

table right now, days—days—before the nomination, and write down in advance the list of ludicrous accusations the far left has guaranteed to be screaming by Saturday night? It is because year after year, decade after decade, the far left's playbook stays exactly the same. To them, a nominee makes no difference. Every time in 45 years—45 years—that a Republican President has nominated someone to the Supreme Court, the exact same set of cliched horror stories are wheeled out of storage, dusted off, and paraded past the American people.

In 1975, President Gerald Ford put forward a nominee whom the left blasted for his "consistent opposition to women's rights" and "an extraordinary lack of sensitivity to the problems women face." Who was this far-right ideologue who was going to turn back the clock? Why, it was the late Justice John Paul Stevens, who went on to lead the Court's liberal wing for decades.

In 1987, it was time for an encore performance. A nominee from President Reagan was absolutely savaged by liberal groups. The president of one left-wing group insisted he was a "sexist" and "a disaster for women"—that would be Anthony Kennedy.

Once again, the sky did not fall. In fact, when Justice Kennedy retired in 2018, the new head of the exact same liberal organization stated they were "saddened and alarmed by his retirement." The exact same liberal outfit said the sky was falling in the 1980s because Justice Kennedy had been nominated and that the sky was falling in 2018 because he was retiring.

In 1990, they got the band back together yet again. This time the sky was falling for sure. President Bush had picked someone whose record was "very troubling," whose juris prudence would surely "threaten to undo the advances made by women, minorities, dissenters, and other disadvantaged groups," whose confirmation would mean "ending freedom for women in this country."

Talk about wearing out the volume knob. Oh, that was future Justice David Souter, by the way. One slogan simply said—listen to this: "Stop Souter or Women Will Die." "Stop Souter or Women Will Die." He, too, would go on to become a favorite Justice of many of the very same groups.

But it has still never occurred to them to get their crystal balls checked. The same unhinged attacks pour out every time, the same absurd scare tactics every single time.

These people are the far-left version of that broadcaster who spent 20 years predicting different dates for the end of the world, raising money, and just inventing a new date every time he was wrong.

Justice Scalia was unfit. Justice Thomas hated the rule of law. Justice Alito was "hostile to the rights of women." It is all one big scam directed at the American people.

In 2005, one leftwing outfit cut a television ad that tried to link our now-Chief Justice of the United States with a violent bombing of an abortion clinic. Just how despicable can you get? Before this disgusting ad was pulled off the air, it said a future Justice John Roberts would "excuse violence against other Americans." Chief Justice Roberts.

Every single time—no matter how upstanding, no matter how qualified, no matter their views, no matter their record—every nominee gets the same insane treatment, so long as the President who nominated them is not a Democrat—so long as the President who nominated them is not a Democrat.

Oh, but when Democrats nominate people, none of this happens. When we confirmed Justices Ginsburg and Breyer, I don't recall any angry mobs stalking Senators. When we confirmed Justice Sotomayor, I don't recall weeks of character assassination. When we confirmed Justice Kagan, I don't recall the mainstream media declaring the death of democracy.

For half a century we have seen this double standard. When a Democratic President makes a nomination, it is a nonevent by comparison. The coastal political class and their friends in the media allow our national life to go on like normal. But whenever a Republican dares to nominate someone, the same people declare it a state of emergency.

So, sadly, we already know what reaction we will see on Saturday: fill-in-the-blank opposition. Remember, in 2017, we saw literal fill-in-the-blank opposition. Demonstrators wanted to assemble outside the Court before they even knew who President Trump would name, so they literally brought stacks of signs that said: "Oppose (blank)!" And they brought markers so they could scribble in the name during the President's remarks before the TV cameras got to them.

In 2018, moments after the President announced now-Justice Kavanaugh, one leftwing group published a typically absurd statement declaring "Trump's announcement today is a death sentence"—"a death sentence"—and "white patriarchal supremacists now have free reign."

The actual nominee was so irrelevant to their scam that they literally forgot to fill in the blank. The very first line of their press release condemned "Donald Trump's nomination of XX to the Supreme Court."

So it is safe to say the American people can start writing their bingo cards right now. We already know every outlandish claim and unhinged attack we are going to hear.

In fact, former Vice President Biden has already cut to the front of the line. Just yesterday, he offered the following assessment prior to learning whom he was assessing: "Women's rights as it relates to everything from medical health care is going to be

gone." This is former Vice President Biden yesterday. Good luck deciphering what he is trying to say. It sounds like more of the same old junk.

Perhaps the Nation will soon watch this man in his late seventies condescend to explain women's healthcare to one of the brilliant women whom President Trump indicates he is considering.

Fortunately, the far-left scam artists do not get a vote. The special interest groups' fundraising appeals do not get a vote. The fate of this nomination will be determined by the U.S. Senators whom the American people elected to do this job: a fair hearing, a fair process, and a fair vote on the actual nominee. Forget about fill-in-the-blank.

#### ORDER OF BUSINESS

Mr. McCONNELL. Madam President, for the information of my colleagues, the vote on the confirmation of the Young nomination will occur at 11:30 a.m. today.

#### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the unfinished business.

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

Mr. McCONNELL. 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. SCHUMER. 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 MINORITY LEADER

The Democratic leader is recognized.

#### ELECTION SECURITY

Mr. SCHUMER. Our adversaries sow disinformation in our society and seek to influence our elections. Vladimir Putin will stop at nothing to diminish Western democracies. A resurgent China wants to take America's place on the world stage. But the gravest threat to our democracy right now does not come from any foreign capital; it comes from our own. The gravest threat to democracy in America is President Donald Trump.

Yesterday, at a news conference, President Trump refused to commit to the peaceful transfer of power should he lose the election in 41 days. Let me repeat that. Yesterday, at a news conference, President Trump refused to commit to a peaceful transfer of power should he lose the election in 41 days. "Well, we're going to have to see what happens," he said. "I've been complaining very strongly about the ballots, and the ballots are a disaster."

Pressed further, the President said: "Get rid of the ballots . . . there won't be a transfer, frankly. There will be a continuation."

"Get rid of the ballots . . . there won't be a transfer, frankly. There will be a continuation."

Those are all his words: Get rid of voting; get rid of the ballots. Just let him stay in power whatever illicit way he chooses to do so. That is what he is saying.

Now, everyone from school children to the most senior among us knows that the peaceful transfer of power is one of democracy's core attributes. There is no democracy without it. Like the rule of law, the separation of powers, checks and balances, everything we have learned that is great and noble about our system in government, President Trump has sullied, diminished, and now he threatens to actually dismantle. The greatest threat to American democracy right now is Donald Trump.

The President issued similar threats in the runup to the 2016 election, and he is doing it again now. If I win, the election is legitimate, argues the President, but if I lose, it is rigged. That is what he is saying now—again: If I win, the election is legitimate, but if I lose, it is rigged. By the way, I may just stay in office and not count the ballots.

Unbelievable.

The gravest threat to American democracy right now is President Trump. Save for a few, the Republican majority here in the Senate practically brushes by it: They don't know the full context. Oh, the President says crazy things. Maybe he was joking.

They are willing to continue ramming through a Supreme Court Justice whom the President said is needed "before the election . . . because [the election] will be before the United States Supreme Court."

Where are our Republican colleagues? This is not a partisan issue. Democracy is at stake. Every constituent from every corner of the land, regardless of party or ideology, should be asking the Republican Senators to speak out and demand that Donald Trump not be allowed to do what he says he is going to do and say they will join all of America in standing in the way if he tries.

The most innocent interpretation of the President's comments is that he is just trying to get people not to vote: Mail-in voting is "rigged." I am going to stay anyway, he cries. "Twelve more years," they chant at his rallies—all to erode American faith in the election and discourage Americans from voting. It doesn't matter how false, it doesn't matter how undemocratic, it doesn't matter how corrosive it is to our democracy, the President doesn't care. It is his own ego and nothing else. The President says it if he thinks it will help him win. That is the most innocent interpretation.

If you take the President at his word, he wants to throw out ballots, refuse

the peaceful transfer of power, and rush through a Supreme Court Justice to ensure that they could rule in his favor if the election is contested. That is him at his word.

According to a new article in *The Atlantic* magazine, some Republicans are actually considering a scheme to override the will of the voters in certain States. Under this nefarious scheme, if the President loses a State controlled by Republicans, they would ignore the result; they would ignore what the voters ask for and send a rival slate of electors to Washington instead, deliberately provoking a constitutional crisis.

Every American should read this article.

Mr. President, I refer my colleagues to this link for the article: <https://www.theatlantic.com/magazine/archive/2020/11/what-if-trump-refuses-concede/616424/>.

If you read these facts in a story about Belarus or Hungary, you might not bat an eye, but this is America. This is America. And here in America, our elections are sacrosanct. The peaceful transfer of power is our lifeblood. The rule of law is the very foundation of our society. These currents run deep in our veins and are far stronger than the flimsy authoritarianism of President Trump.

President Trump, you are not a dictator, and America will not permit you to be one. We will not permit you to be one.

This November, we will have an election. The votes will be counted. It may take a little longer than usual because so many people will vote by mail because of COVID, but the votes will be counted. There are numerous lawsuits making sure it happens, and those lawsuits are succeeding. The results of the election must be accepted. The peaceful transfer of power must follow. Otherwise, we will lose our democracy.

At this perilous moment, every Republican in this Chamber should stand up and say that a President who isn't entirely sure if he will commit to a peaceful transfer of power isn't a President at all. Stand up and say he is wrong and that you don't want to live in a country where he is right. Pledge to uphold the pillars of our country. If Republicans stand up and say this is wrong, that may—may—be able to sway this President or his followers from repeating these attacks.

And there is something every citizen can do, particularly those who are alarmed or discouraged by what President Trump said this week: Vote. The President cannot deny your right to vote. The answer to these naked threats to our democracy is more democracy: Vote.

Don't let Trump intimidate or discourage you. Vote. Vote like our democracy is on the line because it is.

Vote, vote, vote.

SUPREME COURT NOMINATIONS

Madam President, in 2016, Leader McConnell and Senate Republicans

held a Supreme Court vacancy open for nearly a year on the supposed principle that "the American people should have a voice in [selecting] their next Supreme Court Justice."

Now, 41 days before a national election in which we might have a new President, Leader McConnell cannot even mention his supposed principle. In another speech on the floor today, he never mentioned it—never mentioned it. All the sophistry and diversionary arguments that are getting more and more like Trump don't undo the fact he totally reversed himself, and the American people know it, and the overwhelming majority of Americans want us to wait until a new President is elected before we choose a Supreme Court Justice.

Yesterday, the Presiding Officer confirmed that the Senate has never—never—confirmed a Supreme Court nominee this close to the election. Again, all the history, all the obfuscation, all the relevant facts don't deny it. Yesterday, the Presiding Officer of the Senate—a neutral figure who happened to be a Republican—confirmed that the Senate has never confirmed a Supreme Court nominee this close to the election. We hear a lot of talking points from the other side, some twisted readings of precedent. But facing a simple question—Has there been a Senate precedent confirming a Justice this close to an election between July and election day?—the Presiding Officer confirmed that "no such precedent exists."

Leader McConnell and the Republican majority are not following their supposed principle, and they are not following precedent. This is nothing more than an exercise in brute force.

It may very well destroy the already waning sense of comity and collegiality in the Senate, once hallmarks of this great Chamber. It may have done an end to it, unfortunately and sadly. And for what? Why do we go to such great lengths to ram through a Justice mere weeks before an election, making a complete mockery of their previous position? Because this is the only way for Republicans to achieve their radical rightwing agenda, which the public will abhor. Unable to get their legislative agenda passed through Congress, they have to rely on the courts to erode, bit by bit, the rights the American people now enjoy.

Republicans would say: That is not true. They are hysterical. They are just speculating, trying to scare voters.

But this is what the President has said. He wants to nominate a Justice who will "terminate" the Affordable Care Act. His administration is suing in court, right now, to invalidate the law—a case that will be heard 1 week after the election, a case that could rip away healthcare from tens of millions of Americans in the middle of a pandemic, and Leader McConnell says this is "hysterical." Go tell a mother or father whose son or daughter has