be filled until we have a new president.

No amount of sophistry can change what MCCONNELL said then. And it applies even more so now—more so—so much closer we are to an election.

In an op-ed on February 18, 2016, with Senator GRASSLEY, Leader MCCONNELL wrote: “Given that we are in the midst of a presidential election process, we believe that the American people should seize the opportunity to weigh

in on whom they trust to nominate the next person for a lifetime appointment to the Supreme Court.”

In the midst of an election process, February before the election, but now we are not? Now these words don't apply? It doesn't pass the smell test in any way. No wonder Leader MCCONNELL was so defensive in his comments.

At a press conference on March 1, 2016, Leader MCCONNELL said that “we will look forward to the American people deciding who they want to make this appointment through their own votes.”

And on the floor, March 16, 2016, MCCONNELL said that “our view is this: give the people a voice in the filling of this vacancy.”

That was 8 months—more than 8 months from a national election. This is 44 days. The Senate has never confirmed a nominee to the Supreme Court this close to a Presidential election.

If that was how Leader MCCONNELL and Senate Republicans justify their mindless obstruction of President Obama's nominee, surely they must abide by their own standard. What is fair is fair. What is fair is fair. A Senators' word must count for something.

Senator MCCONNELL has come to the floor numerous times to say that “your word is the currency of the realm in the Senate.” That quote: “It is important for all Senators to keep their word, but it is particularly important for the majority leader.”

Leader MCCONNELL said those things.

My friend, the distinguished chairman of the Judiciary Committee, sensed that this situation might arise and made it crystal clear how he would behave if the shoe were on the other foot. He said:

I want you to use my words against me.

If there's a Republican president in 2016 and a vacancy occurs in the last year of the first term, you can say Lindsey Graham said let's let the next president, whoever it might be, make that nomination.

He reiterated that view less than 2 years ago and encouraged the audience to “hold the tape” for exactly this situation.

No wonder Americans have so little faith in governing and in this Senate led by the Republican majority. We now know the entire thing was a farce, not a shred of credibility to those arguments. We have the exact scenario that Chairman GRAHAM talked about—a Republican President and a Supreme Court vacancy in the last year of the first term. Indeed, it is almost the last month of his first term.

“I want you to use those words against me,” he said. “You can say LINDSEY GRAHAM said the next president, whoever it might be, should make the nomination.”

Well, here we are. And despite these words, despite their supposedly noble principle that the American people should have a voice in the decision of the next Supreme Court Justice, President Trump, Leader MCCONNELL, and

Chairman GRAHAM have already announced they will ignore their own standard and will rush to confirm a new Justice before the next President is installed—a Justice that could tear down Justice Ginsburg's life's work and other critical laws, like the Affordable Care Act.

The kind words and lamentations we just heard from the majority leader about Justice Ginsburg are totally empty, totally meaningless if he moves to appoint someone who will tear down everything Justice Ginsburg built.

Leader MCCONNELL put the Senate on “pause” for over 4 months while COVID-19 devastated our country, but now he will move Earth and Heaven, and ignore all principle and consistency, to install a new Supreme Court Justice who could rip away Americans' healthcare in the middle of a pandemic.

Leader MCCONNELL and Chairman GRAHAM have made a mockery of their previous position. They seem ready to show the world their word is simply no good. It is enough to make your head explode. And then to hear Leader MCCONNELL up on the floor trying to defend this—pathetic, pathetic.

Why even bother instructing a pretense for your position? Why say it is this rule or that rule and then do the exact opposite when it suits your interests? Why not just come to the floor and say: I'm going to do whatever is best for my political party. Consistency be damned. Reason be damned. Democracy be damned.

Just admit it. There is no shaping the cravenness of this position. But over the course of the debate, I know the Republican leadership is going to try. We are going to hear some crazy things from the other side to defend the indefensible and justify this unjustifiable power grab. We heard some of it already, a few minutes ago.

We are going to hear a series of preposterous arguments; that it somehow has to do with the orientation of the Senate and Presidency, as if that constitutes some legitimate principle. We will hear that Republicans have to do it because Democrats will do far worse, unnamed things in the future.

Some—some—few on that side will at least have the dignity of putting their head down and plowing through with it because they know there is no reason—no reason, no argument, no logic—to justify flipping your position 180 degrees and calling it some kind of principle. It is not. It is utterly craven, an exercise in raw political power and nothing more.

I worry. I worry for the future of this Chamber if the Republican majority proceeds down this dangerous path.

If a Senate majority over the course of 6 years steals two Supreme Court seats using completely contradictory rationales, how could we expect to trust the other side again?

How can we trust each other if, when push comes to shove and when the stakes are the highest, the other side

will double-cross their own standards when it is politically advantageous? Tell me how. Tell me how this would not spell the end of this supposedly great deliberative body because I don't see how.

There is only one way for this Chamber to retain its dignity through this difficult chapter. There is only one way for us to have some hope of coming together again, trusting each other again, lowering the temperature moving forward, and that is for four brave Senate Republicans to commit to rejecting any nominee until the next President is installed. That was Justice Ginsburg's dying wish. It may be the Senate's only last hope.

I yield the floor.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The ACTING PRESIDENT pro tempore. 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 Edward Hulvey Meyers, of Maryland, to be a Judge of the United States Court of Federal Claims for a term of fifteen years.

The ACTING PRESIDENT pro tempore. The Senator from Vermont.

REMEMBERING JUSTICE RUTH BADER GINSBURG

Mr. LEAHY. Mr. President, I am here with an incredibly heavy heart. Justice Ruth Bader Ginsburg—a tireless, legendary champion of equality who reshaped our society for the better—passed away on Friday, the first eve of Rosh Hashanah. Adherents of the Jewish faith believe that a person who passes away during the High Holidays is a person of great righteousness. Truer words could not be spoken of Justice Ginsburg. Standing just over 5 feet tall, she was a giant among us, a moral beacon whose life and legacy have inspired millions of Americans to do their part to bring upon a more perfect and just union. We are all forever indebted to her.

The Brooklyn-born daughter of working-class Jewish parents, the young girl who would become just the second woman to serve on the Supreme Court knew from early on she had to fight for a place in the world. And what a fighter she was.

When she entered Harvard Law School in 1956, just 1 of 9 women in a class of over 500, the United States was truly a man's world. Women were expected to stay home and out of the workplace. Even when they had jobs, they could be fired for getting pregnant

and they otherwise earned barely half of what men earned for the same work. Women couldn't get credit cards without their husband's consent. As Justice Ginsburg remarked some years later, these and other gender-based rules helped to "keep women not on a pedestal, but in a cage."

Justice Ginsburg refused to accept the status quo. She believed unwaveringly that equal justice under law fundamentally required gender equality. When she joined the ACLU's Women's Rights Project in the early 1970s, she waged a systematic legal campaign against gender discrimination, and she ultimately won five out of six of the cases she took to the Supreme Court. She eloquently and incisively convinced the then all-male Court to see—and strike down—the visible and invisible lines that kept the genders unequal.

In *Reed v. Reed*, she convinced the Supreme Court for the very first time that the Equal Protection Clause of the 14th Amendment barred discrimination on the basis of sex, enshrining constitutional protections for generations of women and men. During oral arguments, she spoke quietly yet confidently, piercing through dense legal arguments with moral clarity.

In *Frontiero v. Richardson*, in which she convinced the Court to end gender discrimination in the administration of military benefits, her words resonate powerfully today. She said:

In asking the Court to declare sex a suspect criterion . . . "I ask no favor for my sex. All I ask of our brethren is that they take their feet off our necks."

Within a few short years, Justice Ginsburg had already empowered millions of American women through her zealous advocacy, granting them more autonomy over their lives, their bodies, and their careers. She was widely hailed as the Thurgood Marshall of women's rights. She could have simply rested on her laurels from that point forward.

She was just getting started. In 1980, President Carter nominated her to be an appellate judge on the DC Circuit. I was so proud to vote for her confirmation back then, 40 years ago. There she developed a reputation as a pragmatic consensus seeker, often finding common ground and building friendships with conservative judges. One of the best known of those friendships was hers and Justice Antonin Scalia.

It was no surprise that in 1993, President Bill Clinton selected Ruth Bader Ginsburg to be Justice of the Supreme Court. He called her—and I am rather proud to say that she and her husband were visiting Vermont, my home State, when she received the call. I still vividly remember her confirmation hearings before the Senate Judiciary Committee as head Judiciary of the committee. She was the embodiment of humility and grace and strength and wisdom. She endured 4 long days of, at times, intense questioning from Senators of both sides of the aisle. Never

once did she lose her poise. I remember that so well. I thanked her for fighting for a world in which my daughter would have opportunities equal to those of my two sons. Unsurprisingly, she was confirmed by a 96-to-3 vote, becoming just the second woman to ascend to our Nation's highest Court. My vote for her confirmation to the Supreme Court is among the most consequential and impactful I have cast as a Senator.

This weekend, my wife Marcelle and I drove here to the Capitol. We walked over to the Supreme Court. We saw all the people around writing notes in chalk on the sidewalk, praising her, leaving flowers, leaving pictures. I really was struck by the number of teenagers and people probably in their early twenties who were just standing there sadly. I talked to a couple. We were all wearing our masks. I am sure they had no idea who I was. I talked to them. They all said in one word or another: She was our inspiration.

I think of my own daughter when, a year ago, Justice Ginsburg was being honored by a congressional group against cancer. She asked my wife to introduce her. My wife is a cancer survivor. My wife brought our daughter as her guest, and they sat there. My daughter has told me so many times that it was one of the most meaningful times in her life to sit with a woman who had always been her hero. Marcelle and I just stood there in silence and thought of the memories of the times we had been with her and what she has done for this country.

Over the course of nearly three decades, Justice Ginsburg secured a place as one of the most ardent defenders of equal rights for all Americans in Supreme Court history. She never tired of being a voice for the voiceless. She always tried to use her power—her power—to uplift the powerless. She authored the landmark majority opinion in *United States v. Virginia*, which struck down the Virginia Military Institute's male-only admissions policy as being unconstitutional. Her words still read like a treatise on what equality must mean in America: Laws or policies are "presumptively invalid," she wrote, if they "den[y] to women, simply because they are women, equal opportunity to aspire, achieve, participate in, and contribute to society." I think of my wife and my daughter, and I think of my three wonderful granddaughters.

Even when she was in the minority, Justice Ginsburg did not go quietly. She always left an impact. In the Lilly Ledbetter case, where the majority ruled the claim of unequal pay was barred by an arbitrary statute of limitations, Justice Ginsburg retorted that the majority "does not comprehend, or is indifferent to, the insidious way in which women can be victims of pay discrimination." She urged Congress to correct the Court's "parsimonious reading." Two years later, we did just that. We passed the Lilly Ledbetter

Fair Pay Act, a copy of which she proudly hung in her chambers. It is a bill that I was so proud to help bring to fruition on the floor of this body.

In *Shelby County v. Holder*, the disastrous decision to validate key provisions of the Voting Rights Act, Justice Ginsburg's dissent spoke truth to power. She wrote that throwing out key provisions of the Voting Rights Act "when it has worked . . . to stop discriminatory changes is like throwing away your umbrella in a rainstorm because you are not getting wet."

Of course, Justice Ruth Bader Ginsburg was right. Since that decision, we have witnessed a torrent of voter suppression laws because the Supreme Court did not listen to her. That is why I championed the bipartisan John Lewis Voting Rights Advancement Act to restore the Voting Rights Act. These drives for change, and many others, often began with two words from the Justice wearing the bejeweled collar: "I dissent."

All the greatness of Justice Ginsburg was matched in spades by her authentic goodness. I will always remember the Action for Cancer Awareness event I mentioned earlier that she and my wife Marcelle spoke at together last year. She was so genuinely kind to Marcelle, to me, and to all the people she interacted with. She loved people, so it is not surprising they loved her right back. It is not surprising. We saw tears in people who knew her and didn't know her as we stood in front of the Supreme Court this weekend.

Justice Ginsburg became a beloved cultural icon, inspired books, movies, and even "Saturday Night Live" skits. Some of us did tease her about that, and she took it all in good humor. Her dogged public battle with cancer and her can-do attitude—in fact, she missed less than a handful of arguments despite her yearslong illness—inspired millions across the world. She gave hope to people she would never see and never meet, but they felt they knew her, and she gave them hope. Through it all, she never lost her humility.

When asked how she would like to be remembered, Justice Ginsburg simply said: "Just as someone who did whatever she could, with whatever limited talent she had, to move society along in the direction I would like it to be for my children and grandchildren."

I am proud to stand on the floor of the Senate, as dean of this body, and say with certainty that she is going to be remembered for that and for so much more. She will be remembered long after any of us are.

This incredible life and legacy should be the only story of today. Sadly, that is not the case. Instead of celebrating her life and her many contributions to our society, President Trump and the majority leader have forced our attention to turn to her vacancy on the Court days before she has even been laid to rest.

In fact, immediately after the news of her passing, Senator MCCONNELL announced that he would rush to replace

her on the Court. Even as her family was standing there, mourning her, he made that announcement. He tossed aside all precedents and principles and declared his intent to ram through a nominee no matter the cost. Despite all of Senator MCCONNELL's talk and promises 4 years ago—that, when a vacancy arises 269 days before a Presidential election, the American people should have a voice in deciding which President fills that vacancy, which is what he said when President Obama was the President—the majority leader is doing everything he can today to deny the American people a voice and, this time, with not 269 days but just 42 days remaining before a Presidential election.

Seeking a fig leaf of institutional cover, the leader is trying to conjure up yet another rule today that, essentially, there was an unspoken exception to everything he promised in 2016. I guess I didn't hear that unspoken exception. Apparently, the American people do not get a voice when the White House and Senate are under the control of the same party.

Pay no attention to the fact that this contradicts everything Leader MCCONNELL and many other Republicans claimed to believe ad nauseam for 10 months in 2016. Yet even this desperate hair splitting falls flat on its face. If the majority leader's 2016 rule to let the American people decide only applies when there is a divided government, then the unprecedented 10-month blockade of Merrick Garland contradicted the confirmation of Justice Kennedy by a Democratic Senate during the election year of 1988. As did virtually every other Democrat, I was one who voted for this Republican nominee.

The majority leader's abrupt about-face is not about following precedent, and it certainly isn't about principle. The blatant hypocrisy—and the belief that norms and principles apply only to the other party or apply only when nothing is at stake—is the result of something even more insidious. It is the direct result of the President's and the majority leader's wanting to bend the courts to their will no matter the cost—no matter the cost for the Senate and, certainly, no matter the cost for all of our courts across the country.

I will have much more to say about this. Make no mistake, the actions that we take during these waning days of the Trump administration will forever stain or redeem this institution in which we proudly serve depending on whether we go along with this or not. The 100 Members of this body represent 330 million Americans. We are entrusted to act in their best interests. Through our actions in the weeks ahead, we risk forever eroding the American people's trust and faith in our independent judiciary, and our actions will have a lasting impact for good or for ill on every American's most basic rights—the rights of equality and fairness—that Justice Ginsburg spent her lifetime securing.

We all know what we should do. We all know how we can make the U.S. Senate be as it should be—the conscience of the Nation. I fear that we are willing to close America's door on that conscience. Yet, today, I simply seek to honor Justice Ginsburg. She dedicated her life to the causes of equality and justice and made both a reality for millions of Americans. She has left us a rich legacy to cherish and, more importantly, to carry forward. We will be forever in her debt. A generation—actually, more than a generation—of women and all Americans have been inspired by her leadership and courage. Generations to come will have her trailblazing legacy to thank. Let's honor her memory by following her example, by recommitting ourselves to pursuing a more perfect union not just for the few—no, not just for the few—but for all Americans.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Ms. ERNST). 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.

REMEMBERING JUSTICE RUTH BADER GINSBURG

Mr. CORNYN. Madam President, on Friday evening, the Nation learned the sad news that Justice Ruth Bader Ginsburg had passed away.

From her time as one of the few women in the Ivy League, to being only the second woman ever appointed to the Supreme Court of the United States, Justice Ginsburg was and is an inspiration to generations of Americans.

Throughout her remarkable life, Justice Ginsburg fought to secure equal rights and opportunities for all. She was a champion of women's rights in particular and broke down gender barriers throughout both her personal life and professional career.

During this difficult and often divisive time, I think there is a lot we can learn from the way Justice Ginsburg interacted with those with whom she disagreed, especially her good friend the late Justice Scalia. If you looked at a diagram outlining the ideologies of these two Justices, these two would be at opposite poles. They shared very little in common in terms of the way they approached the job of being a Supreme Court Justice.

She was once asked about their close relationship, which stood in contrast to their vastly different views, and she said: "You can disagree without being disagreeable." Well, we have all heard that before, and it is absolutely true—unfortunately, not practiced enough. But I think that sort of approach should be a reminder to all of us about the importance of treating each other with civility and respect, even when the person standing in front of you or on the opposite side of a computer

screen has a vastly different world view from our own.

Our Nation is grateful for Justice Ginsburg's 27 years on the High Court and her incredible contributions to our history. Sandy and I send our condolences to the entire Ginsburg family, as well as the countless colleagues and friends she earned throughout her lifetime.

As Leader MCCONNELL said this morning, the Senate is preparing to fulfill our constitutional duty of advice and consent. Throughout history, there has been a Supreme Court vacancy 29 times during a Presidential election year, and each time, the President has fulfilled his duty to put forth a nomination. Of those 29 election-year instances, 19 occurred when the President and the Senate majority were of the same political party. All but two of those nominees were confirmed.

Our friends on the other side of the aisle have tried to compare this to the vacancy in 2016, but the facts were different. At that point, we had a President of one party in his final year in office and a Senate majority of another party. You would literally have to go back to 1880 to find an example of the Senate confirming an opposite party President's Supreme Court nominee during an election year.

The other difference is that President Obama was not on the ballot in 2016, so it made sense for the American people to weigh in. Do you think we would still be hearing the same arguments from our friends across the aisle if Hillary Clinton had become President and been able to nominate a successor to Justice Scalia? I think not.

Voters cast their ballots and not only elected President Trump but also a Senate Republican majority. In 2018, they expanded that majority following the confirmation of Judge Kavanaugh. If the American people had elected a Democratic President and a Democratic Senate majority, I have no doubt that Senator SCHUMER would act on that nomination as well.

Just as the Senate has always done, we will thoroughly review the qualifications and experience of whomever the President nominates. We should not rush that process. It should be conducted carefully and consistently with how the Senate has previously handled Supreme Court nominations. When that process is complete, the Senate will vote on that nominee sometime this year.

In some cases, the confirmation process has moved quickly. In the case of Justice Ginsburg, she was confirmed in only 42 days. In others, the process has taken longer and been significantly more contentious.

I hope our colleagues on the other side of the aisle will try to restrain themselves from repeating the smear campaign that took place during Judge Kavanaugh's confirmation hearing, including the Judiciary Committee hearing. I hope they will refrain from making threats, like threats of packing the

Court in the future, which Justice Ginsburg herself opposed and warned would make the Court partisan, because if Democrats decide to add additional members to the U.S. Supreme Court when they are in power, then the pressure will be irresistible for Republicans to add other Justices to the Court, and it would look—and it would be clearly a partisan institution rather than an impartial judge of the law and the facts.

The President has every right to put forth a nomination, and we have an obligation to give him or her due consideration under our advice and consent responsibilities. As always, we will be thorough, and I hope, unlike last time, we can be civil and treat all with respect.

I am prepared to fulfill my responsibilities as a Member of this body and of the Judiciary Committee, and I hope our colleagues on both sides are prepared to do the same thing.

JENNA QUINN LAW

Madam President, there is no question that this has been a difficult year for our country, with division and disagreement taking center stage. That changed for a moment last week when the Senate unanimously passed a bill that I had introduced called the Jenna Quinn Law to protect some of the most vulnerable members of our country.

This bill carries the name of an inspiring young Texan who is one of 42 million adult survivors of child sexual abuse nationwide. As Jenna says, child sexual abuse is a silent epidemic. One in four girls and one in six boys are sexually abused before the age of 18. Those are shocking numbers. Sadly, these victims often stay silent for months, years, some for even a lifetime. As a result, they and countless other victims continue to be subject to abuse.

Interrupting this cycle of sexual abuse is Jenna's mission and one she has devoted her life to pursuing. She was the driving force behind what is now known as Jenna's Law in Texas, which requires training for teachers, caregivers, and other adults who work with children on how to recognize and report child sexual abuse.

The signs of child sexual abuse are unique from other forms of abuse, and correctly identifying these signs is integral to bringing children out of a sexually abusive situation.

After the Texas law passed in 2009, a study found that educators reported child sexual abuse at a rate almost four times greater after training than during their pretraining career—four times greater. It was one of the first child sexual abuse prevention laws in the United States to mandate this kind of training.

Now, more than half of all the States have adopted a form of Jenna's Law, but many States, including my State, which have passed these laws don't provide the funding for the training. Thanks to the legislation that passed the Senate unanimously last week, that is one step closer to occurring.

The Jenna Quinn law will take the successful reforms in Texas and other States and finally back them with some Federal funding for that essential training. It will still allow current grant funds from the Department of Justice, for example, to be used for specialized training for students, teachers, and caregivers to learn how to identify, safely report, and hopefully prevent future child sexual abuse.

This legislation also encourages States with similar laws to implement innovative programs to address and discourage child sexual abuse. It is a critical step to interrupting this cycle that is impacting children across the country and preventing more children from enduring this trauma.

My partner in this bipartisan effort was Senator HASSAN from New Hampshire, and I appreciate her help in moving this bill through the Senate. I hope our colleagues in the House will quickly take it up and pass the Jenna Quinn law so we can get it to the President's desk as soon as possible.

The COVID-19 crisis has underscored the urgency of this legislation. In April of this year, nationwide reports of abuse or neglect dropped by an average of 40 percent compared to the same time last year. Normally, this type of drop in reporting would be great news, but based on everything we know about the stresses and circumstances created by this pandemic, I fear that there is actually an increase in abuse. It just isn't being recognized or reported. We need to make investments now in the health and safety of our children and bring this silent epidemic to an end.

Speaker PELOSI has made clear that the House will stay in session until an agreement is reached on COVID-19 relief so there is no reason for the House not to be able to act on this consensus legislation. I urge the House to take it up and pass it—which has received unanimous support in the Senate—and support America's children at a critical time like this.

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

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

The PRESIDING OFFICER. The Democratic whip.

REMEMBERING JUSTICE RUTH BADER GINSBURG

Mr. DURBIN. Madam President, this weekend the United States of America passed a sad milestone—200,000 recorded deaths from COVID-19.

We are a nation in mourning. In addition to 200,000 family, friends, and neighbors we have now lost to this brutal pandemic, America is also mourning the loss of a historic champion of equality, a woman who spent her entire life, every ounce of her strength and talent she was given, in pursuit of

America's highest ideal: equal justice under the law.

Jewish teaching says that those who die just before the Jewish New Year are those whom God has held back until the last moment because they were most needed on Earth. So it seems fitting that Ruth Bader Ginsburg left this world as the Sun was setting last Friday, marking the start of Rosh Hashanah.

Years before, Ruth Bader Ginsburg made history as only the second woman ever to serve on the U.S. Supreme Court. Even at that time, she had already earned an enduring place in American history. She has been called the Thurgood Marshall of the gender equality movement. As a lawyer and law professor, she was the mastermind in the 1970s behind a legal strategy that finally began to dismantle an American legal system that treated women in many ways as second-class citizens. Law Professor David Cole called her strategy "radical incrementalism."

It is hard today for many Americans to imagine how deeply entrenched and how commonly accepted gender discrimination was in American law—and American society—before Ruth Bader Ginsburg began her legal crusade to make real for women the words carved above the doors of the U.S. Supreme Court: "Equal Justice Under Law." The legal challenges she brought changed the way the world is for women and for all Americans.

Before she began her legal crusade, women were treated, by law, differently than men. Hundreds of State and Federal laws and programs restricted what women could do. Many jobs were legally closed to women. Many basic economic, social, and legal rights that we now take for granted were legally denied to women for no reason other than gender.

Before the legal victories achieved by Ruth Bader Ginsburg, a woman often could not—on her own—buy a car, open a checking account, get a credit card, sign a lease, obtain a mortgage, buy real estate, open a business, or obtain a business loan. She needed a man to co-sign.

Before Ruth Bader Ginsburg, women could be—and were—barred from public institutions and excluded from whole professions. They could be demoted or fired if they became pregnant. In fact, Ruth Bader Ginsburg herself was forced to accept a lower paying job at the Social Security Administration when she became pregnant, at the age of 21, with her first child.

Her legal strategy was cautious and strategic. Knowing that she needed to persuade mostly male judges—including an all-male Supreme Court—she chose cases that illustrated how gender discrimination can also harm men. She took up the case of a young widower whose wife died in childbirth. The man wanted to stay home to raise his son but was denied Social Security survivor benefits because such benefits by law could only go to widows.

Decades later, when that little boy grew up, Justice Ginsberg officiated at his wedding at the Supreme Court Building.

Her goal was simple but compelling: to make clear that the Fourteenth Amendment's promise of equal protection under the law covers women as well as men. As I said, it was not only women who benefited from her life's work. If you are a man who has been covered by your wife's medical benefits, thank Ruth Bader Ginsburg. If you are a man who has been able to claim Social Security survivor benefits or name a woman as executor of your estate, thank Ruth Bader Ginsburg.

We have not erased all gender-based inequality, as Ruth Bader Ginsburg knew well. And some of the legal victories for equal justice are now threatened. Some have been diminished outright. She also knew that. Her concerns about these threats to hard-won rights was the basis for some of the most famous, fiery dissents—and why this often quiet, soft-spoken woman took the unusual step many times of reading her dissents from the bench. She wanted us to understand what was at stake so that we could join her in the fight.

That is what she did in 2007, in the case of Lilly Ledbetter v. Goodyear Tire. The Supreme Court ruled 5 to 4 that a woman who was paid less than her male coworkers for years, doing exactly the same work, could not sue her former employer for wage discrimination.

The woman only learned about the pay gap after she retired, but a conservative majority on the Court ruled that she had lost her chance at justice by failing to sue within 6 months of her first unequal paycheck. In her dissent, Justice Ginsburg challenged Congress to correct this injustice, and we did. The very first law signed by President Barack Obama was the Lilly Ledbetter Fair Pay Act of 2009. A framed copy of that signed law hung in Justice Ginsburg's Supreme Court chambers as a gift from President Obama. He signed it with the following inscription: "Thanks for helping create a more equal and just society."

In her dissent in the 2013 *Shelby County v. Holder*, which gutted the heart of the Voting Rights Act, Justice Ginsburg pointed out the awful irony of the majority decision. She wrote that throwing out the need for jurisdictions with histories of voter suppression to clear changes in their voting laws before elections because the laws had already worked was "like throwing away your umbrella in a rainstorm because you are not getting wet."

She was right. Our democracy would be stronger today had just one more Justice on the Supreme Court agreed with her. It is up to Congress now to heed her warning by passing the John Lewis Voting Rights Advancement Act which languishes on the desk of Senator McCONNELL.

Ruth Bader Ginsburg was a champion of workers' rights, of disability rights,

LGBTQ rights, and environmental justice. And she was a woman who believed deeply that part of America's greatness is the welcome and safety and opportunity that America has offered to immigrants and refugees for most of our history.

Like me, Justice Ginsburg was a child of an immigrant who came to this country partly to flee religious persecution. My mother and her family left Russian-occupied Lithuania partly to escape anti-Catholic persecution.

Ruth Bader Ginsburg's father left Odessa, Russia, for New York when he was 13 to escape anti-Jewish pogroms. Her mother was born in New York 4 months after her family moved from Austria—extended family members later died in the Holocaust.

Justice Ginsburg's mother was like my mother in another way: They were both very intelligent women who were denied their full education because money was tight and because they lived during a time when expectations about what women could achieve were so low.

Like my mother, Celia Ginsburg used to take her child to the public library where she would check out as many books as she could read. She saved her pennies so that her daughter could one day get the college education she was never able to get herself. Celia Ginsburg dreamed that her bright, young daughter might grow up, if she were lucky and worked very hard, to become a high school teacher. Instead, Ruth Bader Ginsburg grew up and changed history. She changed America for the better. America is fundamentally different and fairer as a nation because of the vision and work of Ruth Bader Ginsburg.

I recalled over the weekend, and repeated it to my wife, this amazing statistic; that Ruth Bader Ginsburg battled cancer five times over nearly 20 years and then, of course, lived through the death 10 years ago of her beloved husband Marty, but she almost never missed a day on the bench. She worked through chemo sickness, broken ribs, and terrible pain, but, nevertheless, she persisted.

I want to read you something she said many times. I really liked this.

What is the difference between a bookkeeper in New York's garment district and a Supreme Court Justice? One generation—my own life bears witness. The difference between the opportunities available to my mother and those afforded me."

Ruth Bader Ginsburg did not simply take opportunities afforded to women. More than perhaps any American in history, she helped create those opportunities.

Loretta and I offer our deepest condolences to her friends and to her family, especially her daughter Jane and her son James, who now calls Chicago home, and her grandchildren and her great-granddaughter.

May her memory be a blessing and may her life be a guiding light for all of us.

SUPREME COURT NOMINATIONS

Madam President, Americans across the Nation were shocked and devastated when they heard the news of Justice Ginsburg's passing. It was a moment we will not forget. The gravity of that announcement hit hard not just because of the loss of a national icon but also because of the sense of foreboding of what would happen next, right here in this Chamber, in the U.S. Senate.

The year 2020 has already brought us so much pain and anguish. The pandemic has killed 200,000 Americans, sickened over 6 million; devastating job losses and economic damage; a long overdue national reckoning over racial injustice; deadly wildfires and natural disasters destroying communities; and a President, sadly, who seeks to divide and inflame instead of uniting America and bringing us together in common purpose.

Justice Ginsburg saw the tension that her absence from the Court would cause. Shortly before she passed away, Justice Ginsburg said: "My most fervent wish is that I will not be replaced until a new President is installed."

Unfortunately, Justice Ginsburg's last request is falling on deaf ears in the Senate Chamber. Shortly after the news of her death, Senator McCONNELL announced that he would hold the Supreme Court vote this year. Here is what Senator McCONNELL, then leader of the Senate, said:

The American people should have a voice in the selection of their next Supreme Court justice. Therefore, this vacancy should not be filled until we have a new president.

These are the words of Senator MITCH McCONNELL. That statement is very clear and unambiguous. Senator McCONNELL made it 269 days before the Presidential election, the so-called McConnell rule. This was a firm precedent establishing that Senate Republicans would not consider a Supreme Court nominee in an election year.

President Barack Obama sent the name of Judge Merrick Garland from the DC Circuit to the Senate for a hearing and a vote. The treatment he received from the Senate was disgraceful. Senator McCONNELL announced he would not even give him the time of day, nor meet with him in his office, and he admonished those Republican Senators who did. Merrick Garland was being shunned by Senator McCONNELL because of his rule, the McConnell rule: No "vacancy should be filled until we have a new president."

In his determination to show that this principle would prevail, he shunned Merrick Garland. Well, it turns out that this rule of law, this McConnell rule that guided the Senate 4 years ago, was not as sacrosanct as one might think. A nation guided by a rule of law cannot have one set of rules under Democratic Presidents and another set under Republican Presidents. That is just what Senator McCONNELL called for on Friday.

Shortly after the news—a short time after the news of Justice Ginsburg's

passing, Senator MCCONNELL said: “President Trump’s nominee will receive a vote on the floor of the United States Senate.” In direct violation of his own statement 4 years ago, Senator MCCONNELL said that within hours after the announcement of the death of Justice Ginsburg. When Senator MCCONNELL made that statement, we were only 46 days from the election. People in many States had already started casting their votes.

Senator MCCONNELL’s justifications for breaking his own rule simply don’t stand up to scrutiny—distinctions without any difference—and they have never stood up to common sense.

Senator MCCONNELL clearly said, when he laid down the McConnell rule on February 13, 2016, that the American people should have the last word and that election-year Supreme Court vacancies should be filled in the next Presidential term. There were no caveats, no exceptions, and no amendments. He stated it clearly in just a handful of words.

Now Senator MCCONNELL claims that whether or not the American people have a voice should depend on which party controls the Senate. Now his party controls the Senate, and his party has the President. And the rule—the so-called McConnell rule—that we were to live by apparently is being rejected by Senator MCCONNELL himself. He says that what Republicans did in 2016 was acceptable because the Senate at that time was controlled by Republicans and a different party was in the White House that year—a distinction without a difference. Why should the composition of the Senate dictate whether the American people should have a voice in the selection of the next Supreme Court Justice? You could just as easily point out that 2016 was different because we had a President, Barack Obama, who actually had won the popular vote, unlike the current President. Should that fact resolve whether the American people get a voice in the Court’s future?

Either the American people do get an election-year voice regarding the future of the Court or they don’t. In 2016, Senator MCCONNELL said they do. Now he says they don’t. It is a flip-flop, plain and simple, because it is to his personal political advantage to reverse this stated principle.

The Republican effort to point to Senator Harry Reid for changing the Senate rules for lower court nominations is no justification. The reality is that Senator Reid was responding to an unprecedented Republican obstruction of President Obama’s nominees, and Senator Reid made a point of not changing the rule—the 60-vote requirement—when it came to Supreme Court confirmations. It was Senator MCCONNELL who did that in 2017.

While Senate rules do change from time to time, you certainly can’t have rules that depend on whether it is a Republican or a Democratic President or a Republican or Democratic Senate.

That is exactly what Senator MCCONNELL is calling for.

So here is what it comes down to: In 2016, Senator MCCONNELL said the people should get the voice through an upcoming election because that outcome at the moment was better for his Republican agenda of controlling the Court. In 2020, Senator MCCONNELL reversed himself and said the people should not get a voice through the upcoming election because that outcome is better for the Republicans today.

Let’s be clear. This is not about rules or principle or comity; this is about raw partisan power. The hypocrisy is bad enough; what makes it worse is that it is hypocrisy which is so evident to the American people at this moment in history.

What is at stake here? Is this just a matter of the battle of the giants in Washington, the big shots screaming at one another in the news through the media, or is there more to it? It turns out there is much more.

Let’s start with healthcare. This November, the Supreme Court will hold arguments in a case in which the Trump administration and Republicans are arguing that the Affordable Care Act should be struck down in its entirety. There are 20 million Americans who have health insurance under the Affordable Care Act, and every health insurance policy sold in America is subject to the law of the Affordable Care Act. If the Supreme Court does what the Trump administration and the Republicans are asking it to do, 20 million Americans could lose their healthcare coverage—600,000 of them in my State of Illinois—and tens of millions of Americans with preexisting conditions, including 5 million in Illinois, would lose protections the Affordable Care Act currently gives them.

There have been 6 million Americans, remember, who have been diagnosed with positive results from COVID-19. Sadly, many more will be diagnosed in the years ahead, and they, of course, now must answer the question: Have you ever tested positive for COVID-19? If they answer it, they will have a pre-existing condition, which the insurance company used to jump on to either raise your premiums or to deny you coverage.

If Republicans have their way before the Supreme Court, young adults up to the age of 26 will no longer be able to stay on their parents’ health insurance. Hospitals—especially in rural areas—will see a significant loss of revenue from the elimination of Medicaid expansion.

At this moment, in the middle of a raging pandemic, it is unimaginable that the Republicans are trying to wipe out the critical healthcare protections in the Affordable Care Act, but that is what they are fighting for in the case before the Supreme Court.

Here, Republicans were never able to repeal the Affordable Care Act on the floor of the Senate. I will never forget that early morning vote. It was about 2

or 2:30 a.m. when John McCain came through those doors and stood right by that table, and as much as he could lift that right arm, because it had been broken when he was a prisoner of war—something which I honor him for and never will ridicule him for—he lifted that arm as much as he could and said no. No. That “no” vote saved the Affordable Care Act.

Why did he do it? He explained afterwards: The Republicans don’t have an alternative. They don’t have a substitute. They want to eliminate an Obama law, and they have nothing to replace it with. That is still the case today.

The Republicans are no longer fighting this battle on the floor of the Senate; they are fighting it across the street in the Supreme Court building. So the deciding vote on the Supreme Court—is it important to America? For 20 million Americans, it is deadly important as to whether they have affordable, quality healthcare.

Republicans were never able to repeal the Affordable Care Act because of John McCain’s courage, so Republicans are now trying to accomplish in the Supreme Court what they couldn’t accomplish on the floor of the Senate. In fact, on many issues where the Republican Party’s position is not popular, Republicans are trying to get the courts to do what they can’t do legislatively, issues like restricting the right to vote and other civil rights; rolling back environmental protections; dictating what women can and cannot do with their own health; wiping gun safety laws off the books; deporting Dreamers; and undermining worker protections. The Supreme Court was created by the Founders of our Nation to be the arbiter of equal justice under the law, not as a tool for one party’s political agenda.

Well, the American people can smell a rat. They know when the game is rigged. They look at the McConnell rule that he announced in 2016, and now they look at what he is actually doing in 2020. They know this isn’t on the level.

Sadly, in many ways, Senate Majority Leader MCCONNELL has broken the Senate down in recent years, and I fear that if we go down the path President Trump and Senator MCCONNELL has set us on, the Supreme Court may end up broken too.

It will take only four Republican Senators to stop this travesty—four. Four Republican Senators can say “enough.” We lived by the McConnell rule 4 years ago. We publicly stated that it was the right thing to do then. We would be hypocrites to an extreme if we turn our backs on it now. I hope—I just hope—there will be four Republican Senators with the courage—and it will take courage—to say that.

We should honor Justice Ginsburg’s fervent last wish and let the American people have a voice in filling this vacancy. That is what Senator MCCONNELL insisted on 38 weeks before the

election in 2016. That should also be our standard in 2020, 6 weeks before the election. There should be no confirmation before inauguration.

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

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

REMEMBERING JUSTICE RUTH BADER GINSBURG

Mr. COONS. Mr. President, on this past Friday evening, on Rosh Hashanah, our Nation lost a giant of our Supreme Court. We lost a trailblazer for women's equality, a woman who, though diminutive in size, was a giant and a force for justice.

For my daughter and for all Americans, I am so grateful for the work and the service and the life of Supreme Court Justice Ruth Bader Ginsburg. Having passed on Rosh Hashanah, the tradition of the Jewish people teaches that she is especially blessed, particularly righteous.

It is heartbreaking that her dying wish, dictated to her granddaughter, was that the voters should choose the next President, and that next President her successor, and, already, there are some who are racing to undo that wish.

This was her wish because she understood the consequences of this decision for the Senate, for the American people, and for the Supreme Court, to which she dedicated 27 years of service.

If we push through a nominee now, just 43 days before an election, as half of our States are already voting, the very legitimacy of the Supreme Court may be undermined by further politicization in an already divided country.

My friends, my colleagues in the other party, used the argument in blocking the nomination of Merrick Garland in 2016 that we must give the American people a voice for the selection of the next Justice. That argument was advanced 10 months before the next election. Here, today, on this floor, the exact argument is being advanced just 43 days before an election in which half of our States are already voting.

As a colleague from Alaska recently said, the precedent set by the majority in 2016 is the precedent by which they should live now. Fair is fair. I cannot agree more.

On the ballot, on the agenda, on the docket of the Supreme Court is healthcare. This decision will have an impact on all Americans of all stripes and backgrounds. One week after the election, a case will be argued in front of the Supreme Court, *Texas v. United States*, which seeks to remove all that is left of the Affordable Care Act's protections—protections against pre-

existing condition discrimination for 100 million Americans and health insurance itself for 20 million, in the middle of a pandemic in which 6 million Americans have been infected and have new preexisting conditions, and, in some ways most gallingly, that provision of the Affordable Care Act which prohibits gender discrimination by insurance companies.

All of this is at stake, as are protections going forward after this election for clean air and clean water, for equal pay for equal work, and the right to organize. It is all on the ballot and will be on the docket.

Let me close by calling on my colleagues to do what is fair and what I believe is right: to respect their own precedent and let the American people have a voice in just 43 days and then proceed, after the election, to honor Justice Ginsburg's dying wish; to focus on delivering relief to the American people in a package to address this pandemic in our next few weeks, rather than diving deeper into division.

It is my fervent prayer that we can yet find a way together to listen to the voice of the people and the voice of this most storied Justice.

TRIBUTE TO ERICA KNieVEL SONGER

Mr. President, I have one other purpose in coming to the floor today, and that is to recognize my colleague, my friend Erica Knievel Songer, my chief counsel—whom I now embarrass—who is departing this week.

Erica is an immensely talented lawyer and has been an invaluable member of my team for over 4 years, a summa graduate of the University of Illinois at Urbana-Champaign, a Phi Beta Kappa member, a cum laude graduate of Harvard Law School, a deputy editor of the *Journal of Law and Gender*, and a clerk on the Sixth Circuit for Judge Cornelia Kennedy.

After all that, she went to one of Washington's most prestigious law firms and, after 9 years of diligent litigation and work, earned her way into being a partner but, during all this time, dedicated her time to pro bono work, to advocating for those seeking justice.

She could have had a much more lucrative career than the last 4 years here in the Senate, and her trajectory was not a typical one for a chief counsel on a Judiciary Committee. She was willing to make the sacrifice, and I was grateful for the chance to serve with her.

Her dedication to upholding and defending democratic principles is unwavering, and every day she has put the interests of the American people and Delawareans first. No one has worked harder in her 4 years on my team than she.

Her commitment to our shared values has helped guide me and my team through some of the most difficult and challenging moments of these years. She has capably led my entire legal team and helped us navigate through some truly historic fights.

It was just 3 days after she joined my team that we were in the Rose Garden for President Obama's nomination of Judge Merrick Garland, and she led my team and my work on the confirmation hearings of now-Justice Gorsuch and Justice Kavanaugh. She led us through the Mueller investigation and through the impeachment trial.

She has been integral to legislative efforts, including the Special Counsel Integrity Act, a bipartisan effort to support the integrity of independent investigations and to protect the Mueller investigation; the Driving for Opportunity Act, a bipartisan bill to create incentives to stop debt-based driver's license suspension and extend criminal justice reform; and a project for which we both have a particular passion, the NO BAN Act, which would repeal President Trump's Executive order blocking travel from majority-Muslim countries and prevent another baseless, discriminatory travel ban.

She has contributed so much more than this. She has been a teacher and mentor to so many in my office and, particularly, to young women, who look to her as a role model and a source of wisdom and strength. Personally, she and her husband Mike, both dedicated attorneys and passionate public servants, are constant reminders of why we are here and for whom we fight.

As we reflect today and in the week ahead on the legacy of Justice Ginsburg, whose life was committed to the fight for equality and justice, I see that same fight in Erica Songer. Justice Ginsburg blazed a trail and changed the world for incredibly talented and capable women like Erica so that she could lead the life she has.

Erica is a true patriot, a great colleague, and a wonderful friend who has put country over self, and I have been blessed to have the benefit of her counsel and her friendship these 4 years. I am proud she will go on to continue to fight for our shared values. I wish her luck. I will miss her dearly, and I pray this is not the last time we will serve together.

I yield the floor.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Edward Hulvey Meyers, of Maryland, to be a Judge of the United States Court of Federal Claims for a term of fifteen years.

Mitch McConnell, Roy Blunt, Mike Rounds, Todd Young, Pat Roberts, Cindy Hyde-Smith, John Thune, Kevin Cramer, Thom Tillis, Michael B. Enzi, James Lankford, John Barrasso, Joni Ernst, Lamar Alexander, Rob Portman, Tim Scott, Steve Daines.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Edward Hulvey Meyers, of Maryland, to be a Judge of the United States Court of Federal Claims for a term of fifteen years, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. THUNE. The following Senators were necessarily absent: the Senator from West Virginia (Mrs. CAPITO), the Senator from South Carolina (Mr. GRAHAM), the Senator from Wisconsin (Mr. JOHNSON), the Senator from Kansas (Mr. MORAN), the Senator from Alaska (Mr. SULLIVAN), and the Senator from North Carolina (Mr. TILLIS).

Mr. DURBIN. I announce that the Senator from California (Ms. HARRIS), the Senator from Vermont (Mr. SANDERS), the Senator from Arizona (Ms. SINEMA), and the Senator from Michigan (Ms. STABENOW) are necessarily absent.

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

The yeas and nays resulted—yeas 65, nays 25, as follows:

[Rollcall Vote No. 184 Ex.]

YEAS—65

Alexander	Ernst	Perdue
Barrasso	Fischer	Peters
Blackburn	Gardner	Portman
Blunt	Grassley	Risch
Boozman	Hassan	Roberts
Braun	Hawley	Romney
Burr	Hoeben	Rosen
Cardin	Hyde-Smith	Rounds
Carper	Inhofe	Rubio
Casey	Jones	Sasse
Cassidy	Kennedy	Scott (FL)
Collins	King	Scott (SC)
Cornyn	Lankford	Shaheen
Cortez Masto	Leahy	Shelby
Cotton	Lee	Tester
Cramer	Loeffler	Thune
Crapo	Manchin	Toomey
Cruz	McConnell	Udall
Daines	McSally	Warner
Duckworth	Murkowski	Wicker
Durbin	Murphy	Young
Enzi	Paul	

NAYS—25

Baldwin	Heinrich	Schatz
Bennet	Hirono	Schumer
Blumenthal	Kaine	Smith
Booker	Klobuchar	Van Hollen
Brown	Markey	Warren
Cantwell	Menendez	Whitehouse
Coons	Merkley	Wyden
Feinstein	Murray	
Gillibrand	Reed	

NOT VOTING—10

Capito	Moran	Sullivan
Graham	Sanders	Tillis
Harris	Sinema	
Johnson	Stabenow	

The PRESIDING OFFICER. On this vote, the yeas are 65, the nays are 25.

The motion is agreed to.

The Senator from Louisiana.

HURRICANE LAURA

Mr. KENNEDY. Mr. President, a few weeks ago, on August 27, Louisiana and southeastern Texas were hit by Hurricane Laura.

I say “Louisiana” because if you look at some of the press reports, they say “Southwest Louisiana,” but the impact of Hurricane Laura in Louisiana was much greater.

The storm came onshore in Southwest Louisiana in Cameron Parish. It headed north, then moved northeast, and finished in the northeastern part of our State.

I have seen the damage from the air and on the ground. I have never seen a hurricane do this kind of damage in any State, much less Louisiana.

The path of destruction is about 60 miles wide, starting in Southwest Louisiana, running north, bending to the northeast, and it is about 200 miles long. We took it full in the face.

When you see devastation like this, when you go through something like this, you start to understand that we human beings are a vain lot. We think we can control nature, but nature controls us.

Our entire electrical system went down. Our water system went down. Our internet went down. Our cable TV went down. It was a category 4 storm with winds of up to 150 miles an hour.

This storm was unusual in that winds were sustained and did not dissipate as it got further inland. We took it full in the face.

Now, it doesn’t do any good to complain. Louisianans are resilient people. We live by the old Japanese proverb: “Fall down seven times, stand up eight.” We are standing back up.

About 60 percent of our electrical power has been restored. We now have water back. In some cases, there are still some boil orders because the water is not clean. But we are deficient in one area, and that is cable TV and internet, with an emphasis on internet.

I want you to understand I am not talking here about a mere inconvenience. I am not talking about people missing their favorite television shows. I am talking about kids’ education; I am talking about the ability to deliver healthcare; and I am talking about the ability to conduct commerce. None of those things can be done in today’s world without the internet. The internet, particularly in Southwest Louisiana, is provided by a company called Suddenlink.

(Ms. MURKOWSKI assumed the Chair.)

Suddenlink is owned—it was purchased by a company called Altice USA. Its CEO is a gentleman whom I have not had the pleasure of meeting, Mr. Dexter Goei, and I am here today to plead with Suddenlink to please get our internet restored. Suddenlink has done such an abysmal job that Suddenlink needs to change its name to Neverlink.

Suddenlink provides internet service to 150,000 Louisianans. I haven’t studied their financials, but let’s say at \$150 a month, if you include the cable television part, Louisianans pay Suddenlink—soon to be named Neverlink if they don’t do a better job—about \$23 million a month.

Now, all of our public utilities have been working very hard.

Entergy has worked hard. AT&T has worked hard. CenterPoint Energy has worked hard to get our utilities restored so that we can start recovering.

Suddenlink has not worked hard. At one point, we had 29,000 people on the ground helping us to restore our water system, helping us to restore our electric power, helping us to cut trees, helping us to get tarps on roofs. We had at most 300 representatives from Suddenlink—300 representatives to handle restoring internet for 150,000 Louisianans.

Suddenlink should be ashamed of itself. We have restored about 60 percent of our electrical power. We have restored about 16 percent of our internet.

Once again, I am not talking about someone missing their favorite television program. As the Presiding Officer knows, because you have the same situation in Alaska, all of our public schools are not open, all of our private schools are not open because of the virus. Many of our kids are having to learn remotely, and they can’t do it without the internet. They can’t.

The Presiding Officer is also aware of how the internet is integral to the ability to deliver healthcare. I don’t know a single business today that can operate without the internet. Many of our businesses, including our small businesses, because they can’t have customers coming into their shops, are doing a lot of their commerce over the internet. There is just one problem in Louisiana. Because of Suddenlink dragging its feet, we don’t have internet, and we can’t recover without it.

I don’t mean to be overly critical, but this has just gotten out of hand. Every one of our public utilities has done a yeoman’s work—has done an extraordinary job—except the one—except the one. If Mr. Dexter Goei is listening tonight—and again, I don’t mean to be overly critical. I plan to visit with him in the next couple of days. I think he has finally agreed to come visit Louisiana.

We have three requests. First of all, we need workers on the ground. You can’t restore the internet service without people working to restore the internet service, and let me say it again. Entergy, just to pick one of our utility companies, has over 10,000 workers restoring the power. Suddenlink, which provides internet for 150,000 people, has a grand total of 300 people. It can’t be done. We are currently not a priority, even though 150,000 of my people write a monthly check to Suddenlink.

No. 1, Suddenlink, respectfully, put some people on the ground to get our internet restored.

No. 2, we need a local office for Suddenlink. They don’t even have one. Maybe it is because they don’t have internet, but many people lost their homes. At a minimum, they lost their roofs. They don’t have cable boxes.

They have to have somebody they can go to and say: Here is my old box. Give me a new box. But Suddenlink doesn't even have a local office.

No. 3, I am going to ask Mr. Goei to please commit to our State leadership to start giving us a daily update on restoring the service—how many homes and businesses have been added each day.

Again, I know I am repeating myself, I don't mean to be overly critical and we have been very patient in Louisiana, but the time has come to call it like it is and say it like it is. At the rate they are going, Suddenlink needs to change its name to Neverlink in Louisiana. We cannot recover without internet—we can't do it—and Suddenlink link has let us down.

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

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

ORDER OF PROCEDURE

Mr. McCONNELL. Madam President, I ask unanimous consent that notwithstanding the provisions of rule XXII, the postcloture time on the Meyers nomination expire at 11:30 a.m. tomorrow and the Senate vote on confirmation of the nomination. I further ask that if cloture is invoked on the Lucas nomination, the postcloture time expire at 2:15 p.m. tomorrow and the Senate vote on the confirmation of the nomination; finally, that following disposition of the Lucas nomination, the Senate vote on the motion to invoke cloture on the Sonderling nomination.

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

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. McCONNELL. Madam 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.

TRIBUTE TO BILL BROCK

Mr. ALEXANDER. Madam President, congratulations to my friend, Bill Brock, who is celebrating his 90th birthday.

When I think of Bill, I think of a Tennessean who has served our State and our country honorably for over a half century. Bill grew up in Chattanooga and started his lifetime of service in the U.S. Navy. He was then first elected to the U.S. House of Representatives in 1962. Bill served for

three terms before being elected to the U.S. Senate in 1971, replacing Democrat Senator Albert Gore. After his distinguished tenure in the Senate, Bill went on to serve as U.S. Trade Representative and U.S. Secretary of Labor.

Bill was a force in the Republican Party, both nationally, serving as chairman of the Republican National Committee, and in the State of Tennessee. In fact, he was a pioneer in the transformation of our Tennessee Republican Party; turning Tennessee from a Democratic stronghold to a two-party State simply would not have happened without Bill. He laid the foundation for a long lineage of Tennesseans that include Howard Baker, Jr., Winfield Dunn, Fred Thompson, Bill Frist, Bill Haslam, Bill Lee, and others who have served our State proudly and left legacies of exceptional service to those who elected them.

It has been a pleasure to know Bill over the years; he has been a champion of the principles that united us as Americans and has a strong record of working with others to get results. I wish my friend the best on the celebration of his 90th birthday and hope that his legacy serves as an example to future Tennesseans seeking to represent our State in public office.

MESSAGE FROM THE PRESIDENT

A message from the President of the United States was communicated to the Senate by Mrs. Neiman, one of his secretaries.

PRESIDENTIAL MESSAGE

REPORT RELATIVE TO THE ISSUANCE OF AN EXECUTIVE ORDER WITH RESPECT TO IRAN THAT TAKES ADDITIONAL STEPS WITH RESPECT TO THE NATIONAL EMERGENCY DECLARED IN EXECUTIVE ORDER 12957 OF MARCH 15, 1995—PM 58

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

To the Congress of the United States:

Pursuant to the Countering America's Adversaries Through Sanctions Act (Public Law 115-44), the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*) (IEEPA), the National Emergencies Act (50 U.S.C. 1601 *et seq.*), section 212(f) of the Immigration and Nationality Act of 1952 (8 U.S.C. 1182(f)), and section 301 of title 3, United States Code, I hereby report I have issued an Executive Order (the "order") that affirms that it remains the policy of the United States to counter Iran's malign influence in the Middle East, including transfers from

Iran of destabilizing conventional weapons and acquisition of arms and related materiel by Iran. Transfers to and from Iran of arms or related materiel or military equipment represent a continuing threat to regional and international security. Iran benefits from engaging in the conventional arms trade by strengthening its relationships with other outlier regimes, lessening its international isolation, and deriving revenue that it uses to support terror groups and fund malign activities.

In light of these findings and in order to take additional steps with respect to the national emergency declared in Executive Order 12957 of March 15, 1995 (Prohibiting Certain Transactions with Respect to the Development of Iranian Petroleum Resources), the order blocks property and interests in property of persons determined by the Secretary of State, in consultation with the Secretary of the Treasury, or the Secretary of the Treasury, in consultation with the Secretary of State:

- To engage in any activity that materially contributes to the supply, sale, or transfer, directly or indirectly, to or from Iran, or for the use in or benefit of Iran, of arms or related materiel, including spare parts;

- To provide to Iran any technical training, financial resources or services, advice, other services, or assistance related to the supply, sale, transfer, manufacture, maintenance, or use of arms and related materiel described above;

- To have engaged, or attempted to engage, in any activity that materially contributes to, or poses a risk of materially contributing to, the proliferation of arms or related materiel or items intended for military end-uses or military end-users, including any efforts to manufacture, acquire, possess, develop, transport, transfer, or use such items, by the Government of Iran (including persons owned or controlled by, or acting for or on behalf of the Government of Iran) or paramilitary organizations financially or militarily supported by the Government of Iran;

- To have materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services to or in support of, any person whose property and interests in property are blocked pursuant to the order; or

- To be owned or controlled by, or to have acted or purported to act for or on behalf of, directly or indirectly, any person whose property and interests in property are blocked pursuant to the order.

- Under section 212(f) of the Immigration and Nationality Act of 1952 (8 U.S.C. 1182(f)), the order also suspends the immigrant and nonimmigrant entry into the United States of aliens determined to meet one or more of the criteria above for the blocking of property and interests in property.

• I am enclosing a copy of the order I have issued.

DONALD J. TRUMP,
THE WHITE HOUSE, September 21, 2020.

MESSAGE FROM THE HOUSE

ENROLLED BILLS AND JOINT RESOLUTIONS
SIGNED

At 3:02 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bills and joint resolutions:

S. 2193. An act to require the Administrator of General Services to issue guidance to clarify that Federal agencies may pay by charge card for the charging of Federal electric motor vehicles, and for other purposes.

S. 3105. An act to designate the facility of the United States Postal Service located at 456 North Meridian Street in Indianapolis, Indiana, as the "Richard G. Lugar Post Office".

H.J. Res. 87. Joint resolution providing for the reappointment of Michael M. Lynton as a citizen regent of the Board of Regents of the Smithsonian Institution.

H.J. Res. 88. Joint resolution providing for the appointment of Franklin D. Raines as a citizen regent of the Board of Regents of the Smithsonian Institution.

The enrolled bills and joint resolutions were subsequently signed by the President pro tempore (Mr. GRASSLEY).

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 4618. A bill making emergency supplemental appropriations for disaster relief for the fiscal year ending September 30, 2020, and for other purposes.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, September 21, 2020, she had presented to the President of the United States the following enrolled bills:

S. 2193. An act to require the Administrator of General Services to issue guidance to clarify that Federal agencies may pay by charge card for the charging of Federal electric motor vehicles, and for other purposes.

S. 3105. An act to designate the facility of the United States Postal Service located at 456 North Meridian Street in Indianapolis, Indiana, as the "Richard G. Lugar Post Office".

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mrs. LOEFFLER (for herself and Mr. COTTON):

S. 4630. A bill to amend title 18, United States Code, to make the murder of a Federal, State, or local law enforcement officer a crime punishable by life in prison or death; to the Committee on the Judiciary.

By Mr. COTTON:

S. 4631. A bill to temporarily suspend the diversity visa program, to designate resi-

dents of the Hong Kong Special Administrative Region as Priority 2 refugees of special humanitarian concern, to provide special visas to highly-qualified residents of Hong Kong, and for other purposes; to the Committee on the Judiciary.

By Mr. MCCONNELL (for Mr. GRAHAM):

S. 4632. A bill to amend title 17, United States Code, to establish an alternative dispute resolution program for copyright small claims, to amend the Communications Act of 1934 to modify the scope of protection from civil liability for "good Samaritan" blocking and screening of offensive material, and for other purposes; to the Committee on the Judiciary.

By Mrs. SHAHEEN (for herself and Mr. TILLIS):

S. 4633. A bill to provide for assistance to rural water, wastewater, and waste disposal systems affected by the COVID-19 pandemic, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. WICKER (for himself and Ms. COLLINS):

S. 4634. A bill to provide support for air carrier workers, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. MENENDEZ (for himself and Mr. RUBIO):

S. 4635. A bill to respond to international trafficking of Cuban medical professionals by the Government of Cuba, and for other purposes; to the Committee on the Judiciary.

By Mr. CORNYN (for himself, Mr. WARNER, and Mr. KAINE):

S. 4636. A bill to revise the treatment of urbanized areas experiencing populations changes following a major disaster; to the Committee on Banking, Housing, and Urban Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. BLUNT (for himself and Ms. KLOBUCHAR):

S. Con. Res. 45. A concurrent resolution providing for the use of the catafalque situated in the crypt beneath the Rotunda of the Capitol in connection with memorial services to be conducted in the Supreme Court Building and the Capitol for the late honorable Ruth Bader Ginsburg, Associate Justice of the United States Supreme Court; considered and agreed to.

ADDITIONAL COSPONSORS

S. 283

At the request of Ms. COLLINS, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 283, a bill to amend title XVIII of the Social Security Act to improve access to, and utilization of, bone mass measurement benefits under part B of the Medicare program by establishing a minimum payment amount under such part for bone mass measurement.

S. 593

At the request of Mr. WHITEHOUSE, his name was added as a cosponsor of S. 593, a bill to amend the Religious Freedom Restoration Act of 1993 to protect civil rights and otherwise prevent meaningful harm to third parties, and for other purposes.

S. 1967

At the request of Mr. WYDEN, the name of the Senator from Nevada (Ms. ROSEN) was added as a cosponsor of S. 1967, a bill to promote innovative approaches to outdoor recreation on Federal land and to increase opportunities for collaboration with non-Federal partners, and for other purposes.

S. 2480

At the request of Mr. WYDEN, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S. 2480, a bill to amend title 31, United States Code, to reauthorize the payment in lieu of taxes program through fiscal year 2029.

S. 2561

At the request of Mr. BLUMENTHAL, the names of the Senator from Nevada (Ms. CORTEZ MASTO) and the Senator from New Hampshire (Ms. HASSAN) were added as cosponsors of S. 2561, a bill to amend the Lacey Act Amendments of 1981 to clarify provisions enacted by the Captive Wildlife Safety Act, to further the conservation of certain wildlife species, and for other purposes.

S. 3067

At the request of Ms. MCSALLY, her name was added as a cosponsor of S. 3067, a bill to amend title XVIII of the Social Security Act to combat the opioid crisis by promoting access to non-opioid treatments in the hospital outpatient setting.

S. 3176

At the request of Mr. RUBIO, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 3176, a bill to amend the Foreign Assistance Act of 1961 and the United States-Israel Strategic Partnership Act of 2014 to make improvements to certain defense and security assistance provisions and to authorize the appropriations of funds to Israel, and for other purposes.

S. 3296

At the request of Mr. TOOMEY, the name of the Senator from Indiana (Mr. YOUNG) was added as a cosponsor of S. 3296, a bill to amend the Internal Revenue Code of 1986 to permanently allow a tax deduction at the time an investment in qualified property is made, and for other purposes.

S. 3318

At the request of Mr. CASSIDY, the name of the Senator from Indiana (Mr. BRAUN) was added as a cosponsor of S. 3318, a bill to promote transparency in health care pricing.

S. 3471

At the request of Mr. RUBIO, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 3471, a bill to ensure that goods made with forced labor in the Xinjiang Uyghur Autonomous Region of the People's Republic of China do not enter the United States market, and for other purposes.

S. 3620

At the request of Mr. REED, the name of the Senator from Rhode Island (Mr.

WHITEHOUSE) was added as a cosponsor of S. 3620, a bill to establish a Housing Assistance Fund at the Department of the Treasury.

S. 3761

At the request of Mr. WHITEHOUSE, his name was added as a cosponsor of S. 3761, a bill to amend title 38, United States Code, to require the Secretary of Veterans Affairs to provide veterans service organizations and recognized agents and attorneys opportunities to review Department of Veterans Affairs disability rating determinations before they are finalized, and for other purposes.

S. 4150

At the request of Mr. REED, the name of the Senator from Nevada (Ms. CORTEZ MASTO) was added as a cosponsor of S. 4150, a bill to require the Secretary of the Treasury to provide assistance to certain providers of transportation services affected by the novel coronavirus.

S. 4258

At the request of Mr. CORNYN, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 4258, a bill to establish a grant program for small live venue operators and talent representatives.

S. 4520

At the request of Mrs. LOEFFLER, the names of the Senator from Tennessee (Mrs. BLACKBURN) and the Senator from Louisiana (Mr. CASSIDY) were added as cosponsors of S. 4520, a bill to transfer the responsibility of verifying small business concerns owned and controlled by veterans or service-disabled veterans to the Small Business Administration, and for other purposes.

S. 4572

At the request of Mrs. GILLIBRAND, the names of the Senator from Rhode Island (Mr. WHITEHOUSE), the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from Rhode Island (Mr. REED) were added as cosponsors of S. 4572, a bill to amend title 38, United States Code, to provide for a presumption of service connection for certain diseases associated with exposure to toxins, and for other purposes.

S. 4582

At the request of Mr. RUBIO, the names of the Senator from Washington (Mrs. MURRAY) and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors of S. 4582, a bill to extend, temporarily, daylight saving time, and for other purposes.

S. 4602

At the request of Mr. KENNEDY, the names of the Senator from North Dakota (Mr. HOEVEN) and the Senator from West Virginia (Mrs. CAPITO) were added as cosponsors of S. 4602, a bill to prohibit the obstruction of emergency vehicles.

S. 4621

At the request of Mr. WYDEN, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 4621, a bill to provide tax relief for persons affected by certain 2020 disasters.

S.J. RES. 14

At the request of Mr. RUBIO, the names of the Senator from North Carolina (Mr. TILLIS), the Senator from Georgia (Mrs. LOEFFLER) and the Senator from Georgia (Mr. PERDUE) were added as cosponsors of S.J. Res. 14, a joint resolution proposing an amendment to the Constitution of the United States to require that the Supreme Court of the United States be composed of not more than 9 justices.

SUBMITTED RESOLUTIONS

SENATE CONCURRENT RESOLUTION 45—PROVIDING FOR THE USE OF THE CATAFALQUE SITUATED IN THE CRYPT BENEATH THE ROTUNDA OF THE CAPITOL IN CONNECTION WITH MEMORIAL SERVICES TO BE CONDUCTED IN THE SUPREME COURT BUILDING AND THE CAPITOL FOR THE LATE HONORABLE RUTH BADER GINSBURG, ASSOCIATE JUSTICE OF THE UNITED STATES SUPREME COURT

Mr. BLUNT (for himself and Ms. KLOBUCHAR) submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 45

Resolved by the Senate (the House of Representatives concurring), That the Architect of the Capitol is authorized and directed to transfer to the custody of the Supreme Court of the United States the catafalque which is situated in the crypt beneath the Rotunda of the Capitol so that such catafalque may be used in the Supreme Court Building in connection with services to be conducted there for the late honorable Ruth Bader Ginsburg, Associate Justice of the United States Supreme Court. The custody of the catafalque shall then be returned to the Architect of the Capitol to be used in connection with such services to be conducted in National Statuary Hall.

PROVIDING FOR THE USE OF THE CATAFALQUE SITUATED IN THE CRYPT BENEATH THE ROTUNDA OF THE CAPITOL IN CONNECTION WITH MEMORIAL SERVICES TO BE CONDUCTED IN THE SUPREME COURT BUILDING AND THE CAPITOL FOR THE LATE HONORABLE RUTH BADER GINSBURG, ASSOCIATE JUSTICE OF THE UNITED STATES SUPREME COURT

Mr. McCONNELL. Madam President, I ask unanimous consent that the Sen-

ate proceed to the immediate consideration of S. Con. Res. 45.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The senior assistant legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 45) providing for the use of the catafalque situated in the crypt beneath the Rotunda of the Capitol in connection with memorial services to be conducted in the Supreme Court Building and the Capitol for the late honorable Ruth Bader Ginsburg, Associate Justice of the United States Supreme Court.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. McCONNELL. Madam President, I ask unanimous consent that the concurrent resolution be agreed to and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The concurrent resolution (S. Con. Res. 45) was agreed to.

(The concurrent resolution is printed in today's RECORD under "Submitted Resolutions.")

ORDERS FOR TUESDAY,
SEPTEMBER 22, 2020

Mr. McCONNELL. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Tuesday, September 22; further, 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; further, that following leader remarks, the Senate proceed to executive session and resume consideration of the Meyers nomination under the previous order; finally, that following the cloture vote on the Lucas nomination, the Senate recess until 2:15 to allow for the weekly conference meetings.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

ADJOURNMENT UNTIL 10 A.M.
TOMORROW

Mr. McCONNELL. Madam President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:49 p.m., adjourned until Tuesday, September 22, 2020, at 10 a.m.