

Democrats are so angry? Is it no wonder that the American people are tearing their hair out, when they have said they want to wait until the next election, when that is only fair, that is only democratic? The hypocrisy is towering and enormous. And as I said, Leader MCCONNELL could destroy this Chamber for a very long time.

Why is this happening? Well, this is part of a decade-long effort to shift the courts to the far right so that the far right, which has so many Republicans in their grasp, can accomplish through the judiciary what they could never accomplish through the Congress.

Senate Republicans failed to repeal the Affordable Care Act. We know. That happened right here. So President Trump and Republican attorneys general are suing to eliminate the law in court.

Senate Republicans don't dare put repeal of *Roe v. Wade* on the floor of the Senate. They know it would fail. But they try to appoint Justices who are dedicated to repealing that vital right of a woman to choose and to control her own body.

This is just an amazing moment. One of Coney Barrett's very first cases would be to hear arguments against the Affordable Care Act, the very act that this Chamber rejected repeal of.

Republicans, as I said, could never repeal a woman's right to choose in Congress. They don't even dare bring it to the floor.

The far right has never had a majority on the Court to limit *Roe* or *Griswold*, but if Judge Barrett becomes Justice Barrett, it very well might. Women of America, watch out. Watch out.

I will remind my colleagues and the American people, when President Trump was asked about *Roe v. Wade* during his final debate against Hillary Clinton, he said: "If we put another two or three Justices on the court, the repeal of *Roe v. Wade* will happen automatically." Is that what this Republican majority stands for? If they do, announce it to the American people. Don't hide behind this idea that Justices are calling balls and strikes; that they will obey precedent. Don't hide behind that because we know what is happening here.

The American people should make no mistake. Their fundamental rights are on the line: the right to affordable healthcare, to make their own medical decisions, to join a union, vote without impediment, the right to marry whom they love—that is what this is all about.

Now Leader MCCONNELL has strained credulity to argue that ramming a Supreme Court Justice through the Senate while American voters wait in line to cast their ballots is completely normal. Nothing to see here, he says. Who believes him? I don't think a single Republican on that side believes him. They know what is going on.

This is not the Senate, as he says, performing its historic function. It is a

fiction. There is no precedent in history of the Senate for what the Republicans are doing.

Abraham Lincoln, our great hero, great Republican, rejected nominating somebody to the Supreme Court so close to an election.

So Republicans, at the very least, ought to go on record and admit this is an extraordinary breach of precedent, of comity, of fairness, of decency, of honor, of truth, of consistency.

So in a short time, I will make a point of order that the Senate should not consider a nomination to the Supreme Court this close to a Presidential election. Every Senator will vote on whether a nomination this close to an election shall be in order. It will confirm to the American people what we all know to be true—that the Republican majority has absolutely no intention of honoring the supposed principle it so vehemently argued in 2016.

That they won't follow history; that they won't follow precedent; that they won't follow norms and traditions of the Senate; that they won't even follow their own standards—that is the indelible mark on this Senate majority; that here in Leader MCCONNELL's Senate, it is the rule of "because we can," "might makes right," "because we can," as Senator WHITEHOUSE put it, all to confirm a far-right Justice on the Court who would rip away healthcare from tens of millions of Americans in the middle of a pandemic.

We will see how my Republican colleagues vote.

I yield the floor.

THE PRESIDING OFFICER. The Senator from South Dakota.

CORONAVIRUS

Mr. THUNE. Mr. President, for months now, Democratic leaders have held additional COVID relief hostage. Instead of working with Republicans to arrive at a compromise bill that both parties can support and that can make it through both Houses of Congress, Democrats have insisted that it is their way or the highway. Either Republicans agree to a bloated, multitrillion-dollar piece of legislation filled with noncoronavirus-related measures and far-left, liberal wish list items, a bill that would never make it through both Houses of Congress, or Americans get no relief. That is basically the choice the Democrats have left the American people.

It goes without saying that this is not the attitude of a party that really wants to give help to Americans. This is the attitude of a party that wants to use this crisis for political purposes.

Democrats figure that they win either way. Either they use this crisis to force through a bunch of liberal priorities not related to COVID or they blame Republicans for the lack of a bill.

Completely absent from their calculations is any sense of what their intransigence is costing the American people.

If Democrats had actually been willing to compromise with Republicans to reach consensus legislation, we could have had a new COVID relief bill months ago. Americans could be enjoying additional relief right now.

Republicans have made it clear since the summer that we were willing to compromise with Democrats on a new bill. All we asked was that Democrats come to the table with a reasonable proposal that could actually make it through both Houses of Congress.

But Democrats haven't been interested. Oh, sure, Speaker PELOSI has supposedly been working on an agreement with the White House for months. We constantly hear from the Speaker that a deal is getting closer, only to discover the next day that a deal isn't really close at all.

Let me tell you something. If you are the Speaker of the House and you really want to arrive at a compromise, it doesn't take you 3 months. It probably even doesn't take you 3 weeks.

Democrats have to know very well that there is no way for them to get a bill containing everything they want through both Houses of Congress, but Democrats could get some of what they want, and isn't something better than nothing?

Even if Democrats were right about the need for every penny of spending that they are calling for, wouldn't it be better to get some of that spending passed than to have nothing? To Democrats, apparently the answer is no.

In just a few minutes, the Senate will be voting on Republican coronavirus legislation. Our bill would provide more money for the hardest hit small businesses, more healthcare resources to fight the virus, and money to help schools reopen and operate safely—priorities that all of us, Democrats and Republicans, should be able to agree on. In theory, I am pretty sure we do agree on them. And yet all signs suggest that Democrats will filibuster this coronavirus relief legislation for the second time—even though passing this bill would get more money into the hands of small businesses and schools, even though this bill would provide additional funding for COVID testing and treatment.

Nevertheless, once again, Democrats will choose nothing—nothing—over something. Once again, Democrats will decide that if they can't get everything they want, it is better for Americans not to have anything.

I hope whatever perceived political gains Democrats are getting from their refusal to negotiate are worth denying help to the American people.

In a few minutes, Republicans will cast their votes in favor of COVID relief, and I invite rank-and-file Democrats to reject their leader's obstruction and join us on that vote.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, late last night the news flash was: Senator

MCCONNELL, Republican leader of the U.S. Senate, opposes COVID-19 relief bill and informs the White House.

Supposedly, it was a statement made by Senator MCCONNELL at his Republican lunch yesterday, and it was later confirmed by four Republican Senators who attended that that is what occurred.

Finally, it becomes public one of the things that has been suspected for a long time on this side of the aisle. You see, most of us have been paying close attention to the speeches by Senator MCCONNELL to try to gauge his interest in really coming back to help the American people.

We remember on March 26, when 96 to 0—96 to 0—the Senate voted for COVID relief in what was known as the CARES Act. It was a bipartisan measure responding to a national pandemic that was just starting to surface and an economy that was just starting to collapse.

Many people thought at the time that that would be the end of our journey, that we would do what is necessary, and put it behind us. And so the unemployment assistance, for example, ended on July 31 of this year. The PPP—the Paycheck Protect Program—ended in the middle of August. We were wrong.

The pandemic got dramatically worse, and the economy slumped even further. Millions more were out of work. Thousands were dying. More were infected. And we still are in a terrible battle now against this deadly virus.

So the obvious solution was for Congress to come back and help again. The first measure was good and I think helpful, but it wasn't enough. We needed more.

So NANCY PELOSI, the Democratic Speaker of the House, 5 months ago—5 months ago—in May passed a COVID relief bill to follow on from the original bill. She sent it over to Senator MCCONNELL 5 months ago, and he did nothing.

What he said was: I want to see if I feel a sense of urgency about the need for this bill—a sense of urgency.

Well, today 220,000 Americans have died. Americans are dying at a pace from this coronavirus that is unimaginable. Do you understand that the death rate from COVID in America is 2½ times the death rate in Canada? Do we realize the infection rate in the United States is five times what it is than Canada or Germany? Do we understand that with 4.5 percent of the world's population, we lead in COVID deaths than anywhere in the world?

The efforts to deal with COVID-19 have failed, and the American people know it. They are tired of this way of living, with these masks, but they know if they don't, they risk their health and the safety of others. They want this economy to come back to life. They want the kids to go back to school. But we can't move forward unless we have leadership, No. 1, and that

is what an election is all about; a plan, No. 2; and the resources to implement it.

What are the resources that Senator MCCONNELL believes are necessary to deal with this? When it comes to testing, \$16 billion for the Nation—\$16 billion.

We are currently testing 1 million people a day across the United States. We should be testing 14 million people a day if we are serious about contact tracing, if we are serious about reopening the economy.

So the Senator from Kentucky comes to the floor this morning and talks about the obstructionism of NANCY PELOSI. Obstructionism? Five months ago, she passed the COVID-19 relief bill and sent it to his desk, and he never once brought it to the floor for debate or a vote—not once. He mocks it and criticizes it day after day. He is afraid of voting before the U.S. Senate. So he comes up with an elaborate procedural scheme, which we will see in just a few minutes here, that basically wants to put together his package for COVID relief, but his package is missing so many key elements that we know will not respond to this national crisis. It is the old story of a man 30 feet from shore drowning, and someone stands by the shore and tosses him a 5-foot rope. It doesn't work. It doesn't reach. It doesn't save him.

The Chairman of the Federal Reserve, Jerome Powell, has told us that if we don't do something, there will be a tragic result in the American economy. If we pass a bill of the magnitude suggested by Speaker PELOSI, we have a chance of recovering by the end of 2021. If we don't, the Chairman of the Federal Reserve warns us—and others, as well—that we will slump into an even worse recession, even more unemployment, and even more businesses failing.

That appears to be what Senator MCCONNELL is prepared to accept, but we are not. Those of us set to deal with the real problems and challenges for Americans realize we need more than an effort of throwing a 5-foot rope to a man drowning 30 feet from shore. That is the McConnell approach.

As we take a look at the elements that are missing in the McConnell approach, they are lengthy. Virtually every State and local government in the Nation has seen a downturn in revenue because the economy contracted. We want to help these State and local governments survive to be able to overcome the need to layoff healthcare workers, teachers, firefighters, and police. That is what we believe, and that is what we include in our bill, not in the McConnell bill.

Housing. There is no funding for housing or rental assistance in the McConnell bill that he brought before us.

Economic stimulus. Remember the \$1,200 checks? There are no direct stimulus checks in the McConnell proposal. He says that we are holding out to help

the coastal elites. News flash, Senator MCCONNELL: Coastal elites don't qualify for these checks, nor should they. Ordinary people do, and your bill doesn't help them.

On unemployment, Senator MCCONNELL's bill cuts the benefits in half—the Federal benefits for unemployment. Then he puts in this provision—an incredible provision—that gives large companies immunity from liability if they do not take the necessary steps to protect their employees and customers. That is a high priority. The big shots do pretty well in Senator MCCONNELL's bill.

When it comes to testing, Senator MCCONNELL is prepared to spend \$16 billion, as I mentioned earlier. The bill we support has over \$57 billion for hospitals and healthcare clinics and \$75 billion for testing.

Nutrition. Senator MCCONNELL says we are just trying to help the blue-State billionaires. I have news for him: They don't qualify for SNAP benefits. And there is no SNAP benefit increase in the McConnell bill. We believe there should be. People are standing in line at food banks. America can do better.

Money to help the schools—we put more money into that than Senator MCCONNELL does.

There is help for the Postal Service, which has been hard-pressed by the current state of the economy.

We also have the Paycheck Protection Program, which we all agree needs to be there for small businesses.

I will just conclude by saying this. We have our chance now to work together on a bipartisan basis to help people who are counting on us. Senator MCCONNELL's approach has to be rejected. It is just an effort to find some cover politically so people can go home and say: Well, I voted for something. Let's do something that makes a difference in the lives of people and helps them. Let's deal with this coronavirus directly and let's help those who are suffering from job loss and struggling to make ends meet get through this crisis themselves. That is the responsibility we face, and it is one that I think we should face honestly.

I listened as my friend and colleague, Senator THUNE, said that we were holding America hostage with our position on the Democratic side. We are not holding them hostage. It was Senator MCCONNELL who refused to participate in the negotiations and still does. We have a bipartisan effort between the White House and Speaker PELOSI to solve this problem and come together again as we did in March. It is time for us to do it.

The President may say he is tired of COVID, but America can't be tired of COVID. We have to face it every single day and fight it every day. The Senate and Congress should help.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I concur with everything that our distinguished assistant leader has said.

We are in the middle of the most devastating health crisis in modern history, and the American people are paying a terrible price. Nearly 220,000 Americans have died in just 10 months. To put that in perspective, that is significantly more than the number of Americans who died in the Korean, Vietnam, Iraq, and Afghanistan wars combined—all of them.

Remember President Trump calling himself a “war President”? President Trump said he was a “war President.” Well, has he acted like one? No. He called the virus a hoax. He has been AWOL ever since.

Millions have lost their jobs. They are struggling to make ends meet. People are being evicted from their homes. They are living in their cars and in shelters or on the street. They are relying on the generosity of others, and the virus is still not remotely under control. The need for another comprehensive emergency funding bill to address the COVID crisis is obvious. It is urgent and has been for 5 months. And what is the Senate doing? Staging show votes on COVID relief bills that the majority leader knows will go nowhere. And then they go back on their word—both the majority leader and the chairman of the Judiciary Committee—on what they said a year ago, and they try to rush through the nomination of a Supreme Court Justice less than 2 weeks before the election, after millions of Americans have already voted.

So where are their priorities?

I know where mine are. They are with the families of the 220,000 Americans who have lost their lives to this virus. They are with the thousands of Vermonters and millions more across the Nation who lost their jobs during this pandemic. They are with the small business owners trying to stay afloat during this crisis. They are with the fathers and mothers wondering if they will be able to pay next month's rent or put food on the table, and they are with the children struggling to learn through Zoom calls and online classes. It is a national disaster, and it requires real solutions.

We need a comprehensive bill to address this problem. We can't do it with fig leaves or do it piecemeal, like Senator McConnell wants to do. We can't pass an inadequate bill today on the chance that maybe we will come back later and do what we should have done to begin with. That is not how it works. Everyone knows that.

We have one chance for the remainder of this year to get it right, and we owe it to the American people, everybody—I don't care if they are Republicans, Democrats, Independents—everybody—to try.

The majority leader staged a show yesterday. He didn't bring up a comprehensive proposal for COVID relief and open it for debate. He called for a process vote and only one part of it, the Paycheck Protection Program. Well, I support that program. We all

do. It is critical in keeping literally thousands of small businesses afloat. But take a look at this proposal. It falls flat. It ignores critical improvements to the programs that would be made by considering the Heroes Act—expanding access to all nonprofits, making critical-access hospitals eligible for PPP, and addressing arbitrary caps on various loan programs to help small businesses.

More importantly, it is providing more funding for these programs, and nothing else would even remotely solve the problems facing our country. The economy will not come back until the American people have confidence that the virus has been vanquished. We need more funding for the PPP program. We all agree with that. We need to fix that program and do so much more.

We have to invest more in testing. It needs to be based on a national testing and contact tracing strategy so we can quickly identify cases and isolate those who have been exposed. How many times do we have to say it? We need to develop a vaccine distribution program now so it can be up and running as soon as the vaccine is available. We have to provide personal protective equipment to those on the frontlines. We have to ensure our hospitals have the resources they need to take care of the ill. We need to keep our nursing homes safe and virus-free.

Doing targeted bills aimed at one sector is the way to avoid doing what is really needed. It picks winners and losers at a time when everyone is struggling. No matter how much aid we give to small business or airlines or to our struggling restaurant industry, our economy won't come back until the virus is under control.

We need a comprehensive bill, not the so-called McConnell “skinny” bill we are voting on today, which provides only \$500 billion of COVID relief, less than half of even what the Trump administration proposed just a month ago.

Look at the lines at food banks. They are skyrocketing during this crisis, but there is nothing in this bill for nutrition assistance. Look at the millions of Americans who are struggling to pay next month's rent or to keep up with their mortgage payments. Notwithstanding the wishful thinking of the President, this is a massive problem, and either the President doesn't know it or he doesn't care. Maybe it is both.

Today there are over 25 million Americans unemployed, compared to just 2 million at the end of January, and the unemployment assistance in this bill is totally inadequate.

There is nothing in the bill for State and local governments that are on the frontline fighting this virus. There is inadequate money for testing, education, and childcare; no funding for community health centers; no funding to fight this on a global level. We are not going to defeat this pandemic if we ignore what is happening outside of the United States. Americans can't safely

resume international travel and commerce.

I can go on. There is so much that is missing.

So what do they put in? They turn something over to the well-paid lobbyists of corporations by providing sweeping liability shields for corporate wrongdoers who have failed to do their part to keep employees, consumers, and patients safe. That tells you everything you need to know about what is in it. A special earmark for big corporations comes ahead of struggling American families.

We know it is not going to pass. It shouldn't pass. Let's start working and getting something that can be passed instead of this. The House passed the Heroes bill over 5 months ago, and they passed it again 3 weeks ago. Why don't we take it up and vote it up or vote it down? Let's have some votes. Let's make people stand up and see what they are really for. If we don't, then, democracy has failed the American people.

I remain hopeful that Speaker PELOSI and Secretary Mnuchin's talks will result in a comprehensive deal on COVID relief that will solve real problems in America. Speaker PELOSI has already shown a willingness to compromise, and the other side must do the same. If it does, Senator McConnell must commit to bring it to the floor for a vote immediately, even if he personally opposes it, or the majority of his caucus opposes it. That is the way democracies are supposed to work. The American people have waited long enough.

I yield the floor.

THE PRESIDING OFFICER (Mr. ROMNEY). The Senator from North Carolina.

Mr. TILLIS. Mr. President, I ask unanimous consent that I be allowed to finish my comments before the vote.

THE PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

PROTECT AND SERVE ACT

Mr. TILLIS. Mr. President, I rise today to speak on behalf of the brave and hard-working men and women of law enforcement across this Nation.

Last month, I talked about the dangerous consequences of inaction by the Senate if we didn't come to protect them. Unfortunately, since my last speech, four more law enforcement officers, men and women, have died—been murdered—in the line of duty. That is a 20-percent increase over the number last year.

That doesn't count the hundreds of police officers who have been injured in the line of duty, many of them still recovering from their wounds. The groundswell of violence against law enforcement is shocking, and it is our responsibility as Senators to act.

Enough is enough. Rather than support radical ideas like defunding and abolishing the police, the Senate should take the lead and pass meaningful legislation to protect law enforcement officers, increasing funding, improving training, and raising standards. That is why I again call on my