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Senate

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. GRASSLEY).

PRAYER

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

Let us pray.

Gracious God, empower our lawmakers to grow in grace. Make them gentle yet brave, confident yet humble, wise yet dependent on Your guidance. Lord, give them the wisdom to cultivate a faith that perseveres, keeping them from growing weary in doing what is right. Strengthen their ability to see among their colleagues Your divine image. May our Senators increase in favor with You and humanity. Fill them with a passion to live for Your glory.

We praise You for being our helper, and we desire to magnify Your Holy Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore 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.

The PRESIDING OFFICER (Mrs. LOEFFLER). The Senator from Iowa.

Mr. GRASSLEY. Madam President, I ask unanimous consent to speak for 1 minute in morning business.

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

MULTIEMPLOYER PENSION SYSTEM

Mr. GRASSLEY. Madam President, quite often in our newspapers, you can read about a lot of city and State pension funds that are in trouble. There is one at the national level we have to deal with, so today I speak about the multiemployer pension system problems and the need for reform.

According to the Pension Benefit Guaranty Corporation's annual projections—and those reports were released last week—there is a very big need for reform. That is as important as ever and getting more important every day.

The report estimates that the Multiemployer Insurance Program will become insolvent in 2026. That is a year later than predicted last year, so people might feel a little more comfort, but that is only because we gave relief last year to the mineworkers' plan. What is worse is that insolvency will come at the same time that the Central States Pension Fund will become insolvent, then creating an even bigger strain on the PBGC's insurance fund.

Reaching a bipartisan reform agreement continues to be critically important. I am very encouraged by recent indications from my Democratic colleagues that they are interested in working with us to find a solution—a solution that will strengthen this important part of our retirement system while ensuring that taxpayers aren't left holding the bag again in the future.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

JUDICIAL NOMINATIONS

Mr. McCONNELL. Madam President, 2 days ago, the Democratic leader threatened that if the Senate majority

dares to play by the rules and behave like a majority, it would mean “the end of this supposedly great deliberative body”—“the end of this supposedly great deliberative body.”

Yesterday, we learned what he meant. We saw important Senate business hurt by what amounted to a temper tantrum. For some reason, the Democratic leader decided to vent his frustration by blocking the Intelligence Committee—listen to this—from holding a bipartisan counterintelligence hearing—by blocking the Intelligence Committee from holding a bipartisan counterintelligence hearing.

The committee was set to hear from Bill Evanina, the Director of the National Counterintelligence and Security Center. This is the Nation's top counterintelligence official. Among other things, he works directly on protecting our elections and our politics from foreign interference. That is his job. They were going to hear from him.

This is the same Democratic leader who declared a few weeks ago that if the Intelligence Committee did not stay close to Congress on election security, it would be “an abdication of [their] duty . . . to protect our democracy.” Just last week, he wrote me a letter saying election security had to be “above partisan politics.” But now the Democratic leader's temper is more important. He denied Chairman RUBIO routine permission for the bipartisan committee to meet. He said: “[W]e won't have business as usual here in the Senate.”

Today, both the Intelligence Committee and the Armed Services Committee are scheduled to meet. They are set to speak with top intelligence and military officials about election security. I guess we will find out whether the Democratic leader's embarrassing theatrics were just a 1-day matinee or whether he means to make this a series.

Our bipartisan committees have a great deal of work to do to safeguard

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



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our Nation and, in particular, to protect our elections, so I hope our colleague from New York gets out of the way.

But the Democratic leader didn't stop there. A few minutes later, he decided to cheapen a solemn and unifying moment and turned a draft unanimous resolution honoring Justice Ginsburg into one more depressing stunt for the TV cameras.

Over the weekend, I wrote a resolution honoring the late Justice's amazing life. Normally, such measures are adopted with unanimous, bipartisan support. That is exactly what we did after Justice Scalia passed. Every Senator recognized that our collective eulogy was no place to debate political questions—oh, but not this time. This time, the Democratic leader copy-pasted the tribute I had written, put his name on top, and added two divisive references to our debate over what to do next. He didn't devote any time or attention to the language praising Justice Ginsburg's life and career. He did not suggest a single change to any of that. His sole focus was on turning a solemn routine and unanimous moment for Justice Ginsburg into a platform for himself.

Justice Ginsburg could not be more deserving of the honor of a formal Senate tribute. I hope our colleague from New York will let us pass one sometime soon.

SUPREME COURT NOMINATIONS

Mr. McCONNELL. Madam President, on another matter, I have already talked a lot about history this week, but before we shift focus to President Trump's nominee, we need to review Senate history one more time.

As we await the hurricane of misrepresentations and bad-faith attacks that seem almost guaranteed to pour out, we need to understand, in very clear terms, why our colleague from New York is a uniquely non-credible messenger when it comes to the Senate's role in judicial confirmations.

It was Senate Democrats who began our modern challenges with their treatment of Robert Bork in 1987, but the acrimony really got going in the early 2000s when a group of Senate Democrats took the almost-never-used tactic of filibustering nominations and turned it into a constant routine for the first time ever.

So who was the main driving force behind these tactics? Let's consult some New York newspapers from the year 2003:

Schumer decided [to] put ideology on the front burner in the confirmation process. . . . "I am the leader (of the filibuster movement), and you know, I'm proud of it," said the senator from Brooklyn.

Mr. Schumer urged Democratic colleagues . . . to use a tactic that some were initially reluctant to pursue, and that has since roiled the Senate.

Throughout President Bush 43's two terms, our colleague built an entire

personal brand out of filibustering judicial nominees. Talented, hard-working people's careers were destroyed, like the brilliant lawyer Miguel Estrada, a close friend of now-Justice Elena Kagan, who says he is "extraordinary" and "thoughtful" and would have made "an excellent addition to any Federal court." People like that, literally, were destroyed by Democratic tactics.

This version of the now-Democratic leader said filibustering judges was an essential part—an essential part—of the Senate. He said that if Republicans ever used the nuclear option to "change the rules in midstream" because "they can't get their way on every judge . . . it'll be a doomsday for democracy."

But of course, in the very next Presidential administration, the Democratic leader leapt at the chance to press that doomsday button himself. Democrats could not abide by President Obama's being constrained by the same rules they had imposed on President Bush. They had no patience to taste their own medicine. So the Democratic leader suddenly decided that "the old rules need to be modified." He voted to use the nuclear option to lower the bar.

So there actually has been one consistent principle all this time. For the Democratic leader, two things qualify as a crisis when it comes to the courts. The sky is falling when a Democratic President does not get to confirm every last judge he or she wants, and the sky is falling when a Republican President gets to confirm any judge.

Six months ago, our colleague walked across the street to the Supreme Court steps, stood in front of a crowd, and yelled:

I want to tell you, Gorsuch! I want to tell you, Kavanaugh! . . . You will pay the price! You won't know what hit you if you go forward with these awful decisions!

That is the Democratic leader in front of the Supreme Court of the United States.

Just last night he said this:

I tell the American people, everything you need and want, just about everything, will be taken away inexorably, month after month, year after year, decision by decision, by this new court.

That is the argument. That is, apparently, the argument. "Everything you need and want will be taken away." Is this a discussion among Senators or an overdramatic line from a bad movie?

The American people do not need any more revisionist history lectures, any more threats, or any more performance outrage from the side that launched this unfortunate fight and escalated it time after time after time.

There is one right path before us. It does right by the judiciary, the Senate, the yet-unnamed nominee, and the American people. It is a fair hearing, a fair process, and a fair vote. That is what the American people ensured in 2018 after the Democratic leader explicitly asked for a referendum on this approach to the judiciary. He got that referendum in 2018. The people decided. They shrunk his minority even further.

Americans took care to ensure Senate Democrats could not stand in the way of a fair process. So that is exactly what the Senate will provide.

GOVERNMENT FUNDING

Mr. McCONNELL. Madam President, now on another matter, yesterday the House passed a government funding resolution on a bipartisan basis. It will now make its way through the Senate.

A few days ago, when House Democrats released their first draft, Republicans immediately spoke out about a huge omission. It intentionally neglected the needs of farm country and rural America. They tried to use our Nation's farmers and ranchers as a bargaining chip.

Fortunately, thanks to the leadership of our colleague Senator ERNST, along with Senators HOEVEN, BOOZMAN, and many other Republican colleagues, we made it clear right away that we would not let Democrats leave farmers behind.

The Commodity Credit Corporation is an essential source of funding for our farmers. For years it has been routinely refilled with bipartisan support, but this year Speaker PELOSI tried to take Middle America hostage for unrelated political brinksmanship.

I am grateful to Senator ERNST and everyone who fought hard to fix the Democrats' bill. Republicans kept the Speaker of the House from adding insult to injury in such a challenging year for rural America.

I know all Members will carefully review the continuing resolution sent over by the House. I am optimistic that, with bipartisan cooperation, we will be able to make law well before the government funding deadline at the end of this month.

MEASURES PLACED ON THE CALENDAR—S. 4653 AND H.R. 8337

Mr. McCONNELL. Madam President, I understand there are two bills at the desk due a second reading en bloc.

The PRESIDING OFFICER. The clerk will read the bills by title for the second time.

The senior assistant legislative clerk read as follows:

A bill (S. 4653) to protect the healthcare of hundreds of millions of people of the United States and prevent efforts of the Department of Justice to advocate courts to strike down the Patient Protection and Affordable Care Act.

A bill (H.R. 8337) making continuing appropriations for fiscal year 2021, and for other purposes.

Mr. McCONNELL. In order to place the bills on the calendar under the provisions of rule XIV, I would object to further proceedings, en bloc.

The PRESIDING OFFICER. Objection having been heard, the bills will be placed on the calendar.

RESERVATION OF LEADER TIME

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

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

SUPREME COURT NOMINATION

Mr. SCHUMER. Madam President, first, let me thank all of my colleagues who were here until late last night and made such persuasive arguments as to why the new Supreme Court Justice matters so much to the American people, to their healthcare, the working people's rights, to women's rights, to preserving the right to choose, to making sure we have a good green planet, to LGBTQ rights. They did an eloquent job.

I hope America was listening because this nomination matters; it matters to the average daily lives of average Americans. And last night, by holding the floor until the late hours, Democrats made really strong arguments.

I thank my colleagues for doing that.

Madam President, for the third day in a row, Leader McConnell has come to the floor and completely ignored the "principle" he established in 2016, when, mere hours after Justice Scalia passed away, Leader McConnell said that "the American people should have a voice in the selection of their next Supreme Court Justice"—his words: "The American people should have a voice in the selection of their next Supreme Court Justice," referring to the upcoming election.

That election was more than 8 months away. We are now only 42 days away. But the so-called McConnell rule—the supposed principle that the American people deserve a voice in the selection of a Supreme Court Justice—hasn't come up. The Republican leader can't mention it. No wonder he never mentions it. And he sticks to just diversionary, irrelevant remarks in his speeches on the floor instead of addressing the main issue—why he said one thing in 2016 and a different thing now.

Instead, the Senate is forced to suffer these tortured explanations and misleading precedents. At a press conference yesterday, here is how the Republican leader described the Senate role in confirming the Supreme Court Justices. He actually said: "[W]e have an obligation under the Constitution [to consider a Supreme Court Justice] . . . should we choose to take advantage of it."

Did you catch that? Did you catch that? It is an obligation, but only if the Republican leader chooses to take advantage of it. I see. So, when there is a Democratic President, it is one of those obligations you don't have to take advantage of, but when there is a Republican President, it is a solemn constitutional duty.

Are we really supposed to swallow the argument that, when the Senate and the President are of the opposite party, one rule applies, but when they

are of the same party, a different rule applies? I didn't hear that right after Scalia died when Leader McConnell explained why he was holding it up.

So this idea that when it is one party, one rule applies and another party, a different rule applies, we have a term for that. It is called a double standard.

If the leader really wants to discuss precedent—real precedent, not fiction—we can dispatch with that conversation in about 30 seconds.

Madam President, I have a parliamentary inquiry for the Chair: Is there a Senate precedent for confirming a Supreme Court nominee between July and election day in a Presidential year?

The PRESIDING OFFICER. Materials from the offices of the Secretary of the Senate do not show such a precedent.

Mr. SCHUMER. Thank you, Madam President.

July is long gone. August is over. We are now at the end of September. As you just heard—not from the Democratic leader but from the records in the Senate, as spoken by the Chair, there is no, no, no precedent for confirming a Supreme Court Justice between July and election day. The Republican leader can come up with arguments that twist things, that jump through hoops, but it doesn't gainsay no, no, no precedent for any Supreme Court nominee being confirmed between July and election day. As you know, July is gone. August is over. We are now at the end of September. It is 6 weeks before an election in which some people have already begun to vote.

Simply, my Republican friends have no ground on which to stand—none.

There is no logic to excuse flipping their position 4 years apart, under the same circumstances. There is no justification for the Senators who said on the record that they would "say the same thing if a Republican president were in office"—"say the same thing if a Republican president were in office" they said then, but it doesn't apply now that we have a Republican President in office. There is no defense for the Senator who said: "Precedent set. Precedent set. I'm sure come 2020, you'll remind me of that." There is no place to hide for the Senator who said: "You can say that I said, let the next president decide. Hold this tape. I want you to use my words against me."

Why are Senate Republicans going to such extreme lengths to ram through a Justice weeks before an election, making a complete mockery of their previous "principle"? Why are they committing a power grab so egregious that it risks shredding the last vestiges of trust that remain between our two parties? For what? Because this is the only way for Republicans to achieve their radical, rightwing agenda—an agenda so far away from where average Americans think, even average Republicans, that they wouldn't dare bring such things on the floor of the Senate.

Unable to thrust comically unpopular positions on the American people through Congress, they have to try through the courts—a cynical strategy that dates back to the 1950s.

Republicans are sick and tired, for instance, of this annoying law, the Affordable Care Act, and that it keeps providing healthcare to millions of Americans. They tried to repeal it in the House just about a million times, and they tried here, too, in the Senate but failed by one vote. So now they have taken it to the courts.

President Trump and Republican attorneys general are suing right now to eliminate the entire law, including protections for up to 130 million Americans with preexisting conditions. In fact, President Trump is meeting with those Republican attorneys general at the White House today, this afternoon. Less than a week after Justice Ginsburg's passing, the President is meeting with the leaders of the Republican lawsuit against our healthcare law. Ostensibly, it is about how social media companies are biased against conservatives, but who wants to bet that the healthcare lawsuit doesn't come up? I would like for someone to ask them that.

If he cared about healthcare and the American people, President Trump himself would ask the AGs to withdraw their lawsuit. I am calling on him to do it right now. I doubt he will, given his record, given his lack of concern for the American people's healthcare, but he should. But, unfortunately, let's remember, President Trump already told the American people his goal. He said: "My judicial appointments will do the right thing, unlike Bush's appointee John Roberts, on ObamaCare."

He is about to make a Supreme Court pick while there is an ongoing lawsuit that seeks to eliminate the Affordable Care Act. Hear that, America? The healthcare law you want, the healthcare law you need, the healthcare law that protects you against overreaching insurance companies that will not give you insurance when you have a preexisting condition—President Trump has said he will appoint a nominee who will undo it, and we know he said it because of what he said about Justice Roberts when Justice Roberts opposed his view on healthcare.

Guess when the case is being heard in the Supreme Court, America. November 10, a week after the election. Is that why Senate Republicans are in such a rush to get a new rightwing Justice confirmed before the election—so that the Supreme Court can do what they failed to do here in the Senate—repeal this healthcare law, which protects so many Americans?

Leader McConnell slammed on the brakes while tens of thousands of Americans died from COVID, and now he is slamming his foot on the gas to approve a Supreme Court Justice who could rip away Americans' healthcare in the middle of a pandemic. Shame. Shame.

For 4 months, the Republican majority delayed a COVID-relief package while the Nation suffered, but 1 hour—1 hour—after the news of Justice Ginsburg's passing broke, Leader McCONNELL said "batten down hatches, we're full steam ahead" on confirming another rightwing Justice—a Justice who could undo Ruth Bader Ginsburg's legacy; who could rip away healthcare from millions of American families; who could decide there is no more right to choose for millions of American women—Roe v. Wade hangs in the balance here; who could crush unions for millions of American workers; who could make it harder to vote for millions of African Americans; who could end marriage equality for millions of LGBTQ Americans, like my daughter and her wife, who looked at each other this weekend and wondered, is our marriage on the line?

Average Americans are thinking, what are they going to lose with this new, hard-right, special interest-dominated Supreme Court if—if—our Republican friends have their wish, which we are going to fight every step of the way? The stakes of this election, the stakes of this vacancy concern no less than the future fundamental rights of the American people.

My friends on the other side will tell you that we are being hysterical, that they actually support protections for Americans with preexisting conditions. That is hysterical? Ask the mother whose son or daughter has cancer and can't get insurance and watches their child suffer. That is not being hysterical; that is doing what we are supposed to do, not what the folks on the other side are doing—rushing through a Justice who, in a very strong likelihood if that Justice gets approved, would rip healthcare away from the American people.

America, you have to ask yourselves, if Republicans will completely reverse themselves on a major principle whenever it suits them, what can you trust them on? How can you take their word seriously?

Republicans have praised the legacy of Justice Ginsburg with flowery words about her impact, but in the resolution I offered yesterday, they even didn't want to acknowledge her dying wish that she not be replaced until the next President is installed.

President Trump had the gall, the temerity, the baseness to suggest her dying words were not issued by her. How low can the President go?

Senate Republicans are working with every fiber of their being to confirm a Justice—despite her last wish, in contradiction to her dying, most fervent wish—who will reverse her legacy. This is not speculation. This is not hyperbole. President Trump has said again and again and again that he wants the Supreme Court to "terminate" the healthcare law. He made it clear he has a litmus test: Any Trump nominee must want to strike down Roe v. Wade.

For once, Republicans should be straight with the American people.

They are fighting to reverse Justice Ginsburg's legacy, not honor it. All of their speeches of praise run totally hollow and are belied by their actions.

America, you can't trust them at their word. You can't trust them to protect your healthcare, and you definitely can't trust this Senate Republican majority to protect you.

JOHNSON REPORT

Mr. SCHUMER. While the rest of the country was busy fighting COVID, Senate Republicans have been abusing the power of the Senate to conduct opposition research for President Trump's campaign.

This morning, the chairman of the Homeland Security Committee released his report, which reads as if Putin wrote it, not U.S. Senators. The bogus narrative of this report, peddled by a Russian disinformation campaign, was disproved by every witness who testified. Despite their zeal to smear Vice President Biden and his family, Senate Republicans found no evidence—no evidence—to support the conspiracy theories pushed by Putin's intelligence agencies.

Senators GRASSLEY and JOHNSON should reimburse taxpayers for the money they wasted. This entire disgraceful affair and the Johnson report should be relegated to the dustbin of history.

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

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

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to resume consideration of the following nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of John Charles Hinderaker, of Arizona, to be United States District Judge for the District of Arizona.

The PRESIDING OFFICER. The majority whip.

SUPREME COURT NOMINATIONS

Mr. THUNE. Madam President, I don't think anyone is surprised that Democrats have not reacted well to the idea that President Trump will nomi-

nate a third Supreme Court Justice. After all, overreacting to Republican nominees is pretty much the Democrats' stock-in-trade. It doesn't matter who the nominee is. To hear the Democrats tell it, any Republican nominee is likely to bring about Armageddon.

The fact that some Republican nominees in past years, and as recently as this past June, have sided with the liberal wing of the Court more often than I would like has not in any way restrained Democrats' hysteria each time a new Republican nominee is introduced.

I thought we had reached a low point 2 years ago with the nomination of Justice Kavanaugh, who suffered months of character assassination at the hands of Democrats, but it turns out that was not the low point because we have reached a new low.

As I said, it is no surprise the Democrats have reacted with hysteria at the prospect of President Trump nominating another Supreme Court Justice. It was disappointing—but hardly surprising—that yesterday the Democratic leader blocked a key Intelligence Committee hearing on election security, a topic he has repeatedly insisted is of overwhelming importance, to protest the thought of the Senate fulfilling its advice and consent role and confirming a principled, conservative woman. Even Speaker PELOSI's overwrought statement that Republicans are "coming after your children," seemed pretty much par for the course.

Democrats have not limited themselves to temper tantrums. No, Democrats have moved on to threats. Dare to confirm the President's duly nominated nominee, Democrats are now saying, and if we win back the majority in November, we will eliminate the legislative filibuster and pack the Supreme Court.

In other words, if Republicans dare to fulfill the Senate's role of advising and consenting to the President's nominee, Democrats will upend our democratic institutions. They will eliminate the legislative filibuster, which is the Senate rule that helps ensure legislation that passes the Senate has to be at least somewhat bipartisan.

And they will pack the Supreme Court. For those who need a brief refresher on the concept of court packing, which had been largely consigned to the dustbin of history nearly a century ago, the theory is as follows: If the Supreme Court is not deciding cases to your liking, add more Justices to the Court until you start getting the decisions that you want. In other words, let Republicans dare to fill the vacant slot on the Supreme Court, and Democrats will keep adding Justices to the Court until they can be assured they will get the outcome they want in every case.

Yesterday, I referred to those Democrats as undemocratic. Why did I say that? They are inconsistent with democratic government. In our system of

government, you win some and you lose some. While it is no fun when you lose, that is how things sometimes go in a democracy. Have Republicans been enthusiastic when Democrat Presidents have had nominees confirmed to the Supreme Court? No, but have Republicans suggested that Democrat Supreme Court Justices are illegitimate? Have we suggested that the proper response to a Democrat Supreme Court nominee is to pack the Supreme Court with additional Republican Justices to get a rubberstamp for Republican priorities? No, of course not.

While we may not like it when Democrats are in charge, we know that Democrat-run government is legitimate, just as Republican-run government is legitimate. It has become clear over the past few years—especially over the past few days—that Democrats think government is legitimate only when they are in charge. So Democrats are accusing Republicans of undermining our institutions by fulfilling our constitutional role because that is exactly what we are doing: fulfilling our constitutional role.

Let's be very clear about that. Republicans are suggesting that we take up a Supreme Court nominee duly nominated by a duly elected President and confirm that nominee in accord with our constitutional advice and consent role.

Democrats are free to think that Republicans should not consider this nominee, but it is absolutely indisputable that Republicans and the President are doing nothing more than carrying out a legitimate constitutional prerogative.

What Democrats are doing, on the other hand, is trying to ensure that only one party has a say in our government—what some might call tyranny—and threatening retribution for the exercise of legitimate constitutional prerogatives. That does pose a danger to our institutions.

Take the Supreme Court. A year ago, several Democrats warned that the Court's nonpartisan reputation was in jeopardy. Their argument was that the Court would look partisan if it did continue with a case the Democrats didn't like. What on Earth do Democrats think will happen to the Court's reputation if they pack the Court with additional Democrats to rubberstamp their policies? Do they really think Americans are going to see the Supreme Court as legitimate once it has been hijacked for partisan Democratic purposes?

If you believe in our system of government, you have to believe that all Americans—not just those who agree with you—have a right to have a voice in the government. You are free to vehemently disagree with 50 percent of your fellow Americans. You are free to dislike it when your party is not in charge. You are free to fight fiercely for the policies and candidates you believe in. But what you cannot do without undermining our entire system is

suggest that government is legitimate only when your party is in charge.

If Democrats continue along this dangerous trajectory, if they continue to try to delegitimize the actions of a duly elected Senate majority and a duly elected President, they are the ones who will put our entire system at risk.

If anyone wonders for a moment whether Democrats are advocating a principled position—if perhaps Democrats really think it would be best for our country to eliminate the legislative filibuster Democrats have used so often or to expand the Supreme Court—one can simply ask whether Democrats will continue to advocate for these positions if President Trump is reelected and Republicans retain control of the Senate. Think about that one. I think everyone here knows what the answer to that question is, and the answer is no.

As I suggested, Democrats' threats are not going to stop Republicans from carrying out our constitutional role in considering the President's nominee. One of the principle reasons that many GOP Senators, myself included, ran for office in the first place was to confirm principled judges to our courts—judges who understand that their role is to interpret the law, not make the law.

While many of my Democrat colleagues would like the courts to impose their policies when they can't push them through Congress, Republicans know that legislation should come from Congress and not from the courts. The job of judges is to interpret the law as it is written, not to oppose Democrat or Republican policies from the bench.

My colleagues and I were elected and reelected, in part, because of our commitment to confirming judges who would uphold the Constitution and the rule of law. We have followed through on that commitment over the past 4 years, and we are going to keep following through by voting on the President's nominee.

Democrats can bluster. They can threaten. They can throw temper tantrums. But we will keep doing what we were sent here to do.

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

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

AGRICULTURE

Mr. HOEVEN. Mr. President, we are here to talk about agriculture. We are here to talk about those great farmers and ranchers who feed this country and feed the world.

You know, when we talk about good farm policy, we are talking about something that benefits every single

American every single day because our farmers and ranchers produce the highest quality, lowest cost food supply in the history of the world that benefits every single American every single day. That is just how important it is. How could we be reminded even more so right now than during this COVID pandemic of that abundant, safe, wonderful food supply that we have every day thanks to our farmers and ranchers, and there is so much that goes into it.

As the Presiding Officer well knows, with Nebraska as his State and its being a big part of the incredible ag production in this country—as a matter of fact, there could be a little rivalry here with his contiguous State to the north in terms of cattle production or something like that—this is something that touches everybody every day and is so important.

It is not just those farmers and ranchers who produce that food every day; it is the whole supply chain that has to work. Remember, that food supply has to be safe every day, not only tasty and affordable and abundant, and that is what we are talking about. This has become a big, big issue in the continuing resolution that we are working on right now in that the way we are funding the coronavirus food assistance programs, in part, is with the direct funding that we secured in the CARES Act and also from what they call the CCC, the Commodity Credit Corporation. With regard to the farm bill—the bipartisan farm bill that has incredibly strong support on both sides of the aisle in this body and the House—many of its very key programs are funded by the Commodity Credit Corporation. We put about \$30 billion a year into that fund every year to make sure that those programs are funded to support our farmers and ranchers.

That was not in the original House version that was going to be filed, so a group of Senators from ag States came together last week and had a colloquy in this body. They immediately went to work with our friends in the House who are also strong supporters of agriculture and now the continuing resolution that has passed the House overwhelmingly, which we will be taking up, has that key funding in it.

So we are really here to, once again, emphasize the importance of making sure we fund these farm programs, to make sure that we fund them in a timely way, and, again, to point out very clearly that this is funding that is being used expressly the way it was authorized to be used both in the overwhelmingly bipartisan farm bill we passed—the 5-year farm bill—but also in the CARES Act, in which we secured additional funding. Now the funding that is included in the continuing resolution is exactly that funding that we put out there every year to make sure this farm bill is provided on time.

It could not be more important than this year, when not only are our farmers and ranchers fighting COVID but

when they are fighting low commodity prices, challenges in the world of trade in their being targeted by China, fighting challenges of tough weather, and on top of that, COVID. So, again, we have to be there for them.

I thank the Members of the Senate and the House who worked very hard on this and the farm group, and I am going to kind of run through this whole roster here in a minute.

Before I do that, I turn to the senior Senator from South Dakota—our whip here in the Senate and somebody who has worked on behalf of agriculture his whole life—and ask him for a few of his comments.

Mr. THUNE. Mr. President, I say to my colleague from North Dakota how much we appreciate his leadership. He is a relentless advocate for the farmers and ranchers of North Dakota and across this country. We share a border, but we also have a lot of commonality in the people whom we represent. They are hard-working people who work from dawn to dusk to feed not only this country but the world.

It has been no easy task being in agriculture during these last few years for lots of reasons, as my colleague from North Dakota has pointed out, whether it be from, of course, most recently, COVID, but also from chronically low and depressed commodity prices, coupled with bad weather, coupled with trade disputes, and difficulties with markets here and around the world. Farmers and ranchers have had a tough and difficult road these past few years, so it is critically important that we continue to be there for them.

As my colleague from North Dakota pointed out, there was a concern because what we had heard initially would be in the continuing resolution that was coming over from the House—that will fund the government and that we will pass, hopefully, later this week in the Senate—was not going to include funding for agriculture and for all of those programs that keep ag running that we authorized in the farm bill.

A key Member of the House Agriculture Committee, Senator BOOZMAN, of Arkansas, who is also a key member of that committee—in fact, he is somebody we hope to be the next chairman of that committee—and the current chairman of our authorizing committee, Senator ROBERTS, of Kansas, who, I think, will be down here in just a few minutes, all played an important role, along with the ag community. All of the organizations that Senator HOEVEN is going to talk about engaged right away when they realized what was happening, and we were able to work together to solve that.

Now we will consider on the floor of the Senate the continuing resolution to fund the government that does include funding for the Commodity Credit Corporation, which provides the funds that keep all of those agricultural programs that we authorize when we do a farm bill. The last farm bill

was in 2018, and we were all involved with that. It would keep all of those programs funded, and that is critically important. It has never been more important than it is right now in our coming out of the pandemic. Food security is an absolutely essential priority. It should be for our country, and it certainly should be for the Members of Congress in both the House and the Senate.

I thank my colleague Senator HOEVEN. As I said, he is a strong, strong voice for our agricultural producers. When he and I and those from Arkansas and Kansas and Nebraska—those of us from farm country—work together and put together coalitions at times like this, it is only due to that advocacy we have heard from Senator HOEVEN and others that has enabled us to be successful.

I am glad that we have gotten the right outcome here, and it is something to celebrate. Obviously, our farmers and ranchers across the country are going to be, I think, enormously grateful that we have been able to get this problem resolved.

I thank the Senator for his leadership, and I look forward to continuing to work with my colleagues on those issues that are important in farm country that will help our farmers and ranchers not only survive but, hopefully, prosper into the future.

Mr. HOEVEN. I thank the Senate's majority whip for all of the work he has done.

Again, he works for farmers day in and day out. He comes from South Dakota, which is a strong farming and big ranching State. He was instrumental in this effort, not only by his joining us last week in the colloquy but then by engaging in the negotiations as part of our leadership time, along with our majority leader, who held fast on this.

I have to tell you that, as we negotiated back and forth with the House, our leadership—Senator MCCONNELL, Senator THUNE, and others—held strong in saying: No, this is something that must be in the continuing resolution. Also, the administration—the President and the White House—was involved in this negotiation and held fast on this as well.

This is one of the last pieces of the puzzle to come into place, but it is so very important that we have gotten it. As I say, we had seven Senators down on the floor last week who were talking about it, and those seven Senators were led by our Ag chairman, and I will I ask him to make a few comments as well.

Again, let me thank those other Senators who have joined and will join us—Senator THUNE, from whom you just heard; Senator BOOZMAN, from whom you will hear in just a minute; Senator ERNST, of Iowa; Senator FISCHER, of Nebraska; and Senator HYDE-SMITH, of Mississippi. All have strong ag backgrounds. I mean, they are people who not only work on behalf of agriculture but who are involved in agri-

culture. They are not just here, advocating for it—they live it. It is a great group.

They have also reached out to so many in the House, to the farm groups, to the commodity groups, and to the ag groups, which I will talk a little bit more about later.

Let me turn to our Ag chairman, who, though still a relatively young man, has been in the House and the Senate for many years and has always been a tireless advocate for agriculture. He is a marine—once a marine always a marine. *Semper Fi*. He brings that attitude—that marine, you know, “never turn back and never let up” attitude—and makes sure that he does everything he can on behalf of our farmers and ranchers.

I yield to the chairman.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. ROBERTS. I thank the distinguished Senator for his comments. I appreciate the shout-out for the U.S. Marine Corps and to all of us who are marines.

The Marine Corps taught me one thing, and that was that I could always do more than I thought I could. This is a good example of what happens when we work together as a team—when we work with our colleagues across the aisle—when we see a real problem that has come up.

This was a situation for which I wanted to express my gratitude to all of the Members who joined together to provide certainty and predictability. This is what we sold the farm bill on—certainty and predictability. We had a situation that we faced, and it was really difficult to understand how this came about, but that is not the news today. The news today is good news in that we reached a compromise and found agreement to replenish the CCC, the Commodity Credit Corporation, in the continuing resolution, absent some of the barbed wire that was in there.

I especially want to thank more than 40 agriculture organizations, and I have the letter right here. I know both Senators who are in attendance here, as well as Senator THUNE and everybody concerned, are aware of it. It is to Majority Leader MCCONNELL, Speaker PELOSI, Leader SCHUMER, and Leader MCCARTHY. It is from 47 different farm organizations and commodity groups that speak for, I think, virtually every farmer, rancher, and grower in the country. So I give thanks to the 47.

I ask unanimous consent to have printed at this point in the RECORD this letter, dated September 15, 2020, from 47 farm organizations and commodity groups.

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

SEPTEMBER 15, 2020.

Hon. MITCH MCCONNELL,
U.S. Senate,
Washington, DC.
Hon. NANCY PELOSI,
House of Representatives,
Washington, DC.
Hon. CHARLES SCHUMER,
U.S. Senate,
Washington, DC.
Hon. KEVIN MCCARTHY,
House of Representatives,
Washington, DC.

DEAR MAJORITY LEADER MCCONNELL, SPEAKER PELOSI, LEADER SCHUMER AND LEADER MCCARTHY: As Congress assembles a continuing resolution to extend government funding, we respectfully ask that you provide the U.S. Department of Agriculture (USDA) with the resources necessary to continue assisting American farmers and ranchers. To that end, reimbursement for the Commodity Credit Corporation (CCC) must be included in any measure to keep government operating past the current fiscal year.

For decades, CCC has been regularly replenished to fund programs integral to the farm safety net that Congress has worked tirelessly to craft. Producers count on programs like Agriculture Risk Coverage, Price Loss Coverage, Dairy Margin Coverage, Marketing Assistance Loans, conservation programs, and many others as they provide food, fuel and fiber for our nation. Without immediate CCC reimbursement, payments and programs would be significantly delayed, jeopardizing operations across the country.

More than ever, farmers and ranchers need the certainty and support provided by farm programs. Low commodity prices, unjustified retaliatory tariffs, natural disasters, and a global pandemic have placed a tremendous burden on farm country. USDA's most recent farm income projections forecast that cash receipts will be at their lowest level in more than a decade. Coupled with rising farm debt and a decrease in working capital, producers face challenges not experienced in decades.

As the industry continues to endure hardships during this unprecedented time, we urge you to include CCC reimbursement in a continuing resolution. Thank you for your consideration and continued efforts on behalf of American agriculture.

Sincerely,

Agricultural Retailers Association, Amcot, American Agri-Women, American Cotton Producers, American Cotton Shippers Association, American Dairy Coalition, American Farm Bureau Federation, American Pulse Association, American Sheep Industry Association, American Soybean Association.

American Sugar Alliance, Association of Equipment Manufacturers, Cotton Growers Warehouse Association, Cotton Warehouse Association of America, Crop Insurance Professionals Association, National Association of Wheat Growers, National Barley Growers Association, National Cattlemen's Beef Association, National Corn Growers Association, National Cotton Council.

National Cotton Ginners Association, National Council of Farmer Cooperatives, National Farmers Union, National Milk Producers Federation, National Sorghum Producers, National Sunflower Association, Panhandle Peanut Growers Association, Plains Cotton Growers, Inc., Produce Marketing Association, Rural & Agriculture Council of America.

Society of American Florists, Southeastern Cotton Ginners Association, Southern Cotton Growers, Southwest Council of Agribusiness, U.S. Canola Association, U.S. Cattlemen's Association, United Egg Producers, United States Peanut Federation, US Rice Producers Association, USA Dry Pea & Lentil Council, USA Rice, Western Peanut Growers Association.

Mr. ROBERTS. Mr. President, if we had not done this, it would have resulted in delays in the 2018 farm bill programs—the one that we passed here with 87 votes—and the ability farmers would have with the risk management tools.

I would just simply point out that no matter what they grow or where they live, farmers, ranchers, and growers have done their part to ensure that our Nation's food, fiber, and fuel supplies continue without disruption during these unprecedented times. They are counting on the Department of Agriculture—and, for that matter, the Congress—to deliver a range of agriculture, nutrition, conservation, and forestry programs.

More than 50 of these programs—here is the list—were in danger because of the uncertainty in replenishing the CCC funding and then due to some of the add-ons with regard to policy being difficult to understand. Well, they are easy to understand, but it is bad policy, bad precedent.

We have put the Secretary of Agriculture in a very bad position in that he has announced the specifics of this program. I would urge all of my colleagues—more especially my colleagues across the aisle who have expressed great concern as to what is in this latest program and what isn't—to get on the phone, and I will get on the phone with the Secretary. I know that Senator BOOZMAN and Senator HOEVEN will do the same. We all have concerns as to how this is going to work, and that has been true with all of the programs prior to this one. That is the way to express our concern with regard to getting something done.

I do want to point out that my colleagues across the aisle, under the banner of nutrition programs—the SNAP program in particular, school lunches, et cetera—did point out that we had some real deficiencies with regard to keeping our commitment to these programs, more especially with COVID-19. I understand that, so that was included. That is really what we are all about here—working in a bipartisan fashion on behalf of farmers, ranchers, and growers in agriculture. That is what we have always done on the committee.

I thank my distinguished ranking member, and I thank everybody who brought this thing together.

As the chairman of this committee, we were successful. As I indicated, in a bipartisan manner, we—87 Members of this Chamber—voted in favor of this legislation. These were some of the programs that were threatened: price loss coverage, agriculture risk coverage, and marketing assistance loans. If you just go down the list of everything farmers were depending on, all of a sudden, it was up in the air. Why that was true I am not quite sure, but this shows the extent of the damage that could have been done with the original request in the CR without the CCC funding.

I ask unanimous consent to have printed at this point in the RECORD a list of these programs that were in danger.

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

PROGRAMS FUNDED THROUGH CCC

Price Loss Coverage; Agriculture Risk Coverage—County; Agriculture Risk Coverage—Individual; Marketing Assistance Loans; Economic Adjustment Assistance for Upland Cotton; ELS Cotton; Payment Limitations and Actively Engaged (commodity certs, separate peanut payment limit, marketing loan; Sugar Loans; Electronic Warehouse Receipts; Dairy Margin Coverage.

Dairy Indemnity Payment Programs; Milk Donation Program; Noninsured Crop Disaster Assistance Program; Feedstock Flexibility Program; Biofuels Infrastructure Program; Biobased Market Program; Bio-refinery Assistance Program; Bioenergy Program for Advanced Biofuels; Rural Energy for America Program; Export Credit Guarantee Program.

Agriculture Trade Promotion Program (Market Access; Program, Foreign Market Development Program, Emerging Markets Program, Technical Assistance for Conservation Reserve Program; Agricultural Conservation Easement Program; Conservation Stewardship Program; Voluntary Public Access and Habitat Incentive Program; Environmental Quality Incentives Program; Regional Conservation Partnership Program; Emergency Assistance for Livestock, Honey Bees, and Livestock Forage Disaster Program; Livestock Indemnity Program; Tree Assistance Program.

Facility Guarantee Program; Food for Progress Program; Quality Samples Program; The Bill Emerson Humanitarian Trust; Wool Apparel Manufacturers Trust Fund; Pima Cotton Trust Fund; Citrus Trust Fund; APHIS efforts for emergency plant and animal disease; Local Agriculture Market Program; Organic Production and Market Data Initiatives.

Organic Agriculture Research and Extension; Small Watershed Rehabilitation; Feral Swine Eradication and Control Pilot; The Gus Schumacher Nutrition Incentive Program; Specialty Crop Block Grant Program; Animal Disease Prevention and Management Program; Wool Research and Promotion; Farming Opportunities Training and Outreach; Beginning; Farmer and Rancher Development Grant Program; Emergency Food Assistance Program; Food for Peace Program.

Mr. ROBERTS. Mr. President, finding a bipartisan solution to replenish the CCC and to provide much needed certainty and predictability for all reasons, all crops, all farmers, and all ranchers, I, again, appreciate the efforts of my colleagues and those who represent them—the Nation's farmers, ranchers, growers, rural stakeholders, everybody in rural and small-town America, and their lenders, who could not believe what we were about to face with pulling out the CCC funds with regards to the CR, or the continuing resolution, to keep our government running and avoid a government shutdown.

So this agreement, the continuing resolution, represents a good step, a good bipartisan step. I really appreciate that, although I must say we didn't have to go down this road.

There is a saying we have in Kansas that there are a lot cactus in the world. We don't have to sit on every doggone one of them. And, boy, we sat on this one, and we sat on it too long.

I want thank the staff, especially the Agriculture Committee staff, representing all of our Members on the Ag Committee. They did tremendous work, making sure the right policy was there, making sure that at least the CCC was operating with the funds that they need to operate during the middle of COVID-19, and, again, on behalf of all of agriculture.

So I want to again thank Senator HOEVEN for holding this discussion.

I yield the floor.

The PRESIDING OFFICER (Mr. HOEVEN). The Senator from Nebraska.

Mr. SASSE. Mr. President, before Chairman ROBERTS leaves, I just wanted to come down and lend my voice to him and Senators BOOZMAN, THUNE, and HOEVEN, and to Chairman ROBERTS and his staff for his work, and the Presiding Officer. Thank you for spelling me in the Chair momentarily. Senator HOEVEN and his team have done great work as well.

As Chairman ROBERTS just said, there was no reason to have gone down this path and injected all of this partisan uncertainty, holding farmers and ranchers and their communities and their lenders and their welders and their truckers hostage over the last 48 hours. It served no policy purpose, and it continues to diminish public trust in this institution and our ability to serve our people.

So I just want to commend you and Senator HOEVEN and your teams for the work that you have done.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. BOOZMAN. Mr. President, we are here today to commend our Republican leadership for forging a bipartisan compromise on a continuing resolution to avoid a government shutdown.

In particular, I am so pleased that we reached an agreement that included full reimbursement to the Commodity Credit Corporation, which we have all been talking about—not only agreement, but to take away the potential of unnecessary delays in farm and conservation payments, which are so important to our farmers.

For decades, the CCC has been routinely reimbursed without fanfare, but, unfortunately, not so this year. Our farmers and ranchers have faced more than enough challenges this year—extreme weather events, low commodity prices, market volatility, a global pandemic, and the list just goes on and on and on. They don't need Washington to make things even more difficult.

With passage of this bill, with the full CCC reimbursement, farm and conservation program payments will go out as planned and will offer farmers and ranchers a little more certainty and a little bit more predictability to continue growing the food and fiber for this Nation—not only for this Nation but for the world.

These important programs—like Ag Risk Coverage, Price Loss Coverage, Market Assistance Loans, the Environmental Quality Incentive Program, and others—were authorized in the 2018 farm bill that was supported with an overwhelmingly bipartisan record number of votes in the Senate.

So I want to really just thank all of those involved in this effort. They worked so, so very hard. A special thanks to Senator MCCONNELL and his staff and Chairman ROBERTS, whom we have with us now, who is certainly the voice of ag in the Senate and in Congress. We are going to miss him greatly, as he decides to step aside. And also to Senator HOEVEN and the great work that he did through the ag appropriations part of this.

Then, as Senator ROBERTS mentioned, there are the staffs that worked so, so very hard, and also the members of the Ag Committee who stepped up and really shouldered the burden and just did a tremendous job in really explaining to Congress and explaining to the public how important this issue was and that we simply could not go forward without getting it included.

Then we are here, and we fight. We are kind of the tip of the stick and the spear in the ag community and worked really hard in that regard. We simply couldn't get it done without the agriculture groups that worked so, so very hard, again, in educating the farmers. They understand how important this is, but, again, mobilizing them, mobilizing the public so that we could have the great result that we did.

I yield the floor.

Mr. HOEVEN. Mr. President, I would like to thank the Senator from Arkansas again for his diligence and hard work, and our Ag chairman.

I just want to wrap up with some thank-yous, as well, and it starts with our Ag chairman, not only for his leadership on the farm bill but then on making sure we fund these farm programs.

I tell you, it has been something that I know Senator BOOZMAN agrees with me on. We have learned a lot from him, and we appreciate it. It has made a real difference for farmers and ranchers across this country.

I want to thank, of course, all of the Senators that worked with us on this project—I named them earlier—but our House Members too. We reached out to Members of the House, whether it was the ranking member on the Ag Committee, Representative CONAWAY, or whether it was Representative FORTENBERRY. There are many others that reached out and helped as well.

I agree. I want to thank our staff, led by Tony Eberhard, my chief, and on the Agriculture side, by Morgan Ulmer and her whole crew, Shannon Hines, and, of course, RICHARD SHELBY, our leader on the Approps side, and somebody whom you worked with for many, many years, Mr. Chairman.

It takes all of these people working together. This was really important,

not just for the farm bill but for that disaster assistance, the coronavirus food assistance funding that we are providing, as well, which our farmers and ranchers need so very much as we go through this COVID fight.

So let me just wrap up. This is something that the Ag chairman brought up. I thought, as usual, right on. He said we wouldn't have been able to get this done without the farm groups and the ranch groups stepping up and calling their Member, whether it was their Senator or their House Member.

Our chairman also already introduced this into the RECORD—the letter—which was so important. But I am going to take just a minute and read through those ag groups, if I could, as our way of finishing up with a thank you.

I am just going to read through those 47 groups: Agriculture Retailers Association, Amcot, American Agri-Women, American Cotton Producers, American Cotton Shippers Association, the American Dairy Coalition, American Farm Bureau Federation.

I have got to say that the American Farm Bureau Federation took a real leadership role, so a special thanks there.

But thanks to all of these groups: American Pulse Association, American Sheep Industry Association, American Soybean Association, American Sugar Alliance, Association of Equipment Manufacturers, Cotton Growers Warehouse Association; Cotton Warehouse Association of America, Crop Insurance Professionals Association, National Association of Wheat Growers, National Barley Growers Association, National Cattlemen's Beef Association, National Corn Growers Association, National Cotton Council, National Cotton Ginners Association, National Council of Farmer Cooperatives, National Farmers Union, National Milk Producers Federation, National Sorghum Producers, National Sunflower Association, Panhandle Peanut Growers Association, Plains Cotton Growers, Produce Marketing Association, Rural & Agriculture Council of America, Society of American Florists, Southeast Cotton Ginners Association, Southern Cotton Growers, Southwest Council of Agribusiness, U.S. Canola Association, U.S. Cattlemen's Association, United Egg Producers, United States Peanut Federation, US Rice Producers Association, USA Dry Pea & Lentil Council, USA Rice, and Western Peanut Growers Association—all representing farmers and ranchers.

They produce the highest quality, lowest cost food supply in the world that benefits every single American, every single day.

With pleasure I yield, for the final words, to our esteemed chairman.

Mr. ROBERTS. I am not sure this is the final word. In the Senate of the United States there is no final word, I would assume.

But this points out something that is just absolutely understandable—common sense. When people ask me how on

Earth we got 87 votes together for a farm bill, with the tremendous help of the ranking member, Senator STABENOW, it was pretty easy.

We were holding hearings, as both of the Senators know. And people asked me: How do you get something like this done?

It is just a huge undertaking. You have to listen to farmers. You have to sit on the wagon tongue and listen.

Well, this time we didn't have to sit on the wagon tongue and listen. United, they said: What on Earth is going on? How did this proposal get loose? In other words, keeping us out of the continuing resolution, given the problems that we are having, what on Earth is going on?

And so it wasn't much of a surprise to any of us when farmers—every one of them represented by the groups that the distinguished Senator has just listed—said: Whoa. Wait a minute. We are getting left out.

I think the leader in a conference said something about, well, other than the fact that we are treating agriculture and farmers like bums—I mean, it was pretty clear what was going on, and it was terribly counterproductive. I don't know how people come up with these things. It is what it is.

But we listened to farmers. We got the job done. We cooperated. It was bipartisan.

Some of the nutrition programs were addressed. It was a good news story. We couldn't have done it, however, without the 47 groups that sounded the alarm. And so we have been able to do it over a period of about 3 or 4 or 5 days.

I thank everybody concerned. I think it is a good news story in the end result.

Mr. HOEVEN. Mr. Chairman, I also want to add Terry Van Doren to that list, who is here this morning on the floor. He worked tirelessly and stood firm in the negotiations. So, Terry, thank you to you as well.

And, again, the final word, though, has to go—I think Senator BOOZMAN would agree with me—to our Ag chairman. Thanks so much.

The PRESIDING OFFICER (Mr. SASSE). The Senator from Illinois.

Mr. DURBIN. Mr. President, let me at the outset join in with my Republican colleagues. Coming from a farm State, I am glad that we have a bipartisan continuing resolution until December 11.

I am saddened that we don't have the Appropriations Committee working through its normal process, nor the Budget Committee. This is the world we live in now—continuing resolutions. And this continuing resolution does include money for the Commodity Credit Corporation, which is the usual source of payments for agriculture programs agreed to in the farm bill.

There was some question as to whether or not there was enough money in the CCC account to take care for the months to come. Now there is

no question that it will be adequately funded. That is a positive thing.

I also am happy to report that the early press reports that we saw suggesting CCC funds were actually going to be diverted to oil companies—oil companies—was expressly prohibited as part of this negotiation.

Understand what is behind this. These oil companies have benefited from a decision by the Trump administration to give small refineries waivers when it came to the blending of ethanol with their product. The net result of that decision by the Trump administration was that a large number of these small refineries were given waivers for blending, and, as a result, the actual production of ethanol declined dramatically. It is one of the major reasons that corn is grown and sold. It is for that use, and it was diminished dramatically.

It was one of major reasons why, as the ethanol industry cratered, that farm income in many States was cut in half from what it normally has been.

In just the last few days, there has been an attempt to rectify the situation, which should have been changed years ago, and rectifying it to say that, once again, there will be blending of ethanol with gasoline in the United States, which I support. And then someone suggested, well, let's give an additional subsidy to the oil companies from the Commodity Credit Corporation—a terrible idea from the start. I am glad it is not included in this final product.

Let me mention one other part of this that is included that I think bears notice, and that is the fact that there is an extension of the school feeding program for the next school year.

We have an extraordinary situation with the COVID-19 pandemic where many schools are not bringing kids into the classroom. Many of these kids are being taught online across America. I know it because I know my grandkids are going through this. For those who are in lower income-qualifying categories, we have now extended in this continuing resolution the accessibility of these school feeding programs for the next school year. That is important. Kids, if they are going to learn, have to have nutrition. We don't want them suffering from hunger in the process in any way, shape, or form in this great Nation.

I want to salute not just the CCC, which has been lauded over and over again in this last half hour, but this decision that my side of the aisle was pushing for to extend school lunch and school feeding programs into the next school year. I think it will give some peace of mind to administrators who are trying to cope with the current situation.

CORONAVIRUS

Mr. President, on a completely different subject—but related—we have lost 200,000 Americans to coronavirus. The predictions are that by election day there could be 300,000 deaths and by the first of next year, 400,000 deaths.

My heart goes out to the families affected. I listened as spokespeople for the administration talked about the wonderful job that they have done in defending America from the coronavirus. The numbers don't back them up at all.

The United States of America has 4.5 percent of the global population, and yet as of this morning, we have 20 percent of the COVID-19 deaths in the world—4.5 percent of the population, 20 percent of the COVID-19 deaths. This great and powerful Nation, with the best doctors and hospitals and researchers and pharmaceutical companies in the world, has one of the worst records in fighting this virus in the world. It is sad to think that you are five times more likely to be infected by COVID-19 in the United States than if you were living in Germany; twice as likely to be infected by COVID-19 in the United States than if you were living in Canada. Canada, just across the border, has an infection rate half of what the United States has. What is it that they did that we didn't do?

Well, they came together as a nation with a national policy, and it worked. We didn't. This President basically said to the Governors: You are on your own. As a consequence, there was a mad scramble to get protective equipment. There was a mad scramble for ventilators. It was a free-for-all when it should have been a coordinated national policy.

Then, when the public health experts told us the obvious, that we ought to use these masks, and we should practice social distancing, washing our hands, and avoiding crowds, the President of the United States said just the opposite. One day he wore a mask—I saw on television—when he visited a veterans hospital. I don't know if he has ever worn one before or since. When the message from the public health experts who insisted that it was the best way to break the back of this pandemic, this President mocked them by holding rallies across the United States with all of his loyal fans pointedly not wearing masks to show they really didn't care—didn't care about any of the public health advice, and we are paying the price for it.

More people are infected in this country than Canada. We have double the rate here over Canada, five times the rate over Germany. So many more have died in this country who should be living today. The President, at various times, has said, when asked about the deaths: "It is what it is." That is an off-the-cuff dismissal of the issue, which is beneath the dignity of any leader of either political party.

Despite the urgent needs of families, businesses, workers, and unemployed Americans across the country, we haven't followed through on the original CARES Act, which passed in this Chamber on March 26. It was that date, by a vote of 96 to 0, that Republicans and Democrats said: We take this seriously, March 26, and we are going to

dedicate \$3 trillion to make sure that we fight this virus and that we do everything in our power to cushion the shock of the economic impact of this virus on America.

I went home after that, and people said: I can't believe 96 to nothing. Democrats and Republicans agreed? Well, we did. There were some proposals in there that were brandnew, such as the Paycheck Protection Program that Senators RUBIO and CARDIN constructed. I think I have been told they spent perhaps 2 weeks in writing this important program. Was it perfect? By no means. We realized, after a few weeks, it needed to be changed, and we changed it several times, but the concept was sound to give money to small businesses so they could keep people on the payroll, pay the mortgage, pay the rent, pay the utilities. These are the fundamentals that a business needed so that it might reopen and put people back to work. It was a great program. It should be extended even further. I think there should be a second round.

I also think there should be a second round when it comes to unemployment benefits. The \$600 a week, which we provided—which is incidentally subject to taxation, people should remember—but the \$600 a week which we provided over and above State benefits made a dramatic difference in the lives of Americans. Critics from the outset said: It is going to make people lazy. Folks will just sit at home watching Netflix and eating bonbons.

I don't believe that. In fact, when you look at the reality of the situation, 70 percent of the people who have gone back to work in America—70 percent of them—were earning less money at work than they did with unemployment benefits, and yet they went back to work. Why would they do that if it were just about whether you are going to be lazy or thrifty? It is because they want to be back to work for the benefits, to do the work that they do and enjoy doing, and they knew that unemployment was a temporary thing, as it should be, as people had an opportunity to return.

So that expired July 31. The President has tried to extend it by Executive order. There is question as to whether he has the authority to do that. The President is also trying to do something which I still don't understand how to explain to anyone when it comes to payroll tax. He is allowing employers to decide whether to suspend collection of the payroll tax to a later date. If that tax on your income of 6 percent or 7 percent is suspended, but yet you have to pay it all back at the beginning of the year, are Americans prepared to have a double taxation from their payroll check after the first of the year? In the meantime, that payroll tax is supposed to be used to fund Social Security and Medicare. If the President is not funding Social Security and Medicare, what does that do to the solvency and longevity of

those programs? It raises a question as to whether they are going to be hurt by this temporary measure. It is a very confusing proposal by the President, but he has put it on the table, and we are now trying to sort out the impact it is going to have.

We need to do more. We shouldn't go home for this election empty handed when it comes to helping the families and businesses across America, and we need to start to help State and local governments.

My State of Illinois has problems—plenty of them. When it comes to pensions, for example, just like Kentucky, we have problems funding our pensions in Illinois. But we have a second set of problems created by the pandemic—the downturn in revenue which is going to have a dramatic impact on State budgets in Illinois and other States. If we don't help these State and local governments get through this problem, they have no choice but to layoff important, vital employees—law enforcement, firefighters, healthcare—just to name a few.

When people talk about defunding the police, I am afraid that if we don't give a helping hand to State and local governments, we are actually going to see the defunding of some law enforcement across this country. That is why those on this side of the aisle have been pushing for State and local assistance as part of any package of relief that we pass.

The majority leader knows this needs to be done. The playbook was right in front of him for another relief bill. We did it back in March with the CARES Act. To negotiate a real package with real solutions for the American people, the majority leader needs to show up at the negotiating table. It is impossible to explain why Senator MCCONNELL boycotted the negotiation sessions between the White House and the Democratic leaders in Congress. There was an empty chair waiting for him, but he never filled it.

I am introducing legislation this week to help workers who have been furloughed or laid off through the pandemic from losing their health insurance. I can't imagine a worse situation than in the midst of a public health crisis to lose your health insurance coverage.

If you have been laid off, your options are a few—but only a few. You may qualify for Medicaid. It is possible. You might go to the Affordable Care Act and go on the exchange and find an insurance policy that works for you and your family. There is also an option called COBRA, where you would take the health insurance offered in your workplace and decide to keep it but pay the employer's share as well as the employee's share on premiums. The problem, of course, is that it is very expensive.

On average, COBRA costs \$600 a month to keep the health insurance you had at work for an individual, \$1,700 a month for a family. Six hun-

dred dollars a week sounds like a lot of money—times 4 weeks, \$2,400. But if \$1,700 a month is going just to maintain your health insurance from where you worked, you can see there is virtually no benefit. It is estimated that 23 million workers can lose health coverage during the course of this pandemic. That happens to just about mirror the number who were given health insurance under the Affordable Care Act. Now they stand to lose—at least the same number stand to lose their health insurance because of the pandemic. Are we going to sit still for this or are we going to help these families?

My bill, which I will be introducing with Senator CORTEZ MASTO and others, will fully cover the cost of COBRA, enabling newly unemployed Americans to keep their healthcare coverage during this difficult time. The legislation mirrors what passed in the Heroes Act in the House in May—in May, 4 months ago—and it is vital to help those whose jobs have been taken away by the pandemic. We have waited 4 months to do something here in the Senate, and we have done nothing.

So MCCONNELL brought a bill up 2 weeks ago that is so thin and so wanting that it really didn't address the problems that this Nation faces.

There is a new report from the Robert Wood Johnson Foundation that half of Chicago households report having lost their jobs. Some of those who lost their job are head of household, have been furloughed or are seeing reductions in wages or hours since the start of the pandemic. Half—half—of Chicago's households reported facing serious financial problems during the pandemic and have trouble caring for their children. Thirty-five percent reported that they used up all or most of their savings. This is a terrible situation—a challenging situation. We owe it to this country and the people we represent not to ignore it.

As we know, the pandemic has disproportionately affected our minority communities, with nearly 70 percent of Black families and 63 percent of Latinx families in Chicago reporting they are having serious financial problems—70 percent of Black families, 63 percent of Latinx families.

While those statistics reflect the reality of many in Chicago, there is no doubt that this is also the story in many other cities across this Nation.

That is why we need a Federal response. We need to do what is necessary to help these families, businesses, cities, and States get back on their feet. But instead, the Senate Republicans proposed an inadequate, partisan bill, with no negotiations with the other side of the aisle. They failed to prioritize the needs of struggling families.

The bill has failed to provide another round of economic impact pay for families or hazard pay for essential workers. They fail to provide relief to States and local governments to help teachers, EMTs, firefighters, and police.

A week from Thursday is October 1, which means another month's rent will be due, and many families know they will not be able to pay it. We need help on a bipartisan basis. I agree with Federal Reserve Chairman Jerome Powell, if we don't move and move quickly to address this issue, the economy can sink even deeper, and recovery would be further in the distance. In the meantime, the death numbers in the United States would be even worse.

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 John Charles Hinderaker, of Arizona, to be United States District Judge for the District of Arizona.

Mitch McConnell, Martha McSally, Tom Cotton, Roger F. Wicker, John Cornyn, Lamar Alexander, John Barrasso, Roy Blunt, Marco Rubio, Richard Burr, Mike Crapo, Rob Portman, Kevin Cramer, John Thune, Steve Daines, John Boozman, James Lankford.

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 John Charles Hinderaker, of Arizona, to be United States District Judge for the District of Arizona, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from West Virginia (Mrs. CAPITO), the Senator from Wisconsin (Mr. JOHNSON).

Mr. DURBIN. I announce that the Senator from California (Ms. HARRIS) is necessarily absent.

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

The yeas and nays resulted—yeas 71, nays 26, as follows:

[Rollcall Vote No. 190 Ex.]

YEAS—71

Alexander	Feinstein	Murphy
Baldwin	Fischer	Murray
Bennet	Gillibrand	Paul
Blunt	Graham	Perdue
Booker	Grassley	Peters
Brown	Hassan	Portman
Burr	Hyde-Smith	Reed
Cantwell	Inhofe	Risch
Cardin	Jones	Roberts
Carper	Kaine	Romney
Casey	King	Rosen
Cassidy	Klobuchar	Rubio
Collins	Leahy	Sanders
Coons	Loeffler	Schatz
Cornyn	Manchin	Shaheen
Cortez Masto	Markey	Shelby
Cramer	McConnell	Sinema
Crapo	McSally	Smith
Duckworth	Menendez	Stabenow
Durbin	Merkley	Tester
Ernst	Murkowski	Tillis

Toomey	Warner	Wicker
Udall	Warren	Wyden
Van Hollen	Whitehouse	

NAYS—26

Barrasso	Gardner	Rounds
Blackburn	Hawley	Sasse
Blumenthal	Heinrich	Schumer
Boozman	Hirono	Scott (FL)
Braun	Hoeben	Scott (SC)
Cotton	Kennedy	Sullivan
Cruz	Lankford	Thune
Daines	Lee	Young
Enzi	Moran	

NOT VOTING—3

Capito	Harris	Johnson
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The PRESIDING OFFICER. On this vote, the yeas are 71, the nays are 26.

The motion is agreed to.

The Senator from Idaho.

NATIONAL SMALL BUSINESS WEEK

Mr. RISCH. Mr. President, fellow Senators, I rise today in honor of and to speak about the importance of small businesses—in particular, in relation to National Small Business Week.

Idaho's small businesses are the engine that powers our State's economy. They provide us with not only goods and services, local jobs, and growth opportunities, but also immeasurable community value.

With the onset and spread of COVID-19, this year has presented Idaho's business owners with challenges not seen in our lifetime. Even under normal circumstances, business ownership takes remarkable courage and commitment. With the pandemic, the challenges associated with entrepreneurship have increased dramatically. Throughout 2020, Idaho's small businesses have shown tremendous determination as they have strived to serve their customers and keep their doors open to people in their communities.

During this year's National Small Business Week, I want to take this opportunity to recognize the resilience and courage of small businesses throughout the Gem State and encourage Idahoans to continue to support the local shops, restaurants, and businesses that make our communities vibrant.

I firmly believe that small business relief is a shared, bipartisan priority. Here in the Senate, we will continue to work to deliver relief to Idaho's small businesses so that we can get back on the path to recapturing the unprecedented prosperity our economy provided before this crisis began.

Idahoans are set apart by their grit, self-reliance, and their deep commitment to community. I am constantly reminded of this and proud of it when I see Idaho's small businesses enduring and supporting one another through these uncertain times.

The PRESIDING OFFICER. The Senator from California.

SUPREME COURT NOMINATIONS

Mrs. FEINSTEIN. Mr. President, I rise today in honor of Justice Ruth Bader Ginsburg. Justice Ginsburg was a role model for many and a champion for all, and I was one of those.

I would like to speak about what is at stake for the American public with

this vacancy on the Court and why whoever is elected President in November should be the one who decides to fill this seat.

Justice Ginsburg was, simply put, a phenomenal lawyer and jurist. She was small, and she was mighty. As a civil rights lawyer, she won key cases that established a woman's constitutional right to equal treatment and confirmed the principle of equal rights for all. As a jurist, she further cemented these key principles into law. She brought them up, and she made them exist forever.

As a person, she brought smiles to our faces, and now she really does bring tears.

Although small in stature, Ruth Bader Ginsburg was a formidable advocate, strategist, and champion. I believe she will continue to serve as a major role model for generations of women, both young and old, for whom she paved the way, and I am one of those. We are in her debt today, and generations to come will be in her debt as well.

Justice Ginsburg is also important to me personally. Her confirmation hearing was the first I participated in as a newly elected Senator and as the first woman to sit on the Judiciary Committee in 1993. It was a long time ago.

As I said before the committee in 1993, it was not until I began preparing for Justice Ginsburg's confirmation that I learned how she built the foundation for women's rights. Simply put, it was this: Before becoming a judge on the DC Circuit, Justice Ginsburg was the director of the ACLU's Women's Rights Project, where she won five cases before the Supreme Court. Amazing—five cases before people believed women had these rights. In one of these cases, *Craig v. Boren*, the Supreme Court held for the first time that the equal protection clause of the 14th Amendment applied to women. Can you believe it—actually applied to women. This is a very big addition because this really canceled out inequality.

In other words, it is because of Justice Ginsburg's advocacy as a lawyer that the government cannot discriminate against women on the basis of sex. For the female side of this room, this was really a major person whose works enabled us to run for this esteemed body and be part of it.

It is no surprise, then, that Justice Ginsburg remained a fierce defender of women from the bench.

She consistently reaffirmed a woman's right to choose and upheld *Roe v. Wade* against dozens of attacks.

She invalidated the men's-only policy at the Virginia Military Institute. Explaining that decision at a visit to VMI, Justice Ginsburg told cadets that she knew it "would make V.M.I. a better place."

In 2007, she vehemently dissented in a case where the Court's majority held that a woman—namely, one Lilly Ledbetter, with whom we have become familiar—was time-barred from suing

her employer for discrimination when she finally learned that her male colleagues had been paid more than her for several years. Justice Ginsburg's dissent in this case became the basis for the Lilly Ledbetter Fair Pay Act, which we passed in 2009, making it possible to bring lawsuits when gender-based pay discrimination is actually uncovered.

As a testament to the legal giant she was, Justice Ginsburg's accomplishments on behalf of women are just one part of her legacy, and that legacy I strongly believe is going to be honored more and more in the years to come. She died last Friday, just 46 days before the 2020 Presidential election.

Importantly, under a Republican standard adopted in 2016, the Senate should not consider a Supreme Court nomination until after the inauguration of the next President, whoever that may be. Until recently, Republicans have been intent on their own standard, which they used to block consideration of Merrick Garland, President Obama's nominee, to fill Justice Scalia's seat on the Court. Now, can we have one set of rules for Democratic Presidents and another for Republican ones? I think not. To allow otherwise undermines not only our faith in Congress but also the faith of people that we are going to stick by what we do and be impartial in the judicial system. Now, just 41 days before the election, Senate Republicans must abide by their own standard.

What is at stake? There is a great deal of attention this week as to whom the President might select. The simple truth, however, is this: No matter whom President Trump nominates, fundamental rights and protections must be considered because they become at risk if the nominee doesn't respond positively and effectively to these.

For example, in November, the Court will hear a renewed legal challenge—brought by the Trump administration—to the Affordable Care Act. Given President Trump's promise to appoint a Justice who would strike down the Affordable Care Act, healthcare access and protections for the nearly 130 million nonelderly Americans with pre-existing conditions are really in certain peril, and we have every reason for serious consideration and opposition if this protection is not continued.

It is unbelievable that during a pandemic that has already killed more than 200,000 Americans, this President and his allies are rushing a nomination that could leave up to 30 million Americans without healthcare. I hope that doesn't happen.

The next Justice will also decide cases concerning women's reproductive rights, voting rights, access to justice, environmental protections, the rights of LGBT Americans, and the rights of American workers. Justice Ruth Bader Ginsburg was a champion for all these rights and protections. She is very hard to replace, and it is important to

think of those rights that need continued protection when the replacement is made by the President.

We cannot allow the Senate and the President to jam through a nominee who will undo this legacy, which is so important to every American because every American has that legacy today, firm, and uses it virtually every day of their life.

We are ready to fight, and we will do everything in our power to safeguard these hard-won rights and protections. It is really important. Of all the nominations I have sat as a fairly long-term member—since 1993—of the Judiciary Committee, these protections and rights are really all important and must be protected. They will be what we are looking at when the nominee comes to the Senate.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

BILLION DOLLAR BOONDOGGLE ACT

Ms. ERNST. Mr. President, I grew up on a family farm with modest means. As a young girl, I saw Washington, DC, as a place for men in big fancy suits and big fancy houses. While a lot has changed since that time—for one, there are a lot more women like me serving in the Senate—so much here is still the same.

You see, too many folks in Washington get their paychecks from American taxpayers but don't honor the folks who pay their salary. Instead of holding bad actors accountable, whether it is reckless spending or raunchy behavior on taxpayers' time, it gets swept under the rug.

Let me give you an example. I have a bill right now. It is called the Billion Dollar Boondoggle Act. It passed committee unanimously. It is actually one of the simplest bills I have ever introduced. It literally requires the government to report on projects that are, No. 1, behind schedule and, No. 2, over-budget. It is a simple reporting requirement. Again, it passed through the committee unanimously.

The bill has the support of my Republican colleagues, but I am being stonewalled by my friends across the aisle. Folks, I cannot fathom why some Senate Democrats would oppose a reporting requirement to identify wasteful spending.

You might ask: If this bill is so simple, why does it mean so much to you? Because it matters to my fellow Iowa taxpayers. They expect Washington to use their tax dollars wisely, not throw them down bottomless sinkholes that go unnoticed. Ask any small business owner in Iowa whether the bottom line allows them to be over-budget or behind schedule. They would be out of business. They would be out of business in a heartbeat. Yet we can't even pass a bill to report on these cost overruns, much less address them. I guess it is perfectly fine for Washington to take more and more from working families and small businesses.

Folks, I think it is downright shameful that we just can't pass this simple

bill. I will remind you again, it passed unanimously through committee.

While there is a heck of a lot of political posturing that goes on in the Senate, we have had moments when we have come together to rein in the ticker tape parade of Washington's excesses. For instance, we passed my SQUEAL Act, which was signed into law as part of the Tax Cuts and Jobs Act of 2017. I am proud of that effort because there is no reason Members of Congress should enjoy tax perks that don't get enjoyed by everyone else.

My bipartisan Program Management Improvement and Accountability Act was signed into law, creating more efficiency and oversight in the Federal Government.

I certainly have not stopped fighting to rein in Presidential perks.

I have also worked with colleagues who couldn't be more different from me politically, and we have actually accomplished really important things for the American people. I will name a few of those. We have fought against abuse in the Olympics. We have worked to stop prison rape. We have expanded telehealth and mental health services for our veterans. We have fought against opioids in our communities, and so much more.

Working across the aisle really does take humility. It takes honesty, and it takes a firm belief in America and her people. But we can do this. I would urge all of my colleagues to support my bill and move it through the Senate.

Living in Iowa, I am so blessed to be around the best people America has to offer. I am lucky not just to call these people farmers but also friends and neighbors. Iowans are strong. Iowans are resilient. And Iowans are brave. I have long said we need more of Iowa in Washington. I will keep fighting to make sure that happens.

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.

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

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

REMEMBERING JUSTICE RUTH BADER GINSBURG

Ms. DUCKWORTH. Mr. President, a 5-foot-1-inch giant, Ruth Bader Ginsburg changed this Nation—and the potential of my own life—time and again, seeing no challenge too big and finding no cause too small to fight for. A woman with the softest voice, yet the most powerful words one could ever imagine, she made it her life's work to lift up the voices of others who all too often had been silenced or ignored.

With every case she argued, with every ruling she issued, with every dissent she penned, Justice Ginsburg helped push our country toward that more perfect Union our Founders once

wrote of in the Constitution she believed in so fiercely.

Our democracy may have been founded in the 18th century, but it wasn't fully built when the ink dried on the Declaration of Independence. It was shaped and strengthened, forged and formed, not just by those whose faces loom large on Mount Rushmore but by someone who was often the smallest, quietest person in nearly every room she ever walked into. It is because of Ruth Bader Ginsburg's brilliance and resilience that so many of us have the rights we too often take for granted, and it is because of her that who I am today is possible.

Long before she was a Supreme Court Justice, she was a relatively unknown law school professor who altered the course of history when she argued that the equal protection promised under the 14th Amendment didn't just mean equal protection for men. Her legal genius was captured in her first landmark victory and reflected in her choice of a male plaintiff to demonstrate that discrimination on the basis of sex harms every American, male and female alike.

Suddenly, thanks to this idealistic, young lawyer who spent her own law school years having her place questioned because of her sex, it became illegal to discriminate against women because they happened to be women. That same tenacity, that same trail-blazing intellect, that same woman also helped pave the way for me to succeed in my career as a woman in the military.

In 1973, she made sure that the equal rights for women she had helped to secure extended to the women who were seeking to defend our Nation, arguing and winning her first case in front of the Supreme Court—getting the Justices to rule in an 8-to-1 fashion that the military could not give a female servicemember fewer benefits than her male counterparts.

Her life, her position, and her title changed over the next couple of decades, as we all well know, but her convictions did not. It was 23 years after standing in front of the bench of the highest Court in the land to argue that our Armed Forces could not discriminate against a woman in their ranks that Ruth Bader Ginsburg herself sat on that very same bench and issued a ruling that changed everything for countless women who dreamed of serving their country in uniform. She struck down the State-funded Virginia Military Institute's male-only acceptance policy, granting women the ability to learn and train alongside men at one of the top military academies in the Nation.

In a ruling I plan to read out loud to my little girls some nights instead of their usual bedtime stories, she wrote of potential female VMI students, arguing: "Generalizations about 'the way women are,' estimates of what is appropriate for most women, no longer justify denying opportunity to women

whose talent and capacity place them outside the average description."

I can't begin to imagine the number of women generals and flag officers and servicemembers she paved the way for with those rulings, but I do know the story of one, not a flag officer—just me, myself.

As I was a couple years into the Army when she wrote that decision, Ruth Bader Ginsburg helped make my career in the military possible. She helped make my hope of one day serving in a combat role regardless of my gender, of one day commanding a unit—despite most of my crew being men—achievable. It was because of her that my dreams had the opportunity to become a reality.

You know, yesterday, I told my 5-year-old, Abigail—named for Abigail Adams, another feminist—that we were taking a field trip instead of our usual homeschooling routine, and I took her and her younger sister, Maile, to the steps of the highest Court in the land. I didn't expect to get emotional, and I didn't expect to tear up, but with Maile in my lap and Abigail by my side, I started to cry. I was crying because it was not just my military career Ruth Bader Ginsburg helped to make possible but my family too.

I may never have been able to become a mom if it were not for Justice Ginsburg. Without her, without what she did to safeguard healthcare and reproductive freedoms, I might never have been able to get pregnant through IVF. I might never have been able to have my two little girls; never would have been able to watch Abigail place a bouquet of white roses on the steps of the Supreme Court if Ruth Bader Ginsburg hadn't spent decades in that very same building, defending my rights. She changed—no, she gave me the opportunity to achieve my life as it is today.

Her passing isn't just heartbreaking for me and for countless other women across this country; it is a loss for our entire Nation. It is a loss for justice, a loss for equality.

While today I will continue to mourn everything we lost when she passed last Friday, I promise that tomorrow I am going to roll up my sleeves and honor her in the way I believe to be most true to how she lived her life—by fighting like hell for what is right and for all of our rights.

My daughters might be too young to remember going to the Supreme Court to pay our respects to RBG, but they will know her legacy, and already, every day, they are living proof of its power.

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

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

HOUSING REPORT

Mr. BROWN. Mr. President, the coronavirus has been the great revealer in our country. This crisis, of course, isn't happening in a vacuum. It is layered atop a system that already was not working for a whole lot of people and that had centuries of racism built into it.

Few places is that more true than in our housing system. When it comes to housing, like so many problems in this country, we have a President who makes things worse, not better. For 4 years now, President Trump and his administration have systematically undermined fair housing.

I would add, since the Senator from Utah is in the Presiding Officer's chair, that I would do a shout-out for his father and what he did as Secretary of HUD in the late sixties, early seventies in trying to move this country forward.

That was obviously not in my prepared remarks. I didn't know that you would be presiding, but thank you.

The Trump agenda—very different from the agenda in the Romney HUD administration—turned back the clock on civil rights protections that leave communities of color, people with disabilities, and LGBTQ people behind.

This week I released a comprehensive report from the Banking, Housing, and Urban Affairs Committee, detailing the ways that President Trump has made inequality and segregation in housing worse and the work we have to do to undo the damage.

More than 50 years after Congress passed the Fair Housing Act, access to housing remains not just unequal but separate and unequal.

The contours of our country are too often still defined by Black, Latino, Asian or White neighborhoods, all with very different levels of access to resources—schools, grocery stores, healthcare, clean air and water, public safety.

This is not an accident; it has been done by design. For decades, the Federal Government not only condoned housing segregation and discrimination—perhaps unbelievably, perhaps not—it actively promoted it.

We all know about Black codes. We know about Jim Crow, even if too many want to deny we are still living with this Jim Crow legacy today. It wasn't just the most blatant racist laws; discrimination was woven into the creation of our modern housing system from the beginning.

After the Great Depression, President Roosevelt created the government-sponsored Home Owners' Loan Corporation, the HOLC, and the Federal Housing Administration, the FHA.

These could have been tools for expanding opportunity for everyone. They did that for White Americans, but for Black Americans they did the opposite. HOLC partnered with local real estate agents and appraisers to make what they called residential security maps. These maps used color coding to differentiate between supposedly high-

risk and low-risk neighborhoods, with green signifying the best neighborhoods and red indicating a so-called hazardous area.

Neighborhoods that were home to people of color—even a small percentage—were marked “declining” or “hazardous.” That is what we know as redlining.

It was despicable racism, woven into the fabric of our housing system. We still live with the results. Capital, in the form of low-cost, stable mortgages, flowed to White neighborhoods—like the neighborhood in which I grew up in Mansfield, OH—and dried up in Black neighborhoods or neighborhoods that were home to immigrants.

White borrowers were able to build wealth through home ownership that could be passed down through families. Our government systematically denied Black families the same wealth-building opportunity.

From 1934 through 1962, 98 percent—98 percent—of all FHA mortgages went to White homeowners—98 percent.

It wasn't until Dr. King's assassination in 1968 that Congress finally passed the Fair Housing Act to outlaw discrimination and promote integrated communities. The Fair Housing Act was followed by the Home Mortgage Disclosure Act and Equal Credit Opportunity Act and the Community Reinvestment Act. These laws all provided powerful tools to root out discrimination and to invest in underserved communities.

But for too long, those laws simply weren't implemented.

Administrations of both parties ignored the Fair Housing Act's requirement that the Federal Government—this is a legal term—affirmatively further fair housing. Minority communities, though, remained underinvested. It took decades for all courts to say that if a housing policy has a discriminatory effect, it is, in fact, discriminatory. That is pretty simple. If a housing policy has a discriminatory effect, it is, in fact, discriminatory.

The government also didn't collect enough housing data to root out discriminatory housing that fed the subprime mortgage crisis. We know the 2008 crisis stripped away much of the housing wealth that families of color had fought for.

Today, access to housing and all the opportunity and stability that comes with it remains unequal. The African-American home ownership rate is nearly 30 percentage points below the White home ownership rate—30 percent below. Analysts have tried to explain the diversity with income and education as factors, but it never tells the whole story. With all else equal, similarly situated African Americans are markedly less likely to own a home than their White counterparts.

Black and Latino renters are also more likely to pay a larger share of their income toward housing than White renters, making it even harder to get by, even harder to save to buy a home.

We know—and many of us have repeated many times—that one-quarter of renters in this country pay at least half their income in rent and utilities, meaning if one thing happens in their life—their car breaks down, their child gets sick, or they have a minor workplace injury that keeps them out of work 4 or 5 days—everything in their lives can turn upside down. They can be evicted and all that happens with that. That is the legacy of redlining and racial exclusion at work.

During the last administration, President Obama made significant strides in enforcing civil rights laws that have been on the book for decades. But instead of continuing that progress, President Trump has simply choked that progress. He has turned back the clock. He has undone the progress that so many of us fought for.

Over the past 4 years, the Trump administration has done several affirmative—if you will—affirmative things to discriminate—not just that it didn't get around to enforcing, but it has done things that, by themselves, have caused damage to the progress we have made.

He appointed an OCC Director who undermined the Community Reinvestment Act by making it less likely that banks will provide the loans, investments, and services that these communities need.

The Trump administration cut back on housing data collection, allowing lending discrimination to go unchecked.

The administration tried to make mortgages more expensive and harder to get, particularly for people of color.

The administration denied opportunities for home ownership to hundreds of thousands of young adults.

The Trump administration forced families to choose between access to affordable housing and food and healthcare and a path to citizenship.

The administration gutted the so-called disparate impact standard that helps root out policies that have hidden discriminatory effects.

The Trump administration dismantled the affirmatively furthering fair housing rule, essentially telling communities around the country: Don't even bother trying to create a better, more equal housing system, and we will not help you if you want to.

On and on and on it goes.

I invite everyone to read our report and join us to take action. We have our work cut out for us to undo the damage President Trump has done and to get to work to actually erase the legacy of redlining and the legacy of Jim Crow and build a housing system that works for everyone.

Housing is the foundation of so much in life, and when people start behind because they can't get access to clean, accessible, fair—fair and safe housing, they, in many cases, simply can't catch up.

We have to restore the Fair Housing Act to its full strength. This means

providing the tools to help communities create more inclusive housing markets, to end home lending discrimination, to strengthen fair housing oversight.

We must break down barriers to home ownership and redesign our housing finance system so that it better serves Black and Brown communities.

We have to protect the basic premise that LGBTQ people seeking shelter should be treated with the same dignity and respect as every other person. I think some of these are just so obvious, so important in a society like ours. I will say that one again—the basic premise that LGBTQ people seeking shelter should be treated with the same dignity and respect as every other American.

We must provide long-overdue investments in housing and community development in communities of color. Black families and other communities of color have endured too many decades of our country's housing policies failing them.

The same year we passed the Fair Housing Act, Dr. King gave a speech we call “The Other America.” In that speech, here is what he said:

Our nation has constantly taken a positive step forward on the question of racial justice and racial equality. But over and over again at the same time, it made certain backward steps.

The Trump administration is that backward step. Fundamentally, we all pretty much want the same thing—a home that is safe in a community we care about, where we can get to work and our kids have a good school, with room for our family, whether that is three kids or an aging parent or simply a beloved pet.

You should get to define what home looks like for you. You should be able to find it. You should be able to afford it. You should be able to do it without the crippling stress of “Can I meet my rent payment or my mortgage every month?”

For too many Black and Brown families, that has been out of reach—to find it, to afford it, to live in it without crippling stress.

Congress cannot ignore these challenges. We can't keep allowing the Trump administration to gut the tools we have to make people's lives better.

If we want to make the economy work better for everyone—including communities of color that have been systematically excluded from opportunity—we cannot shrink from these challenges. That is the purpose of the report we are issuing today. When work has dignity, everyone can find and afford a place to call home.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

PROTECT AND SERVE ACT

Mr. TILLIS. Mr. President, across the country, Americans watched in horror as news stations reported the shooting of two sheriff's deputies in Los Angeles, who were brutally targeted by a murderous, violent criminal.

In North Carolina, just 2 days earlier, sheriff's deputy Ryan Hendrix, a father of two young children, a man planning to get married, was murdered in cold blood while responding to a family under siege by an evil criminal.

So far in 2020 alone, 37 law enforcement officers have been murdered by violent criminals and hundreds have been wounded while protecting our communities.

Despite these senseless deaths and the gruesome violence against police, there are those who support radical ideas like defunding or abolishing the police. These dangerous policies would allow criminals to roam free throughout our communities, unchallenged and unafraid.

The agitators pushing to abolish the police have sown the seeds of discord in our country by disrespecting law enforcement and disregarding their brave service to our Nation. Just look at Asheville, NC. Since June 1, over 30 police officers have left the law enforcement profession. These brave men and women are tired of being attacked physically, emotionally, and personally, simply for trying to keep their communities safe, every single damn day.

They put on a uniform to go protect their community, not sure if they are going to come back safe, and they do it anyway, and we owe them a debt of gratitude. But they are sick of the opportunistic politicians like the Democratic leader and AOC attacking them for just doing their jobs.

Worst of all is the specter of targeted attacks like those against the deputies in Los Angeles. The harmful rhetoric being used by the radical, anti-police leftists encourages an environment of hostility, which emboldens criminals and murderers. The result is brazen attacks against law enforcement officers in broad daylight.

In light of the toxic environment being created in this country, which devalues police, I believe the Senate must act to protect law enforcement officers and show them our support. That is why I have introduced the Protect and Serve Act with 16 of my Republican colleagues.

The Protect and Serve Act would punish criminals who target law enforcement officers and harm them. These criminals will receive up to 10 years in prison, and if they murder or kidnap a law enforcement officer, they will get a life sentence.

It is sad that Congress even needs to consider a bill to protect police officers, but let me be clear: Attacks against any law enforcement officers are no laughing matter. Congress must pass the Protect and Serve Act immediately and boldly say there is no es-

cape from justice for dangerous criminals who intentionally assault or kill a law enforcement officer.

Today, I call on every single Democrat to support this commonsense legislation. The question is simple: Do you support the men and women in blue who fight every day to keep our communities safe or do you support lawless, reckless, liberal mobs who want to defund the police?

It is a yes-or-no question. You either back the blue or you back anarchy.

As long as I am a U.S. Senator I will do everything I can to protect our men and women who protect our communities every single day. I expect and they deserve no less.

I hope my Democratic colleagues can stand up to AOC, the Squad, and their radical liberal base and do the same. It is time to back the blue. It is time to restore safety in our communities. It is time to end the killing of law enforcement officers and people just trying to protect us every single day.

I yield the floor.

Mr. TILLIS. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mrs. LOEFFLER). The clerk will call the roll. The legislative clerk proceeded to call the roll.

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

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

ELECTION SECURITY

Mr. BLUNT. Madam President, I want to talk for a few minutes about securing our election process.

At various times, in the last 4 years, there have been different levels of reasons why the Federal Government needed to take over the election process. For a while, it was that the process was too easily infiltrated by outside influences, and then it was COVID-19, and it was important that everybody vote in different ways than they have ever voted before, and somehow only the Federal Government could manage that.

I would say that, in that, just as we look toward the 2020 elections, we have spent over \$1 billion. I think it is \$1.2 billion in funding from the Congress. We have had dozens of hearings in the Rules Committee, the Judiciary Committee, and the Homeland Security Committee. There was a 3½-year bipartisan investigation that I was part of as part of the Intelligence Committee, and we have looked at this about every way we can.

Right now, people across the country are beginning the process of casting their votes. This year, more than any other year up until now, we will have election day, but, really, we will have more like "election month," and, in some States, it is going to be "election 6 weeks" or "election 7 weeks."

So this process is starting right now. It is a process where people will decide who represents them in the White House and the Congress; or, in some

cases, in city hall; in many cases, the Governor's mansion; and in almost all cases, the general assembly; and in all cases, the U.S. House of Representatives.

Confidence in the voting process is the thread that holds the fabric of democracy together. Every time we needlessly get into a discussion about whether this process is fair or safe, I think it is harmful. Every time we need to have that discussion about whether it is fair or safe, it is, of course, not only helpful but totally appropriate.

This is the time when we need to be sure that our work has brought us to a good conclusion, rather than talking about the fact that the system is not going to work. The system is going to work. As the chairman of the Rules Committee, where we have the principal election jurisdiction, or as a member of the Intelligence Committee, I spent a lot of time looking at this. I think we have been very serious in the Senate, particularly, in considering these issues and at looking at the threats to our election system itself.

I am not going to talk much in the next few minutes about false information and other things. In my view, all you have to do is turn on the television to find some false information and watch the campaign commercials. There is a nugget of truth, perhaps, but most of them—many of them have little more than a nugget of truth in them.

Sure, I am concerned about false information. I am particularly concerned about it if it comes from foreign governments, from those who wish our country ill. But there is a lot of information out there—a lot more information than there has ever been before—and people should be very thoughtful about the information they take in.

I am not going to talk a lot about that. I want to talk about the election system itself because, in my view, the election-day system is as secure as it has ever been. The registration system is as secure as it has ever been.

Four years ago, the Obama administration—a little later than this—said: There is a big problem, and we are going to declare the election structure a structure of national significance, and we are going to play a different role than we have ever played before.

There was no anticipation that this was going to happen and not much discussion.

Election officials all over the country immediately said: Oh, no, you are not. You are not going to just decide in October of an election year that you are going to take over the election system and declare it a system of national significance, a system of critical significance to the future of the Nation.

Of course it is, but it didn't become that in October of 2016.

But the message was clear that we needed to build those stronger ties with local and State election authorities. We needed to do everything we

could, as we saw the efforts by some foreign actors and some people in their basements trying to see if they could get into the voter registration system and do something with it. We have done more of that—well, we have done all we can think of, in my view. We did a lot of it before 2018, and that never stopped.

For 20 years, Congress has done all we can think of to help make the system work better. We have spent over \$1 billion in the past 4 years. We have encouraged them to update, and we have seen updates of antiquated systems. Systems that didn't have a ballot trail and other things have all been generally replaced, and where they haven't been, I think they are on even higher alert. We have helped them increase their cyber security. We have responded to COVID-19 with help to local governments, which in some cases was used for establishing polling places and even maybe paying extra to election judges.

While we provided those resources, it has been for a long time and still is up to local and State officials, who are the closest to the people they work for, to do everything they can to secure those elections. I spent about 20 years doing that, part of it as a local election official in Missouri, a county official, and part of it as the Missouri secretary of state, the chief election official.

Earlier this month, I had a chance to be in Kansas City when the county clerks and election authorities were all meeting. Most of them were there at a distanced meeting to talk about election responsibility. Others were virtually there to talk again about the absolute commitment they have made to the people they work for to conduct elections in a way that is both free and fair. I think that is what is going to happen.

Clearly, again, there are efforts by foreign adversaries—Russia, China, Iran, North Korea, and others—to interfere with our elections, but we want to be sure and I believe have been sure that Federal agencies have been providing the resources they needed to investigate bad actors, to punish bad actors, and to do everything they could to protect the American election system.

We are in a much different place than we were 4 years ago. Election authorities—State and, in many cases, local—know the name of the person at Homeland Security with whom they have had now a 4-year relationship or a 2-year relationship or a 1-year relationship, and when they get a call the day before the election, they are going to know that is a call from somebody who not only is there to help them that day but has been there to help them up until now.

The Rules Committee has held four hearings since the 2018 election—one on election security, one on how we are preparing for the 2020 election, one on oversight of the U.S. Election Assistance Commission, and in addition to

that, putting people on the Federal Election Commission to fill vacancies that had been there for a long time.

The Judiciary Committee has looked into things like the social media companies that are trying to stop disinformation.

Homeland Security has drawn out a roadmap and has put the kinds of protections into the system that you want to have in the system for equipment that counts votes, the registration system that is available on election day.

The Intelligence Committee, as I said before, conducted a 3½-year investigation on foreign meddling in the last election, and the administration is holding those perpetrators accountable.

The Justice Department has secured indictments against three Russian companies. Twenty-six people involved with Russia's influence campaign in 2016 have been impacted by that. The Justice Department has sanctioned 46 other people and 18 businesses.

One of the things we didn't have in 2016 was a cyber offense. We had a cyber defense and I think the best in the world at that moment—I hope it still is—but we didn't have a cyber offense.

I remember being in an Intel hearing in 2017—this was early 2017—when the question was put to our intel community: Have you ever been told by the President of the United States that you should have offensive action taken against these bad actors? The answer by all of them was no. But it was March or April of 2017. The President of the United States who hadn't given that direction for the previous years was not the current President, who, not too long after that, did give that direction.

By 2018, when we sought cyber offense, we had our own cyber offense. They know who they are, and they know the price they paid and the price they would pay again. Thousands of members of the intelligence community have been working to keep an eye on that part of keeping our elections secure.

Providing Federal support to State and local officials is the right approach. Frankly, I have been in favor of providing a little more yet this year, but that appears to be part of a bill that we just can't seem to agree to even though somewhere between the targeted Senate bill and the Problem Solvers' bipartisan bill in the House that was released a week or so ago, there is clearly a settlement there that would likely include a little more election security assistance. But we are getting pretty late to add much to the system; we need to now be sure that what is in the system really works. We don't need a Federal takeover.

Many of you heard me say before that late in 2016, President Obama said: "There is no serious person out there who would suggest somehow that you could even rig America's elections, in part because they're so decentralized in

the numbers of votes involved." I think he is exactly right. The diversity of the system is the strength of the system.

I personally think the best place to vote is at a polling place on election day. I don't always get to vote that way. But if you want to have all the information that happens between the start of the campaign and the day you vote, the only way you get that is voting on election day. If you want to see your ballot go into a ballot box or into the counting system and know that happened, you better get that on election day.

But many people will vote in other ways, particularly this year. Usually, the other ways are a little more complicated, but they are still protected by comparison of signatures in most States. Usually, there is still going to be included an indication on the voter roll that goes to the polling place that somebody has already received another ballot. There are safeguards there.

For reasons we all understand, more people are going to vote earlier in this election than ever before. I know our election officials in our State and I suspect all over the country are planning for what they can do to still have the most information available possible on election night, but it is unlikely that we are going to know everything we want to know on election night.

If you don't want to vote at a polling place on election day or can't vote at a polling place on election day, you should still vote. Confidence in everything you hear or read should not be complete, but I think confidence that the election system itself is going to tabulate the results that came in and the votes that were cast is a pretty safe bet.

Politics can become heated and noisy during an election season, but at the end of the day, the American people need to understand that we are doing all we can to give them the ability to cast their ballots with minimal obstacles and maximum confidence that what happens on election day is what the voters voted to do on election day.

With that, I yield the floor.

The PRESIDING OFFICER (Mr. PERDUE). The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent to speak as in morning business for up to 20 minutes.

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

CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, this is a "Time to Wake Up" good news-bad news speech.

The good news from last week is on business community support for carbon pricing. What is carbon pricing? Well, remember that IMF—the International Monetary Fund—pegs the fossil fuel subsidy in the United States at more than \$600 billion per year, so the energy market is dramatically tilted to favor fossil fuels. Carbon pricing helps

set that right, helps make an even playing field. It is economics 101. And carbon pricing makes a lot of sense.

What happened last week? The Business Roundtable, made up of all of these giant American corporations and more—these are the top 50 that I could fit on this chart, but there are 200 of them—came out in support of carbon pricing. Their report warned that the consequences of climate change for global prosperity and socioeconomic well-being are significant. The world simply cannot afford the costs of inaction.

The Business Roundtable's report went on to urge companies to "align policy goals and [greenhouse gas] emissions reduction targets with scientific evidence." Listen to the scientists. We could do more of that.

The BRT said that a key component of science-based climate policy should be a price on carbon. Here is what they said:

A price on carbon would provide an effective incentive to reduce [greenhouse gas] emissions and mitigate climate change, including through the development and deployment of breakthrough technologies. . . . Establishing a clear price signal is the most important—

The most important—consideration for encouraging innovation, driving efficiency, and ensuring sustained environmental and economic effectiveness.

So this is big news—these are big companies—and this is good news. These companies at the Business Roundtable employ more than 15 million people. They have more than \$7.5 trillion in revenues. Their unified voice is a good thing and a big deal.

With all of that good news from all of these big American corporations, what is the bad news? The bad news is that corporate America often shows one face to the world and a very different face to Congress, and the face they show to Congress is not at all aligned with this policy they just announced to the world. This discrepancy, this misalignment, is a persistent problem, and it needs to be fixed.

The problem has three dimensions. One, even these companies don't pay much attention to climate change in their lobbying and election activities. For most, it is zero attention.

By the way, that silence is deafening around here, and that silence by these companies is compounded by the trade associations through which they consolidate their lobbying work. Most trade associations do nothing on climate.

Here is Coke and Pepsi's trade association. By the way, here are Pepsi and Coke on the list of companies that joined the Business Roundtable pro-climate, pro-carbon-price statement. But when they lobby, here is their American Beverage Association, the trade association. As you can see, they haven't been spending much money lately, and they haven't been spending anything on climate.

In 2009 and in 2010, they spent a lot of money. Why? Because we were starting

to work on ObamaCare and there was an idea that the companies that sold sugary beverages that created health issues should help pay the cost of the health issues that their sweetened beverages created. So off to battle went the American Beverage Association with millions and millions of dollars in spending.

This, by the way, is just the number of lobbyists. This is their spending. So if they cared about climate change and wanted to put a little bit of lobby pressure on, this is what they are capable of doing. This is what they are doing.

Here is a pitch, in my hands right here, entitled "TechNet: Remaining Legislative Priorities for 2020." This is 13 pages of advocacy for all the things the tech sector wants from Congress through their trade association, TechNet—13 pages. The list goes on and on. "Top priorities," and then page after page, in small print, of all the priorities, of all the things that they want Congress to do for them—and there is not a single mention of climate change, not a single mention of carbon price.

What do you think Congress will respond to—general noise made to the world or your specific asks to Congress?

Here is the list of companies whose CEOs signed that Business Roundtable report and came out for action on climate and a carbon price and who are also in TechNet, which, the week before, came here with 13 pages of legislative priorities that didn't include either climate change or carbon price.

You have to line things up, you guys. These are big players. Look at them: Honeywell, Amazon, Microsoft, Cisco, Dell, Visa, GM, Apple, Comcast, Oracle, Accenture, Hewlett-Packard, and PayPal—all on both sides of the issue within the same week here in Congress. So those are the trade associations that do nothing on this issue.

It gets worse because there are trade associations that are our worst enemies on climate action. In fact, InfluenceMap has done some research and tracked which groups and which corporations are the most climate friendly and which are the most climate hostile. If you look all the way over, right next to Marathon Petroleum in hostility is the U.S. Chamber of Commerce. There was actually a tie. The U.S. Chamber of Commerce and the National Association of Manufacturers were statistically tied as the two worst climate obstructers in America.

So they are out here, having worked hammer and tongs to stop climate legislation and prevent a carbon price, and you have the Business Roundtable statement supporting action on climate change and supporting a carbon price.

So here are the companies that are members of the Business Roundtable and came out last week for action on climate change and supported a carbon price and that are also members of the

U.S. Chamber of Commerce, which relentlessly opposes all serious climate action and, specifically, a carbon price.

Look at them all. Look at them all. I don't know if the camera can pan in on that, but these are some of America's biggest corporations. I would bet you that, if this group said, "Hey, we have just made a new decision over in the Business Roundtable, wearing our Business Roundtable hat," and went to the Chamber and said, "We are not going to do your opposition any longer; we are not going to support your opposition to climate action; we are actually serious about being for climate action and a carbon price"—if all of those companies actually said that to the U.S. Chamber of Commerce and threatened to quit if they didn't clean up their act at the U.S. Chamber of Commerce, that would make a very big difference.

And around here that would make a very big difference because the Chamber is the biggest kahuna of lobbying. It is electioneering all the time, usually against Democrats, almost inevitably for the worst candidate on climate, and they are over in courts and in regulatory agencies opposing climate action all the time. So why support that if what you really support is doing something on climate, including a carbon price?

So the National Association of Manufacturers was the other group in a tie with the Chamber for America's worst climate obstructer. These are all the companies whose CEOs signed the Business Roundtable statement supporting climate action and supporting carbon pricing and are members of one of the two worst climate obstructers in America, at the same time. So that creates a little bit of a problem.

Now, I should go back to the Chamber one just briefly and put a caveat in here. We don't know who all the Chamber members are. It is a very secretive organization. Many of its members report that they are members of the organization, and that is how we can assemble a list like this. But if the company doesn't report that they are members, we don't know.

So this is not necessarily complete, but this is all that we can know out of this secretive, very oppositional, worst climate obstructer organization—the Chamber of Commerce.

There are some other odd discordances among these Business Roundtable leaders. We go back to Business Roundtable membership who signed on this; that is, companies like Google, Amazon, AT&T, and Verizon, which are on the BRT list. There is Verizon right there. They are donors to something called the Competitive Enterprise Institute.

The Competitive Enterprise Institute is the group that put that flagrant, some would say almost nutty, climate denier Myron Ebell onto the EPA transition team. The Competitive Enterprise Institute is a dramatic antagonist to either anything serious on climate

or a price on carbon. Yet companies that signed this Business Roundtable statement support the Competitive Enterprise Institute.

Many people will remember when we came to the floor in groups of Senators to talk about the web of denial and the web of front groups that the fossil fuel industry set up to hide their hands and do their dirty work and stop climate action in Congress. That is the Competitive Enterprise Institute right there—right there, right smack in the middle of the web of fossil-fuel-funded climate denial, and Google, Amazon, AT&T, and Verizon were all supporting that group while supporting the Business Roundtable.

Now, none of this would matter much if Congress was just a sideshow and it was really up to corporations to do their own thing, but that is not the case. Action in Congress is actually the main event in succeeding on climate. That is why the fossil fuel industry has worked so hard to set up this web to deny climate science and to obstruct climate action here in Congress.

So when these Business Roundtable companies come to Congress through their other groups and say, “Don’t bother on climate” or “Don’t do a carbon price,” it matters. And it makes it a little hard to really take action in Congress based on their statement that they support climate action and a carbon price when, through other groups, they are funding the opposition to the position that they claim to support.

So, to the BRT, thank you for what you did. I don’t want to under appreciate that. It is a big deal. It is a good, good thing. But now you have to make it real. You have to make it real in Congress. No more zero effort from you. No more zero effort from your trade associations. No more support for our biggest climate obstructers from you.

If you want the results of what you asked for, you have to align your actions in Congress with your values. Align what you say in that statement with what you do through your groups here in Congress. That ought not to be much to ask—to align what you do in Congress with what you say you want to do to the outside world.

I have a few suggestions, if you are interested. One, think about commissioning a lobbying and electioneering audit of your own company. If you are the CEO, commission an audit of your own company’s lobbying and electioneering so you actually know what your company is doing on climate.

I suspect a lot of the CEOs signed this in good faith. They don’t know. So commission an audit. Learn what your company is really doing on climate.

Do an audit of your trade associations. If you are a member of a trade association, get in there and see what they are up to. I bet that you will find that what I say is true.

Three, demand that your trade associations declare where they get their money. It seems obvious that the rea-

son that the U.S. Chamber of Commerce and the National Association of Manufacturers became the two worst climate obstructers in America is because they were paid to. If you, CEOs on the Business Roundtable, had known that, this might not have happened. We might not have been here by now.

It is very likely that the Chamber and the NAM leaders snuck up on you, taking floods of fossil fuel money that they didn’t tell you about and selling out their organizations to the fossil fuel industry, leaving you high and dry, having to explain why you are supporting the two worst climate obstructers in America.

So do your audit, and then give those trade associations a deadline to align with your policy or you will quit—you will quit on the deadline if they haven’t. Don’t let them slow-walk you through endless discussion and process while they are still loading up on fossil fuel money and running fossil fuel errands in your names. Don’t let them do that.

Finally—finally—recommendation five, ask your lawyers. Ask your lawyers, particularly if you are on the board of climate obstructer groups: If these groups were trafficking in fraudulent information, what is the board’s responsibility? That is a lawyer question.

If they loaded up with fossil fuel money, how was your due diligence on the board of that organization in detecting that warning signal that your trade association had loaded up with fossil fuel money and was arguing against your position when it came to Congress, carrying the water for the fossil fuel industry? Your lawyers may have some advice about whether you have met due diligence.

Final point, climate is not really a partisan issue. It wasn’t in 2007 to 2009, when Senator CARDIN and I got here and the Senate had multiple bipartisan climate bills.

It wasn’t in 2008, when Republican John McCain had climate on his party platform as the Republican nominee. It all started with Citizens United in 2010, when the fossil fuel industry was allowed to trade up its political weaponry from muskets, corporate PACs, to tactical nukes, unlimited spending, secret super PACs, phony front groups—the whole apparatus of climate obstruction.

Today, as a result of that, the Republican Party has been so captured that on climate it is little more than the political wing of the fossil fuel industry. It doesn’t have to be that way.

To these big companies who signed this wonderful pledge: Fix your politics, push back on the fossil fuel obstruction, clean up your obstructer trade associations, wake up your sleepers, and make climate a real priority in Congress, and you will see what looks like magic begin to happen.

For you all, it is less time to wake up to climate change than it is time to

wake up to your own political indifference and presumably unknowing complicity in the political logjam on climate action that the fossil fuel industry has deliberately created here in Congress.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Mr. President, I want to thank Senator WHITEHOUSE for his longstanding leadership in the U.S. Senate on addressing the concerns of climate change. He has been there every week, every day, leading us to take action to prevent the horrors of climate change.

We have made some progress but not enough under his leadership. We have to do more, as he points out, and what he just told our colleagues. But I just really want to thank the Senator—as I look at the wildfires in the West, I look at the frequency of the hurricanes, when I look at the receding shorelines in Maryland, as I look at our efforts on the Chesapeake Bay—and recognize that if we don’t do what we need to do, what science tells us we could do on carbon emissions, we are doing this at our own peril.

It is not just America. It is the global communities. It is our leadership globally. Senator WHITEHOUSE and I traveled with other Members of the Senate to the climate meetings, and we made progress. We have to get back to it. I just want to thank Senator WHITEHOUSE for his leadership.

CORONAVIRUS

Mr. President, on Sunday, the Washington National Cathedral marked the 200,000 American lives lost to COVID-19 by tolling the Bourdon Bell 200 times—once for every 1,000 lives lost. Nearly 113,000 people have died since May 15, when the House of Representatives passed a comprehensive COVID-19 relief package known as the Heroes Act.

As of September 20, the 7-day moving average for new infections was over 41,000. The 7-day moving average for new deaths was almost 800. Put another way, from a fatality standpoint, we have the equivalent of the 9/11 terrorist attack every 4 days. The United States, which has 4.3 percent of the world’s population, accounts for 21.1 percent of the COVID-19 deaths worldwide.

When President Trump delivered his Inaugural Address in January 2017, he stated:

This American carnage stops right here and stops right now. We are one nation. . . . We share one heart, one home, and one glorious destiny. . . . So to all Americans in every city near and far, small and large, from mountain to mountain, from ocean to ocean, hear these words—you will never be ignored again.

Fast forward to last week when President Trump—referring to the total U.S. fatalities—said:

If you take the blue states out, we’re at a level that I don’t think anybody in the world would be at. We’re really at a very low level.

Of course, talking about COVID infection.

President Trump has said many appalling things. Dividing America during a pandemic into so-called blue and red States and devaluing the lives of Americans from blue States may be one of the most appalling things so far.

As former Secretary of Homeland Security and Republican Governor of Pennsylvania, Tom Ridge, remarked, "It's so unworthy of a president. It's beyond despicable. It's soulless. It's almost unspeakable in the middle of the pandemic to try to divide the country on a political basis when COVID-19 is really bipartisan."

Not only was President Trump's statement appalling, beyond despicable, and soulless, it belies the fact that COVID-19 does not care about State boundaries or any other boundaries. The States that President Trump lost in the 2016 election currently account for about 12,000 more COVID deaths than the States that he won. But the 11 States with the highest number of COVID-19 cases per million residents are all States that he won, and 14 of the 19 States with caseloads above the national average are States that he won. So the grim gap is closing, but it really should not matter because we are the United States of America. I wish President Trump could understand that.

Speaker PELOSI has stated that she intends to keep the House in session until Congress passes another comprehensive COVID-19 relief package. And I agree with the Speaker.

The Senate may adjourn as soon as it passes the fiscal year 2020 continuing resolution to keep the Federal Government open. I fear this would be a grave mistake and an abdication of our duty. The Senate should take up the Heroes Act. The so-called skinny amendments Senators JOHNSON and MCCONNELL brought to the floor over the past few weeks were so woefully inadequate they failed the fundamental test of serving as the beginning block for a bipartisan compromise. Even President Trump indicated the Senate Republicans need to do more.

I would like to take the next few minutes to outline some of the things we need to do to respond appropriately to the twin health and economic crises our Nation faces.

Remember when President Trump promised that the novel coronavirus would magically disappear as the weather got warmer? Well, that did not happen, and now summer has turned to autumn; the weather is starting to get cold again; and the flu season is approaching.

The next COVID-19 supplemental package should include provisions that increase the Federal Matching Assistance Payment, FMAP, and maintain Medicaid payments and permanently expand telehealth flexibilities that have increased healthcare access to patients around the country and address health disparities that COVID-19 pandemic has worsened.

The Urban Institute estimates 12 million additional Americans will turn to

Medicaid for access to affordable healthcare amid the pandemic. In my State, more than 45,000 Marylanders are newly enrolled in Medicaid. At the same time, State revenues are plummeting, leaving States facing budget deficits that could amount to \$555 billion through 2022.

If unaddressed, these budget shortfalls will lead States to making dramatic cuts to Medicaid, just as they did during the past economic downturns, at a time when those newly and previously enrolled need healthcare the most. The National Governors Association has called on Congress to further raise the FMAP and maintain access to essential Medicaid benefits.

Another important policy that will increase access to healthcare services during the COVID-19 pandemic is permanently extending telehealth permissions and privileges implemented under the CARES Act. Specifically, Congress should permanently remove regulatory barriers so that patients in rural, underserved, and urban areas can use telehealth to see their primary care providers, mental health counselors, and chronic disease management teams. Reimbursement for these services should adequately reflect the care delivered and allow patients to use their homes to receive these services. Telehealth increases access to care in areas with workforce shortages and for individuals who live far away from healthcare facilities, have limited mobility or transportation, or have other barriers to accessing care.

This is a bipartisan proposal to expand telehealth. It makes abundant sense. We have done it. Now let's make it permanent. That helps rural America; that helps people who have a hard time with transportation to get to where they need to be; it is more efficient; and it is safer. Let's make sure that is done before we leave.

At a time when many are unable to visit their health provider in person, we must depend on telehealth to deliver high-quality healthcare to millions of Americans around the country.

We have seen how COVID-19 has disproportionately affected communities of color, highlighting how the United States fails to extend critical resources, support, and healthcare access to these communities. According to the data from the CDC, communities of color experience higher rates of hospitalization and death from COVID-19 than White people do. Black Americans, Native Americans, Alaskan Natives are five times more likely to be hospitalized than White people are.

African-American Marylanders account for 30 percent of our State's population but 41 percent of its COVID fatalities. Marylanders of Latin American descent account for 17 percent of the State's population but 21 percent of its cases.

This is why the next supplemental package must focus on and contain policies that address health disparities that have been worsened by the COVID-19 pandemic.

I have authored two bills focused on addressing health disparities: One, the REACH Act, with Senator SCOTT of South Carolina; and, two, the COVID-19 Health Disparities Action Act with Senator MENENDEZ. Both bills create targeted grant programs that would help community-based organizations and local health departments provide culturally appropriate outreach, education, and health services to Black, Latino, indigenous, and our communities of color. Both bills are important steps to rectifying the ills of systemic racism from going forward.

Communities of color have long-standing and tragically appropriate mistrust with the medical community, for good reason, sadly. Our government deliberately misled Black patients and research participants during the Tuskegee Syphilis Study. Today, physicians still undertreat or underdiagnose pain in patients of color. The REACH Act and the COVID-19 Health Disparities Action Act should be included in the next COVID-19 supplemental to help promote trust within the communities of color for future COVID-19 responses, as we look beyond the pandemic.

Since the start of the COVID-19 pandemic, our State and local governments have faced significant financial challenges to meet declining revenues, as well as emergency costs related to COVID-19. It is well beyond time we listen to those on the ground dealing with the COVID-19 pandemic and provide them the resources they need.

What does this mean for communities back home? For our municipalities, it is funding for first responders and community services. For our counties, it is funding for schools. For our States, it is funding for public health.

The revenue losses our State, county, and local governments face are dramatic, and they threaten to cause deep, lasting cuts to public safety, education, public health, and other critical essential services that will adversely affect far beyond the public health battle against COVID-19.

Our Governors have issued a bipartisan plea. Governor Cuomo of New York, a Democrat, and Governor Hogan of Maryland, a Republican, who are the chair and previous chair of the National Governors Association, respectively, joined with all of our Nation's Governors—all—in April to say they need help from the Federal Government.

They need help to maintain critical missions of public safety, public health, and public education with at least \$500 billion for our States and additional funding for local governments beyond what we already provided under the CARES Act.

The Heroes Act, which has passed the House, provides \$875 billion for our State and local governments. Of that amount, \$500 billion goes to meet the State's needs, and \$375 billion goes to meet local government needs, with one-half to the counties and one-half to

municipalities. This funding goes directly to counties and local governments of all sizes to support their urgent needs. The funding is meant to address urgent COVID-19 response activities, and State and local governments may also use it to replace lost revenue to avoid making draconian cuts to essential services.

That would go a long way to meeting the needs of our local first responders, our police, our firefighters, our sanitation workers, and our educators.

The Senate Republicans' HEALS Act, in its most recent iteration, provides no new funding to help State and local governments; rather, they merely extend the deadline for use using CARES moneys. That is not adequate. We must do more.

This is too little, too late. Our State and local communities in Maryland have already allocated funding for programs that support renters, small businesses, and support frontline workers who face increased risk of exposure to COVID-19. Those dollars are spoken for.

I urge my colleagues to recognize the lasting harm the failure to support our State and local governments will cause and support the NGA's bipartisan request to provide additional funding to State and local governments.

If we learned anything when the school year ended so abruptly this past spring, it is a greater appreciation for our educators and the work they provide for our students in the classroom. It is so difficult to duplicate the interaction between educators and students, yet our colleagues across the aisle appear to be unwilling to provide our local school systems with the resources they need to allow school systems to educate students safely this fall.

Our local school leaders are making incredibly difficult decisions while facing political pressures from the Trump administration to ignore public health recommendations from Federal, State, and local officials; legitimate concerns from educators on the safety of returning to the classroom; and questions from parents who need answers on how to continue their child's education while meeting their own work responsibilities.

With dwindling State and local government revenues because of COVID-19, the school leaders have already started to face budget crunches even as schools' financial needs have increased things like cleaning supplies now necessary to meet CDC public health guidance, educational technology, and trainings for educators to meet the new demands of online education.

Without additional Federal resources, we fail to provide our local school leaders with the tools necessary to strike the balance between maintaining the highest quality level of education for our children while protecting student and educator health.

The Heroes Act provides \$100 billion for a State-level Fiscal Stabilization Fund for education, with \$90 billion for

States to support their public institutions of education. In Maryland, this would provide nearly \$900 million for our local school districts for meeting the needs of growing numbers of low-income students and our children with special needs; retaining educators vital to the education of our children; and ensuring that schools have resources to improve the virtual learning environment that frustrated so many students, parents, and educators last spring.

This funding would rightly support the decisions of local school and public health officials on how schools may reopen in the fall, whether virtual or in-person or hybrid. It does not attempt to coerce school districts into reopening their classroom doors in an unsafe manner as the only way to receive critically necessary Federal funds.

The Federal Government should provide local leaders with adequate resources to support well-informed and reasoned public health decisions rather than dangerously mandating school reopenings. In addition, the Federal Government needs to take the leadership in eliminating the digital divide. Access to reliable internet service should be available to every household in America.

The best action Congress can take to help small businesses is to provide State and local governments, health providers, and first responders with the resources they need to protect our communities from COVID-19, as I mentioned a moment ago. I am proud to be the ranking Democrat on the Small Business and Entrepreneurship Committee. I have worked very closely with Senator RUBIO on proposals. First, we have to get this COVID-19 under control. Only after it is safe for small businesses to resume full operations and safe for parents to send their children to school will our economy truly begin to recover.

Getting the virus under control is especially important for small businesses in the food services, hospitality, live events, travel and tourism sectors. Businesses in those sectors are especially reliant on large gatherings in order to make a profit.

Restaurants, for example, have been able to make up for lost indoor dining capacity by increasing their outdoor dining capacity, which will become increasingly difficult in many parts of the country as the weather gets colder and more inclement.

Similarly, communities that rely on tourism revenues generated during the winter months, such as Deep Creek Lake in my home State of Maryland, are likely to experience decreased cashflow this year due to the pandemic. Employers on the Eastern Shore missed their prime summer months. Congress cannot leave small businesses and the communities that rely on them out in the cold.

In addition to getting the pandemic under control, Congress must build on the lessons learned during past economic downturns. The most important

lesson is that there is no one-size-fits-all solution to rescue the economy during a crisis. To help the most employers we can, Congress must preserve the multiple support tools in the toolkit.

There is already bipartisan consensus that we must provide small businesses with a second Paycheck Protection Program loan. More than 3 months ago, Senators COONS, SHAHEEN, and I introduced legislation to create the Prioritized Paycheck Protection Program, which would provide vulnerable small businesses experiencing significant losses due to COVID-19 with a second capital infusion. Our proposal—P4—would allow small businesses that have 100 or fewer employees to receive a second PPP loan if they can demonstrate a loss of revenue of 50 percent or more due to the pandemic. The bill would also reserve \$25 billion for small businesses with 10 or fewer employees and extend the deadline to apply for an initial PPP loan through the end of this year.

There is also bipartisan agreement on the need to improve the Economic Injury Disaster Loan Program, EIDL. I support Senator ROSEN's and Senator WARREN's efforts to shore up the EIDL Program so that more small businesses have access to the long-term, low-interest rate loans the program makes available. With their maximum loan amount of \$2 million and repayment terms as long as 30 years, EIDLs provide small businesses with flexibility, capital that they can use to retool their businesses to respond to COVID-19.

There is also bipartisan agreement on the need to expand the employee retention tax credit, which is a provision from legislation I introduced with Senator WYDEN that was included in the CARES Act. The House acted on this bipartisan agreement. The Heroes Act makes substantial enhancements to this program so that it could benefit close to 60 million workers and over 6 million businesses.

If the Senate fails to act now—before adjourning—to support small businesses by getting this pandemic under control and providing capital to our small businesses, our communities will pay a heavy price for that inaction, as many more small businesses will close their doors, and I am afraid they will do it permanently.

Studies have shown that maintaining the employer-employee relationship is key to a swift, robust recovery. With tens of millions of Americans relying on unemployment benefits and permanent job losses on the rise, it is critical that we do all we can to keep workers connected to their jobs and prevent further layoffs. I am disappointed that, despite bipartisan agreement on several of the measures needed to support American small businesses struggling to survive COVID-19, the response to the pandemic has turned into a partisan fight.

For the sake of our communities and small businesses, I urge my Republican

colleagues and President Trump to accept Speaker PELOSI and Senator SCHUMER's offer to meet Democrats in the middle so we can pass a bipartisan bill that helps our communities get COVID under control and begin the recovery process.

The Heroes Act also extends the weekly \$600 emergency Federal unemployment payment. This special benefit lapsed in July. President Trump's program to provide \$300 a week in emergency benefits through FEMA is a weak half measure, and Congress must do more. These extra 6 weeks will expire very shortly, and it comes out of the FEMA funds, which are desperately needed as we know how many emergencies are occurring throughout our country with the wildfires and the hurricanes.

The full benefits the Heroes Act provides would strengthen the critical safety net for the record number of Americans who are unemployed as America faces its most serious economic challenge since the Great Depression.

By way of example in Maryland, we are seeing first-time claims for unemployment benefits at a rate of about 13,000 a week, peaking in early May, with nearly 110,000 new weekly claims filed. We have seen the total number of filings since March exceed 1.5 million. These are numbers that cry out for us to extend the unemployment benefits. We really need to do that, and we need to do that before we leave.

These are some, but not all, of the issues we must address immediately and for a sustained period. Former President Harry Truman had a sign on his desk in the Oval Office that said: "The buck stops here." "Passing the buck" means something entirely different to President Trump. On March 13, 2020, as we began to grasp the magnitude and impacts of the coronavirus, President Trump said: "I don't take responsibility at all." That may be the most honest and accurate thing he has said since he has become President. We have ample evidence to take him seriously. Therefore, it is up to Congress to provide the leadership and relief Americans desperately need.

The House has done its part in passing the Heroes Act. It is now time for the Senate to act.

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

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

GOVERNMENT FUNDING

Mr. LANKFORD. Mr. President, here we are again. It is late September, and the budget work has not been completed yet. It seems terribly familiar to this body, and it is frustrating. It is not as if no one knew September was coming; it was on the calendar. When I

first looked at it in January this year, September already existed on the calendar.

It is not as if we didn't know what all the deadlines were. Everyone knew full well what all the deadlines were.

We can say it is the pandemic that slowed everything down, except for the fact that all of the appropriations work could have already been done, and much of the committee work could have been done. Some was done by the House but not completed. It can be done by the Senate, but it was not.

So here we are again, watching the countdown clock toward a government shutdown as we discuss what happens next.

Things have been tied up this week with what is called a continuing resolution. This body knows—others may not—that a continuing resolution is literally taking last year's appropriations bills, changing the dates, and moving them over to the new one. This particular continuing resolution stretches until December 11, when we would have to pick it up and pass more appropriations for another continuing resolution at that time.

The fight this week has been over whether we are going to support rural America and agriculture. The House originally drafted a continuing resolution that left out all of the agriculture projects that were in it. The Senate, obviously, threw a fit over that and asked: Why are we supporting everything, including benefits to Sri Lanka to get added to the House's proposal for the continuing resolution, but you won't do so for America's farmers?

So, in the back-and-forth conversation this week, the House had to extend. Then it went another day. Then the House finally put the agriculture projects back in—and still left in, by the way, benefit for Sri Lanka.

Our ongoing conversations continue, though, about airlines. On October 1, airlines across the country are going to lay off 100,000 people—100,000. We have asked for some engagement on the issue of these airlines. In the CARES Act, back in March, we gave an extension to those airline workers so that the airline workers and the airlines could still stay connected to each other even when we were in this downtime. We are getting very close to a vaccine. It is like we can see the light on the other end of the tunnel, but it is not a train this time; it is actually light. We are going to get through this pandemic, but for whatever reason, the House refuses to deal with the issue of how to help airline workers at all, not even to do half of what was done in the past, not even to do a portion of what was done in the CARES Act. It has been exceptionally frustrating.

It has been the same issue with the House in its not wanting to do anything on the Paycheck Protection Program. For the smallest businesses in America and for nonprofits, the House has put out a multitrillion-dollar proposal, and it doesn't even include anything for small businesses.

We have continued to ask how we can address the issue of small businesses here. How can we extend the Paycheck Protection Program and give a second round to the hardest hit businesses? We don't think it is that unreasonable. As we are nearing the end, we need to help them bridge the gap at this point, but for whatever reason, it is not included either as we work our way through this process.

Now, I don't know what will happen in the next few hours as we deal with the continuing resolution that will come from the House, but there is no reason we should be talking about a government shutdown again.

A year ago, I and Senator HASSAN, the Democratic Senator from New Hampshire, sat down to talk through how we could end government shutdowns forever so that government workers across the DC region and across the country would not be living in fear of being furloughed and so that Americans who would want to be able to connect with different agencies would be able to do that at all times, but we would still be able to have the arguments that are needed to be able to resolve budget issues.

It may be surprising to some people across the country that Republicans and Democrats don't agree on everything in the budget. Shocking, I know. We should be able to have that fight, though, on the budget, but it should not lead to a government shutdown in the process. Government shutdowns cost us money every time it happens.

So my and Senator HASSAN's simple resolution resolves the issue by just asking one question: Who needs pressure applied to them to deal with the issue, and what is the pressure that needs to be applied?

Our straightforward answer is this: Members of Congress and our staffs and the Office of Management and Budget and the White House should have the pressure applied to us to get it done. The easiest way to apply pressure to all of us is to take away our time. It is pretty straightforward.

Here is our proposal: If you get to the end of the budget year and the appropriations work is not done, we will have mandatory quorum calls in this body at 12 noon every single day, 7 days a week, until we get all of the appropriations work done. None of us could travel. We would all stay here in DC.

I will tell you that I really want to see my family on the weekends. I also have people back in my State with whom I have appointments whom I need to be able to see, and I have responsibilities there. I want to get back to my State of Oklahoma and be with those folks.

I am sure all of you would love to get back to Oklahoma, but you would probably head back to your States instead.

We want to be home. We want to be able to meet with our constituents. We want to take care of the practical needs that are there. The way to do that is to get our work done here.

I have had folks say: Well, just take away everyone's money. Say, "No budget, no pay." It makes a great bumper sticker. The problem is, as many people in this body know, there are a lot of folks in this body who are multimillionaires, and if they were honest, they would say their congressional salaries are rounding errors to their investments every month.

Good for you, but it is not a pressure point. Taking away your congressional salary is not an emphasis to actually get the work done.

Taking away time is a way to be able to press people to actually get their work done.

Senator HASSAN and I have worked it through the committee process; have passed it through the Homeland Security Committee; and have set it up. It has already been rule XIV'd, and it is on our Calendar now. At any moment, we in this body could determine to end government shutdowns. We will never have one again. If we get to the end of the fiscal year, a continuing resolution will kick in automatically, and we will all stay until we finish the negotiations for the appropriations work. However heated, however long that may take, we will stay and finish it until it is done.

It is the right thing for us to do, and it is the right way to handle it. It is not pressure on the Federal workers. The Federal workers don't have the ability to make the decision here.

Some people say: Well, those folks in DC can just tough it out anyway.

Well, it is not just those folks in DC, though there are a lot of folks in DC who are working very hard for Americans all over the country. Just in my State of Oklahoma, there are 4,300 Federal employees who work in agriculture, who work for Housing and Urban Development, who work for the FAA—who work for all kinds of entities that take care of families in Oklahoma. They also deserve the privilege of continuing their service to their neighbors, just as always, while we are resolving our differences here.

So my request is the same as it was last year: Why are we talking about the possibility of there being a government shutdown again when we could take that off the table forever with a straightforward, bipartisan proposal that says we will never again have a government shutdown?

We will work out our differences because we do have differences, but we will not hold Federal workers hostage in the process. We will just stay and work out our differences.

I look forward to seeing the vote on the continuing resolution and avoiding a shutdown again, but I look much more forward to never having shutdowns again when Senator HASSAN's and my bill is finally voted on and passed.

I yield the floor.

The PRESIDING OFFICER (Mr. COTTON). The Senator from Nevada.

REMEMBERING JUSTICE RUTH BADER GINSBURG

Ms. ROSEN. Mr. President, I stand here to honor the life and legacy of Supreme Court Justice Ruth Bader Ginsburg.

In everything Justice Ginsburg did—from her pivotal role in the fight for gender equality, to her storied legal career, to her serving on the DC Court of Appeals and, ultimately, as a member of the U.S. Supreme Court—throughout her life's journey, she used every ounce of her ability to give voice to the voiceless and build a more just and equitable world.

Justice Ginsburg was a lion on the bench. She ruled on monumental and historic cases, and the decisions she made—and even the dissents she wrote—have shaped this country and set us on a better path.

This remarkable woman inspired countless Americans to fight for the best of us even when it was hard, even when it was inconvenient. I know I wouldn't be here without Ruth Bader Ginsburg's leading the way. We have a responsibility to honor her legacy, her work, and the ethos of Justice Ginsburg. Part of her legacy was her decision to uphold the constitutionality of the Affordable Care Act, and we have seen too many attempts to dismantle this key cornerstone of her legacy.

In my time as Senator, I have met countless Nevadans, and I have had the chance to speak with Americans from all across the country. I can say with certainty that there is no issue that matters more to the American people than their health, especially now.

This administration has worked since day one to take healthcare coverage and critical protections away from millions of Americans. It has failed time and again to dismantle the ACA through legislation, and it has also attempted to destroy and dismantle the ACA through the courts.

In one of my first actions as a Senator, I co-led and helped to introduce a resolution to defend the Affordable Care Act's constitutionality against this administration's assault. In my first speech on the Senate floor, I called on the Senate to take it up and pass it. I cannot even begin to count the number of Nevadans who have shared how they would be affected by the ACA's demise. Everything is at stake if these individuals and these families are denied access to care.

Justice Ginsburg's replacement will help to decide whether individuals with preexisting conditions can be denied coverage and, thus, be left behind. Let me be clear: What this potentially means is that any of us with a preexisting condition could no longer obtain health insurance.

This next Justice will decide if we see an end to the tax credits that make healthcare coverage affordable for middle-income families.

This next Justice will decide if we see an end to preventive care without copays.

This next Justice will decide if we see an end to the ability of young adults,

until the age of 26, to stay on their parents' insurance.

This next Justice will decide if we see an end to expanded Medicaid benefits, which have helped over 200,000 Nevadans get coverage.

This next Justice is going to decide who has healthcare during an unprecedented and deadly pandemic that has already, tragically, taken the lives of over 200,000 Americans.

This next Justice will also decide if the nearly 7 million Americans who have already tested positive for COVID can be denied healthcare coverage because they contracted a disease that this administration initially ignored and has been unable or unwilling to combat with a national plan.

So much hangs in the balance for the American people. Millions could lose healthcare because of this Supreme Court pick. We could go back to a world in which people with preexisting conditions could not afford to pay for lifesaving medicine or treatment. Using the courts to take away the American people's healthcare, especially at this moment in our Nation's history, is not only cruel—it is dangerous.

Amid a global pandemic and the worst economy in generations, our top priority right now should be the needs of the American people—the relief and care that matches the urgency of this crisis. We cannot afford to play political games or to threaten the American people's health coverage when they need it the most. The American people deserve better. They deserve the stability and security of healthcare coverage for themselves and their loved ones.

I ask that my colleagues truly listen to the American people, who need us now more than ever.

I had hoped that my Republican colleagues would have honored their own precedent in this process—the McConnell rule—and ensured that the American people would have their say at the ballot box before filling any vacancy. Instead of political gamesmanship, I ask that my colleagues honor the dignity of our democratic institutions and the health of the American people.

In 2015, when asked how she would like to be remembered, Justice Ginsburg responded: "As someone who . . . [helped] repair tears in her society, to make things a little better through the use of whatever ability she has."

That is how she wanted to be remembered.

We, too, have the ability to repair tears in our democracy, and we, too, have the ability to make sure things are better for all Americans by ensuring that their health remains protected.

I urge my colleagues to follow Justice Ruth Bader Ginsburg's example and honor her life and her life's work.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

CORONAVIRUS

Mr. PORTMAN. Mr. President, I am on the floor today to talk about what the Senate and the House ought to be doing before we leave town for the election, and that is helping people who are in need because of the impact of the coronavirus.

I know this is the week when we are focused on the passing of Justice Ruth Bader Ginsburg, and that is appropriate. There is a lot of discussion also about filling her seat.

We should, of course, all take time to mourn our Nation's loss, but we are also in the middle of an unprecedented healthcare and economic crisis. I think we have a responsibility to continue working on COVID-19 legislation to respond to those challenges.

Since this crisis began, Congress has actually come together repeatedly, as Republicans and Democrats, House and Senate, and working with the White House, to pass five coronavirus relief bills—legislation to address both the healthcare crisis and the economic free fall that was caused by the virus and the shutdowns. The biggest of these bills was the one you hear about the most—the roughly \$2 trillion CARES Act that was passed by a vote of 96 to 0.

Again, these have been bipartisan efforts up until now. Unfortunately, since May, when the last of these five bills was enacted, partisanship has prevailed over good policy, and Washington has been paralyzed, unable to come together for the public good.

Last week I came to the floor to highlight how this dynamic has played out with regard to a single issue that has become strictly important for so many people in my home State of Ohio and around the country. That is the expanded Federal unemployment insurance supplement included in the CARES Act back in March.

I had a tele-townhall last night. I am trying to do a tele-townhall or a Facebook Live townhall every week during the pandemic, in part just to stay in touch with people because it is so hard back home now to visit with people in person. Again last night, I had two callers call in, both of whom are taking advantage of the current \$300-per-week Federal supplement provided really by the Trump administration, and they talked to me about how they are going to plan for the future.

These are individuals who don't have a job to go back to. One, by the way, is a musician who makes his living playing music—the piano and singing and so on—at long-term care facilities, nursing homes, and each one of his previous clients has said that he is not welcome to come back now, for good reason. But that makes his life pretty

tough because that is what he does for a living.

So his question to me was this: You know, look, I really appreciate the 300 bucks. I need it to get by. And I got my rent, I got my car payment, and what are you guys going to do about that?

Well, the truth is, nothing at this point, and that is too bad because that \$300 supplement has now ended. In effect, what the President did to continue some help at the Federal level had limits because he did it under the only choice he had, really, which was the Disaster Relief Fund, and that has now run out. So that is where we are.

Early on in the pandemic, both Republicans and Democrats recognized the need to bolster the State-run unemployment insurance programs to help offset the massive job losses we saw in March and April. The initial amount was \$600 per week, and it was provided by the CARES Act. It came at a big cost to taxpayers. It also provided an income source that made the difference for a lot of folks in the State of Ohio and around the country.

During those early months, you remember the government was actually shutting down a lot of businesses, and workers were losing their jobs through no fault of their own, like this individual last night—through no fault of his own not having a job.

As the year has gone on, we have made progress. We slowed the spread of the coronavirus in most States. We have added more testing and personal protective gear. More and more parts of our economy have been able to reopen in a safe and sustainable manner, and that is great. With the reopening, hiring has picked back up, and we now have far fewer people on unemployment insurance than we did at the beginning of this pandemic.

Unemployment is now about 8.4 percent. That was the number for August—down from over 15 percent back in the spring. That is a big change. Over 4 million jobs have been added. At the same time, 8.4 percent is still high—very high. Remember, we were at about 3.5 percent in February of this year.

By the way, February was the 19th straight month of wage increases of over 3 percent. We had record-low unemployment for many sectors of our economy, and here we are at 8.4 percent. So we are not out of the woods yet. We still have a way to go. Ohio's unemployment number just came out the day before yesterday. For August, it was 8.9 percent. So 10 percent unemployment is something we are now under. In fact, we are under 9 percent, which is way, way faster than the projections. But still, 8.9 percent unemployment in Ohio is something that we need to focus on.

I will say that overall, we are going in the right direction and that unemployment claims, I think, are now either steadily dropping or holding level in almost every State. That is certainly true in Ohio.

So it is fair that Congress wanted to take another look at that original unemployment insurance supplement, which was set to expire at the beginning of August, and it did expire, and we wanted to look at it to see what the new supplement ought to be given the changing economy and given some of the improvements that we saw and also given the need for more workers as more businesses were reopening.

Now, \$600 per week was a relatively generous benefit—to the point that the Congressional Budget Office, the non-partisan group around here that gives us advice, said: If you kept that \$600 until next year—which is what the Democrats proposed in their Heroes Act—8 out of 10 people getting 600 bucks a week would be paid more on unemployment insurance than they would be at their jobs.

In other words, you would be making more money unemployed than you would if you were working. That is not the way unemployment insurance is supposed to work. That is not good for an economy that is trying to reopen.

I have been all over my State and talked to employers—small, mid, large-size employers. I have talked to the nonprofits. I have talked to people who are working hard to try to provide care to people in the healthcare sector. They all tell me the same thing: That \$600 is a problem because some people were not coming back to work because, again, for most of those people, they could make more on unemployment than they could working. So we needed to adjust it. Yet Democrats insisted 600 or nothing—or nothing—and so we got nothing.

Some of us had proposed \$300. In that case, some people would be getting paid more on unemployment, but most would not. In fact, most of them would be getting less than some percentage of their salaries. But, again, if you lose your job through no fault of your own, particularly because of a government decision to shut down your sector—say a movie theater or a bowling alley or a bar—it seems to me that we ought to be helping.

So the \$300 that we proposed was to go until toward the end of the year, but Democrats said no—kind of a “my way or the highway” approach, like it is going to be \$600 or we are going to give these people nothing. We gave people nothing. To me, that was a big mistake.

A number of us came to the floor and actually said: Let's continue \$600 for a week so we can negotiate something.

Democrats said: No. We want to end it. We don't even want to have it temporarily at \$600 to be able to negotiate something between Republicans and Democrats.

That is too bad.

When Congress failed to act, President Trump and his administration stepped in, and they said: \$300 is about the right number. We will provide the States a \$300 supplement through what is called the Disaster Relief Fund.

Now, in the CARES legislation we talked about earlier, which was the \$2 trillion legislation that passed 96 to 0 around here, a lot of money went out for various causes—for our hospitals, for our schools, and for our families through unemployment insurance. But it also provided some funding for what is called the Disaster Relief Fund for COVID-19 purposes. So the President took some of that money for COVID-19 purposes out of the Disaster Relief Fund and said: We are going to, for 6 weeks, allow the States to use this \$300 supplement if they choose to do so.

They also encouraged the States to provide their own match. What happened was, every State but two took the government up on that. So the vast majority of States said: Yes, we will do it.

They didn't add their match, by the way, but they did take the 300 bucks, and a lot of people have been helped by that because over the past 6 weeks, that funding has been available. Unfortunately, sometimes it got paid as a lump sum because by the time the State systems figured out how to administer it, you know, we were close to the end of the 6 weeks. But people knew that was coming. They knew they had 300 bucks for paying their rent, paying their car payment, paying their mortgage, and that was helpful. That was helpful.

Now we are at a point where President Trump's emergency Lost Wages Assistance Program, which is what that was called—the Lost Wages Assistance Program under the Disaster Relief Fund—has tapped out. Forty-four billion dollars was made available to the States, leaving \$25 billion in that Disaster Relief Fund because that \$25 billion was what was projected to be necessary to deal with the natural disasters.

So that is where we are today. Forty-four billion has been depleted. People who have had unemployment insurance since this disaster began are not going to have it now. It is going to end. For many people, it ended this week; for some, next week; for some, the week before.

The point is, we as a Congress need to act. My view is, let's provide some more funding for the Disaster Relief Fund, at least. If we can't come together with a big COVID-19 package that helps the schools, that helps small businesses with the Paycheck Protection Program, which I support extending, that helps with regard to getting more money for testing and getting our vaccine more quickly and getting the therapies up, let's at least provide the administration with some funding in the Disaster Relief Fund so they can continue to respond to need.

Let's also provide them that funding because they need it for natural disasters. What do I mean by that? Well, the other thing that has happened in the last 6 weeks, as you probably noticed, is that we have had a lot of natural disasters in the West with fires and in the

South with hurricanes. So that funding left in the Disaster Relief Fund ought to be supplemented for that purpose as well.

This is a temporary program meant to provide a bridge while Congress acts. And it would be great if Congress were to act, but, frankly, I am getting kind of discouraged about Congress's ability to come together again on a bipartisan basis, as much as I wish we would.

I have spoken on the floor about what I think I can see as the points of compromise and the overlap between our two approaches because there is a lot of it. Every single Republican save 1, 52 Members—a majority of the Senate—voted for a proposal a couple weeks ago that was viewed as a targeted proposal that did provide help for COVID-19 for families, for small businesses, and for healthcare.

Democrats had their own idea, which is the \$3.5 trillion that they wanted. Ours was about \$500 billion. There is something in between there. We could come together with something that is sensible, but it looks like that is unlikely.

So at a minimum, let's move forward with these unemployment insurance supplements that we have been doing. Let's give the administration the ability to do it again through the Disaster Relief Fund. This funding shortage would be easy for us to put into the legislation that is likely to come before this Chamber in the next 24 hours, which is the continuing resolution. That is the funding that is going to pay for government to continue operating.

You know, Congress is supposed to pass individual appropriations bills. There are 12 of them. We didn't do them this year because of the partisan gridlock around here, so once again we are turning to a continuing resolution to provide the funding going forward.

The House is acting this week, and we are going to act this week or early next week, as I understand it. It would be the perfect place to put more funding into this Disaster Relief Fund for us to be able to provide that \$300 benefit that the administration has been providing to all States but two and to also provide for more help for the natural disasters that are upon us.

Senator THOM TILLIS and I have proposed legislation to do just that. We have a bill out there that we hope Congress will be willing to pass, and we are also interested in adding it as an amendment to the continuing resolution, to the appropriations bill that is on its way through here.

With Congress deadlocked on how to come up with a broader solution for COVID-19, let's at least do this. Let's say to the administration: We want you to continue this program that is now in place. The States know how it operates. The States have been implementing it.

My home State of Ohio has provided funding to people through this. We are appreciative of it.

Our proposal is very straightforward. It simply appropriates \$86.6 billion to

replenish the Disaster Relief Fund, first to give FEMA the resources it needs to fully and effectively respond to the natural disasters that are hitting parts of our country hard right now and those that are yet to come. The money won't be wasted; it will be spent for appropriate things.

Second, it would allow the \$300 per week for the Lost Wages Assistance Program to continue through November 21, giving Congress what I hope would be more than enough time to come up with a broader solution to the COVID-19 issue. But at least through the period of time between now and just before Thanksgiving, people would be able to know they will continue to get this \$300-per-week supplement to be able to put food on the table, pay the rent, or pay the car payment or the mortgage, and we as a Congress will be able to say to the people we represent: We haven't forgotten about you. You lost your jobs through no fault of your own. We ought to be able to continue providing some help through this interim period.

This isn't about political wins and losses; this is about lives and livelihoods that are at stake. I hope my colleagues will join me in a bipartisan effort to support this important, commonsense legislation so we can bolster our response to the COVID-19 unemployment crisis and to the natural disasters that are currently facing our country.

I yield back my time.

The PRESIDING OFFICER. The Senator from Michigan.

REMEMBERING JUSTICE RUTH BADER GINSBURG

Ms. STABENOW. Mr. President, I rise today to pay tribute to one of my personal heroes, Justice Ruth Bader Ginsburg. She spent her life in service to the American people, quite literally. Whether the Supreme Court was hearing arguments about civil rights, reproductive rights for women, protecting our environment, our precious water and air, or standing up for our workers, Justice Ginsburg could be counted on to put the needs of the American people first every time.

She may not have looked like much of a fighter, but this tiny Jewish grandmother in the lace collar punched far above her weight. The American people were so fortunate to have her on their side of the ring. I feel fortunate as a woman in America. My daughter and my granddaughters, too, have known she was there over and over again, fighting for us.

That certainly was the case on healthcare. I have said over and over again on the floor of the Senate that healthcare isn't political; it is personal for each one of us. It is personal. Justice Ginsburg understood that in her bones. As a person who had experienced her own health challenges and health challenges in her family, she knew that when a beloved spouse is diagnosed with cancer or a child with a fever needs to go to the emergency room, politics is the last thing on their minds.

When people tell me their healthcare stories, they don't start by telling me whether they are a Democrat or a Republican. That is because when it comes to healthcare and the health of our families, it simply doesn't matter.

People in Michigan just want to know that if they or their loved ones get sick or are hurt, they are going to be able to take them to the doctor and get the healthcare they need. Unfortunately, with the loss of Justice Ginsburg, Michigan families and families all across the country have an extra reason to be very concerned right now.

One week after the election—just 1 week after the election—the Supreme Court will hear arguments in the case that could overturn the Affordable Care Act, overturn everything, all of the protections—including, of course, the preexisting conditions coverage—all of it. By the way, the President of the United States, Donald Trump, has weighed in and is in favor of having that happen.

Everything is at stake, including coverage for 17 million people through the expansion of Medicaid, where minimum-wage workers right now in States like Michigan that have expanded Medicaid no longer have to pick between minimum-wage jobs and not working and having healthcare. It is so important.

Also at stake is the ability for children to remain on their parents' health plans until age 26, which has transformed so many families' opportunities and young people's opportunities, and coverage for preventive services like cancer screening and maternity care.

Prior to the Affordable Care Act, you had to get extra coverage for maternity care. It wasn't viewed as basic. It was basic for me when I was having my children, and for women across the country, it is pretty basic. It wasn't viewed as basic, essential care. It now is under the Affordable Care Act.

Also at risk are mental health care and treatment for substance use disorders, lower prescription drug prices for seniors, and protections for people with preexisting conditions.

It is estimated that about half of Michigan families include someone with a preexisting condition, everything from heart disease to asthma, to high blood pressure, to cancer. Nationwide, we are talking about 130 million people. How many more people now, after COVID-19, will have a preexisting condition?

In other words, what happens in the next few months—what happens in terms of filling another Supreme Court vacancy, as well as what happens in the election—could have life-or-death consequences for Michigan families and families across the country.

In case anyone has forgotten, we are in the middle of a once-in-a-lifetime pandemic. More than 200,000 Americans have already lost their lives, and unfortunately that number is going up every single day. In my own State, nearly 7,000 people have lost their lives—7,000

mothers and dads, grandmas and grandpas, brothers and sisters, children and friends. Even though some have survived COVID-19, they may be left with long-term health issues, from heart damage to breathing difficulties, to neurological problems, which, as I said before, creates preexisting conditions.

This is not the time to be ripping healthcare away from American families. There is never a good time but certainly not now. Yet that is exactly the scenario we could be facing.

As Justice Ginsburg said, "Healthcare is not like a vegetable or other items one is at liberty to buy or not to buy." When a Michigan single mom discovers a lump and finds out that she has breast cancer, she can't just hope it will go away. When a Michigan senior with diabetes needs insulin, he can't just wait for a big sale and stock up when the price is right. When a child spikes a high fever in the middle of the night, her parents can't just tell her: Well, you know, the money is tight right now, so you are going to have to wait to see a doctor. That is the horror for all of us as parents, that our child will get sick and we won't be able to take them to the doctor.

Healthcare isn't political; it is personal. It isn't about policy; it is about people—people. It is about the people in our States who sent us here to fight on their behalf.

I sincerely hope that by the time the Senate votes on the next Supreme Court Justice—if, unfortunately, it comes before the people have their say about who should be making that nomination and confirming that appointment—if that is going to be rushed through, jammed through by this Senate, I hope there will be four U.S. Senators on the other side of the aisle who will have the courage to stand up for the people who need healthcare—and, frankly, that is all of us.

One thing I do know for sure is that the American people are courageous. Time and again, they have called us and written letters and have even come to DC to make their voices heard. From the amazing Little Lobbyists to ALS warrior Ady Barkan, to my friend Lauren Kovach, who fights so hard to find a cure for Alzheimer's disease and other dementias, these folks would probably rather be spending their time doing something else, but they understand that healthcare isn't a luxury; it is a necessity.

This should not be political. It is personal to each and every one of us. Again and again, people across the country have stepped up. They have gotten engaged. They have put their passion to work protecting our healthcare. Their voices and the voices of millions of Americans have made the difference in this Chamber to the majority in this Chamber—saying no to repealing the Affordable Care Act and ripping healthcare away from millions of Americans. That only happened because people stood up and

made their voices known and were actively engaged in saying what was important to them and their families.

It is easy to throw up our hands and give in and let the sadness and feelings of loss for Justice Ginsburg and all of the frustrations and chaos and the suffering take over all of us, but RBG would never let that happen. If she were here right now, she would say: No, no, no. This is the moment to focus and engage and to fight even harder.

When, as a Harvard Law student, she was asked by the dean why she felt entitled to take a slot that otherwise would have gone to a man, she didn't let that faze her. When she struggled to land a job after graduation, she took to teaching at Rutgers School of Law and hid her second pregnancy under baggy clothes until her contract was renewed. She later challenged the New Jersey law that forced pregnant teachers to quit their jobs. When she was diagnosed with cancer for the first time in 1999, she fought back and kept on fighting for more than 20 years.

It is time now for all of us to fight, all of us who care about our freedoms and our very way of life in this country. It is time to fight like our beloved RBG, like she did everyday of her life for us.

Justice Ginsburg once said this: "Fight for the things that you care about, but do it in a way that will lead others to join you." I am asking the American people right now to join us in this fight. This is not a done deal. It is not over, and we all as Senators will be held accountable for what we do.

Call your Senators, write emails and letters, talk to your friends and neighbors, and let them know what is at stake—from healthcare and reproductive rights for women to protecting our air and clean water, to the capacity to be able to collectively bargain for wages and safety and benefits, to voting rights and civil rights. We can go on and on. It is all on the line right now. We need to step up and fight and not assume anything is a done deal. We need to hold our Republican colleagues accountable.

Don't let them get away with taking healthcare away from millions of people. We did it before when we stopped the repeal of the Affordable Care Act. I think we have to fight now to do the same thing and vote like your life and the lives of your family depend on it, because they actually do.

Justice Ginsburg dedicated her life to making our country more fair, more free, and more just. Now is the time to continue her fight for our future, for our children, and for our grandchildren.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Texas.

SUPREME COURT NOMINATIONS

MR. CORNYN. Mr. President, as we all know, President Trump will announce his nominee to fill the seat vacated by the death of Justice Ruth Bader Ginsburg. The Senate is prepared

to examine the qualifications of that nominee and hold a vote here on a timely basis.

This, of course, is set in line with the precedent set by Presidents and Senates that were elected long before we became Members of this body or were even born, and we are prepared to follow suit. There were 29 times when there was a vacancy during the election year where the party occupying the White House and the majority of the Senate were the same, and 29 times there were confirmation processes, and it will be the same again this year with the 30th.

As always, we will be thorough. As a member of the Judiciary Committee, I have had the privilege of participating in a number of confirmation hearings for Supreme Court Justices. I know every member of the committee takes this job very seriously—our role of advice and consent under the Constitution. We will not rush the process. Every Member of this body will have an opportunity to vote for or against the nominee once the nominee is voted out of the Judiciary Committee.

But it seems that for our friends on the other side of the aisle, precedent is not enough. The prospect of another Trump-appointed Supreme Court Justice has mobilized our Democratic colleagues to launch an attack that has been months in the making on our very independent judiciary.

One of the hallmarks of our Constitution and our democracy is an independent judiciary—an umpire, if you will—that will mediate the fight between the executive and legislative branches and rule on the very constitutionality of the laws that are passed. Long before this vacancy even existed, though, our Democratic colleagues were sounding the alarm, suggesting they would expand or pack the Supreme Court with liberal Justices that will rubberstamp the political results they could not achieve through legislation.

During the Presidential primary this year, candidates were especially eager to share their vision for a larger and solidly liberal Supreme Court. A number of our Senate colleagues were among those open to the idea, including the current Democratic candidate for Vice President, the Senator from California.

Over the last several months, Democrats in both the House and the Senate, including House Judiciary Committee Chairman JERRY NADLER, have expressed an interest in upending the integrity of the Supreme Court and its role in leading the independent judicial branch. Once the Supreme Court vacancy went from a possibility to a reality, these comments have now turned into threats.

Over the weekend, the junior Senator from Massachusetts tweeted that “when Democrats control the Senate in the next Congress, we must abolish the filibuster and expand the Supreme Court.”

The Senator from New York, the minority leader himself, reportedly told his Members on a call this weekend, which was reported in social media: “Nothing is off the table.”

Now, mistreatment of conservative nominees to the courts is nothing new, including 2 years ago, when Democrats waged an all-out smear campaign against Justice Kavanaugh. But now, even before the nominee is announced, our Democratic colleagues are taking aim at the institution itself.

We know this isn't the first time that our colleagues have floated institutional changes to shift the political tide in their favor. When they lost the Senate majority, they decided they wanted to add new States. They are uninterested in bipartisanship. So they want to end the legislative filibuster. And now they threaten to pack the court with liberal Justices to give them a political outcome. They are taking the saying, “if you can't win the game, change the rules,” to a whole new level.

This isn't just political gamesmanship anymore. It is an assault on the Constitution itself, along with the integrity of our article III courts and our system of checks and balances. This court-packing threat isn't new. It preceded the death of Justice Ginsburg in the creation of the vacancy that we will soon consider, but they are now trying to rebrand the reasoning behind it.

Since the idea was previously viewed as too radical by members of their own party, with even Justice Ginsburg opposing it, they are trying to shift the blame to Republicans. By following the precedent of 29 judicial confirmation hearings occurring during an election year and undermining or challenging the Senate's constitutional duty to provide advice and consent, our Democratic colleagues claim that it is we who are responsible for an attack on democracy. They, in effect, are holding the Supreme Court hostage in saying: Don't make me kill the hostage.

Democrats aren't just trying to prevent a single conservative Justice from joining the Court. They are trying to dismantle the very institution itself. The Supreme Court has had nine Justices for more than 150 years. As the balance has shifted in many different directions over the years, Members of Congress have respectfully refrained from engaging in such dangerous threats.

This isn't just about a conservative Justice or a liberal Justice. It is about preserving one of our most basic institutions—a free and independent judiciary.

ECONOMIC GROWTH

Mr. President, now on another matter, by virtually any measure our economy was booming at the start of this year. Successful reforms under the Tax Cuts and Jobs Act allowed workers to keep more of what they earned and gave job creators the freedom to create new economic opportunities for the American people.

Within the first 2 years of these changes, we experienced record gains in employment and increases in household income for families across the country, including Hispanic and African-American households. New census data paints a clear picture of just how strong the economy was in 2019. The median household income reached an all-time high of \$68,700. That is a 6.8-percent increase over the previous year. Not only that, if you look at the dollar amount alone, it is almost double the next highest dollar amount in annual growth.

As I said, Black and Hispanic Americans each experienced a higher than average growth rate and historically low unemployment rates. Median earnings increased 7.8 percent for women, compared to 2.5 percent for men, representing progress in the fight to close the pay gap.

The benefits of our booming market, though, didn't stop there. The new jobs and opportunities created during this boom drew more workers who had been on the sidelines into the labor market, and the result was spectacular. The poverty rate dropped to 10.5 percent, which is the lowest since 1959. Every population group made gains. Regardless of race, gender, age, disability status, or marital status, each group experienced a decline in the poverty rate.

Make no mistake about it. We still have a long way to go to ensure that no family in America lives in poverty, but we also ought to be willing to assess progress when progress is made. There is no doubt that our economic engine was humming and the American people were seeing and feeling the benefits of our strong economy every single day. And then, of course, the pandemic hit. Suddenly, after years of adding new jobs and creating economic opportunities for millions of Americans, it felt like the gains we made were erased in the blink of an eye.

Through no fault of their own, businesses were forced to close their doors to help slow the spread of the virus, and with no tables to wait on, customers to serve, or travelers to accommodate, millions of workers were left without a way to earn a living. Well-meaning employers, sadly, handed their workers pink slips and said they hoped to have jobs for them to come back to once the pandemic was in the rearview mirror.

Until that could happen, millions of Americans relied on enhanced unemployment benefits, which ended at the end of July, including an extra \$600 a week in Federal benefits. But there are still families across Texas struggling to make ends meet, and there are workers waiting to return to their jobs with no end in sight.

While we have made progress against the virus, we have to make progress, too, in recovering our economy. In the beginning, restaurants and retailers began adding curbside service and delivery to regain some income, and throughout most of Texas now, these

businesses are able to open to 75 percent of capacity. Gladly, we are seeing more and more workers returning to work and our children returning to school.

In Texas, unemployment has steadily declined from a peak of 13.5 percent to 6.8 percent in August. I think a lot of that progress is due to the success of the CARES Act and, especially, the Paycheck Protection Program, which sent more than \$41 billion in more than 417,000 different loans to small businesses in Texas alone.

I am still hoping that we can come to an agreement on another coronavirus relief bill that would extend the Paycheck Protection Program and provide some enhanced level of Federal employment benefits, but those measures alone will not support our economic recovery. We know that regaining lost ground will not happen overnight. It is going to take time for our country to return to the pre-pandemic economy that the President and Republican Senate fought so hard to achieve.

As we consider the most effective ways to tune up our economic engine, our guiding principle should be that of the doctor-patient oath—the Hippocratic oath: First, do no harm.

Raising trillions of dollars in new taxes, as a number of leading Democrats have suggested, would be counterproductive. It wouldn't grow the economy. It would kill the economy. In 2009, as the Nation was fighting to recover from the 2008 recession, President Obama was asked about the possibility of raising taxes, and he didn't mince words. He said: The last thing you want to do is raise taxes in the middle of a recession.

That is exactly right, but that is exactly the opposite of what the leading Democratic candidates, including the Democratic nominee for President, are advocating. They are advocating for a huge tax increase, even as we are hopefully closer to the end of the pandemic than we are the beginning. It is just the wrong medicine for what ails our economy, as President Obama noted.

Families, we know, are still struggling, workers are still hurting, and the American people need more money in their paychecks, not less. We need to look at what made the 2019 economy such a success and try to ensure that those changes prop us up for a strong comeback, and I think the best place to start is with the success of the Tax Cuts and Jobs Act.

After it passed almost 3 years ago, I traveled across my State and met with business owners and employees who were reaping the immediate benefits. Those were in the form of new hires, bonuses, raises, and 401(k) match increases. Employees at every business of every size were seeing the benefits of the Tax Cuts and Jobs Act. While some of the provisions of that law are permanent, others are set to expire in 2025, and, without action, things like the lower income tax rate for individuals and the increased child tax credit will expire.

As we work to support our country through the recovery process, we need to emulate the reforms that made our booming economy a reality in the first place. As I said, I don't expect the road to recovery to be quick, but there are steps that we can take to make it easier.

First, we could do our job by supporting the individuals and businesses hit hardest by the pandemic. Time and again, our Democratic colleagues have objected to us even considering legislation to continue those important provisions of the CARES Act. We can take the government's boot off of job creator's necks, and we can fight to bring jobs back that were shipped overseas because we learned a lot about vulnerable supply chains and manufacturing that needs to be returned to the United States.

Following tax reform, millions of new jobs were created, and Americans brought home more of their hard-earned money. As a result, we reached 3.5 percent unemployment—the lowest unemployment rate in a half a century. That progress was possible because of the right policies that increased take-home pay for workers and unleashed the power of the private sector. So I have no doubt, as we rebuild our economy, that we will do so if we continue to embrace the policies that made 2019 a banner year.

Let me just conclude by saying that we must pass another COVID-19 relief bill. Time and again, Speaker PELOSI has refused to negotiate in good faith to come up with a compromise. In the meantime, airlines that employ tens of thousands of people in my State and across the country will begin laying off their employees beginning October 1. Businesses that were sustained by the PPP program have now run out of those funds, and they need to be replenished.

I get questions time and again about the lapsing of the enhanced unemployment benefit that was part of the CARES Act. We tried to extend that at some reasonable level, but our Democratic colleagues objected, blocked it, and stopped it.

What I fear, as Chairman Powell of the Federal Reserve and Secretary Mnuchin, the Treasury Secretary, have suggested, is that the massive stimulus that we provided, roughly \$3 trillion through four bills that were passed on a bipartisan basis—that has sustained our economy and brought us to where we are today, even in the darkest of times through this pandemic, but if we leave here with our Democratic colleagues having prevented us from providing another COVID-19 relief bill, I think it guarantees nothing but pain for the economy, American workers, and American families. We should not go down that path or tolerate it.

The PRESIDING OFFICER (Mrs. BLACKBURN). The Senator from Washington.

Mrs. MURRAY. Madam President, I ask unanimous consent to be allowed to finish my remarks.

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

WASHINGTON STATE WILDFIRES

Mrs. MURRAY. Madam President, I rise to speak about three critical matters impacting families in Washington State and across this country today.

First of all, I would like to say that even though the wildfires in my State are being contained, thanks to the skilled work of brave and dedicated firefighters, wildfires and health impacts of smoke are still creating hazardous conditions throughout the Pacific Northwest. Until we begin addressing the drivers of those natural disasters, like climate change, we know these crises and the suffering they bring will only continue getting worse.

JUDICIAL NOMINATIONS

Secondly, I want to talk about three nominees under consideration for the Equal Employment Opportunity Commission, or the EEOC.

One of these nominees is Jocelyn Samuels. She is exactly who workers need right now. As the coronavirus continues to impact workplaces across the country, workers are facing unprecedented challenges, and they need a champion at the EEOC who will work tirelessly to defend their rights. Jocelyn Samuels is that champion.

With almost 20 years of experience in the Federal Government, including at the EEOC itself, she has spent her career working to address discrimination and making sure no one is treated unfairly because of their age, their race, or their disability.

I am confident she will be an excellent Commissioner. I am proud to vote to confirm her nomination and strongly urge my Senate colleagues to join me in supporting her nomination.

Unfortunately, the other two nominees already approved by the Senate—Andrea Lucas and Keith Sonderling—will likely have disastrous consequences for workers' rights. These are two people who have spent their careers working to protect corporations, not workers.

As a lawyer, Andrea Lucas has never defended workers. Her only legal experience is defending corporations when workers tried to fight back against sexual harassment or age discrimination and disability discrimination. That is exactly the opposite type of experience and values we need at the EEOC, which is why I voted against her nomination.

Keith Sonderling's record is no better. During his time at the Trump administration's Department of Labor, Keith Sonderling worked to churn out policies that hurt workers.

From his joint employer rule that lets massive corporations off the hook for minimum wage, overtime, and equal pay violations to his initiative that gives companies a "get out of jail free" card for wage theft, Keith Sonderling's legacy at the DOL has made it harder for workers to fight for their rights and easier for companies to abuse them. For those reasons, I opposed his nomination.

Finally, right now, our Nation is facing truly trying times. Two hundred thousand lives have been lost to COVID, millions are unemployed, and we just lost a treasured American hero, Justice Ruth Bader Ginsburg.

So much hangs in the balance now, and people are already voting and organizing to make sure their healthcare, their rights, and their futures are protected in this election.

For those nationwide who have already cast their ballots and who will vote in the coming weeks for the future of our country and to help ensure trust—trust in our democracy—the people must have a vote in this nomination.

The next President should choose Justice Ginsburg's replacement as she wished to spare our democracy the painful chaos of making such a decision so close to an election.

People are speaking out, and the Senate must listen, as Majority Leader MCCONNELL insisted only a few years ago. But, unfortunately, it seems like my colleagues on the other side are content to ignore these cries, just like they have neglected the cries of our constituents for a COVID-19 relief package that meets this moment instead of shortchanging our communities because nothing—nothing is more important than pushing through their ideological agenda to jam as many partisan judges on the bench as possible, especially on the Supreme Court, and tip the balance of our Federal judiciary even further against everyday people, packing our courts to ensure we can't make progress to defend affordable healthcare and preexisting conditions protections or addressing the climate crisis or strengthening protections for workers or doing anything on the critical issues that people in my home State of Washington and around the Nation care so deeply about and that have been blocked time and again by the Republican Party.

I will be doing absolutely everything I can to make sure everyone from Washington State to Washington, DC, and my Republican colleagues here in Congress know just how much is at risk if President Trump gets to appoint another hard-right nominee an unprecedented 41 days before a Presidential election.

It is truly impossible to understate the consequences for families and communities across the country now and for generations to come. President Trump has made it clear he wants a nominee who will gut protections for preexisting conditions, who will take healthcare away from millions of people nationwide, and do everything they can to undermine basic rights and freedoms and protections through the Court, including crucial worker protections that Justice Ginsburg, herself, helped secure and the EEOC is tasked with enforcing.

I urge all of my colleagues to join me in voting today to honor an important

part of Justice Ginsburg's legacy and vote for the nomination of Jocelyn Samuels. Then let's keep fighting for people's healthcare, for protections for preexisting conditions, for workers' rights, and voters' rights, and LGBTQIA+ rights, and for the vision of a just and equal country—a just and equal country Justice Ginsburg fought so hard to advance.

Thank you.

I yield the floor.

VOTE ON HINDERAKER NOMINATION

The PRESIDING OFFICER. Under the previous order, the question is, Will the Senate advise and consent to the Hinderaker nomination?

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from West Virginia (Mrs. CAPITO) and the Senator from Wisconsin (Mr. JOHNSON).

Mr. DURBIN. I announce that the Senator from California (Ms. HARRIS) is necessarily absent.

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

The result was announced—yeas 70, nays 27, as follows:

[Rollcall Vote No. 191 Ex.]

YEAS—70

Alexander	Grassley	Risch
Baldwin	Hassan	Roberts
Bennet	Hirono	Romney
Blunt	Hyde-Smith	Rosen
Booker	Inhofe	Rubio
Brown	Jones	Sanders
Burr	Kaine	Schatz
Cantwell	King	Shaheen
Cardin	Klobuchar	Shelby
Carper	Leahy	Sinema
Casey	Loeffler	Smith
Cassidy	Manchin	Stabenow
Collins	Markey	Tester
Coons	McConnell	Tillis
Cornyn	McSally	Toomey
Cortez Masto	Menendez	Udall
Crapo	Merkley	Van Hollen
Duckworth	Murkowski	Warner
Durbin	Murphy	Warren
Ernst	Murray	Whitehouse
Feinstein	Perdue	Wicker
Fischer	Peters	Wyden
Gillibrand	Portman	
Graham	Reed	

NAYS—27

Barrasso	Enzi	Paul
Blackburn	Gardner	Rounds
Blumenthal	Hawley	Sasse
Boozman	Heinrich	Schumer
Braun	Hoeven	Scott (FL)
Cotton	Kennedy	Scott (SC)
Cramer	Lankford	Sullivan
Cruz	Lee	Thune
Daines	Moran	Young

NOT VOTING—3

Capito	Harris	Johnson
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The nomination was confirmed.

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 senior assistant 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 Roderick C. Young, of Virginia, to be United States District Judge for the Eastern District of Virginia.

Mitch McConnell, Mike Braun, Mike Rounds, Marsha Blackburn, Todd Young, Cindy Hyde-Smith, Lindsey Graham, Marco Rubio, Tim Scott, Chuck Grassley, Kevin Cramer, Lamar Alexander, Pat Roberts, John Boozman, John Cornyn, Mike Crapo, James E. Risch.

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 Roderick C. Young, of Virginia, to be United States District Judge for the Eastern District of Virginia, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from West Virginia (Mrs. CAPITO), the Senator from Wisconsin (Mr. JOHNSON), and the Senator from Arizona (Ms. MCSALLY).

Mr. DURBIN. I announce that the Senator from California (Ms. HARRIS) is necessarily absent.

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

The yeas and nays resulted—yeas 93, nays 3, as follows:

[Rollcall Vote No. 192 Ex.]

YEAS—93

Alexander	Gardner	Portman
Baldwin	Gillibrand	Reed
Barrasso	Graham	Risch
Bennet	Grassley	Roberts
Blackburn	Hassan	Romney
Blunt	Hawley	Rosen
Booker	Heinrich	Rounds
Boozman	Hoeven	Rubio
Braun	Hyde-Smith	Sanders
Brown	Inhofe	Sasse
Burr	Jones	Schatz
Cantwell	Kaine	Scott (FL)
Cardin	Kennedy	Scott (SC)
Carper	King	Shaheen
Casey	Klobuchar	Shelby
Cassidy	Lankford	Sinema
Collins	Leahy	Smith
Coons	Lee	Stabenow
Cornyn	Loeffler	Sullivan
Cortez Masto	Manchin	Tester
Cotton	Markey	Thune
Cramer	McConnell	Tillis
Crapo	Menendez	Toomey
Cruz	Merkley	Udall
Daines	Moran	Van Hollen
Duckworth	Murkowski	Warner
Durbin	Murphy	Warren
Enzi	Murray	Whitehouse
Ernst	Paul	Wicker
Feinstein	Perdue	Wyden
Fischer	Peters	Young

NAYS—3

Blumenthal	Hirono	Schumer
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NOT VOTING—4

Capito	Johnson
Harris	McSally

The PRESIDING OFFICER. On this vote, the yeas are 93, the nays are 3.

The motion is agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant bill clerk read the nomination of Roderick C. Young, of Virginia, to be United States District Judge for the Eastern District of Virginia.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant bill clerk read the nomination of Jocelyn Samuels, of Maryland, to be a Member of the Equal Employment Opportunity Commission for a term expiring July 1, 2021.

The PRESIDING OFFICER. Under the previous order, all postcloture time has expired.

The question is, Will the Senate advise and consent to the Samuels nomination?

Mr. MANCHIN. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from West Virginia (Mrs. CAPITO), the Senator from Wisconsin (Mr. JOHNSON), and the Senator from Kansas (Mr. MORAN).

Mr. DURBIN. I announce that the Senator from California (Ms. HARRIS) is necessarily absent.

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

The result was announced—yeas 54, nays 42, as follows:

[Rollcall Vote No. 193 Ex.]

YEAS—54

Alexander	Gillibrand	Peters
Baldwin	Graham	Reed
Bennet	Grassley	Rosen
Blumenthal	Hassan	Sanders
Booker	Heinrich	Schatz
Brown	Hirono	Schumer
Cantwell	Jones	Shaheen
Cardin	Kaine	Sinema
Carper	King	Smith
Casey	Klobuchar	Stabenow
Cassidy	Leahy	Tester
Collins	Manchin	Tillis
Coons	Markey	Udall
Cornyn	Menendez	Van Hollen
Cortez Masto	Merkley	Warner
Duckworth	Murkowski	Warren
Durbin	Murphy	Whitehouse
Feinstein	Murray	Wyden

NAYS—42

Barrasso	Enzi	Loeffler
Blackburn	Ernst	McConnell
Blunt	Fischer	McSally
Boozman	Gardner	Paul
Braun	Hawley	Perdue
Burr	Hoeben	Portman
Cotton	Hyde-Smith	Risch
Cramer	Inhofe	Roberts
Crapo	Kennedy	Romney
Cruz	Lankford	Rounds
Daines	Lee	Rubio

Sasse	Shelby	Toomey
Scott (FL)	Sullivan	Wicker
Scott (SC)	Thune	Young

NOT VOTING—4

Capito	Johnson
Harris	Moran

The nomination was confirmed.

The PRESIDING OFFICER. The Senator from Tennessee.

CORONAVIRUS

Mr. ALEXANDER. Madam President, I come to the floor to talk about COVID in two ways. The Senator from Tennessee, who is presiding today, will appreciate this. She and I have a regular call with Governor Lee, our Governor, and we just finished part of it. Her staff was on part of that.

He gave some very interesting information that I think would be important to all Senators and to our country, and that is the significant learning loss that occurs when children aren't in school. In Tennessee, Governor Lee and some national researchers have completed a study of the learning loss in the third grade for reading and math proficiency for children who were not in school from March through the summer.

Now, you always have a learning loss in the summer, but for March through summer, this is what they found. Preliminary data shows an estimated 50-percent decrease in proficiency rates in third grade reading and a projected 65-percent decrease in proficiency in math. That, in the Governor's words, is a dramatic decrease. It shows that the vast majority of students learn in person, the Governor said, with their teacher, and he is working to get a safe environment so that they can get back to school.

The good news on that is, according to the Governor, 1,800 schools in Tennessee are open, in person, and only 7 of those schools have any sort of closure incident today—in other words, one class or one school closed because of COVID. So, this problem we are just discussing, hopefully, will not be as pronounced this semester in Tennessee because, except in Memphis and except in Nashville, almost all of our schools are open in person to some degree.

The Governor went on to say that the March through the summer school closings produced a learning deficiency that is expected to be 2.5 times that of a normal summer rate. He also said the learning loss impacts early grades greater than later grades, placing those students further behind in the learning trajectory. Students with lower proficiency rates are also disproportionately impacted by learning loss. In other words, students who are already behind fell behind even further as a result of leaving school in March.

Then it shows that the research from the Organisation for Economic Co-operation and Development, which worked with the Governor on these, shows that each additional year of schooling increases life income by an average of 7.5 to 10 percent. And with the loss of one-third of a year in effective

learning—which is what we just heard about for just the students affected by the closures—that organization estimates it would lower a country's gross domestic product by an average of 1.5 percent for the remainder of the century.

I don't know whether those numbers are exactly accurate, but the message is clear. Children, especially young children and especially young children who are further behind already, need to be in school so that they can be taught in person or their learning loss is dramatic.

I ask unanimous consent to include in the RECORD the press release that Governor Lee of Tennessee released detailing this dramatic learning loss.

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

TENNESSEE RELEASES DATA SHOWING SIGNIFICANT LEARNING LOSS AMONG K-12 STUDENTS PROJECTED LOSSES TIED TO PROLONGED SCHOOL CLOSURES AND TIME AWAY FROM CLASSROOM

NASHVILLE, TN—Tennessee Governor Bill Lee and the Tennessee Department of Education today released estimated data regarding learning loss for Tennessee students resulting from COVID-19 school closures through the summer months. Preliminary data projects an estimated 50% decrease in proficiency rates in 3rd grade reading and a projected 65% decrease in proficiency in math.

"This data highlights the immense challenges that the COVID-19 pandemic has created for our students and educators," said Gov. Lee. "The vast majority of students learn best in-person with their teacher, and we'll continue to help provide a safe environment for Tennessee students to get their educational journeys back on track."

While many students traditionally experience learning loss over the summer, projections show that learning loss from March school closures through the summer is expected to be 2.5 times that of a normal summer rate. Projections were developed in partnership with national researchers using historical, Tennessee-specific data to provide additional learning loss estimates based on the extended school closures.

"We know that increased time away from school has negative implications for students, which is compounded during extended building closures," said Tennessee Commissioner of Education Penny Schwinn. "The department is focused on ensuring we provide essential services and resources to mitigate learning loss and keep students on a path to success this new school year."

The learning loss impacts early grades greater than later grades, placing these students further behind in the learning trajectory as they progress through school. Students with lower proficiency rates are also disproportionately impacted by learning loss, further exacerbating existing achievement gaps.

Research from the Organisation for Economic Co-operation and Development on the economics of education shows that each additional year of schooling increases life income by an average of 7.5-10%. Further, a loss of one-third of a year in effective learning for just the students affected by the closures of early 2020 will, by historical data, lower a country's GDP by an average of 1.5% over the remainder of the century.

Mr. ALEXANDER. Today, our committee—the Health, Education, Labor, and Pensions Committee—had its last

hearing of the year, and it was my last hearing as chairman of the committee. While we are on the theme of education, one of the interesting—and I am here today to give a little report on what I consider to be an unprecedented sprint toward success in three areas: vaccines, treatments, and diagnostic testing.

I asked Dr. Fauci, who was one of the witnesses, this question: Dr. Fauci, there are a lot of outbreaks on college campuses around the country as millions of students go back to thousands of colleges. Is the right thing to do to send the students home?

He said: Absolutely not. That is the wrong thing to do. Segregate the students from the other students in the college until they are well—and the people they have exposed until they are well—and then go on. Don't send them home to infect their parents and their grandparents and the community from which they came.

I think that is important advice for the college administrators all over America who are dealing with this issue very bravely. I know at the University of Tennessee they had a big outbreak. It was some poor judgment on behalf of a number of students who had just gone back to school. You can just imagine 18-, 19-, and 20-year-olds, they all want to get together. Well, they got together, and they infected one another, and they had a big outbreak—maybe 750, the Governor said, but it is now down to 150.

So Dr. Fauci's advice to the school administrators is this: Isolate them, segregate them, track them, and don't send them home.

The hearing today included Dr. Fauci and Dr. Redfield from the Centers for Disease Control. It included Admiral Giroir, who is in charge of testing, and it included Dr. Hahn, who is the head of the Food and Drug Administration.

Here was the first question I asked Dr. Hahn, who is the only person who knows when the vaccines that are being developed will be distributed. He doesn't really know because he doesn't know the date, nor do any of the career scientists at the FDA know the date when the data will show that the vaccine is safe and effective, and it will not be distributed until it is.

So I said to Dr. Hahn: Who makes the decisions at FDA? Do you make the decisions? Do the career scientists make the decisions? Or does the White House make the decisions about safety and effectiveness of a vaccine?

He said: The career scientists make the decisions. The White House does not, and I will not make a decision about the safety and effectiveness of vaccines unless the career scientists and I agree that it is safe and effective according to independent and transparent data.

I asked Dr. Fauci this question. I said: Dr. Fauci, you have been around a while. You came on in the Reagan days. You have been in your job as head of infectious diseases since 1984.

Here is my question: Is this administration cutting corners on safety and efficiency?

Dr. Fauci said: Absolutely not.

I asked all four of the witnesses: If the vaccine is approved by the FDA, would you take it, and would you recommend your family take it?

They said yes, that they had great confidence in the FDA.

Here is a summary of what they told us today. Let's start with vaccines:

According to the administration, it is already manufacturing tens of millions of doses of six vaccines, and by the end of the year, there will be tens of millions of doses of these vaccines already manufactured, ready to distribute—first, of course, to the priority individuals, those who are most vulnerable, healthcare workers, and others.

Then, according to the administration, they expect to be able to produce 300 to 700 million doses of vaccines by March or April of next year. That is unprecedented.

When I was a kid, we were terrified by polio. I had classmates who were in an iron lung and parents who were worried their children might be just as well. It took 10 years to get a polio vaccine, and polio is now eradicated.

For most of the vaccines that our children take before they go to school—like mumps, measles, and chickenpox—you have to take these vaccines in all 50 States and the District of Columbia before you go to school. Most of them took 10 years to develop.

If the optimism of the administration—they call it Operation Warp Speed—is accurate, vaccines will have been manufactured, and they are optimistic that at least one of them will be approved before the end of the year. They know they will be manufactured because they are already doing that.

They don't know for sure, and they say: There is no guarantee of success, but we are optimistic that we will reach a goal that once was considered impossible and now seems likely.

In other words, instead of waiting 10 years for a vaccine to save lives, this vaccine for COVID-19 will be developed in less than a year if it is approved before the end of the year.

That is an unprecedented success story, and it is only possible for a variety of reasons, which I will go into in a minute.

The same is true with treatments. There are five treatments—medicines—for those who have contracted COVID-19. That is especially interesting to teachers and faculty members at schools and colleges. The children don't seem to get as sick, but the older teachers could, and they do get sicker. So it helps to know that there is a treatment for COVID if you get sick.

What we are told by Dr. Fauci, Dr. Redfield, Dr. Hahn, and others is that they are cautiously optimistic that new treatments will be available in the next few weeks—specifically, the monoclonal antibodies, the antibody

cocktails that were developed and used during the Ebola crisis to help prevent and cure it.

If these work—and, again, they only can be approved based on data from the FDA. They are not approved yet. They are in clinical trials, but late clinical trials. If they are approved in the next few weeks, then, if you come down with COVID, you will have an antibody cocktail that, in the case of the Ebola, proved to prevent and help cure it.

Knowing that these vaccines are being manufactured and are likely to be approved by the end of the year and that treatments will be broadly available by the end of the year, in addition to the five that now exist, should help give Americans more confidence in going back to school, back to college, back to childcare, back to work, and out to eat.

Then, there is a third success story, and that is diagnostic testing. The United States got off to a bumpy start with diagnostic testing. The first CDC test flopped, and we lost some time. But since then there has been an explosion of diagnostic testing.

Today, we have a capacity to deal with 90 million tests a month. Abbott Laboratories has announced that in October, it will produce 50 million rapid tests. You can get a result in 15 minutes with a higher degree of specificity—that means accuracy—and it costs \$5. The administration has bought 150 million—the whole output—for the first 3 months of Abbott Laboratories' fast tests and is in the process of distributing them to nursing homes, schools, colleges, childcare centers, and States.

I was able to say to the Governor that if Tennessee gets its rough share of 2 percent of 150 million tests, that is a lot of tests for the State of Tennessee to be receiving over the next few weeks.

Again, the importance of that is, between now and the time a vaccine is administered and treatments are widely available, the surest path back to school, back to work, and out to eat is an oversupply of diagnostic testing so you could have it whenever you want.

Just as Governor Lee was saying, we have 1,800 schools open in person, Nashville and Memphis worrying about whether they should open. I think if the teachers knew they had more treatments and if they could test whenever a class needs to test—a whole class—and do surveillance testing, that people would be safer and feel better about going back to school.

The same would be true with the colleges and universities. If there is a breakout of 750 cases at the University of Tennessee and you can quickly do random surveillance testing of an entire dorm or a dorm floor or a class of students, then you can feel better about keeping the place safe.

The hearing was a good hearing. During the hearing, I thanked Senator MURRAY, my partner over the last 6 years, the ranking Democrat. She is a

member of the Democratic leadership. She is pretty tough when she wants to be. Because she is, I like working with her, and we have been able to do a lot with our committee.

We have 23 members on our committee. I thanked them today. I said, Senator Ted Kennedy used to say that we have the broadest jurisdiction of any committee in the Senate. I think we have the broadest range of views in the Senate of any committee. We have some very able advocates of those diverse points of view, and still, we have a very impressive record from fixing No Child Left Behind to 21st Century Cures, to the opioids bill, to passing important bipartisan legislation that is good for the country.

President Obama called the Every Student Succeeds Act a Christmas miracle. Senator MCCONNELL said the 21st Century Cures Act was the most important law of that Congress.

I thanked Senator MURRAY and all the Democrats and Republicans on the committee for creating an environment where we can have our differences of opinion but still get important results.

There was one other thing we discussed that I would like to mention. I see my friend from Connecticut on the floor. I know he wants to speak, and I will get out of the way so he can do it. But there were actually two things I wanted to briefly summarize, and then I will ask to put my statement into the RECORD.

One was that the New York Times said on March 1, that the United States was as well prepared as any country for COVID. To the extent that was true, it was because of several Presidents and several Congresses doing such things as, in 2012, authorizing three standby manufacturing plants for vaccines. Of Operation Warp Speed, Dr. Slaoui, who is their principle adviser, said that they could not be producing four of those vaccines if those plants had not been put in place back then.

In addition, earlier Congresses created more authority for the FDA, for example, to do emergency-use authorizations, which Dr. Hahn has used expertly. They have given the NIH record funding for 5 years in a row and new authority. All of this authority has been put to work by this administration to do what I would call an unprecedented sprint toward success on vaccines, treatments, and tests without cutting corners on efficacy and safety. There is a risk, but the risk is to the taxpayers.

The reason things are going so fast is because they are doing everything in parallel. They are manufacturing while they are developing the vaccine and while they are reviewing whether it is safe and effective.

Then, at the end of that process—say, at the end of this year—if it is effective, we are ready to distribute it. The States have been asked to get ready. If it is not safe, if it is not effective, then, we lose the money. The taxpayers lose the money.

I think most of us would be glad to lose that money if the result was that one or more of those vaccines turned out to be the one that produces 300 to 700 million doses of vaccines that are safe and effective as we move into the new year.

There is a lesson from all of this, and that is that the earlier Congresses and Presidents were visionary in this respect: They built those standby manufacturing plants. They created BARDA. Senator BURR from North Carolina was one of the leaders of that, for example. Without that, we wouldn't have this explosion of vaccines, treatments, and tests on the way. We need to do that again.

Senator Bill Frist, the former majority leader, testified before our committee with some others. He said we go from panic to neglect to panic, and we don't do the hard things we need to do after the epidemic is over.

The hardest thing to do is sustained funding. So we need sustained funding for manufacturing plants so they don't go cold while we wait for the next pandemic. We need sustained funding for our stockpile so they are not depleted by budget problems. We need sustained funding for the strategic stockpile, and we need sustained funding for our State and local public health agencies, which are about 50 percent supported by Federal dollars.

Sustained funding is something we don't do very well—that means mandatory funding that needs advanced appropriations. We like to do it year by year. But if we don't do it, you can see what it costs us: 200,000 lives we lost already and \$3 trillion we have already spent. So a little sustained funding to prevent the next pandemic would be a very wise investment, and we ought to do it now while we have our eye on the ball.

Jared Diamond, who wrote “Guns, Germs, and Steel,” pointed out in a recent article in the Wall Street Journal that, in his opinion, what is different about this vaccine is the jet plane—that people can fly from Wuhan to San Francisco or from San Francisco to Nashville, and pretty soon, suddenly, this is spreading all over the world. Jared Diamond said that the next pandemic could be next year. We hope it is not, but it could be, and we should be ready for it.

So I wanted to report to the American people and to my colleagues in the Senate that we hear a lot about problems, but I think it is important to know that vaccines are being manufactured, that the decisions are going to be made by scientists about when they are ready to distribute, that the States have been asked to get ready, that there are more treatments coming, likely, and that there has been an explosion of diagnostic tests. So, really, there should be plenty of diagnostic tests for anyone who wants to use them before very long in the United States. My theory has been for a long time that as soon as we had an oversupply,

we wouldn't have a problem or an issue.

I thanked those four witnesses, Senator MURRAY, and my Republican and Democratic colleagues for monitoring this COVID-19. I am glad the hearing was broadly carried for 2 hours on many television networks.

I hope it gave the American people some relief and sense that our chances of going back to school, back to college, back to childcare, back to work, and out to eat are increasingly good. It is very simple: Wear the mask, wash your hands, stay apart, and keep this unprecedented sprint toward vaccines, treatments, and diagnostic tests going.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

CORRECTING THE ENROLLMENT OF S. 2330

Mr. BLUMENTHAL. Madam President, as if in legislative session, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Con. Res. 46, which was submitted earlier today.

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

The clerk will report the concurrent resolution by title.

The bill clerk read as follows:

A concurrent resolution (S. Con. Res. 46) to correct the enrollment of S. 2330.

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

Mr. BLUMENTHAL. I further ask 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. 46) was agreed to.

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

The PRESIDING OFFICER. The Senator from Rhode Island.

REMEMBERING JUSTICE RUTH BADER GINSBURG

Mr. REED. Madam President, I rise today to honor the life of Justice Ruth Bader Ginsburg and to express my grave concerns at rushing to fill this Supreme Court vacancy rather than focus on the pandemic and its health and economic devastation.

The passing of Justice Ginsburg is a monumental loss for our country, but she will leave an indelible mark as a historic and brilliant jurist, civil rights trailblazer, and personal hero to countless people. We can all take inspiration from her stalwart and lifelong crusade for equality, shaped by her own struggles facing gender discrimination as a young lawyer, despite her outstanding education and obvious talent.

Notably, one of her first and most important rulings as a Supreme Court Justice was when she wrote the majority opinion that struck down the male-

only admissions policy at the Virginia Military Institute. In this and many other cases, Justice Ginsburg opened the door for generations to come and heralded a new era of equality so that those who were traditionally excluded and oppressed could truly partake in the American dream.

Congress should honor Justice Ginsburg's legacy by grieving her loss with her family, her friends, and the rest of the Nation. More importantly, we should listen to the Justice's wish that the Court she loved and served so honorably should not be part of the election season. My sense is Justice Ginsburg recognized that, while the Court has become more political over time, filling her seat a month or so before an election would do incredible harm.

Some say we need nine Justices. They certainly didn't feel that way about Justice Scalia's open seat. Rushing here seems unnecessary, shows a disregard for history, and shows a lack of faith in the American people's choice in November, but it appears they will not be thoughtful and wait. Instead, it is full steam ahead.

I am angered and saddened that my colleagues on the other side of the aisle are choosing to ram through a nominee who they know will not get broad support. While this is no different than their agenda over the last 4 years, the timing and circumstances could be not more startling or revealing as to their true priorities of power and stacking the deck.

My colleagues have been rushing to issue statements pledging their support for a Supreme Court nominee that President Trump has not even nominated. However, in the 4 months since the Heroes Act passed the House, they have not been able to muster any urgency to help the millions affected by the COVID pandemic. Indeed, my colleagues on the other side of the aisle keep bidding down the amount of assistance they want to provide.

Public health experts and economists alike have been sounding the alarm for weeks about what will happen if Congress does not provide further assistance. They warned that, without resources for testing, contact tracing, and other critical public health interventions, the case counts and deaths will only increase. They warned that, without rental, unemployment, and food assistance, evictions would skyrocket and households with children will go hungry. They warned that States would have to resort to deep budget cuts and layoffs without additional aid.

My Republican colleagues disregarded these warnings even as COVID-19 numbers continued to climb and even after the pandemic unemployment assistance and Paycheck Protection Program expired. They looked for excuses not to act, only pausing to bring up their so-called skinny bills, which fell woefully short of providing the help that is needed for families, businesses, and the States.

Due to the Trump administration's mismanagement and Republicans' inaction, much of what these experts predicted is already happening, and we continue to pass grim milestones signaling that we have failed to contain the virus and to adequately mitigate the economic fallout.

More than 200,000 people have now died, and the Department of Labor reports that nearly 30 million people are on unemployment. Despite the overwhelming need, Republicans seem eager to move on and shift all of their attention to filling a Supreme Court seat in as little time as possible.

They want to do it in a way that has never been done before. While other vacancies have arisen in an election year, the history is clear: The Senate has never confirmed a nomination to the Supreme Court this close to a Presidential election. Yet it is looking more like Republicans want to barrel ahead and deny the American people a chance to weigh in.

We have to ask ourselves: Why? One answer is easy: healthcare. My colleagues on the other side of the aisle, along with President Trump, had complete control of Congress and the White House for 2 years, and after spending 7 years saying that they would repeal the Affordable Care Act, they tried with all of their might to do just that. What they didn't anticipate was that the American people would turn against that effort.

In 2017, I heard from countless constituents, writing and emailing me, calling my office, approaching me at the grocery store and around Rhode Island, telling me about how the ACA had benefited them and their families and urging me to do everything in my power to stop the Republican effort to repeal the law. I was not alone in this. I know my colleagues on both sides of the aisle were hearing similar concerns from their constituents.

President Trump and congressional Republicans did not expect that they wouldn't be able to convince everyone in their party to go along with this scheme. As we all remember, late one night in July 2017, while voting on the Republican TrumpCare bill, my friend and my chairman, Senator John McCain, shortly before his death, courageously stood up and gave their proposal a thumbs-down, saying enough was enough.

The following year, the American people swiftly voted many Republicans out of office, handing control of the House of Representatives to Democrats, largely because of healthcare. Democrats won by vowing to protect the ACA for the American people.

So, now, President Trump and congressional Republicans are counting on the courts to overturn the ACA for them. They have spent the last 3 years stacking the courts with judicial nominees who they think will rule against the ACA, regardless of the facts or merits of the case.

With the passing of Justice Ruth Bader Ginsburg, they have their oppor-

tunity to add another anti-healthcare Justice to the Supreme Court, just days before the Court will begin arguments on the Trump administration's lawsuit to repeal the ACA.

What is worse is that they are not going to wait until the election to pursue this because they know the American people do not agree with them and they can't take the chance that they will lose the election and, along with it, their opportunity to take healthcare coverage away from millions of Americans.

Republicans' fervor to fill a Supreme Court vacancy goes beyond dismantling affordable healthcare and denying healthcare to those with preexisting conditions. They are counting on a conservative supermajority on the Supreme Court to accomplish many of their extreme conservative goals, which they know the majority of the American people do not share.

This will endanger so many of the rights that Americans have fought for decades to win. It could mean making our country less democratic by gutting what is left of the Voting Rights Act. It could mean overturning the right of women to make their own reproductive healthcare decisions, in consultation with their doctors, and the rights of LGBT individuals to live free of discrimination. It could include stripping away environmental protections, which will become all the more important as climate change wreaks havoc in our communities.

How these and many other issues are decided by the Supreme Court for the next several decades is hanging in the balance. That Republicans want to speed through their nominee shows not only their disdain for the will of the American people but, also, their lack of confidence that voters support these policy goals and those who wrongly espouse them.

The only good that may come of this is that the American people will gain an even clearer understanding of what is at stake. The American public now has a clear choice, and I have no doubt that it will make the right one. They can see and understand what Majority Leader MCCONNELL is doing.

At the very time the majority leader should be joining with us to protect the health of the American people in the midst of so much suffering and needless death during this pandemic, they are, instead, undertaking a misguided and unjustifiable effort to ram through a Supreme Court nomination. While I have little belief that Majority Leader MCCONNELL will change his plans, I would hope that my colleagues would take a moment and look at where we are. We can debate how we got here, but right now the matters before us are profound. I hope a few in the majority decide to reconsider and take a step back from their maximalist power theory and leave this issue to the next session.

Until then, I will do everything I can to honor Justice Ginsburg and her

life's work for what is right and what is fair. We will demand justice for the American people to make sure that their voices are heard.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. 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.

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 for up to 10 minutes each.

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

TRIBUTE TO DR. JAY BOX

Mr. McCONNELL. Madam President, more than 100,000 Kentuckians choose every year to pursue a degree or develop their skills through the Kentucky Community and Technical College System, KCTCS. Composed of 16 colleges within a short drive of virtually every Kentucky household, KCTCS has helped over 1 million Kentucky students receive an affordable and quality education. Today, I would like to recognize my friend, Dr. Jay Box, who has served as KCTCS' second president for the last 5 years and is a leading architect of its success. As Jay retires at the end of this month, my home State will send him off with our sincere gratitude.

Nearly two decades ago, Jay and his wife Gayle left Texas to join KCTCS. I am so glad they did. Jay brought with him a personal belief in the importance of lifelong learning to adapt to a changing workforce. That vision has served Jay and KCTCS' students well while preparing them for 21st century careers.

Jay was quickly recognized for his transformative leadership at Hazard Community and Technical College. Tapping into his talent, he was given statewide responsibilities as KCTCS vice president, chancellor, then finally its president. In each role, Jay has constantly delivered for Kentucky students.

As president, Jay placed a renewed emphasis on helping students complete their degrees with a record number of graduates and credentials. He also encouraged schools to remove barriers, to support students pursuing GEDs and college credit at the same time, and to form partnerships with job creators to close the skills gap. As a result, graduates are gaining the skills to meet

local employers' demands and enter the workforce prepared to fill good-paying jobs.

His many achievements have brought national acclaim for both Jay and KCTCS. U.S. Secretary of Commerce Wilbur Ross and Advisor to the President Ivanka Trump appointed him to be the voice for community colleges on the American Workforce Policy Advisory Board. Jay collaborates with leaders from educational institutions, governments, and some of the country's largest employers to increase preparedness in the workforce. Jay is also a member of the national board for Rebuilding America's Middle Class and the Bill and Melinda Gates Foundation's National Advisory Group.

I have had the privilege to work directly with Jay to serve Kentucky's students. I am particularly grateful for his leadership to save Southeast Kentucky Community and Technical College, SKCTC, from losing its ability to offer Federal student aid. Working closely with Jay, I inserted a legislative provision to give the school a reasonable opportunity to make its case to the U.S. Department of Education. Jay and his team did just that, showing SKCTC's many contributions to its students and community. I am proud to say the school continues to thrive and help prepare Kentucky students to excel in the workforce.

Jay announced he would begin his well-deserved retirement in July. However, when the coronavirus crisis struck, he once again showed true leadership. Jay delayed his retirement to continue serving Kentucky's students and ensure KCTCS received the steady leadership transition it deserves.

Over the years, Jay has helped educate students, encourage industry, and drive growth in nearly every corner of Kentucky. It is a remarkable legacy, and I hope he and Gayle are proud of their accomplishments. I ask my Senate colleagues to join me in congratulating Dr. Jay Box on his retirement and to wish him many wonderful years to come.

TRIBUTE TO TOMMY TURNER

Mr. McCONNELL. Madam President, when my friend Tommy Turner was first elected to lead LaRue County in 1985, he was the youngest Kentuckian to ever serve as a county judge-executive. Now, 35 years later, Tommy recently announced he would leave office as our Commonwealth's longest currently serving county leader. Records bookend his service, and more accomplishments fill the years between. I would like to take a moment to congratulate Tommy on his decades of leadership for LaRue County and to thank him for his many contributions to Kentucky.

Every county judge-executive is responsible for local services such as the county's budget and road maintenance. As LaRue County's leader, however, Tommy was given an additional—al-

most sacred—charge. He helped preserve the birthplace of our most famous Kentuckian, Abraham Lincoln. Tommy took seriously his role in honoring Lincoln, and Kentucky will continue to benefit from his enthusiasm for our Nation's 16th President.

Along with a group of motivated citizens, Tommy helped establish the Lincoln Museum in Hodgenville. In a typical year, thousands of tourists will visit the museum and the nearby Abraham Lincoln National Historical Park. Tommy championed an effort to expand the National Park by coordinating a donation to include Lincoln's Boyhood Home on Knob Creek. This year, Kentucky Living Magazine named the Lincoln Museum as the Commonwealth's Best Museum, a well-deserved distinction for their efforts to safeguard the Great Emancipator's legacy.

In 2000, Congress created the Abraham Lincoln Bicentennial Commission to prepare national celebrations for the President's 200th birthday. Recommended by Kentucky's Governor at the time and appointed by the President, Tommy was a fine choice to serve as a commissioner. Hodgenville would later host the celebration's National Opening Ceremony and lead the country in honoring President Lincoln.

Over the years, I have worked with Tommy to preserve Lincoln's heritage in LaRue County and to deliver for the community's bright future. It has also been a privilege to join Tommy's radio show to speak directly with local families about their priorities and my work for Kentucky in the Senate.

Tommy spent half of his life as LaRue County's judge-executive. The results of his leadership can be seen across the county in its growth and opportunity. I would like to encourage my Senate colleagues to join me in thanking Tommy for his service and for preserving the memory of one of our country's greatest leaders. In whatever comes next for Tommy, I wish him the best. I look forward to his continued contributions to our great Commonwealth.

SUPREME COURT NOMINATIONS

Mrs. LOEFFLER. Madam President, Mrs. Kelly Loeffler, of Georgia, rejects the assertion by Mr. CHUCK SCHUMER, of New York, that there is no precedent for a Supreme Court justice being confirmed after July 1 in a Presidential election year.

In fact on three separate occasions, a duly-elected President appointed and the Senate confirmed a Supreme Court justice in a Presidential election year: John Hessin Clarke; confirmed by the Senate on July 24, 1916; George Shiras, Jr.; confirmed by the Senate on July 26, 1892; and Melville Fuller; confirmed by the Senate on July 20, 1888.

The Constitution does not limit the President's nomination powers during the fourth year of his term.

I support President Donald J. Trump's decision to nominate a justice

to the Supreme Court who will uphold the rule of law and the Constitution as written. I look forward to performing my constitutional duty to advise and consent on his nominee before November 3, 2020.

NATIONAL SMALL BUSINESS WEEK

Mr. CARDIN. Madam President, today I thank the 30 million small businesses in America for their contributions to our economy during this year's National Small Business Week, which began on Sunday, September 20 and ends on Saturday, September 26. National Small Business Week is the time of year when we come together to celebrate our Nation's small businesses for their role in moving our economy forward by boosting local economies, improving industries through innovation, and employing nearly half of our country's workforce.

Taking time to recognize our Nation's small businesses is especially important this year due to the many ways—big and small—that our small businesses have stepped up to help our communities get through the pandemic.

In my home State of Maryland, I have seen distilleries use their facilities to make hand sanitizer when supplies were low; I have seen lacrosse equipment manufacturers produce face shields and masks for doctors and first responders; and I have heard stories about the many small government contractors that are helping Federal agencies address COVID-19. Today I am proud to recognize the founder of one of those small government contractors, Dr. Anton Bizzell, who has been named Maryland Small Business Person of the Year by the Small Business Administration.

Dr. Bizzell's company, the Bizzell Group, is an 8(a) certified small business that specializes in strategy and technology and works at the forefront of public health issues. Most recently, the Bizzell Group has been helping the Centers for Disease Control and Prevention keep our communities aware of the latest information regarding the COVID-19 pandemic.

After more than 25 years of experience in health services, policy, and management, Dr. Bizzell founded the Bizzell Group in 2010 to provide data-driven and innovative solutions to clients in an effort to build healthy, secure, and connected communities. In the years since, the company has grown to include nearly 100 employees with four offices in Lanham, Rockville, Atlanta, GA, and the Democratic Republic of the Congo.

Dr. Bizzell has said, "Business is most successful when done with integrity, excellence, and heart, and success is when your end result makes the world a better place." His philosophy is clearly at work at the Bizzell Group.

Dr. Bizzell and the Bizzell Group are a shining example of the vital role

small businesses and entrepreneurs play in our communities. In addition to the more than 100 jobs created by the Bizzell Group, Dr. Bizzell serves on the Maryland Board for the March of Dimes, and he is president of the Delta Lambda Chapter of the Alpha Phi Alpha Fraternity.

I congratulate Dr. Bizzell for being named Maryland's Small Business Person of the Year, and I thank him and his colleagues at the Bizzell Group for their efforts to keep our communities informed about COVID-19 during this unprecedented public health crisis. I am proud to represent them in the U.S. Senate.

Now more than ever, these contributions to our economy and communities deserve to be recognized. Dr. Bizzell and the many small business owners like him in communities across the nation are why I will continue to fight for Congress to pass another economic relief bill that meets the needs of our communities and small businesses. So many of our Nation's small businesses have stepped up for us, and Congress must once again do the same for them.

TRIBUTE TO RHONDA ZIMMERMAN

Mr. BARRASSO. Madam President, I rise today in celebration of Rhonda Zimmerman, the Boys and Girls Club of Central Wyoming's 2020 honoree.

Since 1978, the Boys and Girls Clubs of Central Wyoming has worked to make a positive difference in the lives of children. Their mission is to inspire all youth, especially those who need them the most. They strive to help young people reach their full potential as productive, responsible, and caring citizens. The programs, leagues, and activities serve the children in our community by cultivating academic success, healthy lifestyles, and good character and citizenship.

On October 21, 2020, the Boys and Girls Club of Central Wyoming will host the 22nd Annual Awards and Recognition Breakfast. Every year at this event, the Boys and Girls Club honors a member of the community who has made outstanding contributions to their organization, Wyoming youth, and the city of Casper. It is an inspiring celebration.

This year's honoree is Rhonda Zimmerman. She is an ideal choice to receive this honor because of her lifelong dedication to our children and families. With this award, the Boys and Girls Club of Central Wyoming shows their gratitude for Rhonda's work, which mirrors the Club's important mission.

Rhonda has given of her time and talents to the youth of our community for her entire life. Being raised in the Zimmerman family, she was taught the value of hard work and giving back to others. She grew up in Casper, the oldest of her siblings, Mitch, Michael, and Renee, and with her loving parents, Gail, Lois, and later Anne. Their character contributed greatly to Rhonda's Christian values and giving nature.

Rhonda attended Casper College, earning an associate's degree in criminal justice and social work and later earned her bachelor's degree in social work from the University of Wyoming at Casper College.

Rhonda's passion for her community and the well-being of her neighbors has shown time and again through her work as a counselor at the Youth Crisis Center, the Wyoming Behavioral Institute, and Central Wyoming Counseling Center. In 2011, Rhonda cofounded Casper Family Connections. Their mission is to provide children who are unable to live with one or both parents a safe and conflict-free environment. They provide also for healthy contact with the noncustodial family. They offer parenting classes as well as mental health services on top of their important mission, giving children and families a strong foundation on which to build.

Family holds a particularly special place in Rhonda's life. She raised two children, Greg and Kendra. Together, Greg and Rhonda own and operate E&F Towing and Transport in Casper. She also serves on the Boys and Girls Clubs of Central Wyoming board of directors along with her brother Mitch.

Rhonda sets an example everyone can follow. She is the first to offer a helping hand and shows a passion for improving the lives of others. The Code of the West charges us to live each day with courage. Not only does Rhonda embody this principle, but she gives everyone around her the tools they need to live the same. Wyoming, Casper, and the Boys and Girls Club of Central Wyoming are fortunate to have her.

It is with great honor that I recognize this outstanding member of our Wyoming community. My wife, Bobbi, joins me in extending our congratulations to Rhonda Zimmerman upon her selection for this special award.

ADDITIONAL STATEMENTS

HISTORIC ASHE HOSPITAL

● Mr. TILLIS. Madam President, I rise today to honor the achievements of the organizations and people who led the successful redevelopment of Historic Ashe Hospital in Jefferson, NC. This once abandoned property on the National Register of Historic Places today provides 46 affordable homes for seniors, people with disabilities, and homeless individuals at a time when affordable housing is needed more than ever.

This incredible property was developed through the use of the Low-Income Housing Tax Credit, known as the Housing Credit. In North Carolina and across the country, it is one of our most important tools in the fight to provide affordable housing for at-risk families in our communities. More than 87,000 North Carolina homes have been developed using the Housing Credit, and more than 3 million homes nationwide. They serve our low-income

seniors, veterans, disabled individuals, and working families.

That is why I am pleased to announce that this important site has been recognized by the Affordable Housing Tax Credit Coalition as a 2020 recipient of the Charles L. Edson Tax Credit Award, which recognizes excellence in the affordable housing industry and organizations that have demonstrated the most impactful use of the Housing Credit.

Historic Ashe Hospital in Jefferson is no exception. The historic building includes a community room for residents to gather, office space for those now working from home, a library for residents of all ages, and a memory room with artifacts from the original hospital. Wide hallways, tall ceilings, and large windows remind residents of the great public spaces of the past and beautiful views of the Blue Ridge Mountains.

Historic Ashe is also located across the street from the Appalachian District Health Department, which delivers services including case management, skilled nursing, physical and occupational therapy, and respite care. Vaya Health of western North Carolina provides a variety of mental health services on-site, and other community partners provide GED classes to those interested, transportation to the local senior center, volunteer opportunities, and a variety of other education and support services.

It is truly a monumental achievement in terms of creative property development and the judicious use of public and private funding to benefit the residents of Jefferson, while contributing to the Nation's vital supply of affordable housing.

Several groups and individuals were instrumental in bringing the project to fruition, including Northwestern Housing Enterprises, Incorporated, Redstone Equity Partners, Foss & Company, Bank of Tennessee, Federal Home Loan Bank of Cincinnati, Tise-Kiester Architects of Chapel Hill, and notably E. G. "Ned" Fowler, President of Northwestern Housing Enterprises.

To everyone involved in the development of Historic Ashe Hospital for affordable housing in Jefferson, I offer my congratulations and gratitude on behalf of the people of North Carolina. Thank you.●

MESSAGE FROM THE PRESIDENT

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

EXECUTIVE MESSAGE REFERRED

In executive session the Presiding Officer laid before the Senate a message from the President of the United States submitting a nomination which was referred to the Committee on Intelligence to be sequentially referred to the Committee on Homeland Security and Governmental Affairs.

(The message received today is printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

At 11:35 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, without amendment:

S. 743. An act to award a Congressional Gold Medal to the soldiers of the 5307th Composite Unit (Provisional), commonly known as "Merrill's Marauders", in recognition of their bravery and outstanding service in the jungles of Burma during World War II.

The message also announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 991. An act to extend certain provisions of the Caribbean Basin Economic Recovery Act until September 30, 2030, and for other purposes.

H.R. 1923. An act to amend title 31, United States Code, to require the Secretary of the Treasury to mint and issue certain circulating collectible coins, and for other purposes.

H.R. 2166. An act to authorize a comprehensive, strategic approach for United States foreign assistance to developing countries to strengthen global health security, and for other purposes.

H.R. 3010. An act to amend title 38, United States Code, to establish a mission statement of the Department of Veterans Affairs.

H.R. 3228. An act to amend title 38, United States Code, to authorize health professional trainees to provide treatment via telemedicine, and for other purposes.

H.R. 4104. An act to require the Secretary of the Treasury to mint a coin in commemoration of the 100th anniversary of the establishment of the Negro Leagues baseball.

H.R. 4864. An act to develop and implement policies to advance early childhood development, to provide assistance for orphans and other vulnerable children in developing countries, and for other purposes.

H.R. 4908. An act to amend title 38, United States Code, to prohibit the collection of a health care copayment by the Secretary of Veterans Affairs from a veteran who is a member of an Indian tribe.

H.R. 5664. An act to amend the Trafficking Victims Protection Act of 2000 to ensure adequate time for the preparation of the annual Trafficking in Persons Report, require the timely provision of information to the Office to Monitor and Combat Trafficking in Persons and the Bureau of Diplomatic Security of the Department of State regarding the number and location of visa denials based, in whole or in part, on grounds related to human trafficking, and for other purposes.

H.R. 6092. An act to direct the Secretary of Veterans Affairs to establish a national clinical pathway for prostate cancer, access to life-saving extending precision clinical trials and research, and for other purposes.

H.R. 6192. An act to require the Secretary of the Treasury to honor the 100th anniversary of completion of coinage of the "Morgan Dollar" and the 100th anniversary of commencement of coinage of the "Peace Dollar", and for other purposes.

H.R. 6210. An act ensuring 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.

H.R. 6589. An act to direct the Secretary of Veterans Affairs to develop and submit to

Congress a plan to address the material weakness of the Department of Veterans Affairs, and for other purposes.

H.R. 7795. An act to amend title 38, United States Code, to improve the ability of veterans to access and submit disability benefit questionnaire forms of the Department of Veterans Affairs.

H.R. 8276. An act to authorize the President to posthumously award the Medal of Honor to Alwyn C. Cashe for acts of valor during Operation Iraqi Freedom.

MEASURES REFERRED

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

H.R. 991. An act to extend certain provisions of the Caribbean Basin Economic Recovery Act until September 30, 2030, and for other purposes; to the Committee on Finance.

H.R. 1923. An act to amend title 31, United States Code, to require the Secretary of the Treasury to mint and issue certain circulating collectible coins, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 2166. An act to authorize a comprehensive, strategic approach for United States foreign assistance to developing countries to strengthen global health security, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

H.R. 3010. An act to amend title 38, United States Code, to establish a mission statement of the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

H.R. 4864. An act to develop and implement policies to advance early childhood development, to provide assistance for orphans and other vulnerable children in developing countries, and for other purposes; to the Committee on Foreign Relations.

H.R. 4908. An act to amend title 38, United States Code, to prohibit the collection of a health care copayment by the Secretary of Veterans Affairs from a veteran who is a member of an Indian tribe; to the Committee on Veterans' Affairs.

H.R. 5664. An act to amend the Trafficking Victims Protection Act of 2000 to ensure adequate time for the preparation of the annual Trafficking in Persons Report, require the timely provision of information to the Office to Monitor and Combat Trafficking in Persons and the Bureau of Diplomatic Security of the Department of State regarding the number and location of visa denials based, in whole or in part, on grounds related to human trafficking, and for other purposes; to the Committee on Foreign Relations.

H.R. 6092. An act to direct the Secretary of Veterans Affairs to establish a national clinical pathway for prostate cancer, access to life-saving extending precision clinical trials and research, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 6192. An act to require the Secretary of the Treasury to honor the 100th anniversary of completion of coinage of the "Morgan Dollar" and the 100th anniversary of commencement of coinage of the "Peace Dollar", and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 6210. An act ensuring 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; to the Committee on Foreign Relations.

H.R. 6589. An act to direct the Secretary of Veterans Affairs to develop and submit to Congress a plan to address the material weakness of the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 7795. An act to amend title 38, United States Code, to improve the ability of veterans to access and submit disability benefit questionnaire forms of the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

MEASURES PLACED ON THE CALENDAR

The following bills were read the second time, and placed on the calendar:

S. 4653. A bill to protect the healthcare of hundreds of millions of people of the United States and prevent efforts of the Department of Justice to advocate courts to strike down the Patient Protection and Affordable Care Act.

H.R. 8337. An act making continuing appropriations for fiscal year 2021, and for other purposes.

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 3228. An act to amend title 38, United States Code, to authorize health professional trainees to provide treatment via telemedicine, and for other purposes.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 4675. A bill to amend the Health Insurance Portability and Accountability Act.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-5511. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Trichoderma asperellum, strain T34; Exemption from the Requirement of a Tolerance" (FRL No. 10013-33-OCSPP) received in the Office of the President of the Senate on September 21, 2020; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5512. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Pseudomonas fluorescens strain ACK55; Exemption from the Requirement of a Tolerance" (FRL No. 10013-27-OCSPP) received in the Office of the President of the Senate on September 21, 2020; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5513. A communication from the Federal Register Liaison Officer, Office of the Secretary, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "User Fees" (RIN0790-AK45) received in the Office of the President of the Senate on September 17, 2020; to the Committee on Armed Services.

EC-5514. A communication from the President of the United States, transmitting, pursuant to law, a report on the continuation of the national emergency with respect to persons who commit, threaten to commit, or support terrorism that was established in Executive Order 13224 on September 23, 2001, as amended; to the Committee on Banking, Housing, and Urban Affairs.

EC-5515. A communication from the Director of the Regulatory Management Division,

Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; Texas; Construction Prior to Permit Amendment" (FRL No. 10014-57-Region 6) received in the Office of the President of the Senate on September 21, 2020; to the Committee on Environment and Public Works.

EC-5516. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Wyoming Underground Injection Control Program; Class VI Primacy" (FRL No. 10013-68-OW) received in the Office of the President of the Senate on September 21, 2020; to the Committee on Environment and Public Works.

EC-5517. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Significant New Use Rules on Certain Chemical Substances (19-5.B)" (FRL No. 10013-95-OCSPP) received in the Office of the President of the Senate on September 21, 2020; to the Committee on Environment and Public Works.

EC-5518. A communication from the Director of the Legal Processing Division, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Miscellaneous Changes Under the Setting Every Community Up for Retirement Enhancement Act of 2019 and the Bipartisan American Miners Act of 2019" (Notice 2020-68) received in the Office of the President of the Senate on September 21, 2020; to the Committee on Finance.

EC-5519. A communication from the Director of the Legal Processing Division, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Notice Regarding the Special Per Diem Rates for 2020-2021" (Notice 2020-71) received in the Office of the President of the Senate on September 21, 2020; to the Committee on Finance.

EC-5520. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Modifications to Rev. Proc. 2016-37 and Rev. Proc. 2019-39" (Rev. Proc. 2020-40) received in the Office of the President of the Senate on September 21, 2020; to the Committee on Finance.

EC-5521. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Update to Rev. Rul. 94-74" (Rev. Rul. 2020-19) received in the Office of the President of the Senate on September 21, 2020; to the Committee on Finance.

EC-5522. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to the Convention on Cultural Property Implementation Act, a report relative to actions taken in fiscal year 2019 to conclude cultural property agreements with Bulgaria, China, Honduras, and Algeria; to the Committee on Finance.

EC-5523. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to the Convention on Cultural Property Implementation Act, three (3) reports of the Cultural Property Advisory Committee (CPAC) from 2019 relative to memoranda of understanding and cultural property agreements; to the Committee on Finance.

EC-5524. A communication from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting,

pursuant to law, the report of a rule entitled "Medicare Program; Specialty Care Models to Improve Quality of Care and Reduce Expenditures" (RIN0938-AT89) received in the Office of the President of the Senate on September 22, 2020; to the Committee on Finance.

EC-5525. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Limitation on Deduction for Business Interest Expense" ((RIN1545-BO73) (TD 9905)) received in the Office of the President of the Senate on September 21, 2020; to the Committee on Finance.

EC-5526. A communication from the Acting Assistant Secretary of State, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the status of deconfliction channels with Iran; to the Committee on Foreign Relations.

EC-5527. A communication from the Administrator, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, a report relative to the cost of response and recovery efforts for FEMA-3538-EM in the State of Louisiana having exceeded the \$5,000,000 limit for a single emergency declaration; to the Committee on Homeland Security and Governmental Affairs.

EC-5528. A communication from the Administrator, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, a report relative to the cost of response and recovery efforts for FEMA-3540-EM in the State of Texas having exceeded the \$5,000,000 limit for a single emergency declaration; to the Committee on Homeland Security and Governmental Affairs.

EC-5529. A communication from the Administrator, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, a report relative to the cost of response and recovery efforts for FEMA-3529-EM in the State of Hawaii having exceeded the \$5,000,000 limit for a single emergency declaration; to the Committee on Homeland Security and Governmental Affairs.

EC-5530. A communication from the Director, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Federal Acquisition Circular 2020-09, Small Entity Compliance Guide" (FAC 2020-09) received in the Office of the President of the Senate on September 17, 2020; to the Committee on Homeland Security and Governmental Affairs.

EC-5531. A communication from the Director, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Federal Acquisition Circular 2020-09, Introduction" (FAC 2020-09) received in the Office of the President of the Senate on September 17, 2020; to the Committee on Homeland Security and Governmental Affairs.

EC-5532. A communication from the Executive Director, Office of General Counsel, Federal Retirement Thrift Investment Board, transmitting, pursuant to law, the report of a rule entitled "Temporary Waiver of Notarization Requirement for Spousal Consent; Withdrawal of Interim Rule" (5 CFR Part 1650) received in the Office of the President of the Senate on September 21, 2020; to the Committee on Homeland Security and Governmental Affairs.

EC-5533. A communication from the Executive Director, Office of General Counsel, Federal Retirement Thrift Investment Board,

transmitting, pursuant to law, the report of a rule entitled “Financial hardship withdrawals” (5 CFR Part 1650) received in the Office of the President of the Senate on September 21, 2020; to the Committee on Homeland Security and Governmental Affairs.

EC-5534. A communication from the Acting Director, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled “Federal Employees’ Retirement System; Present Value Conversion Factors for Spouses of Deceased Separated Employees” (RIN3206-A003) received in the Office of the President of the Senate on September 22, 2020; to the Committee on Homeland Security and Governmental Affairs.

EC-5535. A communication from the Acting Director, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled “Federal Employees’ Retirement System; Normal Cost Percentage for Certain Members of the Capitol Police” (RIN3206-A002) received in the Office of the President of the Senate on September 22, 2020; to the Committee on Homeland Security and Governmental Affairs.

EC-5536. A communication from the Deputy Assistant General Counsel, Office of Postsecondary Education, Department of Education, transmitting, pursuant to law, the report of a rule entitled “Final Priorities, Requirements, and Definitions Fund for the Improvement of Postsecondary Education-Open Textbooks Pilot Program” (34 CRF Chapter VI) received in the Office of the President of the Senate on September 22, 2020; to the Committee on Health, Education, Labor, and Pensions.

EC-5537. A communication from the Deputy Assistant General Counsel, Office of Postsecondary Education, Department of Education, transmitting, pursuant to law, the report of a rule entitled “Distance Education and Innovation” (RIN1840-AD38) received in the Office of the President of the Senate on September 22, 2020; to the Committee on Health, Education, Labor, and Pensions.

EC-5538. A communication from the Acting Assistant Secretary, Employee Benefits Security Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled “Pension Benefit Statements - Lifetime Income Illustrations” (RIN1210-AB20) received in the Office of the President of the Senate on September 21, 2020; to the Committee on Health, Education, Labor, and Pensions.

EC-5539. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled “Revocation of the Test for Mycoplasma” (RIN0910-AH95) received in the Office of the President of the Senate on September 17, 2020; to the Committee on Health, Education, Labor, and Pensions.

EC-5540. A communication from the Secretary of Education, transmitting, pursuant to law, the report of a rule entitled “Direct Grant Programs, State-Administered Formula Grant Programs, Non Discrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, Developing Hispanic-Serving Institutions Program, Strengthening Institutions Program, Strengthening Historically Black Colleges and Universities Program, and Strengthening Historically Black Graduate Institutions Program” (RIN1840-AD45) received in the Office of the President of the Senate on September 21, 2020; to the Committee on Health, Education, Labor, and Pensions.

EC-5541. A communication from the Regulations Coordinator, Centers for Disease Control and Prevention, Department of Health

and Human Services, transmitting, pursuant to law, the report of a rule entitled “Control of Communicable Diseases; Foreign Quarantine: Suspension of the Right to Introduce and Prohibition of Introduction of Persons into United States from Designated Foreign Countries or Places for Public Health Purposes” (RIN0920-AA76) received in the Office of the President of the Senate on September 22, 2020; to the Committee on Health, Education, Labor, and Pensions.

EC-5542. A communication from the Deputy Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report entitled “Fiscal Year 2019 Annual Civil Debt Collection Activity Report to Congress”; to the Committee on the Judiciary.

EC-5543. A communication from the Principal Deputy Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report relative to the Victims Compensation Fund established by the Witness Security Reform Act of 1984; to the Committee on the Judiciary.

EC-5544. A communication from the Associate Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled “Schools and Libraries Universal Service Support Mechanism” (RIN3060-AK57) (CC Docket No. 02-6)) received in the Office of the President of the Senate on September 22, 2020; to the Committee on Commerce, Science, and Transportation.

EC-5545. A communication from the Program Analyst, Office of Managing Director, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled “Assessment and Collection of Regulatory Fees for fiscal year 2020, Report and Order and Further Notice of Proposed Rule-making” ((FCC 20-120) (MD Docket No. 20-105)) received in the Office of the President of the Senate on September 22, 2020; to the Committee on Commerce, Science, and Transportation.

EC-5546. A communication from the Legal Yeoman, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Special Local Regulations; Low Country Splash, Charleston, South Carolina” ((RIN1625-AA08) (Docket No. USCG-2020-0290)) received in the Office of the President of the Senate on September 21, 2020; to the Committee on Commerce, Science, and Transportation.

EC-5547. A communication from the Legal Yeoman, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Emergency Safety Zone; Lower Mississippi River, Knowlton Revetment, Arkansas” ((RIN1625-AA00) (Docket No. USCG-2020-0520)) received in the Office of the President of the Senate on September 21, 2020; to the Committee on Commerce, Science, and Transportation.

EC-5548. A communication from the Legal Yeoman, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; Victoria Barge Canal, Victoria, Texas” ((RIN1625-AA00) (Docket No. USCG-2020-0525)) received in the Office of the President of the Senate on September 21, 2020; to the Committee on Commerce, Science, and Transportation.

EC-5549. A communication from the Legal Yeoman, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone, Corpus Christi Ship Channel, Corpus Christi, Texas” ((RIN1625-AA00) (Docket No. USCG-2020-0543)) received in the Office of the President of the Senate on September 21, 2020; to the Committee on Commerce, Science, and Transportation.

EC-5550. A communication from the Legal Yeoman, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Drawbridge Operation Regulation; Trent River, New Bern, North Carolina” ((RIN1625-AA09) (Docket No. USCG-2020-0027)) received in the Office of the President of the Senate on September 21, 2020; to the Committee on Commerce, Science, and Transportation.

EC-5551. A communication from the Legal Yeoman, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; Northern Atlantic Ocean, Nahant, Massachusetts” ((RIN1625-AA008) (Docket No. USCG-2020-0446)) received in the Office of the President of the Senate on September 21, 2020; to the Committee on Commerce, Science, and Transportation.

EC-5552. A communication from the Legal Yeoman, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; Lake Pontchartrain” ((RIN1625-AA00) (Docket No. USCG-2020-0510)) received in the Office of the President of the Senate on September 21, 2020; to the Committee on Commerce, Science, and Transportation.

EC-5553. A communication from the Legal Yeoman, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; Atlantic Intracoastal Waterway, Horry County, Safety Zone; St Johns River and Atlantic Ocean, Jacksonville, Florida” ((RIN1625-AA00) (Docket No. USCG-2020-0382)) received in the Office of the President of the Senate on September 21, 2020; to the Committee on Commerce, Science, and Transportation.

EC-5554. A communication from the Legal Yeoman, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; September Fairport Parade; Lake Erie, Fairport, Ohio” ((RIN1625-AA00) (Docket No. USCG-2020-0539)) received in the Office of the President of the Senate on September 21, 2020; to the Committee on Commerce, Science, and Transportation.

EC-5555. A communication from the Legal Yeoman, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zones; Delaware River Dredging, Marcus Hook, Pennsylvania” ((RIN1625-AA00) (Docket No. USCG-2020-0545)) received in the Office of the President of the Senate on September 21, 2020; to the Committee on Commerce, Science, and Transportation.

EC-5556. A communication from the Legal Yeoman, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Emergency Safety Zone; Red River; Avoyelles Parish, Louisiana” ((RIN1625-AA00) (Docket No. USCG-2020-0503)) received in the Office of the President of the Senate on September 21, 2020; to the Committee on Commerce, Science, and Transportation.

EC-5557. A communication from the Legal Yeoman, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; Erie Yacht Club 125th Anniversary Summer Event, Presque Island Bay, Erie, Pennsylvania” ((RIN1625-AA00) (Docket No. USCG-2020-0394)) received in the Office of the President of the Senate on September 21, 2020; to the Committee on Commerce, Science, and Transportation.

EC-5558. A communication from the Legal Yeoman, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Navigation and Navigable Waters, and Shipping; Technical, Organizational, and Conforming

Amendments” (Docket No. USCG–2020–0304) received in the Office of the President of the Senate on September 21, 2020; to the Committee on Commerce, Science, and Transportation.

EC–5559. A communication from the Legal Yeoman, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; Atlantic Ocean, Cape Canaveral, Florida” ((RIN1625–AA00) (Docket No. USCG–2020–0536)) received in the Office of the President of the Senate on September 21, 2020; to the Committee on Commerce, Science, and Transportation.

EC–5560. A communication from the Legal Yeoman, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; Atlantic Intracoastal Waterway, Horry County, South Carolina” ((RIN1625–AA00) (Docket No. USCG–2020–0498)) received in the Office of the President of the Senate on September 21, 2020; to the Committee on Commerce, Science, and Transportation.

PETITIONS AND MEMORIALS

The following petition or memorial was laid before the Senate and was referred or ordered to lie on the table as indicated:

POM–242. A resolution adopted by the General Assembly of the State of New Jersey expressing its opposition to and disapproval of the United States Department of Housing and Urban Development’s proposed rulemaking revising its Affirmatively Furthering Fair Housing rule adopted in 2015; to the Committee on Banking, Housing, and Urban Affairs.

ASSEMBLY RESOLUTION No. 112

Whereas, In 2015, the United States Department of Housing and Urban Development (“HUD”) adopted an Affirmatively Furthering Fair Housing (“AFFH”) rule that established a new framework for HUD funding recipients to meet their longstanding legal obligation under the federal Fair Housing Act to reduce barriers to fair housing and equal opportunity; and

Whereas, The AFFH rule was promulgated in response to the recommendations of the United States Government Accountability Office and affected stakeholders centered on the need for HUD to bolster its fair housing planning obligations by providing greater clarity and support to HUD funding recipients and facilitating local decision-making on fair housing priorities and goals; and

Whereas, The AFFH rule achieves these ends by providing clearer standards for meeting fair housing obligations, greater transparency, increased access to data concerning fair housing conditions and access to opportunity, and new mapping and customizable assessment tools, as well as by encouraging collaboration between jurisdictions and community input and participation; and

Whereas, The AFFH rule ultimately serves to help HUD funding recipients take meaningful actions to overcome historic patterns of segregation, promote fair housing choice, and foster inclusive communities that are free from discrimination; and

Whereas, On August 9, 2018, HUD issued an advance notice of a proposed rulemaking that would undo much of the AFFH rule for the stated reasons that the rule impeded the development and rehabilitation of affordable housing and provided inadequate autonomy to HUD funding recipients; and

Whereas, The AFFH rule has not been in effect long enough to adequately assess its effect on the development and rehabilitation of affordable housing, the rule does not in

fact dictate how communities should meet their fair housing obligations, and the rule has produced concrete improvements in fair housing, such as the commitment of Chester County, Pennsylvania to reduce the number of Section 8 recipients living in high-poverty census tracts by five percentage points; and

Whereas, It is altogether fitting, proper, and in the public interest, for this House to express opposition to HUD’s proposed rulemaking that would upend the AFFH rule and exacerbate housing inequities in both this State and across the United States; now, therefore,

Be it resolved by the General Assembly of the State of New Jersey:

1. This House expresses its opposition to and disapproval of the United States Department of Housing and Urban Development’s proposed rulemaking revising its Affirmatively Furthering Fair Housing rule adopted in 2015.

2. Copies of this resolution, as filed with the Secretary of State, shall be transmitted by the Clerk of the General Assembly to the President and Vice President of the United States, the United States Secretary of Housing and Urban Development, and each member of Congress elected from this State.

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 Ms. ERNST (for herself, Mr. JONES, and Ms. HASSAN):

S. 4657. A bill to direct the Secretary of Veterans Affairs to designate one week each year as “Buddy Check Week” for the purpose of outreach and education concerning peer wellness checks for veterans, and for other purposes; to the Committee on Veterans’ Affairs.

By Mr. LANKFORD (for himself, Mr. BRAUN, Mr. CRAMER, Mrs. LOEFFLER, Mr. INHOFE, Mr. RUBIO, Mr. RISCH, Mr. CORNYN, Mr. MORAN, Mr. CRAPO, Mr. SCOTT of Florida, Mr. HAWLEY, Mr. KENNEDY, Mr. THUNE, Mr. LEE, and Mr. ROUNDS):

S. 4658. A bill to amend title XIX of the Social Security Act to allow for greater State flexibility with respect to excluding providers who are involved in abortions; to the Committee on Finance.

By Mr. MARKEY (for himself, Mr. MERKLEY, Mr. CARDIN, and Mr. DURBIN):

S. 4659. A bill to require a determination as to whether crimes committed against the Rohingya in Burma amount to genocide; to the Committee on Foreign Relations.

By Mr. JONES:

S. 4660. A bill to amend titles 10 and 14, United States Code, to include certain diversity-related requirements for the Armed Forces and the Coast Guard, and for other purposes; to the Committee on Armed Services.

By Mr. COTTON (for himself, Mr. RUBIO, Mr. SCOTT of Florida, Mr. KAINE, Mr. MANCHIN, Mr. BLUMENTHAL, and Mr. CRUZ):

S. 4661. A bill to authorize the President to posthumously award the Medal of Honor to Alwyn C. Cashe for acts of valor during Operation Iraqi Freedom; to the Committee on Armed Services.

By Mr. GRAHAM:

S. 4662. A bill to amend title 18, United States Code, to criminalize blocking law enforcement officers who have been injured by a criminal act or in the line of duty from ac-

cessing emergency medical services; to the Committee on the Judiciary.

By Ms. HASSAN (for herself and Mr. ENZI):

S. 4663. A bill to amend title 31, United States Code, to save Federal funds by authorizing changes to the composition of circulating coins, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mrs. GILLIBRAND (for herself and Mr. SCHUMER):

S. 4664. A bill to amend the Internal Revenue Code of 1986 to provide an exclusion from gross income for certain waste water management subsidies; to the Committee on Finance.

By Mrs. GILLIBRAND:

S. 4665. A bill to require senior officials to report payments received from the Federal Government and to improve the filing and disclosure of financial disclosures by Members of Congress, congressional staff, and very senior employees; to the Committee on Homeland Security and Governmental Affairs.

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

S. 4666. A bill to establish the Commission on the Coronavirus Pandemic in the United States; to the Committee on Health, Education, Labor, and Pensions.

By Ms. KLOBUCHAR (for herself and Mr. BURR):

S. 4667. A bill to direct the Federal Communications Commission to issue reports after activation of the Disaster Information Reporting System and to make improvements to network outage reporting; to the Committee on Commerce, Science, and Transportation.

By Mr. WYDEN (for himself, Mr. MERKLEY, and Mrs. GILLIBRAND):

S. 4668. A bill to amend the Help America Vote Act of 2002 to ensure that voters in elections for Federal office do not wait in long lines in order to vote; to the Committee on Rules and Administration.

By Mr. SCOTT of Florida (for himself and Ms. CORTEZ MASTO):

S. 4669. A bill to require sellers of internet applications to disclose country-of-origin information, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. MORAN (for himself, Mrs. SHAHEEN, Mr. ROUNDS, Mr. BLUNT, and Mr. TILLIS):

S. 4670. A bill to amend the CARES Act to permit the Secretary of the Treasury to purchase, or to enable the purchase of, preferred equity positions in commercial real estate entities, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Ms. DUCKWORTH (for herself, Mr. WYDEN, Mr. KAINE, Mr. MERKLEY, and Mr. BOOKER):

S. 4671. A bill to prohibit Federal law enforcement officers from wearing camouflage uniforms in the United States; to the Committee on the Judiciary.

By Mr. REED (for himself, Mr. BURR, Ms. SMITH, and Mr. SCOTT of South Carolina):

S. 4672. A bill to reauthorize the Stem Cell Therapeutic and Research Act of 2005, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. WYDEN (for himself and Mr. MERKLEY):

S. 4673. A bill to amend the Natural Gas Act to require the Federal Energy Regulatory Commission to consider certain factors in issuing certificates of public convenience and necessity under that Act, to modify the requirements for the right to exercise eminent domain in construction of pipelines

under that Act, to provide that the right of eminent domain may not be exercised under that Act for projects for the exportation of natural gas, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Ms. KLOBUCHAR (for herself and Ms. SMITH):

S. 4674. A bill to amend title XIX of the Social Security Act to clarify that drugs and biologicals used for medication-assisted treatment under Medicaid are subject to the requirements of the Medicaid Drug Rebate Program; to the Committee on Finance.

By Mr. TILLIS:

S. 4675. A bill to amend the Health Insurance Portability and Accountability Act; read the first time.

By Mr. COONS (for himself, Mr. CARDIN, Ms. KLOBUCHAR, Mrs. SHAHEEN, Ms. CANTWELL, Mr. MARKEY, Ms. HIRONO, Mrs. GILLIBRAND, Mr. VAN HOLLEN, and Mr. KING):

S. 4676. A bill to improve the debt relief program under the CARES Act, and for other purposes; to the Committee on Finance.

By Ms. ROSEN (for herself and Mrs. HYDE-SMITH):

S. 4677. A bill to amend the Workforce Innovation and Opportunity Act to create a new national program to support mid-career workers, including workers from underrepresented populations, in reentering the STEM workforce, by providing funding to small- and medium-sized STEM businesses so the businesses can offer paid internships or other returnships that lead to positions above entry level; to the Committee on Health, Education, Labor, and Pensions.

By Mr. LANKFORD (for himself, Mr. CRAMER, Mr. HOEVEN, and Mrs. CAPITO):

S. 4678. A bill to amend the Internal Revenue Code of 1986 to repeal the credit for electricity produced from certain renewable resources, and for other purposes; to the Committee on Finance.

By Mr. LEE:

S. 4679. A bill to require the Bureau of the Census to determine income and poverty levels in the United States in a manner that accounts for the receipt of Federal benefits, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. MERKLEY (for himself and Mr. WYDEN):

S. 4680. A bill to amend the Natural Gas Act to provide that the United States district courts shall not have jurisdiction to condemn property in which a State holds any interest, and for other purposes; to the Committee on Commerce, Science, and Transportation.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. INHOFE:

S. Res. 713. A resolution expressing the sense of the Senate that the August 13, 2020, announcement of the establishment of full diplomatic relations between the State of Israel and the United Arab Emirates and the September 11, 2020, announcement of the establishment of full diplomatic relations between the State of Israel and the Kingdom of Bahrain is a historic achievement; to the Committee on Foreign Relations.

By Ms. DUCKWORTH (for herself, Mr. BOOKER, Mr. MERKLEY, Ms. WARREN, Mr. HEINRICH, Ms. HARRIS, Mrs. FEINSTEIN, and Mr. MARKEY):

S. Res. 714. A resolution encouraging the Administrator of the Environmental Protection Agency to maintain and strengthen requirements under the Clean Water Act and reverse ongoing administrative actions to weaken the Clean Water Act and protections for waters of the United States; to the Committee on Environment and Public Works.

By Mr. BLUMENTHAL (for himself and Mr. MORAN):

S. Con. Res. 46. A concurrent resolution to correct the enrollment of S. 2330; considered and agreed to.

By Mr. MERKLEY (for himself, Mr. BOOKER, Mr. MARKEY, Mr. WYDEN, Mr. VAN HOLLEN, Mrs. MURRAY, Mr. HEINRICH, and Mr. WHITEHOUSE):

S. Con. Res. 47. A concurrent resolution recognizing that the climate crisis is disproportionately affecting the health, economic opportunity, and fundamental rights of children, expressing the sense of Congress that renewed leadership by the United States is needed to address the climate crisis, and recognizing the need of the United States to develop a national, comprehensive, and science-based climate recovery plan to phase out fossil fuel emissions, protect and enhance natural sequestration, and put the United States on a path toward stabilizing the climate system; to the Committee on Environment and Public Works.

ADDITIONAL COSPONSORS

S. 514

At the request of Mr. TESTER, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. 514, a bill to amend title 38, United States Code, to improve the benefits and services provided by the Department of Veterans Affairs to women veterans, and for other purposes.

At the request of Mr. CRAPO, his name was added as a cosponsor of S. 514, *supra*.

S. 569

At the request of Mr. YOUNG, the name of the Senator from Oklahoma (Mr. LANKFORD) was added as a cosponsor of S. 569, a bill to direct the Secretary of Transportation to issue regulations relating to commercial motor vehicle drivers under the age of 21, and for other purposes.

S. 861

At the request of Mr. MARKEY, the names of the Senator from Vermont (Mr. LEAHY), the Senator from New Mexico (Mr. HEINRICH) and the Senator from Washington (Ms. CANTWELL) were added as cosponsors of S. 861, a bill to establish in the Bureau of Democracy, Human Rights, and Labor of the Department of State a Special Envoy for the Human Rights of LGBTI Peoples, and for other purposes.

S. 878

At the request of Mr. COTTON, the name of the Senator from Pennsylvania (Mr. TOOMEY) was added as a cosponsor of S. 878, a bill to foster security in Taiwan, and for other purposes.

S. 946

At the request of Mr. VAN HOLLEN, the names of the Senator from New York (Mrs. GILLIBRAND) and the Senator from Montana (Mr. TESTER) were

added as cosponsors of S. 946, a bill to direct the Comptroller General of the United States to complete a study on barriers to participation in federally funded cancer clinical trials by populations that have been traditionally underrepresented in such trials.

S. 1602

At the request of Ms. COLLINS, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 1602, a bill to amend the United States Energy Storage Competitiveness Act of 2007 to establish a research, development, and demonstration program for grid-scale energy storage systems, and for other purposes.

S. 1791

At the request of Mrs. GILLIBRAND, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 1791, a bill to prohibit discrimination on the basis of religion, sex (including sexual orientation and gender identity), and marital status in the administration and provision of child welfare services, to improve safety, well-being, and permanency for lesbian, gay, bisexual, transgender, and queer or questioning foster youth, and for other purposes.

S. 2001

At the request of Ms. STABENOW, the name of the Senator from New Hampshire (Ms. HASSAN) was added as a cosponsor of S. 2001, a bill to award a Congressional Gold Medal to Willie O'Ree, in recognition of his extraordinary contributions and commitment to hockey, inclusion, and recreational opportunity.

S. 2054

At the request of Mr. MARKEY, the names of the Senator from Nebraska (Mrs. FISCHER), the Senator from South Carolina (Mr. GRAHAM), the Senator from Hawaii (Ms. HIRONO), the Senator from Maine (Mr. KING) and the Senator from Kansas (Mr. ROBERTS) were added as cosponsors of S. 2054, a bill to posthumously award the Congressional Gold Medal, collectively, to Glen Doherty, Tyrone Woods, J. Christopher Stevens, and Sean Smith, in recognition of their contributions to the Nation.

S. 2438

At the request of Mr. MENENDEZ, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 2438, a bill to prevent, treat, and cure tuberculosis globally.

S. 2748

At the request of Mr. MARKEY, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 2748, a bill to repeal the section of the Middle Class Tax Relief and Job Creation Act of 2012 that requires the Federal Communications Commission to reallocate and auction the T-Band spectrum.

S. 2882

At the request of Mr. WYDEN, his name was added as a cosponsor of S. 2882, a bill to establish a community

wildfire defense grant program, and for other purposes.

S. 2898

At the request of Mr. INHOFE, the name of the Senator from Virginia (Mr. KAINE) was added as a cosponsor of S. 2898, a bill to amend title 5, United States Code, to provide for a full annuity supplement for certain air traffic controllers.

S. 2950

At the request of Mr. SULLIVAN, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 2950, a bill to amend title 38, United States Code, to concede exposure to airborne hazards and toxins from burn pits under certain circumstances, and for other purposes.

S. 3595

At the request of Ms. ROSEN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 3595, a bill to require a longitudinal study on the impact of COVID-19.

S. 3761

At the request of Mr. TESTER, the names of the Senator from Maine (Mr. KING) and the Senator from Rhode Island (Mr. REED) were added as cosponsors 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. 3831

At the request of Mr. SULLIVAN, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 3831, a bill to authorize the position of Assistant Secretary of Commerce for Travel and Tourism, to statutorily establish the United States Travel and Tourism Advisory Board, and for other purposes.

S. 4003

At the request of Mr. MENENDEZ, the names of the Senator from Illinois (Mr. DURBIN) and the Senator from Maine (Ms. COLLINS) were added as cosponsors of S. 4003, a bill to improve United States consideration of, and strategic support for, programs to prevent and respond to gender-based violence from the onset of humanitarian emergencies and to build the capacity of humanitarian actors to address the immediate and long-term challenges resulting from such violence, and for other purposes.

S. 4032

At the request of Mr. LANKFORD, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 4032, a bill to amend the Internal Revenue Code of 1986 to allow above-the-line deductions for charitable contributions for individuals not itemizing deductions.

S. 4150

At the request of Ms. COLLINS, the name of the Senator from Arkansas

(Mr. COTTON) 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.

At the request of Mr. REED, the names of the Senator from Connecticut (Mr. MURPHY) and the Senator from Arizona (Ms. SINEMA) were added as cosponsors of S. 4150, *supra*.

S. 4233

At the request of Ms. COLLINS, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 4233, a bill to establish a payment program for unexpected loss of markets and revenues to timber harvesting and timber hauling businesses due to the COVID-19 pandemic, and for other purposes.

S. 4258

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

S. 4279

At the request of Mr. MARKEY, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 4279, a bill to require the disclosure to Congress of presidential emergency action documents.

S. 4298

At the request of Mr. MORAN, the names of the Senator from Arkansas (Mr. BOOZMAN) and the Senator from Colorado (Mr. BENNET) were added as cosponsors of S. 4298, a bill to amend the Agricultural Marketing Act of 1946 to direct the Secretary of Agriculture to make grants for improvements to meat and poultry facilities to allow for interstate shipment, and for other purposes.

S. 4349

At the request of Mr. KAINE, the names of the Senator from New York (Mrs. GILLIBRAND) and the Senator from Arizona (Ms. MCSALLY) were added as cosponsors of S. 4349, a bill to address behavioral health and well-being among health care professionals.

S. 4380

At the request of Mr. RUBIO, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 4380, a bill to provide redress to the employees of Air America.

S. 4520

At the request of Mrs. LOEFFLER, the names of the Senator from Arkansas (Mr. BOOZMAN) and the Senator from South Dakota (Mr. ROUNDS) 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. 4528

At the request of Mr. MENENDEZ, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor

of S. 4528, a bill to strengthen the United States ties with Latin American and Caribbean countries through diplomatic, economic, and security cooperation, to counter efforts by the People's Republic of China to undermine United States interests and values in the Americas, and to promote economic development and competitiveness in the Latin American and Caribbean region.

S. 4579

At the request of Mr. MORAN, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 4579, a bill to increase, effective as of December 1, 2020, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, and for other purposes.

S. 4582

At the request of Mr. RUBIO, the name of the Senator from Oklahoma (Mr. LANKFORD) was added as a cosponsor of S. 4582, a bill to extend, temporarily, daylight saving time, and for other purposes.

S. 4629

At the request of Mr. MENENDEZ, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 4629, a bill to address issues involving the People's Republic of China.

S. 4634

At the request of Mr. WICKER, the names of the Senator from Colorado (Mr. GARDNER), the Senator from Texas (Mr. CRUZ), the Senator from West Virginia (Mrs. CAPITO), the Senator from Alaska (Ms. MURKOWSKI), the Senator from Montana (Mr. DAINES), the Senator from Iowa (Mr. GRASSLEY), the Senator from Indiana (Mr. YOUNG), the Senator from Arkansas (Mr. BOOZMAN), the Senator from North Carolina (Mr. BURR), the Senator from Alaska (Mr. SULLIVAN), the Senator from Louisiana (Mr. CASSIDY), the Senator from Mississippi (Mrs. HYDE-SMITH) and the Senator from West Virginia (Mr. MANCHIN) were added as cosponsors of S. 4634, a bill to provide support for air carrier workers, and for other purposes.

S. RES. 672

At the request of Mr. GRAHAM, the name of the Senator from Colorado (Mr. GARDNER) was added as a cosponsor of S. Res. 672, a resolution designating September 2020 as National Democracy Month as a time to reflect on the contributions of the system of government of the United States to a more free and stable world.

S. RES. 679

At the request of Mr. BRAUN, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. Res. 679, a resolution expressing appreciation and support for essential employees with disabilities or who are blind during the COVID-19 pandemic and beyond.

S. RES. 685

At the request of Ms. DUCKWORTH, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. Res. 685, a resolution honoring the service and sacrifice of members of the United States Armed Forces and veterans and condemning the disgraceful denigration by President Donald Trump of military service, prisoners of war, and Gold Star families.

S. RES. 709

At the request of Mr. GRAHAM, the name of the Senator from Utah (Mr. LEE) was added as a cosponsor of S. Res. 709, a resolution expressing the sense of the Senate that the August 13, 2020, and September 11, 2020, announcements of the establishment of full diplomatic relations between the State of Israel and the United Arab Emirates and the State of Israel and the Kingdom of Bahrain are historic achievements.

S. RES. 711

At the request of Mr. SCHUMER, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. Res. 711, a resolution calling on the President of the United States to take executive action to broadly cancel Federal student loan debt.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTION

By Mr. REED (for himself, Mr. BURR, Ms. SMITH, and Mr. SCOTT, of South Carolina):

S. 4672. A bill to reauthorize the Stem Cell Therapeutic and Research Act of 2005, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. REED. Mr. President, today I am pleased to introduce the Timely Reauthorization of Necessary Stem Cell Programs Lends Access to Needed Therapies (TRANSPLANT) Act of 2020 with Senators RICHARD BURR, TINA SMITH, and TIM SCOTT. This bill offers promise to the tens of thousands of individuals diagnosed with leukemia and lymphomas, sickle cell anemia, and rare genetic blood disorders.

Our bipartisan legislation renews the C.W. Bill Young Cell Transplantation Program and the National Cord Blood Inventory (NCBI), the only programs in the country that maintain donor registries for individuals in need of a bone marrow and umbilical cord blood transplantation. Over twenty-two million Americans are registered bone marrow donors resulting in nearly 6,500 transplants just last year. In the years since NCBI was established, more than 300,000 cord blood units have been collected, facilitating more than 100,000 blood stem cell transplants. The TRANSPLANT Act would reaffirm the commitment to these life-saving programs, which have been helping to connect individuals in need of bone marrow or umbilical cord blood transplants with donors for more than two decades.

The public registries, made up of donors from all over the country, have

been a true lifeline for the Americans who have found an unrelated match. By strengthening and enhancing the important programs operating these registries, many more Americans will be afforded the opportunity to find a match if they are ever in need. I look forward to swift consideration of this legislation in the Senate Health, Education, Labor, and Pensions Committee and working toward passage in the full Senate.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 713—EXPRESSING THE SENSE OF THE SENATE THAT THE AUGUST 13, 2020, ANNOUNCEMENT OF THE ESTABLISHMENT OF FULL DIPLOMATIC RELATIONS BETWEEN THE STATE OF ISRAEL AND THE UNITED ARAB EMIRATES AND THE SEPTEMBER 11, 2020, ANNOUNCEMENT OF THE ESTABLISHMENT OF FULL DIPLOMATIC RELATIONS BETWEEN THE STATE OF ISRAEL AND THE KINGDOM OF BAHRAIN IS A HISTORIC ACHIEVEMENT

Mr. INHOFE submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 713

Whereas President Donald J. Trump, Prime Minister Benjamin Netanyahu of Israel, and other world leaders have worked tirelessly to announce agreements on the full normalization of relations between Israel and other nations;

Whereas the United Arab Emirates and the Kingdom of Bahrain have been the first Arab states to announce formal relations with Israel;

Whereas, under the agreements, the two countries agree to the establishment of reciprocal embassies and the exchange of Ambassadors;

Whereas opening direct ties between Israel and the United Arab Emirates and between Israel and Bahrain could begin to transform the region by spurring economic growth, enhancing technological innovation, and forging closer people-to-people relations;

Whereas these agreements could promote investment, tourism, direct flights, security, telecommunications, technology, energy, healthcare, culture, and the environment;

Whereas the United States, Israel, the United Arab Emirates, and Bahrain share a commitment to promoting stability through diplomatic engagement, increased economic integration, and closer security coordination;

Whereas Israel, the United Arab Emirates, and Bahrain will partner with the United States to launch a Strategic Agenda for the Middle East to expand diplomatic, trade, and security cooperation;

Whereas these historic agreements could help advance peace between Israel and other Arab nations;

Whereas these bilateral breakthroughs could set a precedent for further diplomatic openings throughout the region;

Whereas support for peace between Israel and its neighbors has longstanding bipartisan support in Congress and among the American people; and

Whereas the agreements build upon the decades-long leadership of the United States

in helping Israel broker peace treaties with Egypt and Jordan and promoting peace talks between Israel and Syria, Lebanon, and the Palestinians: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the Governments and people of Israel and the United Arab Emirates and the Governments and people of Israel and Bahrain on reaching their respective historic agreements;

(2) encourages other Arab nations to establish full relations with Israel with the vision of realizing full peace between Israel and all of its Arab neighbors; and

(3) urges the President to continue to engage with the Government of Israel and the United States' Arab partners in reaching these historic agreements.

SENATE RESOLUTION 714—ENCOURAGING THE ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY TO MAINTAIN AND STRENGTHEN REQUIREMENTS UNDER THE CLEAN WATER ACT AND REVERSE ONGOING ADMINISTRATIVE ACTIONS TO WEAKEN THE CLEAN WATER ACT AND PROTECTIONS FOR WATERS OF THE UNITED STATES

Ms. DUCKWORTH (for herself, Mr. BOOKER, Mr. MERKLEY, Ms. WARREN, Mr. HEINRICH, Ms. HARRIS, Mrs. FEINSTEIN, and Mr. MARKEY) submitted the following resolution; which was referred to the Committee on Environment and Public Works:

S. RES. 714

Whereas access to clean water is a fundamental human right;

Whereas the Federal Water Pollution Control Act (62 Stat. 1155, chapter 758) was enacted into law in 1948;

Whereas the Federal Water Pollution Control Act Amendments of 1972 (Public Law 92-500; 86 Stat. 816) were enacted with bipartisan support and significantly reorganized and expanded the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) (commonly known as and hereinafter referred to in this preamble as the "Clean Water Act");

Whereas the Clean Water Act is one of the most important laws of the United States and the principal safeguard of the United States against unregulated pollution or destruction of surface waters of the United States;

Whereas the objective of the Clean Water Act is to "restore and maintain the chemical, physical, and biological integrity of the Nation's waters";

Whereas the Clean Water Act declared national goals of eliminating the discharge of pollutants into the waters of the United States by 1985 and, wherever attainable, ensuring that waters were fishable and swimmable by 1983;

Whereas the Clean Water Act provides strong and comprehensive requirements for the control of pollutants in the waters of the United States;

Whereas the Clean Water Act authorizes Federal financial assistance for building and upgrading municipal sewage treatment plants and other types of water quality improvements projects;

Whereas rivers, streams, lakes, ponds, wetlands, and other waters have enormous public health, community welfare, economic, and ecological importance to the United States, considering that—

(1) 1 in 3 individuals in the United States receive drinking water from systems that

draw supply from headwater, intermittent, or ephemeral streams;

(2) according to a report of the Environmental Protection Agency, streams provide the majority of water to most rivers and “transport sediment, wood, organic matter, nutrients, chemical contaminants, and many of the organisms found in rivers”;

(3) chemical, physical, and biological processes in streams can convert nitrogen and other nutrients, preventing nitrogen and other nutrients from causing downstream harm;

(4) wetlands prevent and minimize flooding by storing as much as between 1,000,000 and 1,500,000 gallons of water for each acre of wetland;

(5) wetlands and other waters in the flood plains of rivers and streams help prevent pollution from reaching downstream waters;

(6) $\frac{3}{4}$ of fish harvested commercially depend on wetlands;

(7) the Centers for Disease Control and Prevention reported that “about 91 million people over the age of 16 swim in oceans, lakes, and rivers each year in the United States”;

(8) approximately 37 percent of water withdrawals, or 118,000,000,000 gallons of water withdrawals per day, are used for irrigation, and 52 percent of water withdrawals are taken from surface waters;

(9) a recent study estimated that wetlands around the world provide ecosystem services like flood prevention and pollution filtration worth more than \$47,000,000,000 per year;

(10) fishing and other water sports contribute \$175,000,000,000 annually to the economy of the United States and support more than 1,500,000 jobs;

(11) companies often need clean water in their industrial processes or as a component of their end product, such as craft beer brewers that depend on a reliable source of clean water, add approximately \$76,000,000,000 annually to the economy of the United States, and support more than 500,000 jobs;

(12) according to 1 study, the ecological restoration economy, which includes mitigation for harms to waters due to discharges of dredged or fill material, “directly employs 126,000 workers and generates \$9.5 billion in economic output” per year, which “supports an additional 95,000 jobs and \$15 billion in economic output through indirect (business-to-business) linkages and increased household spending”;

(13) more than 318,000,000 individuals visited national parks in the United States in 2018 to engage in recreation and be inspired by thundering waterfalls, streaming geysers, desert springs, ocean beaches, and jeweled lakes, generating \$40,000,000,000 for the economy of the United States and more than 330,000 private sector jobs;

(14) the Environmental Protection Agency reports that the Great Lakes contain “84% of North America’s surface fresh water” and “about 21% of the world’s supply of surface fresh water”;

(15) restoring and protecting the Great Lakes and their tributaries also protects the \$6,000,000,000,000 regional economy of the Great Lakes and the 1,500,000 jobs and \$62,000,000,000 in wages directly connected to the Great Lakes; and

(16) the Great Lakes and their tributaries facilitate nearly \$16,000,000,000 in annual spending by residents and the 37,000,000 hunters, anglers, bird watchers, and other tourists who visit the region for recreation;

Whereas water pollution and the loss of water resources can cause catastrophic harm to the health and economic strength of communities, evidenced by the fact that—

(1) in 2014, a harmful algal bloom in western Lake Erie prompted a 3-day shutdown of the drinking water supply of Toledo, Ohio, affecting approximately 500,000 individuals;

(2) a spill of a toxic chemical into the Elk River in Charleston, West Virginia, caused a cutoff of drinking water for approximately 300,000 individuals for several days;

(3) outbreaks of blue-green algae and red tide in Florida have caused widespread harm to businesses and have killed a substantial number of aquatic animals over multiple years, with the effects of the outbreaks in 2018 being particular severe;

(4) in 2008, the coal ash waste pit of the Tennessee Valley Authority near Kingston, Tennessee, experienced a mammoth structural failure and released more than 1,000,000,000 tons of waste into the Emory and Clinch Rivers, and a 2019 analysis found that similar pits around the country routinely leak and contaminate nearby groundwater and surface waters;

(5) beaches in multiple States, including Mississippi, New Jersey, Washington, and New York, were forced to close due to outbreaks of algae that are commonly fueled by nitrogen and phosphorus pollution;

(6) intense flooding is occurring in places like Houston, Texas, where wetland destruction is believed to be contributing to the severity of the flooding; and

(7) many areas of the United States are expected to experience worsened drought conditions with climate change, making the preservation of water resources more critical;

Whereas the Clean Water Act dramatically slowed the rate of wetlands loss in the United States from more 500,000 acres annually in the 1950s to approximately 80,000 acres annually in the late 1990s;

Whereas the quality of numerous water bodies has substantially improved since the adoption of the Clean Water Act, including the Charles River in Massachusetts, the Chesapeake Bay, and the Great Lakes;

Whereas, despite the improvements brought about by the Clean Water Act, the United States still faces major water resource and pollution challenges, evidenced by the fact that—

(1) according to the most recent State data submitted to the Environmental Protection Agency—

(A) 53 percent of assessed rivers and streams do not meet 1 or more water quality standards, which are established to ensure waters are clean enough for specific uses like fishing and swimming;

(B) 71 percent of assessed lakes, reservoirs, and ponds are impaired;

(C) 80 percent of assessed bays and estuaries are impaired; and

(D) 72 percent of assessed coastal shoreline waters are impaired; and

(2) the Centers for Disease Control and Prevention published a report stating that the increasing frequency of harmful algal blooms is associated with increasing temperatures and levels of nutrients in waters of the United States;

Whereas the 2017 Infrastructure Report Card of the American Society of Civil Engineers gave the wastewater infrastructure of the United States a grade of D+;

Whereas the most recent Clean Watersheds Needs Survey report to Congress identified not less than \$271,000,000,000 worth of capital needs for wastewater, storm water, and other clean water infrastructure;

Whereas the condition of the waters of the United States consistently ranks as one of the most acute environmental worries of individuals in the United States, with 80 percent of respondents in a March 2019 Gallup Poll indicating that they worry a great deal or a fair amount about the pollution of rivers, lakes, and reservoirs;

Whereas the United States Commission on Civil Rights recommended further study and

analysis of Federal laws, including the Clean Water Act, to analyze gaps in civil rights protections and found that the “EPA’s definition of environmental justice recognizes environmental justice as a civil right, fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations and policies”;

Whereas the United States Geological Survey conducted limited monitoring of 17 perfluoroalkyl and polyfluoroalkyl substances (referred to in this preamble as “PFAS”) in source and treated public water supplies from 25 drinking water facilities and found PFAS in all source water and public water supply samples collected;

Whereas a study led by Harvard University researchers found that the drinking water supplies for not less than 6,000,000 individuals in the United States exceed the health advisory of the Environmental Protection Agency for 2 PFAS, perfluorooctanoic acid (commonly referred to as “PFOA”) and perfluorooctane sulfonic acid (commonly referred to as “PFOS”), and more recent information indicates that more comprehensive monitoring would find that the drinking water of many times more than 6,000,000 individuals in the United States contains PFAS at levels that pose significant health hazards;

Whereas the Environmental Protection Agency has initiated numerous administrative actions that collectively would eviscerate the protections of the Clean Water Act and other safeguards for clean water, including—

(1) repealing science-based protections for streams, wetlands, and other waters and the exclusion of millions of miles of streams and tens of millions of acres of wetlands from the pollution control programs of the Clean Water Act;

(2) easing restrictions on wastewater plants, authorizing the plants to release partially treated sewage during rainstorms;

(3) refusing to develop regulations mandated by the Clean Water Act aimed at avoiding and minimizing spills of hazardous substances;

(4) weakening rules relating to the siting, operating, monitoring, and closing of pits where coal ash and other coal combustion waste is dumped;

(5) exempting polluters who harm waterways from the penalties of the Clean Water Act if their discharge first travels through groundwater from the discharge permitting program of the Clean Water Act;

(6) restricting the authority of experts from the Environmental Protection Agency under the Clean Water Act to stop dumping projects that cause unacceptable harms to water bodies;

(7) delaying and weakening toxic pollution discharge limits for power plants; and

(8) curtailing the rights of States and Tribal nations under the Clean Water Act to review federally-permitted projects and impose conditions on or reject a project, as appropriate, to prevent harm to their waterways;

Whereas the United States remains far from achieving the objective of the Clean Water Act by putting critical resources that provide enormous value to the United States at risk; and

Whereas the proposed actions of the Environmental Protection Agency would substantially worsen the risk to critical resources: Now, therefore, be it

Resolved, That the Senate encourages the Administrator of the Environmental Protection Agency to—

(1) maintain and strengthen, rather than attack, requirements that keep waterways of the United States clean;

(2) end any ongoing administrative actions that weaken—

(A) existing regulations that were promulgated under the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.); and

(B) other requirements protecting the waters of the United States; and

(3) initiate actions to reverse any administrative actions that have already been completed that weaken the implementation by the Federal Government of—

(A) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.); and

(B) other requirements that protect the waters of the United States.

SENATE CONCURRENT RESOLUTION 46—TO CORRECT THE ENROLLMENT OF S. 2330

Mr. BLUMENTHAL (for himself and Mr. MORAN) submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 46

Resolved by the Senate (the House of Representatives concurring). That in the enrollment of S. 2330, an Act to amend the Ted Stevens Olympic and Amateur Sports Act to provide for congressional oversight of the board of directors of the United States Olympic and Paralympic Committee and to protect amateur athletes from emotional, physical, and sexual abuse, and for other purposes, the Secretary of the Senate shall—

(1) in subsection (b)(2)(D) of section 220504 of title 36, United States Code, as amended by section 6(b)(2) of the Act, strike “percent”;

(2) in subsection (a)(1)(H) of section 220541 of title 36, United States Code, as added by section 8(a)(1)(B) of the Act, strike “in a manner than” and insert “in a manner that”;

(3) in subsection (f)(4)(B) of section 220541 of title 36 United States Code, as added by section 8(a)(1)(E) of the Act, insert “and the Committee on the Judiciary” after “the Committee on Energy and Commerce”;

(4) amend paragraph (1) of section 220541(g) of title 36, United States Code, as added by section 8(a)(1)(E) of the Act, to read as follows:

“(1) MANDATORY PAYMENTS.—

“(A) FISCAL YEAR 2021.—On January 4, 2021, the corporation shall make a mandatory payment of \$20,000,000 to the Center for operating costs of the Center for fiscal year 2021.

“(B) SUBSEQUENT FISCAL YEARS.—For fiscal year 2022 and each fiscal year thereafter, the corporation shall make a mandatory payment of \$20,000,000 to the Center not later than the close of business on the first regular business day in January.”; and

(5) in subsection (h)(2)(C)(iii) of section 220541 of title 36, United States Code, as added by section 8(a)(1)(E) of the Act, insert “and the Committee on the Judiciary” after “the Committee on Energy and Commerce”.

SENATE CONCURRENT RESOLUTION 47—RECOGNIZING THAT THE CLIMATE CRISIS IS DISPROPORTIONATELY AFFECTING THE HEALTH, ECONOMIC OPPORTUNITY, AND FUNDAMENTAL RIGHTS OF CHILDREN, EXPRESSING THE SENSE OF CONGRESS THAT RENEWED LEADERSHIP BY THE UNITED STATES IS NEEDED TO ADDRESS THE CLIMATE CRISIS, AND RECOGNIZING THE NEED OF THE UNITED STATES TO DEVELOP A NATIONAL, COMPREHENSIVE, AND SCIENCE-BASED CLIMATE RECOVERY PLAN TO PHASE OUT FOSSIL FUEL EMISSIONS, PROTECT AND ENHANCE NATURAL SEQUESTRATION, AND PUT THE UNITED STATES ON A PATH TOWARD STABILIZING THE CLIMATE SYSTEM

Mr. MERKLEY (for himself, Mr. BOOKER, Mr. MARKEY, Mr. WYDEN, Mr. VAN HOLLEN, Mrs. MURRAY, Mr. HEINRICH, and Mr. WHITEHOUSE) submitted the following concurrent resolution; which was referred to the Committee on Environment and Public Works:

S. CON. RES. 47

Whereas a stable climate system at the founding of the United States allowed human life and human civilization to flourish;

Whereas the United States was founded on the deeply rooted principle of securing “the Blessings of Liberty to ourselves and our Posterity”;

Whereas the Constitution of the United States protects the fundamental rights to life, liberty, property, and equal protection of the laws;

Whereas a climate system capable of sustaining human life—

(1) is fundamental to a free and ordered society; and

(2) is preservative of fundamental rights, including the rights to life, liberty, property, personal security, family autonomy, bodily integrity, and the ability to learn, practice, and transmit cultural and religious traditions;

Whereas the Federal Government sets the energy policy of the United States, which has resulted in a national energy system in which approximately 80 percent of the energy in the United States comes from fossil fuels;

Whereas the national fossil fuel-based energy system has led to carbon dioxide emissions from the United States constituting more than ¼ of cumulative global carbon dioxide emissions;

Whereas the United States is the largest producer of oil and gas in the world, due in substantial part to the Federal Government—

(1) opening up Federal public land and water for fossil fuel extraction; and

(2) actively supporting fossil fuel energy;

Whereas there is an overwhelming scientific consensus that—

(1) human-caused climate change is occurring; and

(2) the rate of global heating and ocean acidification as of September 2020 is a result of the buildup of atmospheric greenhouse gas emissions, primarily carbon dioxide emissions, largely from the combustion of fossil fuels;

Whereas atmospheric carbon dioxide levels of over 400 parts per million as of September 2020 have caused a dangerous planetary en-

ergy imbalance, equivalent to the quantity of energy of exploding more than 400,000 atomic bombs of the kind dropped on Hiroshima, Japan, per day, 365 days per year, across the planet;

Whereas the latest climate science and real-world observations of that energy imbalance demonstrate that the approximately 1 degree Celsius of warming that has already occurred as a result of human-caused climate change is already dangerous and negatively affecting all aspects of society and the economy of the United States;

Whereas the last time that atmospheric concentrations of carbon dioxide were over 400 parts per million—

(1) the seas were 70 to 90 feet higher;

(2) Greenland had no ice; and

(3) coral reefs suffered a major extinction;

Whereas similar conditions will result if the United States does not drastically reduce carbon dioxide emissions and naturally sequester excess concentrations of atmospheric carbon dioxide during the 21st century;

Whereas climate change is a threat to national security, as climate change contributes to and exacerbates global instability and conflict;

Whereas the generation of today’s children was born into a climate system made hazardous to their health and well-being because of human-caused climate change;

Whereas children are uniquely vulnerable to human-caused climate change because of their developing bodies, higher exposure to air, food, and water per unit of body weight, unique behavior patterns, dependence on caregivers, and longevity on the planet;

Whereas human-caused climate change is a public health emergency that is adversely impacting the physical and mental health of children through—

(1) extreme weather events;

(2) rising temperatures and increased heat exposure;

(3) decreased air quality;

(4) altered infectious disease patterns;

(5) food and water insecurity; and

(6) other effects;

Whereas infant mortality increases 25 percent on extremely hot days, with the first 7 days of life representing a period of critical vulnerability;

Whereas heat illness is a leading cause of death and illness in high school athletes, with nearly 10,000 episodes of heat illness occurring annually;

Whereas 8.4 percent of children suffer from allergic rhinitis, and the ragweed pollen season in North America has grown 13 to 27 days longer since 1995 due to higher temperatures and greater atmospheric carbon dioxide levels;

Whereas children exposed to wildfires suffer substantial—

(1) eye symptoms; and

(2) upper and lower respiratory symptoms that lead to increased rates of asthma-related hospitalizations and emergency room visits;

Whereas extreme weather events can negatively impact the mental health of children due to—

(1) family loss or separation;

(2) school interruption;

(3) scarcities of food, water, and shelter; and

(4) public service outages;

Whereas, without immediate steps to address human-caused climate change, the health effects of climate change on children will—

(1) increase in severity and in terms of the number of children impacted; and

(2) cost the United States billions of dollars per year by the end of the 21st century;

Whereas children will largely shoulder the costs of human-caused climate change;

Whereas further increases in global temperature will saddle children with an enormous, perhaps incalculable, cost burden, undermining their economic security and the economic security of the United States;

Whereas children are deserving of special consideration and protection with respect to human-caused climate change;

Whereas children on the frontlines of human-caused climate change across the United States and globally have risen up and called upon government leaders around the world to take concrete, science-based, and equitable action—

(1) to address human-caused climate change; and

(2) to ensure climate justice for their generation, future generations, and frontline and vulnerable communities, including communities of color, low-income communities, and indigenous peoples;

Whereas global atmospheric carbon dioxide concentrations must be reduced to below 350 parts per million by the end of the 21st century, with further reductions thereafter, to restore the energy balance of the planet, stabilize the climate system, and protect the ice sheets and oceans for posterity;

Whereas existing and future adverse public health and other impacts and costs to children and the United States can be significantly mitigated if the United States acts promptly to reduce emissions from fossil fuels in the United States;

Whereas numerous experts have concluded that there are multiple technically and economically feasible pathways to place all sectors of the economy of the United States on an emissions-reduction path consistent with returning global atmospheric carbon dioxide to 350 parts per million by 2100;

Whereas producing energy in the United States with noncarbon-emitting sources will result in energy costs within the range of recent experience, ultimately saving consumers money and stabilizing the cost of energy, while increasing the number of jobs in the energy sector; and

Whereas multiple Federal departments and agencies can exercise authority delegated by Congress to prevent and respond to climate change, including—

- (1) the Department of Energy;
- (2) the Department of the Interior;
- (3) the Department of Agriculture;
- (4) the Environmental Protection Agency;
- (5) the Department of Commerce; and
- (6) the Department of State: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of Congress that—

(1) renewed leadership by the United States is needed immediately to address the human-caused climate crisis that is disproportionately affecting the health, economic opportunity, and fundamental rights of the children of the United States; and

(2) there is a human-caused climate crisis that—

(A) has inspired children across the United States to organize and demand immediate government action to protect their fundamental rights from the perils of climate change; and

(B) demands a national, comprehensive, science-based, and just climate recovery plan that—

(i) is prepared by Federal departments and agencies pursuant to delegated authority over energy and climate policy; and

(ii) to uphold the fundamental rights of children, puts the United States on a trajectory consistent with reducing global atmospheric carbon dioxide to below 350 parts per million by 2100.

AUTHORITY FOR COMMITTEES TO MEET

Mr. ERNST. Mr. President, I have 8 requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services is authorized to meet during the session of the Senate on Wednesday, September 23, 2020, at 2:30 p.m., to conduct a hearing.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

The Committee on Commerce, Science, and Transportation is authorized to meet during the session of the Senate on Wednesday, September 23, 2020, at 10 a.m., to conduct a hearing.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

The Committee on Environment and Public Works is authorized to meet during the session of the Senate on Wednesday, September 23, 2020, at 10 a.m., to conduct a hearing.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

The Committee on Health, Education, Labor, and Pensions is authorized to meet during the session of the Senate on Wednesday, September 23, 2020, at 10 a.m., to conduct a hearing.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

The Committee on Homeland Security and Governmental Affairs is authorized to meet during the session of the Senate on Wednesday, September 23, 2020, at 10 a.m., to conduct a hearing on the nomination of Chad F. Wolf to be Secretary of U.S. Department of Homeland Security.

COMMITTEE ON INDIAN AFFAIRS

The Committee on Indian Affairs is authorized to meet during the session of the Senate on Wednesday, September 23, 2020, at 2:30 p.m., to conduct a hearing.

COMMITTEE ON VETERANS' AFFAIRS

The Committee on Veterans' Affairs is authorized to meet during the session of the Senate on Wednesday, September 23, 2020, at time to be determined, to conduct a hearing.

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Wednesday, September 23, 2020, at 2 p.m., to conduct a closed roundtable.

MEASURE READ THE FIRST TIME—S. 4675

Mr. MCCONNELL. Madam President, I understand that there is a bill at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the first time.

The senior assistant legislative clerk read as follows:

A bill (S. 4675) to amend the Health Insurance Portability and Accountability Act.

Mr. MCCONNELL. Madam President, I now ask for a second reading, and in order to place the bill on the calendar under the provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection is heard.

The bill will be read for the second time on the next legislative day.

EXECUTIVE SESSION

Mr. MCCONNELL. Madam President, I ask unanimous consent that the Senate resume executive session.

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

ORDERS FOR THURSDAY, SEPTEMBER 24, 2020

Mr. MCCONNELL. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Thursday, September 24; further, that following the prayer and pledge, the Senate resume the Young nomination.

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

ORDER FOR ADJOURNMENT

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 following the remarks of Senator BENNET.

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

RECESS SUBJECT TO THE CALL OF THE CHAIR

Mr. MCCONNELL. Madam President, I ask unanimous consent that the Senate stand in recess subject to the call of the Chair.

The PRESIDING OFFICER. Without objection, the Senate stands in recess subject to the call of the Chair.

Thereupon, the Senate, at 6:38 p.m., recessed subject to the call of the Chair and reassembled at 6:42 p.m. when called to order by the Presiding Officer (Mrs. BLACKBURN).

EXECUTIVE CALENDAR—Continued

The PRESIDING OFFICER. The Senator from Colorado.

SUPREME COURT NOMINATIONS

Mr. BENNET. Madam President, I want to say how much I appreciate your staying late this evening for this.

Last night, I had the chance to speak about the late Justice Ruth Bader Ginsburg, somebody who, as much as anyone in our history, advanced the cause of equality between men and women. When President Clinton named

her to the Supreme Court, she had already transformed American law through her trailblazing work as a professor and litigator. It is why her nomination sailed through this body with 96 votes—a reminder of a time not so very long ago when the Senate understood its constitutional duty to advise and consent, when a qualified judge would get the vast majority of Senators to vote for that person. Every single time we did that, we reestablished the idea that the judiciary is independent— independent from what hopefully are temporary, insane partisan battles.

After earning that 96 votes, for more than a quarter century on the Court, Justice Ginsburg authored rulings that promoted fairness, advanced equality, and secured hard-won rights. They upheld affirmative action and protected a woman's right to choose. At the same time, she could never accept a decision that nullified our right to vote or otherwise limited our democratic values, even when it was hard for some of her colleagues on the highest Court in the land to perceive the systemic racism in our country.

As I said last night, because the young Joan Ruth Bader knew America would be worse off without her, without her talent, Justice Ginsburg fought hard to make America more democratic, more fair, and more free. Unfortunately, the same cannot be said of the majority leader of this body who now seeks to ram a replacement through the Senate. As a Senator and as a majority leader, he dedicated his career to undo the work of Justice Ginsburg and those who have fought beside her for a better America.

Pick almost any issue—from the degradation of our courts and our democracy to the sorry state of our government's fiscal condition—and for decades, you will find the majority leader's fingerprints all over the crime scene.

Let's start with the courts; that seems an appropriate place to start today. Justice Ginsburg cared deeply about what she called public respect for a confidence in the judiciary. No one in America has done more to destroy that confidence and respect than the Senator from Kentucky.

I first came to Washington as Colorado's Senator during President Obama's first term. The majority leader, who was then the minority leader, MITCH MCCONNELL from Kentucky, led the blockade against virtually all of President Obama's nominees. He filibustered the nominee for Secretary of Defense who was a Republican. In the history of the country, no nominee to be Secretary of Defense was filibustered. From George Washington to George W. Bush, Senators had used the filibuster against 68 Presidential nominees; from Washington to Bush, that entire period, there were 68 filibusters of Presidential nominees.

During President Obama's first 5 years, Republican Senators, led by MITCH MCCONNELL, used it against 79

nominees. In 5 years of a brand-new President, they used the filibuster more times than in our history going back to George Washington.

The obstruction was relentless. It finally led Senate Democrats to change the rules in 2013 with the so-called nuclear option, allowing us to confirm judicial nominees, except for the Supreme Court and other executive appointments, with 51 votes instead of 60 votes. I am sorry about that vote.

I have apologized on this floor before about that vote. It has led us partly to where we are today. After Republicans won a majority in this body, Senator MCCONNELL made his prior obstruction look like a game of beanbag. He wasn't in the minority anymore. Now, he was in the majority.

The next low point came on February 13, 2016. I will never forget it. I was speaking at the Jefferson-Jackson Day dinner in Colorado when I saw the crawl come on CNN announcing the death of Justice Scalia. It was a Presidential election year, and there were 342 days to go before the end of President Obama's second term—a term made possible by the American people deciding, once again, to hire, to give him the power to appoint people to the Supreme Court. Let the people decide.

One hour after Chief Justice Roberts confirmed Scalia's death, Senator MCCONNELL declared 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. That is not what the Constitution says. When there is a vacancy, the President shall nominate, and the Senate shall advise and consent. Today, we have a Senate with this majority that is not even interested in advising. As we stand here tonight, they have given their consent without even knowing who the nominee is going to be.

Hoping cooler heads would prevail, President Obama nominated Merrick Garland, someone a Republican Senate had previously confirmed with 76 votes and whom the former Republican Senator from Utah, my friend Orrin Hatch, once called “a consensus nominee for the Supreme Court.”

I have known Merrick Garland for a quarter of a century. I worked for him fresh out of law school when both of us served in the Deputy Attorney General's office at the Department of Justice. I have never heard another lawyer or anyone, for that matter, refer to Garland without the highest admiration. He set the standard for excellence. He was a lawyer's lawyer.

Senate Republicans, led by the majority leader, refused to even meet with Judge Garland, let alone give him the courtesy of a hearing so the American people could see what an outstanding person he was, how brilliant and fair-minded he was. The majority leader would go on to say about this disgraceful moment in our democracy's history that “One of my proudest moments was when I looked Barack Obama in

the eye and said, ‘Mr. President, you will not fill this Supreme Court vacancy.’”

We know what happened next. We are still living in “next.” For the rest of 2016, the majority leader held the seat open all year, 342 days with no hearings, no meetings, no vote. One of the Senators in this body went home—I was proud they went home and said:

I am never going to vote for Merrick Garland, but I think it is wrong for us not to have a vote. We should have a vote. I should go home and explain why I voted the way I voted and have to defend my vote.

Two days later, a super PAC run by a former clerk of Justice Scalia started to threaten they would run a primary against him if he didn't change his mind, and he did. We know what happened.

Majority Leader MCCONNELL kept the seat open. He helped elect Donald Trump who ran for office waving around a list of judges that he would appoint to the court and made Donald Trump, of all people, the first President in American history with the power to fill every judicial vacancy with a simple majority vote because Senator MCCONNELL later used the nuclear option to change the rules again without really having any debate here. As a result, he has used that power to confirm 217 judges. Nearly a quarter of the Federal bench are now Trump appointees.

In 2017, Senator MCCONNELL detonated his own nuclear option to lower the required votes for Supreme Court Justices from 60 to 51, as he warned—in fairness to him—as he warned he would do. He installed Neil Gorsuch in what should have been Garland's seat. In 2018, he jammed through the nomination of Judge Kavanaugh under his new regime, delivering the confirmation by a margin of two votes, the narrowest margin for a Supreme Court nominee since 1881.

Throughout it all, he seated a roster of judges across the Federal bench who otherwise could not make the “B” team. The Senate confirmed a judge who opposed the State proclamation honoring an association of professional women because it had dared to talk about glass ceilings and pay equity. The Senate confirmed a lawyer who wrote blog posts peddling conspiracies about Barack Obama and comparing abortion to slavery; an attorney who suggested judges can ignore judicial precedence they deem incorrect and who justified denying habeas corpus to enemy combatants with the brutal ancient dictum: In times of war, the laws are silent.

Then the Senate confirmed its first-ever nominee rated “Not Qualified” by the American Bar Association. It had never happened before in American history. But once was not enough. The Senate went on to approve six more Trump nominees rated “Not Qualified” by the ABA. You can't find qualified lawyers? You can't find a lawyer who can just—not even exceeds—just

meets? These people are unqualified. What qualifies them is many of them are in their thirties and are going to be on the courts for my lifetime.

I thought that was all rock bottom. Then last Friday, 1 hour after we learned of Justice Ginsburg's passing, the majority leader issued a press release saying: "President Trump's nominee will receive a vote on the floor of the United States Senate." That is the opposite of what he sent out when Justice Scalia died.

When the majority leader blocked Judge Garland, when he said the American people should have a voice in the selection of their next Supreme Court Justice, there were 342 days left in President Obama's term—342. There are 119 days left in President Trump's term, and there are 41 days left before this election.

Here is what the history really is, not the masquerade that the majority leader has been engaging in with the American people: From the founding of this country until today, we have had nine Supreme Court vacancies arise in the first 6 months of a Presidential election year. Nine vacancies have arisen in the first 6 months of a Presidential election year. The Senate confirmed every single one of them, except Merrick Garland. The Senate has never confirmed a Supreme Court nominee this close to a Presidential election, never in the history of America.

Now, we have given our consent, apparently, before we even know who the nominee is. Because of Donald Trump's magical powers, we are willing to somehow take it on faith. But these traditions make no difference to the majority leader. Thanks to him, we now live in a world where confirming judges has become one more vicious partisan exercise, where confirmation votes will now break on party lines for the foreseeable future—and, perhaps, forever—and where every ruling a Justice makes is going to be viewed as that is what we would expect from an Obama judge, that is what we would expect from a Trump-appointed judge. It is the opposite of the way this worked when I was in law school.

The majority leader says: I am just putting it back to the days before we had a filibuster of circuit court judges because now there is no filibuster when it comes to Justices or judges. It is not accurate, and it is not right because, in those days, if you were qualified, you would get 96 votes like Ruth Bader Ginsburg got and like Justice Scalia got. I think he got 95 votes. Yet now we have exported the vicious partisanship out of this Chamber and into the highest Court of the land.

Senator MCCONNELL has not only damaged the integrity of our courts—something the late Justice Ginsburg cared deeply about—but he has also worked to sabotage her legacy of an America that is more democratic, more fair, and more free.

Over his 36 years in office, the majority leader has voted against nearly

every piece of legislation that has promoted equality and advanced civil rights. Again and again, he has voted against banning discrimination based on someone's sexual orientation, prosecuting hate crimes, and improving equity in the workplace. He even voted against reauthorizing the Violence Against Women Act. More than anyone in America—and I say he is actually proud of this—he is responsible for exposing our democracy to a deluge of money, special interests, and foreign interference.

The majority leader has voted against every major campaign finance reform bill that has come to this floor. In fact, he led the fight against the bipartisan reform bill that was written by the late Senator John McCain, and when he failed to stop it in the Senate, Senator MCCONNELL went to the courts to have it overturned, paving the way years later for the disastrous ruling in *Citizens United*, which has allowed billionaires to flood our political system in the name of free speech when average working people are being drowned out.

He voted against the bipartisan National Voter Registration Act, which allowed people to register to vote when they got their driver's licenses.

Ahead of the 2016 elections, he refused to join President Obama and issue a bipartisan statement to alert the American people to the threat of Russian interference in our elections. He refused to do it, and the American people didn't know until after the election was over that Vladimir Putin was putting his thumb on the scale. To this day, he refuses to let us vote on bipartisan bills to protect our elections from foreign interference or even bills to fully fund our elections so that people can vote safely in the middle of a pandemic.

There is only one person who gets to decide whether we vote on something around here, and he is the majority leader. I would like to see which Senators would vote against protecting our elections from Russian interference. I would like to see it, but we can't know because he won't allow it to come here for a vote. I would like to see who in this Chamber actually is against universal background checks, something we haven't been able to take a vote on because the majority leader won't allow a vote.

Come out and vote.

It has been over 570 days since the House passed the For the People Act, a bill that would ban gerrymandering, expand early voting, create automatic voter registration, and make election day a national holiday, among other reforms. The majority leader refuses to bring it to a vote. He called it a power grab. That is the Orwellian language that he uses. The only power grab that is, is a power grab by the American people to try to pry a little bit of power away from the majority leader from Kentucky on behalf of himself.

I am not sure any majority leader in our history has had this low of regard

for our democracy and for our institutions than the Senator and, I would say, less regard for the American people as well, because every time he has taken a knife to our institutions, he is in front of the cameras, talking about what an institutionalist he is.

When he became majority leader, he said his first priority would be to "restore the Senate to the place our Founders, in their wisdom, had intended, not the hollow shell"——

The PRESIDING OFFICER. The Senator will suspend.

Rule XIX, paragraph 2, provides that no Senator in debate shall, directly or indirectly, by any form of words impute to another Senator or to other Senators any conduct or motive unworthy or unbecoming a Senator.

The Senator may proceed.

Mr. BENNET. Madam President, I was interrupted, but let me go back.

When he became majority leader, he said the first priority would be to "restore the Senate to the place the Founders, in their wisdom, had intended, not the hollow shell of the institution [Harry Reid had created]."

Harry Reid was his predecessor. I think I remember him being on the floor, calling Harry Reid the worst majority leader that had ever existed in history. I don't think he was sanctioned for that.

He promised "to open up the legislative process in a way that allows more amendments from both sides."

Last year, we voted on 26 amendments. In the entire year last year, we voted on 26 amendments. Only eight of those amendments passed, and I think Senator PAUL, of Kentucky, had four of those amendments.

Sometimes it's going to mean [actually] working more often. Sometimes it's going to mean working late, but restoring the Senate is the right thing to do.

We are not working late around here. He said we were going to work on Fridays. Half the time, when Harry Reid was the majority leader, I couldn't go home until Friday. Since the majority leader has been here, I have been home for dinner every Thursday night.

He said we need to recommit to what he called a rational, functioning appropriations process. This year, we haven't passed a single appropriations bill in the Senate. Last year, we had the longest government shutdown in American history.

"We need to return to regular order," he said. This is from the majority leader who put a bill on the floor to strip healthcare from 16 million Americans, a bill we didn't even see until a few hours before the vote. There are so many of these things that we don't even remember them anymore. He claims to be an institutionalist, but he has brought this institution to the lowest it has been.

It is no different than his claim to being a fiscal conservative. I have heard him say over and over again that our debt and deficits are the single biggest threat to America's future. He

called it “the transcendent issue of our era.”

He said, “Until we fix that problem [the deficit], we can’t fix America.”

He said Americans are “tired of the spending, debt and government take-overs” and complained that our debt “makes us look a lot like Greece.”

He claims to be a fiscal hawk—he has done it his entire career—but the truth is there is not an American, living or dead, who has put more debt on the balance sheet of this country than MITCH MCCONNELL—\$17 trillion—and that is just over the last 20 years. And for what—to invest in education? to build our roads and bridges? to do something about mental health in the country or water infrastructure? For what? It has been to cut taxes for the richest people in the country and to borrow it all from China, which is the opposite of what he said he was doing, the opposite of what he promised.

He said the tax cuts would pay for themselves. They never have. He said they would benefit the middle class, but two-thirds have gone to the top 20 percent at a time when we have had the worst income inequality that we have had since 1928, when we have had an economy that, for 50 years, 90 percent of the American people haven’t seen a pay raise. That means, in the first 25 years of this century, we are on track to spend \$6.8 trillion on tax cuts for the richest 20 percent of Americans.

It is exactly the same thing as if a mayor in any one of our communities in our States had said to their neighbors and to their city councils and to the press: I am going to borrow more money than we have ever borrowed before.

You would say: Well, that worries me a little bit. What are you going to spend the money on? Are you going to spend it on our roads?

No.

Are you going to spend it on our bridges?

No.

On our water system?

No.

On mental health? On COVID? On our public health infrastructure?

I am going to take that money that I am borrowing from the Chinese, and I am going to give it to the two richest neighborhoods in town.

That is the majority leader’s tax policy, and that is what it has been since 2001.

This speech isn’t about spending, but while I have the microphone, here is what we could have done for \$6.8 trillion: We could have created universal preschool for every child in America. These are not either/or by the way.

That is how big a number \$6.8 trillion is. We could have invested in the 70 percent of Americans who don’t graduate from college so that they can earn a living wage when they graduate from high school, not the minimum wage. We could have made public college affordable for every middle-class American, given every teacher in America a 50-percent pay raise and paid them like the professionals that they are.

We could have cut child poverty by 40 percent in this country. We could have protected Social Security so that we would know it would be there for our children and our grandchildren. We could have rebuilt America’s roads, bridges, tunnels, and airports. We could have laid high-speed broadband in every community, lowered the cost of prescription drugs, covered everyone with high-quality healthcare by creating a public option. We could have passed paid family and medical leave, invested in science and public health so that we could have been more prepared for the global pandemic. We might have even paid down some of our debt and actually acted fiscally responsible.

In other words, we could have changed the destiny of America. We could have added to Justice Ginsburg’s legacy by making this country more democratic, more fair, and more free. We still can, but we can’t do it as long as the majority leader is continuing to pursue these policies.

We have to choose leaders in the Senate who will build this country better than we found it, not leave it in tatters for our children and grandchildren to pick through the rubble.

Instead of making the Senate work on behalf of the American people, the Senator from Kentucky has run roughshod over this institution, doing whatever he can get away with politically. We are at a point at which what you can get away with here is the only rule that is left.

As I said last night in this Senate, words have lost their meaning, and when words lose their meaning and when promises mean nothing and when commitments mean nothing, that is when institutions fail. It is moments like this that I remind my colleagues that this is not the first Republic to risk failure because of all of this—the Senate, the Supreme Court, the centuries of rules, written and unwritten, that have guided this Republic.

We are not preserving them for us. We are preserving them for the American people because, without our institutions, we can’t do what we need to do in this democracy, whether it is regarding climate change or healthcare or education or any issue that the

American people care about, no matter what side of the political aisle they are on.

Justice Ginsburg appreciated this. She described her philosophy this way:

I think I am an originalist in the sense of what these great men meant—a Constitution that would govern through the ages. At least, they hoped it would provide an instrument of government that would endure.

That is what is at stake in this election—whether we will accept this sorry chapter in our history as the new normal or insist on a government that can actually govern and is focused on the needs and desires of the American people.

I hope deeply that we are going to put this era behind us, and I am not for going back to some old era but to build a democracy that is worthy of the 21st century, worthy of the example Ruth Bader Ginsburg set, worthy of the expectations that our kids and grandkids reasonably have of us and that most of us have for America in this world.

That is the choice in this election, and to borrow a phrase from the majority leader, the “American people should have a voice” in the outcome. It is my hope that in 41 days they will.

Madam President, I thank you for your patience and thank the staff for their patience.

I yield the floor.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 10 a.m. tomorrow.

Thereupon, the Senate, at 7:16 p.m., adjourned until Thursday, September 24, 2020, at 10 a.m.

NOMINATIONS

Executive nomination received by the Senate:

OFFICE OF THE DIRECTOR OF NATIONAL
INTELLIGENCE

ALLEN ROBERT SOUZA, OF NORTH CAROLINA, TO BE INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY, OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE, VICE MICHAEL K. ATKINSON.

CONFIRMATIONS

Executive nominations confirmed by the Senate September 23, 2020:

THE JUDICIARY

JOHN CHARLES HINDERAKER, OF ARIZONA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF ARIZONA.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

JOCELYN SAMUELS, OF MARYLAND, TO BE A MEMBER OF THE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION FOR A TERM EXPIRING JULY 1, 2021.