

consciences. These nuns did not manufacture their lengthy legal battle for the fun of it. It was the secularizing left that went on offense.

Churches all across America did not go looking for one of this cycle's Democratic Presidential contenders to suggest places of workshop should lose their tax exempt status if they preach or practice traditional teaching. It was the secularizing left that went on offense.

If parts of the elite American left have become this out of touch with mainstream religious beliefs held by millions and millions of their fellow citizens, it will take more than victim blaming to dig out of it. They could start this week. They could start today.

They could commit to evaluating Judge Barrett on her credentials and her qualifications, and they could stop gawking at deeply religious Americans like they have encountered extra-terrestrial life or bought a ticket for a safari.

MEASURES PLACED ON THE CALENDAR—S. 4773, S. 4774, S. 4775

Mr. MCCONNELL. Madam President, I understand there are three bills at the desk due for a second reading, en bloc.

The PRESIDING OFFICER. The leader is correct.

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

The senior assistant legislative clerk read as follows:

A bill (S. 4773) to establish the Paycheck Protection Program Second Draw Loan, and for other purposes.

A bill (S. 4774) to provide support for air carrier workers, and for other purposes.

A bill (S. 4775) to provide continued emergency assistance, educational support, and health care response for individuals, families, and businesses affected by the 2020 coronavirus pandemic.

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 being heard, the measures will be placed on the calendar, en bloc.

PROTECT ACT—MOTION TO PROCEED

Mr. MCCONNELL. Madam President, I move to proceed to Calendar No. 554, S. 4675.

The PRESIDING OFFICER. The clerk will report the motion to proceed.

The senior assistant legislative clerk read as follows:

Motion to proceed to S. 4675, a bill to amend the Health Insurance Portability and Accountability Act.

The PRESIDING OFFICER. The assistant Democratic leader.

UNANIMOUS CONSENT REQUEST—H.R. 5602

Mr. DURBIN. Madam President, I come to the floor today to speak to one

of the most significant issues facing the security of our Nation. It is a question of domestic terrorism, specifically the threat of violent White supremacists.

In Tuesday's Presidential debate, moderator Chris Wallace asked President Trump to condemn White supremacists and rightwing militia. President Trump refused. Instead, he replied—and I quote—"Proud Boys, stand back and stand by."

The Proud Boys, a far-right group that promotes and engages in violence, viewed President Trump's words as a call to action. The group's leader Joe Biggs said he took the President's words as a directive to "[F] . . . them up."

I was appalled, but not surprised, by the President's words. He has a long history of inflammatory, racist remarks. Now, President Trump claims that violence is a "left-wing problem, not a right-wing problem"—his words.

Let me be clear. I join Vice President Biden in condemning all violence, but we know that White supremacists pose a great threat. An unclassified May 2017 FBI-DHS joint intelligence bulletin found that "white supremacist extremism poses [a] persistent threat of lethal violence." This was a finding by the lead law enforcement agencies of the Trump administration. They went on to say that White supremacists were responsible for more homicides from 2000 to 2016 than any other domestic extremist movement. The director of the FBI, Christopher Wray, in response to a question I posed in the Senate Judiciary Committee last year, said that the majority of domestic terrorism arrests involved White supremacists.

Now, for years, I have urged the Trump administration to respond to the ongoing threat of violent White supremacists and other far-rightwing extremists. Instead, they have repeatedly downplayed this very lethal and real threat.

Attorney General Barr has never responded to the multiple letters I have sent, asking what the Department of Justice was doing to combat White supremacist violence.

Unfortunately, as we have learned from former Trump administration officials themselves, the Trump administration has downplayed the threat of violent White supremacists. POLITICO recently reported that a draft homeland threat assessment report from DHS was edited to weaken language on the threat posed by violent White supremacists. And a DHS whistleblower alleged that DHS officials, including Ken Cuccinelli, requested the modification of the report to make the threat of White supremacists "appear less severe" and add information on violent leftwing groups.

It is not enough to just stand here and condemn the President's remarks at the infamous debate. The American people sent us to Congress to act. There is something we can do now.

There is something that we can do that will show we are prepared to respond to this threat to law and order, to this threat of violent White supremacists.

I am the lead sponsor of the Domestic Terrorism Prevention Act, bipartisan legislation that would address the threat of violent White supremacists and other domestic terrorists.

Our bill would establish offices to combat domestic terrorism at the Department of Justice, the FBI, and the Department of Homeland Security. It would require these offices to regularly assess the domestic terrorism threat and focus their limited resources on the most significant threats. Critically, they would provide training resources to assist State, local, and Tribal law enforcement in addressing the domestic terrorism threat. The House companion to my bill was introduced by my colleague and friend Congressman BRAD SCHNEIDER of Illinois.

Just last week, the House of Representatives passed our bill on a unanimous voice vote. The Senate should pass it today.

In a few moments, staff will provide me with the language to ask for a unanimous consent. I am waiting so there is an opportunity for both sides to discuss the procedure moving forward. In the meantime, several of my colleagues have asked to come to the floor and address the issue. I would yield to them for comment or question, through the Chair, with the hopes that when the procedural language arrives, I might be able to make the unanimous consent request.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Madam President, we are here today on probably one of the most serious national security issues that we will confront. I say that as a member of the Armed Services Committee, having received a variety of classified briefings on threats to this country. Some of them regarding ongoing foreign interference in our election are truly chilling. But the threat to our national security from White supremacists, now operating so openly that the Director of the FBI has said they are one of the paramount threats and an ongoing security threat to our Nation, demands that there should be action now.

The bill that my colleague Senator DURBIN is offering passed unanimously by the House of Representatives within recent days. Let me repeat. It passed unanimously by the House of Representatives. It reflects the real and urgent danger of this threat.

The President has refused to denounce White supremacists. The President has told one of the most prominent of those groups to stand by. That failure—an abject failure on the part of the Commander in Chief—to respond to an ongoing security threat demands this action now. We must stand up for the integrity of our elections, the security of our Nation, and the fundamental freedoms that we prize as American people.

We will not allow this cancer to metastasize in this country and thwart the will of Americans who are going to the polls, in effect, right now. The ballots are being cast. The threat to our electoral will is ongoing.

I am proud to join my colleagues who are here on the floor who represent an ideological spectrum, as did the House of Representatives in unanimously approving this bill. The paramount threat to our Nation and the integrity of our elections is White supremacy, violent extremism, and nationalism that potentially jeopardize the very pillars of our democracy.

I yield the floor.

Mr. DURBIN. The Senator from Virginia.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. KAINÉ. Madam President, I rise to support the efforts of my colleagues to bring the unanimous House bill establishing legal procedures for dealing with White supremacy to the floor of the Senate. I do so in honor of four Virginians.

In August of 2017, a group called Unite the Right held a White supremacist rally in Charlottesville, VA. They started on a Friday evening, when Jewish residents of Charlottesville were gathering in synagogues and when students were coming to the University of Virginia to start their academic careers. They rampaged through the campus and community chanting slogans from Nazi rallies like “Jews will not replace us” or “Blood and soil.”

As if that were not terrorizing enough, on the next day, they escalated physical attacks against many. Heather Heyer was a Charlottesville resident and paralegal with an amazing background and story who was peacefully protesting that day, and a White supremacist from another State revved his car up, hit her and killed her.

DeAndre Harris was a special education instructional aide in Charlottesville, and he was set upon by a number of White supremacists and beaten severely with objects.

There were two Virginia State Troopers, Jay Cullen and Berke Bates, both of whom I knew. Jay Cullen often flew me in a helicopter when I was Governor, and I met Berke Bates, the trooper, because he was part of Governor McCullough’s security detail. They were called out on that day, which would have been a day off. They were called out on that day because they needed to provide extra security as this White supremacist rally ran amuck in Charlottesville. On that day, both of them lost their lives as their helicopter malfunctioned.

I stand on the floor of the Senate thinking of these four Virginians—two of whom I knew, three of whom lost their lives, and one who was injured severely in this Unite the Right rally—to say that it is time we have laws in this country that would enable us to appropriately deal with the chief source of domestic terrorism. For that, I thank my colleague.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. JONES. Thank you, Senator DURBIN for this bill. Thank you for the colleagues who are on here.

I was struck when Senator KAINÉ rose in honor of those who died in Virginia. The list goes on and on. You can go to Emmett Till. You can go to the four girls, Addie Mae Collins, Carole Robertson, Denise McNair, and Cynthia Wesley. You can go to those who lost their lives in a church in Charleston, SC. The thing that connects them all is not just that they died because of the color of their skin, not just because of the White supremacists who were trying to change the political dynamic in this country. It is an unbroken stream that goes back decades and generations. It goes back to the time of the great original sin of slavery, when White supremacy tried to dominate this country, and it goes back to a string of unbroken deaths that are occurring even as we speak.

Hate crimes across this country have proliferated, whether it is not just White on Black or it is the Tree of Life synagogue. It is so many things that we have to stop.

The interesting thing to me of what happened this week is that the day after the Presidential debates when the President of the United States refused to condemn White supremacy, the Governor of the State of Alabama, my friend Kay Ivey—Republican Governor of the State of Alabama—apologized to the victims of the 16th Street Baptist Church bombing that occurred 57 years ago. It was an implicit acknowledgment that words matter, that statements of public officials have an effect on people. They give a green light to violence, often even unintended.

This bill Senator DURBIN has proposed that passed, as Senator BLUMENTHAL and others said, unanimously is a statement that we cannot allow this to continue. It is a statement that we will—as law enforcement, as citizens, as people in a free country—we will put an end to this kind of rhetoric and this kind of hate.

Folks, we cannot let this moment pass in this body. The House passed this bill unanimously and so should the U.S. Senate. We should make a stand with our colleagues in the House—Republican and Democrat—that this is an important statement right now because what is unsaid so much right now is that we see this playing out in this country. We see it playing out in the streets. And we can talk about it from the right or the left, and we can talk about it from Republicans or Democrats, but the fact is, we need to be talking about it in terms of people and victims—innocent victims. That is what this bill is about—protecting the lives of all Americans, regardless of the color of their skin, regardless of their religion, regardless of their political persuasion. This bill will do that.

Give the FBI the tools necessary. Give the statement from the U.S. Sen-

ate that we will not stand for this. Support this bill.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. BOOKER. I am really grateful, Madam President.

It has been said, and it is quite true, that the only thing necessary for evil to be triumphant is for good people to do nothing.

Here we are at a time where we know our history. Since 9/11, the greatest terrorism we have seen in our country, actions from a church in South Carolina to a synagogue in Pittsburgh, to a Walmart in El Paso, time and time again, the violence that we have seen and the greatest terrorist activities since 9/11 have been domestic terrorism—rightwing extremists, the majority of them White supremacists.

The warnings we are now getting from our intelligence officials, according to one Judiciary hearing from the Department of Homeland Security, are that the most significant threat right now to the security of our country is White supremacy and violent White supremacy.

The FBI has given a number of warnings. We now are heading toward an election where we are seeing signs of increased activity, increased hate, increased focus. This body—this good body, friends on both sides of the aisle—this is not a time where we can do nothing. We must act. We must take measures and steps to end this kind of violent scourge in our country.

Obviously, this will not accomplish everything. But in a time like this, we must do something. I join my colleagues in support of this legislation. I want to, again, affirm the fact, quite encouraging, that it passed in a bipartisan manner in the U.S. House of Representatives. That is so encouraging. We should do the same here.

The PRESIDING OFFICER. The assistant Democratic leader.

ADDITIONAL COSPONSOR

Mr. DURBIN. Madam President, I ask unanimous consent that Senator MANCHIN’s name be added as a cosponsor to S. 3190.

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

Mr. DURBIN. Madam President, we are asking for unanimous consent to pass a bill that has passed the House of Representatives unanimously by a voice vote—unanimously—to empower and direct the law enforcement agencies of the United States to use their talents and resources to stop domestic terrorism, to stop the killing. We are identifying, in the course of it, the White supremacy and far-right extremism as one of the sources.

Listen to what a Trump administration Department of Justice official wrote last year in the New York Times:

White supremacy and far-right extremism are among the greatest domestic-security threats facing the United States. Regrettably, over the past 25 years, law enforcement at the Federal and State levels have been slow to respond.

Killings committed by individuals in groups associated with far-right extremist groups have risen significantly. We are not manufacturing a crisis. The Trump administration Department of Justice official concurs with our actions that they are needed.

How did I get involved in this? It goes back to 2012. As chairman of a Senate Judiciary subcommittee, I held a hearing on the threat of violent rightwing extremism after a White supremacist murdered six worshippers at a Sikh gurdwara in Oak Creek, WI. Officials from the Department of Justice, Homeland Security, and FBI—even at that time—testified about the threat posed by violent domestic extremists.

When President Trump was asked and challenged to condemn this violence, he refused.

The question is whether the U.S. Senate, now given the same opportunity, will stand as the House of Representatives has on a unanimous, bipartisan basis to say “enough” when it comes to domestic terrorism inspired by White supremacy and rightwing extremism.

Let me add that there is nothing in this bill to stop the efforts of those same agencies to police and stop leftwing extremism—all extremism. I have no problem in condemning all of it, but we are focusing on the one that is the most significant in the words of the Department of Justice.

I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of H.R. 5602 and that the Senate proceed to its immediate consideration; further, that the bill be considered read a third time and passed; and that the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from Wisconsin.

Mr. JOHNSON. Madam President, reserving the right to object, I just found out about this bill a couple of hours ago. I have been busy. I haven't really been able to really research it, and that is part of the problem with what our Democratic colleagues are trying to do here in just quickly rushing it through the U.S. Senate. Maybe this has had a full vetting in the House of Representatives, but here, in the U.S. Senate, it hasn't gone through any committee process whatsoever.

Unfortunately, I also have to make the point—because I am sure they are trying to make a political point as opposed to trying to make law today—that I am opposed to all forms of domestic terrorism, including White supremacists. I think I speak for all of my Republican colleagues, and I think I speak for every U.S. Senator: We all abhor domestic violence and terror, including White supremacists.

Again, I don't have much knowledge about this even though I am chairman of the committee of jurisdiction of one of the Departments that would be sub-

ject to this piece of legislation. I know that the Department was not consulted on this piece of legislation. I have been given notice here that the Department of Justice does not support this piece of legislation because it says it would seriously impede its ability to work in the domestic terrorism space. Again, I am not exactly sure why the Department of Justice does not like this piece of legislation. Suffice it to say that it doesn't. The Department of Homeland Security was not even consulted on this. As chairman of the Homeland Security Committee, I don't know anything about this bill.

This is not the way to pass a serious piece of legislation that deals with a serious issue. If it is a good piece of legislation, the sponsors should have no problem running it through the normal committee of jurisdiction process. In this case, apparently, it is with the Judiciary Committee, but I would think my committee would also have some pretty strong equities in this space, not to mention the fact that I have been working with my ranking member on precisely these types of issues.

Instead of just trying to make a political point, what I have always tried to do is get a result and make law, but that has to go through a thoughtful process that uses the full committee process, which is not the case here.

So I object.

The PRESIDING OFFICER. Objection is heard.

Mr. DURBIN. Madam President, yes, I am trying to make a political point, and it should be a bipartisan political point. It should be Republicans and Democrats in the Senate, as there was a unanimous voice vote in the House of Representatives on that same measure, and I am sorry my colleague from Wisconsin has left.

The Senate's version of this bill has been pending for 9 months—for 9 months. The House has moved its version of it. It is a timely issue. Why waste a day in making America safer? Why not tell our law enforcement agencies: Now, roll up your sleeves. Go to work. Find the most dangerous things happening in this country, and stop them.

We know one of them is White supremacists and their rightwing extremism. The President fumbled and couldn't come up with an answer 2 days ago. Today, sadly, from the Republican side, we get an objection to coming together on a bipartisan basis, as they did in the House, to address this very real issue. I am troubled by this. It is a sad moment.

I do believe the Senator from Wisconsin and many others will say they are against extremism. They had a chance to prove it by passing a measure here and refused.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. JONES. Madam President, I am compelled to talk about this process that I just heard about.

There is no process, folks. Let's just be candid. This Senate is not the deliberative process body that the Senator from Wisconsin talked about. We don't have that. This bill has been pending for 9 months. But we don't have that. This is not the Senate in which I worked in 1979, where there was a deliberative attempt. There were debates on the floor, and there were debates in committee. This is not a process. Whether it is on the floor of this Senate or whether it is in the media or wherever else, when someone says that this should go through the normal process, those processes were killed a long time ago. I have been in this body for almost 3 years, and we have had only a relatively handful of amendments on any bill that has come here. We have had virtually no markups and debates in committees. Those don't exist. This bill has been pending for 9 months, which is more than adequate time for the Homeland Security Committee to have taken a look at it, more than enough time for the Committee on the Judiciary to have taken a look at it, and more than enough time to have had a hearing on it.

Apparently, our colleagues in the House felt it was OK, but this body has gotten to be so dysfunctional that, to send a statement, we will not allow a unanimously passed bill that has been pending in the Senate of the United States for 9 months to be passed.

There is one thing with which I might disagree a little bit with Senator DURBIN. For me, this is not a political statement. This is a statement about law enforcement and increasing the ability of law enforcement. It is a statement to protect victims of crime. That is what this bill is about for me. I have seen it all too often in my State and throughout the South. Again, that unbroken string—that is what I see this bill as.

So I don't need lectures about process when I see a Senate that does not function but that leapfrogs substantive legislation simply to ram a Supreme Court nominee through—one that hasn't been pending for very long, either. This is the kind of thing the Senate needs to be doing and passing, and we should be ashamed of ourselves for not doing it. Hopefully, that will change.

I yield the floor.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

Mr. SCHUMER. Madam President, before I get into the subject of this pending vote, I do want to thank my colleagues from Illinois and Connecticut for bringing this important topic before the Senate.

President Trump's refusal to condemn violent White supremacist groups in the Presidential debate has been around for several days. We have hardly heard anything out of most of our colleagues, and no one—no one, no one—is going to buy the argument that it came too suddenly. White supremacy

hasn't come too suddenly. The President's remarks have been out there for several days. It is the flimsiest of excuses to avoid criticizing the President even when every American of decency—the overwhelming majority of all Americans—would know he should be condemned.

They don't care if you are a Democrat or a Republican or are liberal or conservative. You never know how low President Trump can go, but his refusal to condemn White supremacy is among the lowest things he has done, and—boy, oh, boy—there are lots of them lined up. I am ashamed of my Republican colleagues and ashamed—for America, for decency—that they have chosen to block this.

S. 4653

Madam President, now, on another issue of great importance to America, the nomination of Judge Amy Coney Barrett to the Supreme Court has thrust the issue of healthcare back into the spotlight. Her confirmation to the highest Court in the land could put healthcare for hundreds of millions of Americans at risk.

As you would imagine, taking away healthcare is deeply unpopular with the American people. So it seems the strategy from the Republican majority is to invent some new distraction—a fresh outrage—to talk about. My colleagues on the other side would rather talk about anything besides the fact that their President, their party, and their Supreme Court nominee pose a dire threat to Americans' healthcare.

The outrage from the Republican leader was directed today, once again, at the idea that the Democrats would attack a nominee's religious beliefs, but of course, in their zeal to manufacture this issue, the Republican Senators began telegraphing this line of attack even before the nominee had been named. One Republican Senator wrote me a letter to warn against anti-Catholic attacks that hadn't happened yet against a nominee who had not been named. That is how transparent this Republican diversion—ruse—is.

It appears the Republican majority will crank up the outrage machine to any level of absurdity to avoid talking about America's healthcare—the healthcare that so many Americans desperately want and need. In fact, all week, the Republican leader has mocked the idea that a far-right Supreme Court majority might strike down the Affordable Care Act and that Judge Barrett might play a decisive role. Of course, President Trump promised to nominate Supreme Court Justices who would terminate the Affordable Care Act, and he picked Judge Barrett. Those are the President's words. He is only going to pick Justices who would terminate the Affordable Care Act, and it is no mystery why he picked Judge Barrett.

In both major cases brought against the ACA, Judge Barrett twice sided against the law. She publicly criticized Justice Roberts for upholding the law

and said that, if the Supreme Court were to read the statute the way she does, they would have to “invalidate it.” President Trump: “terminate it.” Judge Barrett: “invalidate it.” Guess what, President Trump and Republican attorneys general are in court right now, suing to do just that—invalidate our healthcare law in a case that will be heard 1 week after the election.

The threat to Americans' healthcare is very, very real, and Senate Republicans are tying themselves in knots in trying to explain how it is not. Leader McCONNELL, from the floor of the Senate, called it a joke—a joke—that Judge Barrett and the far-right majority of the Court might vote to take away healthcare or to turn back the clock on women's rights.

Maybe he didn't get that message around to his conference, because the Republican Senator from Utah, only a few days earlier, claimed that the Affordable Care Act was unconstitutional and that striking it down shouldn't tarnish Judge Barrett if that is what she chooses to do.

Another Republican Senator said he wanted to see evidence that the nominee understood that Roe was wrongly decided, that Roe was an act of judicial imperialism, and I do believe Amy Coney Barrett's record bears that out. That was his quote.

The junior Senator from Missouri expressed confidence that Judge Barrett believes Roe v. Wade was wrongly decided. On the Supreme Court, a Justice Barrett could enforce that view.

So which is it, Republican leader? Is it absurd to think that Judge Barrett might strike down the Affordable Care Act, or is it a good thing that shouldn't tarnish her reputation?

Is it a joke that Judge Barrett could curtail women's fundamental rights, or are Republican Senators relieved to think that she thinks Roe v. Wade is judicial imperialism?

Americans are starting to get pretty sick of these double standards and mealy-mouthed talking points—pretty sick of politicians who, just 4 years ago, declared they couldn't possibly confirm a Democratic nominee to the Supreme Court in the early months of an election year but are now rushing to confirm a Republican nominee in the middle of an election that is already underway. Most of all, pretty sick are Republicans claiming they support protections for Americans with preexisting conditions while, at the same time, they support a lawsuit that would eliminate them.

Well, we are about to put a few of these Senate Republicans on the record. Soon, the Senate will vote on a bill that, if passed, would protect the healthcare of hundreds of millions of Americans and prevent efforts by the Department of Justice to advocate that courts strike down the Affordable Care Act. I was able to move this measure to the floor despite the fact that Republicans didn't want it, and now we will have a vote.

Will Republican Senators vote to stop President Trump's Justice Department from spending taxpayer dollars trying to eliminate the taxpayers' healthcare? We will see very shortly.

If Senators truly want to support protections for Americans with preexisting conditions, they would vote to damage President Trump's legal effort to eliminate them. It is as simple as that.

No amount of sophistry or explanation is needed. Yes or no?

Madam President, I ask unanimous consent that I be given a chance to finish my remarks in the next few minutes.

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

Mr. SCHUMER. Thank you, Madam President.

It is as simple as that. Are they with the people who want protection or not, or are they standing with President Trump, who wants to destroy it? It is that simple, because if President Trump and the Republican lawsuit are successful, every single American stands to lose vital healthcare protections or access to care. Millions of Americans would see drug costs skyrocket. Tens of millions of families would lose healthcare coverage during the worst health crisis in a century. More than 130 million Americans with preexisting conditions would lose vital protections, including every American who contracted COVID, which would be treated as a preexisting condition. Women would see their country hurtle backward to a time when they could be charged more than men for insurance simply because they are women.

This vote, which I was fortunate enough to obtain, will show America which party stands with protecting Americans' healthcare and protections for preexisting conditions and which party opposes it.

It is plain and simple. Are you with Leader McCONNELL, who wants to rip away people's protections? Are you with President Trump, who wants to wound our American healthcare by eliminating ACA? Are you with the American people, who desperately need these protections? Are you with the mother or father whose son or daughter has cancer and the insurance company says “You are not getting any insurance,” or are you going to require that company to give them the insurance that family so desperately needs?

The eyes of America are on this body and on Republican Senators right now. Whose side are you on—President Trump's or the American people who want healthcare?

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

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

Mr. JOHNSON. Mr. President, I ask unanimous consent that the mandatory quorum call be waived.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

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 legislative clerk read the nomination of Michael Jay Newman, of Ohio, to be United States District Judge for the Southern District of Ohio.

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 motion to proceed to Calendar No. 551, 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.

Charles E. Schumer, Richard J. Durbin, Patty Murray, Tim Kaine, Martin Heinrich, Jack Reed, Jeff Merkley, Bernard Sanders, Jon Tester, Benjamin L. Cardin, Brian Schatz, Debbie Stabenow, Richard Blumenthal, Angus S. King, Jr., Michael F. Bennet, Edward J. Markey, Chris Van Hollen, Sheldon Whitehouse, Kirsten E. Gillibrand.

The PRESIDING OFFICER. The question is, Is it the sense of the Senate that debate on the motion to proceed to 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, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from South Carolina (Mr. GRAHAM), the Senator from Utah (Mr. LEE), and the Senator from Florida (Mr. RUBIO).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted "yea."

Mr. DURBIN. I announce that the Senator from California (Ms. HARRIS) and the Senator from Montana (Mr. TESTER) are necessarily absent.

The yeas and nays resulted—yeas 51, nays 43, as follows:

[Rollcall Vote No. 200 Ex.]

YEAS—51

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

NAYS—43

Barrasso	Fischer	Risch
Blackburn	Grassley	Roberts
Blunt	Hawley	Romney
Boozman	Hooven	Rounds
Braun	Hyde-Smith	Sasse
Burr	Inhofe	Scott (FL)
Capito	Johnson	Scott (SC)
Cassidy	Kennedy	Shelby
Cornyn	Lankford	Thune
Cotton	Loeffler	Tillis
Cramer	McConnell	Toomey
Crapo	Moran	Wicker
Cruz	Paul	Young
Daines	Perdue	
Enzi	Portman	

NOT VOTING—6

Alexander	Harris	Rubio
Graham	Lee	Tester

The PRESIDING OFFICER. On this vote, the yeas are 51, the nays are 43.

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

The PRESIDING OFFICER. The Senator from Louisiana.

UNANIMOUS CONSENT REQUEST—S. 4756

Mr. KENNEDY. Mr. President, I want to talk just for a few moments about the internet and social media, and I want to make it clear, first, that I believe firmly in free will and responsibility. I believe that no matter what kind of day you are having or what is going on in your life, that you are responsible for your actions.

But I think we all know, as a matter of experience and common sense, that there are things in this world that can influence our actions. Social media, which I consider to be an American invention, has many virtues and many advantages, and we know that. I think it has brought the world closer today. I think it has given many people a voice. I think it is an extraordinary source of knowledge.

But like other innovations in this world, it has a downside. And one of those downsides is the fact that, too often, social media becomes an endless electronic brawl, and rather than bringing us together and exposing us to other points of view and causing us to test our assumptions against the arguments of others, it brings us apart. I think social media is, in part, responsible for that.

We all know that many social media platforms are free. Let's take Facebook, for example. Facebook is a free service. You open an account; you go on Facebook; and you can find out what your high school friends had for

dinner Saturday night. Now, we give up a lot from that privilege of watching what our high school friends had for dinner Saturday night. Facebook collects an enormous amount of information about us. And, once again, I am not just picking on Facebook. I am using them as an example because it is such a popular platform that we all know about. Facebook uses that information in a number of ways.

First, Facebook uses it to make money. They know a lot of stuff about us from collecting information about us so they can sell advertisers' ads, and they can tailor those ads to the individuals who are on Facebook according to the information that the social media platform—in this case, Facebook—has about them. You can even sell more ads if you can keep people who are on Facebook coming back and coming back and coming back.

So this is what happens. Some see this as a virtue, and some see it as a vice. A social media platform like Facebook gathers an enormous amount of information about us, and they learn, in intricate detail, what motivates us and what our interests are. Another way of saying that would be they learn what our hot buttons are. And they continually show us—what is the word I am looking for—advertisements, information, and postings of other people on Facebook that reinforce our beliefs, and, in some cases, they show us very radical bits of information that really push our hot buttons.

Now, why do they do that? Well, No. 1, it will keep us coming back to Facebook, and it will keep us on Facebook longer, which means that advertisers like us better because we are seeing their ads, and it means that Facebook can sell more ads at a higher price. I am not criticizing them. That is just the way the business works.

But the downside of it is that we only see one point of view. Our point of view is reaffirmed. We never see other points of view. We are never encouraged to question our assumptions or to test our assumptions against the arguments of others.

Now, how does Facebook do this? And, again, I don't mean to just pick on Facebook, but it is an example we are all aware of. They use algorithms. I am not going to try to explain algorithms, but that is how they show us information that pushes our hot buttons.

The social media platforms contend that they are not involved in content and that they are just publishers. So when somebody pushes your hot button and you get angry and you say something that you probably shouldn't say—that is why Facebook has turned into an endless electronic brawl—Facebook says: Hey, it is not our fault. We are just a publisher. That is why, under the law, Facebook enjoys what we call section 230 liability.

But as long as these algorithms are used to push our hot buttons, to reaffirm our points of view, to not show us