

on every court, both the Supreme Court and other courts in the land, and I have voted against some as well. I take the admonition of the Constitution seriously. I don't take a person's religion into account when I cast a vote when it comes to a judge, nor should anyone if they follow this Constitution.

One last point I would like to make that was clearly wrong: When it came to the scurrilous and disgusting attacks on the adopted children of this nominee, the Senator from Louisiana spoke up against them, and so did I on the Democratic side. They are unacceptable on either side of the aisle, and for any Senators to suggest otherwise tells me he did not listen to the hearing itself.

I condemn the attack on her family, and I repeat that condemnation on the floor of the Senate today. For that Senator to ignore that fact troubles me greatly. I count him as a friend. I hope when he reads the record of the actual proceedings before the Senate Judiciary Committee, he will come and clarify and correct his remarks.

#### CORONAVIRUS

Madam President, the last point I want to make—and I know we have a vote in a few minutes—is this: If you ask the American people “What is the business of the Senate for the next 5 days?” I don't think anyone, if they follow it closely, would ever guess the business that we are about.

We live in a country now where 222,000 people have died from this COVID-19 pandemic—222,000. Eight million have been affected. A country that represents 4.5 percent of the world's population, the United States counts for 20 percent of all the COVID-19 deaths in the world. Sadly, it is getting worse before it gets better.

In the State of Illinois, the Governor announced yesterday that because of the increased incidence of infection from COVID-19 in the four major counties surrounding the city of Chicago, we have to close down restaurants and other establishments. It is heartbreaking. I know what it means to these business owners. But it is also heartbreaking to read the numbers day in and day out of what this COVID-19 virus is doing in America—not just to the poor hapless souls who are infected and some dying but to the economy of this country.

Wouldn't you think that would be the focus of business on the floor of the U.S. Senate? Wouldn't you think that the Senate majority leader, Senator MCCONNELL from Kentucky, who controls the business of the floor, would make that job one for all of us and stick together on a bipartisan basis to come up with an agreement before we did anything else? Well if you guessed that, you are wrong, because for the next 5 days, we will be consumed with filling one Supreme Court vacancy. He is determined to fill that vacancy at any cost, including ignoring the major issue of our time, the major issue of

the moment—the pandemic, which affects this country so gravely.

We have lost 222,000 souls, sadly, in America, and it is estimated that it may reach half a million by January 1. What a heartbreak. And we are here spending 5 straight days not dealing with COVID-19 relief, not providing the testing that is needed, not providing unemployment benefits to those who lost jobs, not providing help to small businesses—no. We are focused on one nomination for one vacancy in the Supreme Court. As important as that may be in the ordinary scheme of things, we are not in the ordinary scheme of things. We are dealing with an extraordinary pandemic, which is causing grave damage to this country, to its families, and to our economy. The President may not take it seriously. Obviously the Senate Republicans don't take it seriously. If they did, they would be engaged.

I cannot explain or even imagine how he explains why Senator MCCONNELL refuses to sit down for the negotiations for COVID-19 relief. That is right. They have had negotiations that have involved Senator SCHUMER, Speaker PELOSI, Treasury Secretary Mnuchin, and the President's Chief of Staff, and Senator MCCONNELL refuses to attend those negotiations where they are trying to come up with a bipartisan measure to help us through this crisis. All he does is offer throwaway votes on the floor, take-it-or-leave-it votes on the floor that don't have any bipartisan route to them. They come to us because he wants to have a symbolic rollcall—a symbolic rollcall—for his Members to take home and say: Well, I tried.

No, you didn't try.

If for 5 straight days we do nothing about COVID-19 and focus exclusively on this nominee, how in the world will any Senator explain that was the American priority of the moment? It is not. The American priority of the moment is not this vacancy on the Supreme Court; it is the fact that there are vacancies in homes across America from 222,000 deaths in this country, and they continue apace every single day.

We ought to be coming together on a bipartisan basis. The person who should be leading us in the Senate is the Senate Republican leader. He does not, and as a consequence, we waste our moments here when they should be spent helping America with its highest priority.

I yield the floor.

#### VOTE ON MOTION TO PROCEED

The PRESIDING OFFICER. The question is on agreeing to the motion to proceed to legislative session.

The yeas and nays were previously ordered.

The clerk will call the roll.

The bill clerk called the roll.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Florida (Mr. RUBIO).

Mr. DURBIN. I announce that the Senator from California (Ms. HARRIS), the Senator from Alabama (Mr. JONES), and the Senator from Arizona (Ms. SINEMA) are necessarily absent.

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

The result was announced—yeas 45, nays 51, as follows:

[Rollcall Vote No. 210 Ex.]

#### YEAS—45

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

#### NAYS—51

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

#### NOT VOTING—4

Harris	Rubio
Jones	Sinema

The motion was rejected.

#### 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 Michael Jay Newman, of Ohio, to be United States District Judge for the Southern District of Ohio.

Mitch McConnell, Chuck Grassley, John Boozman, Lindsey Graham, Mike Crapo, Marsha Blackburn, Tim Scott, Roy Blunt, Mike Rounds, Pat Roberts, John Cornyn, John Thune, Todd Young, Lamar Alexander, John Hoeven, Thom Tillis, Cindy Hyde-Smith.

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 Michael Jay Newman, of Ohio, to be United States District Judge for the Southern District of Ohio, 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. DURBIN. I announce that the Senator from California (Ms. HARRIS), the Senator from Alabama (Mr. JONES), and the Senator from Arizona (Ms. SINEMA) are necessarily absent.

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

The result was announced—yeas 66, nays 31, as follows:

[Rollcall Vote No. 211 Ex.]  
YEAS—66

Alexander	Fischer	Perdue
Barrasso	Gardner	Peters
Blackburn	Graham	Portman
Blunt	Grassley	Risch
Boozman	Hassan	Roberts
Braun	Hawley	Romney
Brown	Hoeven	Rosen
Burr	Hyde-Smith	Rounds
Cantwell	Inhofe	Rubio
Capito	Johnson	Sasse
Carper	Kaine	Scott (FL)
Cassidy	Kennedy	Scott (SC)
Collins	Lankford	Shaheen
Cornyn	Leahy	Shelby
Cortez Masto	Lee	Sullivan
Cotton	Loeffler	Tester
Cramer	Manchin	Thune
Crapo	McConnell	Tillis
Cruz	McSally	Toomey
Daines	Moran	Warner
Enzi	Murkowski	Wicker
Ernst	Paul	Young

NAYS—31

Baldwin	Heinrich	Schatz
Bennet	Hirono	Schumer
Blumenthal	King	Smith
Booker	Klobuchar	Stabenow
Cardin	Markey	Udall
Casey	Menendez	Van Hollen
Coons	Merkley	Warren
Duckworth	Murphy	Whitehouse
Durbin	Murray	Wyden
Feinstein	Reed	
Gillibrand	Sanders	

NOT VOTING—3

Harris	Jones	Sinema
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The PRESIDING OFFICER. On this vote, the yeas are 66, the nays are 31.

The motion is agreed to.  
The Democratic leader.

NOMINATION OF AMY CONEY BARRETT

Mr. SCHUMER. Mr. President, this morning, the Judiciary Committee voted Amy Coney Barrett out in violation of its rules. The rules of the Judiciary Committee say, before you can vote a nominee to the floor, there must be two members of the minority. That has been obeyed by Democrats and Republicans for a very long time. I remember it in existence for all of the years I was on the Judiciary. Yet, typical of this Republican majority, when there were not two Democrats there, they just steamrolled the nominee through in violation of the rules. That has been typical. This whole thing has been a steamroller operation of one of the most important appointments we can all make—weeks before a Presidential election—of a nominee whose views, in the judgment of most Americans, are far away on healthcare, on reproductive rights, on labor unions, and on guns from where the average American is.

It is a steamroller, and this was in violation of the rules, which is not surprising given this rush to judgment—given this maniacal desire to get this nominee through before Americans vote. It is in violation of the rules.

POINT OF ORDER

Mr. President, I make a point of order that the Barrett nomination should not be placed on the Executive Calendar because it was reported in violation of the rules of the Senate Judiciary Committee.

The PRESIDING OFFICER. The nomination was reported in accordance with the Standing Rules of the Senate. The point of order is not sustained.

APPEAL RULING OF THE CHAIR

Mr. SCHUMER. Mr. President, I appeal the ruling of the Chair and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays are ordered.

The question is on the appeal of the ruling of the Chair.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

The PRESIDING OFFICER. The Chair wants to be clear about the question before the body.

The question is, On the appeal of the ruling of the Chair, shall the decision of the Chair stand as the judgment of the Senate?

The clerk will continue to call the roll.

The senior assistant legislative clerk continued with the call of the roll.

Mr. DURBIN. I announce that the Senator from California (Ms. HARRIS), the Senator from Alabama (Mr. JONES), and the Senator from Arizona (Ms. SINEMA) are necessarily absent.

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

The yeas and nays resulted—yeas 53, nays 44, as follows:

[Rollcall Vote No. 212 Ex.]

YEAS—53

Alexander	Fischer	Perdue
Barrasso	Gardner	Portman
Blackburn	Graham	Risch
Blunt	Grassley	Roberts
Boozman	Hawley	Romney
Braun	Hoeven	Rounds
Burr	Hyde-Smith	Rubio
Capito	Inhofe	Sasse
Cassidy	Johnson	Scott (FL)
Collins	Kennedy	Scott (SC)
Cornyn	Lankford	Shelby
Cotton	Lee	Sullivan
Cramer	Loeffler	Thune
Crapo	McConnell	Tillis
Cruz	McSally	Toomey
Daines	Moran	Warner
Enzi	Murkowski	Wicker
Ernst	Paul	Young

NAYS—44

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

NOT VOTING—3

Harris	Jones	Sinema
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The PRESIDING OFFICER. On this vote, the yeas are 53, and the nays are 44.

The Senate sustains the decision of the Chair.

The Senator from Oklahoma.

NOMINATION OF AMY CONEY BARRETT

Mr. LANKFORD. Mr. President, I spent some one-on-one time yesterday with Amy Coney Barrett. I had the opportunity to be able to ask her questions about agency deference, about religious liberty, and about the responsibility of the three branches of government and the separation of those. We spent time talking about antitrust laws, Tribal laws, and all sorts of things to walk through some things that were not covered in the hearing time.

I walked away even more impressed with her as a leader, her knowledge, her judicial temperament, her sense of responsibility, the awe that she is taking on this responsibility that the Nation would ask her to do.

It stands in stark contrast to some of the conversations I have had with some of my colleagues on the other side and from the hearings over the last week where, most of the time, my colleagues spent their time saying that people should be afraid of this mother of seven, that she is a terrifying individual who will take away your healthcare, who will take away your right to be able to destroy your unborn child if you choose to, that she is racist and that she is anti-woman, which I thought were the ultimate challenges to her as a woman herself, obviously, and when she was challenged over and over again about being a racist and a segregationist. She is the mother of a multiracial family.

It is a bizarre side-by-side to actually meet the actual person and to go through the law versus hearing the descriptions.

Amy Coney Barrett is a native of New Orleans, LA. She is the daughter of a lawyer and a teacher, the oldest of seven children. She has been married to her husband Jesse for 21 years. She herself is the mother of seven children, as I mentioned before—Emma, Vivian, Tess, John Peter, Liam, Juliet, and Benjamin. We got to watch them sitting behind her, quietly watching, proudly, their mom.

She graduated summa cum laude from Notre Dame Law School. After graduating from law school, she clerked for DC Circuit Judge Laurence Silberman and for Supreme Court Justice Antonin Scalia. She was challenged over and over again, with people saying: You are just like Scalia. She kept responding very calmly to people: "I have my own mind." She practiced both trial and appellate litigation.

Judge Barrett also worked for more than 15 years in academia. She was a distinguished legal scholar at the Notre Dame Law School, the University of Virginia School of Law, and George Washington University Law School. She published articles in the

Columbia, Virginia, Texas, and Cornell law reviews. Three graduating classes at Notre Dame Law have selected Judge Barrett as the Distinguished Professor of the Year.

In 2017, she was nominated by President Trump to serve on the Seventh Circuit Court of Appeals and was confirmed by this Senate with a bipartisan vote. Judge Barrett's colleagues at Notre Dame signed a letter supporting her 2017 nomination, calling her "a model of the fair, impartial and sympathetic judge." Since joining the U.S. Court of Appeals for the Seventh Circuit in 2017, Judge Barrett has participated in over 600 cases.

The ABA Standing Committee issued Judge Barrett a "well qualified" rating based on "the qualities of integrity, professional competence, and judicial temperament."

When confirmed, Justice Barrett will be the fifth woman to serve on the Supreme Court in its history. She will be the first mother of school-age children to serve on the Court. She will be the only sitting member of the Court to have graduated from a law school other than Harvard or Yale. She will also be the second sitting member of the Court to have been born in the South and only the second member in the Court's history to have been born in Louisiana. She will be the only sitting member of the Court to have served on the Seventh Circuit, which hears cases arising out of Illinois, Indiana, and Wisconsin.

During the Judiciary Committee hearings, we heard testimony from Laura Wolk, a former student of Judge Barrett's. It was remarkable testimony.

She said, in part:

[S]hould you confirm Amy Barrett, the country will receive something far greater than simply an unparalleled legal mind. The Supreme Court—and therefore all Americans—will gain the service of one of the kindest individuals I have ever known. Her brilliance is matched only by her compassion, and her honesty is beyond reproach.

I do not speak in mere abstractions. Rather, I have experienced these characteristics firsthand, with life-changing results. . . . Judge Barrett described a mentor who gave her a treasured book of literature to commemorate their relationship. Judge Barrett has now passed that torch onto me, giving me a gift of immeasurable value: the ability to pursue an abundant life with the potential to break down barriers so that I can leave this world a better place than I found it.

I could not agree more with her or with her colleagues and peers about her superb qualifications and preparedness to serve in this role. As an originalist and a textualist, her commitment to both the role of the Court and the rule of law are clear. To read her opinions from the perspective of the losing party demonstrates her fairness, her empathy, and her temperament as a judge.

Beyond her resume and accolades, her character, her commitment to faith and family, and her service to her students and the community should not go overlooked. Judge Barrett has my unqualified, full support, and I look

forward to voting for her nomination in the next few days.

With that, I yield the floor.

The PRESIDING OFFICER (Mr. BRAUN). The Senator from Maryland.

UNANIMOUS CONSENT REQUEST—S. 1060

Mr. VAN HOLLEN. Mr. President, every day we see more Americans dying from COVID-19 and more Americans contracting this virus. As of today, we have hit the awful mark of over 220,000 Americans dead from COVID-19, the highest death level in the entire world, and, with that, we are also experiencing the economic fallout and pain that has come with it.

It did not have to be this way. President Trump knew about this deadly virus early on, and he could have and should have acted. But even at this moment, there are things that this U.S. Senate can be doing to both stop the spread of the virus and ease the economic pain. We could be taking up and voting on the legislation that passed the House of Representatives called the Heroes Act, which is a comprehensive emergency relief package for the American people—both addressing testing and contact tracing and other issues to stop the spread of the virus and providing essential economic relief to American families, workers, and businesses that are struggling from the fallout.

But we haven't even had a chance to vote on that bill here in the U.S. Senate. The Heroes Act was passed by the House more than 5 months ago, and then, recently, the House passed a revised version called Heroes 2.0. We tried to get a vote on that just this past Tuesday here in the U.S. Senate. It was blocked by the Republican leader, Senator McCONNELL, and here we have 12 days to go until the election. Instead of focusing on that relief, we are trying to rush through and use an illegitimate process to put another Justice on the Court.

But there is something else that we should also be doing now instead of rushing a Justice on the Court, in addition to the Heroes Act, and that is defending the integrity of our democratic process and the integrity of our elections.

That is what brings me to the floor today because we have, of course, a few days to go—12 days, to be exact—to get to the election. Yet it has been years—not just 1 year, not just 2 years, not just 3 years—years when some of us have been pushing to enact legislation here to defend against foreign interference in our elections—Russian interference, which we have known about since 2016, and interference from other adversaries.

So, yesterday, we heard from the Director of National Intelligence that there are foreign actors interfering in our elections and attempting to disrupt our process—Russia and Iran. Well, the question for the U.S. Senate is not the issue of whether we were going to have foreign interference. The question for the U.S. Senate is, Why did we sit back

and do nothing about it for 3 years—for 3 years?

Senator RUBIO and I introduced a bipartisan bill. It is called the DETER Act, which is very straightforward. It says that if we catch Russia and Putin interfering in our elections again, there will be automatic, swift sanctions, so if you are Vladimir Putin and you are thinking about interfering in our elections, you will know there will be a certain price to pay. Right now, it is cost-free to the Russians and cost-free to other adversaries.

Our bill called for the executive branch to put together a plan to respond and establish upfront penalties not just for Russian interference but for interference from any adversary. That is the way you deter interference in the first place. You can't stop interference if there is no cost to be borne by the adversary seeking to disrupt your process. That is pretty simple.

We have used the idea and concept of deterrence in many other cases to try to keep the peace. Yet, here we are, talking about safeguarding our democracy by putting in place a very simple mechanism to say to anyone who wants to undermine faith in the democratic process or support a particular candidate—as Russia did in 2016 and as they have worked to do over the last couple of years in favor of President Trump—to put in place a process where they know if they get caught, they will be punished, and I don't mean punishing a few oligarchs. I am not talking about punishing a few bureaucrats who may be responsible for actually doing the disruption, but creating penalties on the Russian economy—the banking sector, the energy sector—because we all know that you don't have Russian bureaucrats and intelligence officials interfere in our elections without the green light from the very top, and that is true of other adversaries who seek to interfere in our elections.

So the real question is, Why do we continue to see stonewalling on this simple legislation? Why does the Trump administration continue to oppose it? And why doesn't the Senate do its job as an independent body, supposedly, to protect the integrity of our elections?

Here is what President Trump said just a few years ago in Helsinki when he was side by side with President Putin. President Trump said:

My people came to me—Dan Coats came to me and some others—they said they think it's Russia. I have President Putin; he just said it's not Russia.

I will say this: I don't see any reason why it would be. . . . I have confidence in both parties.

Then he went on to say:

I have great confidence in my intelligence people, but I will tell you that President Putin was extremely strong and powerful in his denial today.

This was years ago, yet we hear from our intelligence officials that Russia is still interfering. We heard that just yesterday and that other adversaries are interfering.

But the Trump administration didn't want to do a damn thing about it, and, unfortunately, this body has been complicit in doing nothing—doing nothing—to seriously protect the integrity of our elections. We have to keep asking ourselves the question why we would leave ourselves defenseless. The only thing you can keep going back to are these continuing statements by President Trump talking about how he respects his friendship with Vladimir Putin and President Trump's actions time and again favoring the Russian position.

We have a last-minute opportunity here. There are 12 days to go before our election. Let us, finally, in light of the information we got yesterday and the information we have gotten on a monthly basis, let us, as the U.S. Senate, at least say today: If we catch you, Russia, if we catch you, Iran, we don't care who you are, if you are an adversary interfering in our elections, there will be a price to pay.

That was a bipartisan idea more than 2 years ago. We still get a lot of lip-service in favor of it here on a bipartisan basis. But when it comes to actually doing something about it and holding a vote, time and again we are denied that opportunity.

What is interesting is when this issue came up just last year as part of the national defense authorization bill, we had a motion on this floor to instruct the conferees from the House and the Senate that as part of the Defense authorization bill, we thought it was important to also protect our democracy from interference. We said that you should include a provision like the DETER Act. But as soon as that got behind closed doors, there was a furious effort by the Republican Senate leader and the Trump administration to prevent that from happening. I had numerous conversations with my colleague from the House side, the chairman of the Armed Services Committee, and it was opposed by the administration and opposed by the Republican Senate.

So here we are. Nobody should be surprised by what we heard yesterday. The surprise for the American people has got to be: Why the hell didn't we do anything about this for 3 years? We brought everybody together after 2016. I remember we lined up all the intelligence officials, including recent appointees by President Trump, and they all told us what had happened in 2016. Everybody said we are going to work really hard to stop it from happening in 2020. Yet one thing that we could do to make it clear upfront that there would be a price to pay, we have not done. Shame on the U.S. Senate for not moving forward.

There are 12 days left. The clock is ticking. Let's finally take action so at least our adversaries will know that there will be a price to pay if they continue in these final 12 days to try to interfere in our election process.

Mr. President, as if in legislative session, I ask unanimous consent that the

Committee on Banking, Housing, and Urban Affairs be discharged from further consideration of S. 1060, the DETER Act, and the Senate proceed to its immediate consideration. I further ask unanimous consent 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.

The PRESIDING OFFICER. Is there objection?

The Senator from Idaho.

Mr. CRAPO. Mr. President, reserving the right to object, this morning the Senate Judiciary Committee reported out Judge Amy Coney Barrett's nomination to the U.S. Supreme Court. I was proud to vote for her in committee.

Unfortunately, my friends on the other side of the aisle decided to boycott the executive session. In addition, each day, the Democratic leader has attempted to adjourn the Senate.

They say that the Senate should not be working on the nomination of Amy Coney Barrett, and that it is delaying work on COVID relief. Now we hear today that we are delaying work and not even engaging in any response to the election interference that we knew 4 years ago occurred and which, as my colleague said, nobody should be surprised that we heard again that there are efforts on election interference by Russia, by Iran, and others.

Yesterday, there were three different live unanimous consent requests like this to bypass committees and immediately pass legislation without debate or amendments. These motions to adjourn and take-it-or-leave-it requests are a fight over the Senate floor schedule rather than building the necessary bipartisan support to pass needed legislation.

We are told that we haven't done anything for 4 years, turning to focus specifically on the question of election interference. The reality is that we have already signed into law the Countering America's Adversaries Through Sanctions Act—or CAATSA—the BRINK Act; the Hong Kong Autonomy Act that substantially expanded sanctions on Russia, North Korea, and China; and the White House, in addition, has taken steps to use its IEEPA authority to impose additional targeted sanctions on those who attempted to interfere in the U.S. election.

We are told we aren't doing anything to work on the COVID relief package. My colleague from Maryland mentioned that they tried to pass the Heroes Act here in the Senate through a similar tactic that we are seeing today with regard to the DETER Act. What he didn't point out was that twice we have tried to bring forward a \$500 billion COVID relief package on the floor of this Senate only to have the effort to even move to the bill rejected by our colleagues on the other side. And we tried to bring forward the PPP Act just 2 days ago, only to have that act

stopped by our colleagues on the other side of the Senate who now tell us that we aren't trying to pass legislation to help deal with COVID relief.

The reality is that we won't accept—without debate or amendment—their take-it-or-leave-it proposals, and we need to get a bill on the floor to start dealing with these things.

Let's go back to election interference because I found it just remarkable that the claim is made that when we passed major legislation—with over 90 Senators on this floor voting for it—that put specific sanction authority and sanctions on Russia for election interference, for its aggression in Crimea, and for its other aggressive behavior around the globe—particularly its cyber security violations—and we have been implementing sanctions for that entire period of time. I just want to review a little bit of it.

On top of it, as I indicated, the President has used his IEEPA authority for additional sanctions activity. The President signed an Executive order that allows for sanctions on any nation or individual who authorizes, directs, or sponsors interference in our elections.

The National Defense Authorization Act, signed by the President last year, included numerous provisions designed to strengthen our deterrence against foreign interference.

The President has taken a strong stand against Russia for its malign activities, including imposing sanctions on more than 300 separate Russian-related targets through 32 distinct actions; imposing sanctions against 7 Russian oligarchs, their 12 companies and 17 senior Russian government officials; establishing rolling designations to strengthen sanctions in response to Russian aggression against Ukraine and Russian efforts to evade sanctions on North Korea, Syria, Iran, and others; imposing sanctions against 16 entities and individuals, including affiliates of the Russian Internet Research Agency for their roles in Russian interference in our elections; imposing sanctions against three individuals and five entities in Sudan assisting the IRA financier, Prigozhin, in evading previously imposed sanctions; designating three additional IRA actors for supporting the IRA's crypto currency accounts; imposing sanctions on Russian-related oil brokers for their role in assisting the circumvention of sanctions against Venezuela; expelling 60 Russian intelligence officers from the United States. And the list goes on. The argument that this administration and this Senate have done nothing is simply false.

Let's just talk a little more about election interference. The administration here, domestically, has taken unprecedented action to bolster the security of our elections and to counter foreign malign influence. President Trump signed into legislation passed by this Senate that spent more than \$1.2 billion in the States for election

security, infrastructure strengthening, and technological enhancements.

The President funded the formation of the Election Infrastructure Information Sharing and Analysis Center, a center which helps share security information with elected officials across all 50 States and more than 2,400 local and territorial electoral offices.

The administration has conducted hundreds of cyber security assessments at no cost to election officials and provides vulnerability reports on a weekly basis.

The administration has traveled the country to hold exercises in training with State and local election officials and their private sector partners to improve and test their ability to prepare for and respond to cyber incidents.

The administration has held multiple national-level tabletop-to-vote exercises with thousands of State and local election officials and private sector partners nationwide.

The administration has provided tailored security guidance to nearly 6,000 local election jurisdictions.

Under President Trump, the administration has pushed to increase the security of elections through auditable paper ballots, and now more than 92 percent of the voters in the general election will cast their ballots with an auditable paper record.

I could go on and on about this, but the bottom line is, yes, we do need to work and continue to be alert—and my colleague from Maryland knows that I am willing to work on these issues—but we can't just continue to have these take-it-or-leave-it, no-amendment, no-opportunity-for-change unanimous consent requests in the context of the obstruction effort being undertaken right now to try to delay and interfere with a vote on Amy Coney Barrett.

We can work on all of these issues. I invite my colleagues on the other side to vote yes the next time we try to bring a COVID relief bill to the floor.

Because of these reasons, I object.

The PRESIDING OFFICER. The objection is heard.

The Senator from Maryland.

Mr. VAN HOLLEN. Mr. President, I thank my colleague for the comments, but to suggest that this is a fight over the schedule and not an effort to protect our elections from what we know is an ongoing and continuing imminent threat, I believe, misses the point entirely.

He mentioned that this is a take-it-or-leave-it proposition. I would suggest that the Senate has already taken this because we voted unanimously last year, as part of the Defense authorization bill, to adopt this provision as part of our national defense to defend our democracy. Every single Senator voted—or no one came forward to object at that time. Yet here we are 12 days out from election, no action taken. We get this report yesterday about foreign interference, and nobody should say: Oh, we are shocked there is

foreign interference in our election going on. The shocking thing is we haven't done enough.

I appreciate him listing some of the actions the administration took about particular Russian individuals, oligarchs, but as you know, and as we know, the DETER Act is not aimed at just punishing particular bureaucrats and apparatchiks who are obeying the orders of President Putin. The whole idea is to deter President Putin by making him understand that he and his country will pay a price if they interfere by sanctions on the banking sector and on the all-important energy sector in Russia.

In order to stop interference, we need to do two things: We need to harden our systems at home. My colleague mentioned some of the actions that have been taken to do that. I will remind my colleagues that Democrats put forward the proposal for more resources for State and local governments to harden those defenses, and it was only after a big fight and lots of opposition from the Republican leader here in the Senate that we were able to get those funds. Additional funds have been sitting in the Heroes Act which passed the House 5 months ago and yet nothing.

In the proposal put forward the other day by the Republican leader, there was no more money to harden our defenses. But hardening our defenses is not enough. What you want to do is prevent the attacks in the first place, prevent the interference in the first place. And so long as that is cost-free to Vladimir Putin or any other adversary, they are going to go for it. They have got nothing to lose. They have got everything to gain by sowing more unrest and lack of confidence here.

So the way to deal with that is the DETER Act. And the Senate agreed, at least with that unanimous vote a little while ago, and then nothing happened. Yet, we got report after report from our intelligence community that—no surprise—we have this ongoing interference.

The Senator mentioned all these actions the Trump administration has taken. Obviously, Vladimir Putin didn't get the message. He didn't get the message. Taking pinprick actions after the fact isn't going to scare off Vladimir Putin or any of our adversaries. The only way to get them to focus and stop interfering is to say now, up front, that if you cross this wire, if you trip this threshold and interfere in our elections in certain substantial ways, it is going to hurt—not just somebody in the bowels of your bureaucracy or one intelligence officer or five or ten, but it is going to hurt, and you are going to feel the pain in your country.

So I must say I remain incredibly disappointed that, even at this late hour, we are unwilling, as a body, to take this very important action, just as we have been unwilling to act on the Heroes Act, both the first version and the second version.

I think, as my colleagues know, the Democratic leader has proposed that we adjourn subject to being called back for the purpose of acting on a bipartisan agreement, which we would all like to see, on a COVID-19 response bill but something which the Republican Senate leader has said he is unwilling to pursue, even the contours of an agreement that have been discussed between Speaker PELOSI and the administration. The majority leader continues to block that, and we continue to see today blocking a measure to protect our democracy with 12 days to go before November 3.

So, again, I think we are going to rue the day that we weren't clear, up front, that the United States is going to stand up and protect its democratic process.

I yield the floor.

Mr. CRAPO. Mr. President, just to briefly respond.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. CRAPO. Mr. President, first of all, the notion that there has been blockage of a deal on this side is news to me. The notion that we did not accept the Heroes Act from the House is not news. Trying to put the Heroes Act on the floor of the Senate without the opportunity for debate or amendment is also not the right way to try to build bipartisan legislation for a deal.

I also find it incredible that this administration's actions sanctioning Russia are considered to be a pinprick in comparison to whatever greater sledgehammer is supposedly needed.

The CAATSA legislation that I referenced, which was passed in the first year following the election of President Trump, which President Trump signed and supported, was a massive increase in American sanction authority against Russia—and North Korea, by the way—and has been utilized more by this President than any sanction authority that any other President has ever had. The sanction regime that we are putting in place today against Russia is designed to go aggressively at election interference. The argument that nobody is doing anything is simply wrong.

Now, I stand ready to work to build even stronger sanction regimes that can work without destroying our own economy or work without destroying our own industry in different sectors, which is part of the problem with the bill that is being proposed without amendment here today. But we need to recognize that the accusations that this administration and this Senate do not take election interference seriously when we passed the most significant, sweeping legislation that has ever been passed in this country to deal with it—and that there is no effort to try to work on the COVID relief package—is just part of, frankly, the political attack of the day.

I am sorry. This is simply wrong. If we want to work together on either of these two issues or other issues, we can

on this floor, but we can't do it by these kinds of motions to adjourn and unanimous consent requests to bring bills to the floor and pass them without amendment. It is just not the way. And my colleague knows this is the kind of thing that Republicans and Democrats do. They want to bring attention to their legislation. But that is not the way you build a bipartisan agreement that can actually become law.

Mr. VAN HOLLEN. Mr. President, I will be very brief in response.

This is a bipartisan bill. It has bipartisan cosponsorship. We have been working for 3 years. We have made changes. And the proof that everything we are doing right now is not working is the fact that we just had the DNI say we continue to have Russian interference and other interference in our election. That is why we have to do something.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. Mr. President, I have enjoyed the colloquy here between our colleagues on election interference. I am privileged to serve on the Senate Select Committee on Intelligence that has undertaken a 3½-year-long investigation of the election interference that occurred in 2016, and I think the five-volume report of the Select Committee on Intelligence—bipartisan report—is indicative of the seriousness with which we all treat this subject.

But I appreciate the Senator from Idaho, the chairman of the Banking Committee, for his comments, for refreshing all of our memories about the huge amounts of money that we have spent in assistance to State and local election authorities, as well as the good work being done by the Department of Homeland Security to help them secure their networks against cyber attacks, as well as other elements of the U.S. Government, including our intelligence community, the National Security Agency, and others.

This is important work, but I agree with him—this is not how we actually build bipartisan consensus here, by coming and asking for unanimous consent without going through the appropriate procedures and, frankly, the hard work that it takes to build consensus.

#### NOMINATION OF AMY CONEY BARRETT

Mr. President, on another matter, today the Senate Judiciary Committee advanced the nomination of Judge Amy Coney Barrett to serve on the Supreme Court.

Throughout her hearing last week, Judge Barrett wowed America and certainly my constituents in Texas with her impressive knowledge of the law and her clear understanding about the limited but important role that judges play in our Republic.

She followed the precedent set down by Ruth Bader Ginsburg, the so-called Ginsburg rule, and refrained from answering questions on how she would rule in future cases or commenting on

contentious political issues. I think she was correct to do so. We shouldn't embroil judges in the political controversies that we debate here. Judges are not policymakers, primarily. They are certainly not accountable to the voters. They have lifetime tenure. That is why their responsibilities are limited but important at the same time. Nor by asking her questions back in 2017 about her religious beliefs, whether she is an orthodox Catholic, having to listen to statements like "Well, the dogma lives loudly within you" because she is a woman of faith, suggesting that somehow she would violate her oath as a judge and impose her own views instead of the law from the role—from the bench.

Well, I think Judge Barrett took all of us to school a little bit and reminded us very clearly that it is a judge's job to impartially apply the law as written, whether it is the Constitution itself or the laws that Congress passes. She not only stated her commitment to this most basic principle, but she also has a record to back it up. During her time on the Seventh Circuit Court of Appeals, Judge Barrett has sided with her colleagues 95 percent of the time in more than 600 cases.

It is no surprise that the American Bar Association, which the minority leader has called the gold standard, gave Judge Barrett its highest rating, saying she is well qualified to serve on the Supreme Court. But we all knew that.

As I looked around the room during the first day of questioning, I noticed all the binders that people like me and my other colleagues had—notebooks, piles of paper, books, reference books on both the desks of Republican and Democratic members of the committee. If my colleagues' materials preparing for this historic hearing were anything like mine, they included previous decisions by Judge Barrett, academic writings, letters of support, and detailed background information about her career.

But I noted that, as Judge Barrett was answering our questions, she seemed to be doing so without even glancing down at any notes. So I asked Judge Barrett—I violated the No. 1 rule that you learn as a lawyer not to ask a question you don't know the answer to. I did it anyway because I had a hunch. I asked her to hold up the notepad sitting in front of her to show us what materials she had been using during the hearing. It was a memorable moment. She held it up and smiled, and it was blank. I think that spoke volumes about her competency, her preparation, her intelligence—all things that would commend her confirmation.

Well, with each question she answered, Judge Barrett demonstrated her vast knowledge of the law. She made clear she understood, as I said, the limited role of judges, and she showed compassion and heart as she poured herself into her work each and every day.

Numerous Senators have noted that, under ordinary circumstances, a nominee like this would get overwhelming support, but unfortunately these aren't normal circumstances. Our colleagues on the other side made clear from the get-go that, for them, this confirmation process wasn't even about the nominee or her qualifications. They attempted to hijack the hearing and use it for—well, it is a harsh word, but it is true—fearmongering.

Last week's hearing was like split-screen TV. On one half, Republican Senators asked the judge about her judicial philosophy, prior rulings, and a range of constitutional doctrines. On the other half, our Democratic colleagues delivered monologues about ObamaCare—about a future case that she may be called upon to participate in. They attempted to convince the American people that if she was confirmed, she would somehow take away their healthcare. Well, that is, at bottom, an insult to the judge. It somehow presumes that she is essentially auditioning for the job based on her ruling in a future case. That would violate every aspect of a judge's oath.

As Judge Barrett noted, judges don't make policy pronouncements; they decide cases. And she very carefully described the case that is pending in front of the Supreme Court. It is not about ObamaCare writ large; it is about a technical doctrine called severability: If one part of a statute is deemed unconstitutional—and this one, I believe, is, the individual mandate, because we zeroed out the penalty under the Tax Cuts and Jobs Act—the question is, Does the rest of the legislation—does the rest of ObamaCare stand, or does it all have to be struck down?

Well, she noted that there had been a number of cases decided recently by the current Supreme Court that seemed to treat severability with particular care. Indeed, as a scholastic, as an academic, I think she and others noted that it is not exactly appropriate for judges to go out and strike down statutes except to the extent that they are unconstitutional.

They said: If she is not coming for your healthcare, she will serve corporate interests, destroy the environment, somehow chip away at our liberties.

These are nothing but baseless scare tactics and stunts from our Democratic colleagues. The latest one came this morning, when they actually boycotted the Judiciary Committee vote on Judge Barrett. They couldn't even be bothered to show up and vote against the nominee they claim is a threat to our democracy. So do you know what? Judge Barrett was confirmed unanimously by the Senators present today.

Instead, in their chairs, they had large photographs, much like we have seen at sports arenas and ballparks in the wake of the pandemic, since we have had to socially distance. You can't have a large crowd at the ballpark. So people have these cutouts.

That is what it looked like in the Judiciary Committee today.

As I said, because of their antics, because of this stunt, Senator GRAHAM asked for unanimous consent to proceed with the markup, and, of course, there was no objection because any potential objector had voluntarily absented themselves.

The truth of the matter is, Judge Barrett's qualifications speak louder than the unsubstantiated claims made by her opposition. She graduated at the top of her class from Notre Dame Law School. She held two prestigious clerkships, including on the Supreme Court. She has litigated in the trenches before transitioning into academia, where she wrote and taught constitutional law, about our Federal courts and statutory interpretation. And, as I said, for the last 3 years, she has put all of that great experience and training to work on the Seventh Circuit.

This is an exceptional judge with a clear record of faithfully and impartially applying the law, and she will bring additional value to the U.S. Supreme Court.

One of the things I thought was so remarkable is that Judge Barrett is also an incredible role model. I think her elevation to the highest Court in the land should be an encouragement to young women who aspire to professional success and as a great role model on how to balance what we all try to figure out how to balance, which is your professional and your personal life. She and her husband do a marvelous job with their seven children, both being full-time professionals.

If confirmed, she would be the first mother of school-aged children to serve as a Justice and only the fifth woman to serve on the high Court. She would also be the first Justice on the current Court with a degree from a law school other than Yale and Harvard and bring much needed educational diversity to the bench.

Judge Amy Coney Barrett will serve our country well on the high Court, and I have full faith in her ability to faithfully and impartially apply the law as written.

I want to thank Chairman GRAHAM for leading a fair and respectful hearing. The ranking member, Senator FEINSTEIN, made that observation, and I thought that was very generous and civil of her. I would note that many of the more radical folks on the left have attacked Senator FEINSTEIN for her civility, and they are just wrong. I think she remains a good role model for all of us. We can have our disagreements without being rude or uncivil or disagreeable. I think Senator FEINSTEIN is a model for that.

I am proud to support Judge Barrett's nomination in the Judiciary Committee, and I look forward to voting for her next week on the Senate floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. MURPHY. Mr. President, there are a lot of inscriptions—famous words,

inspirational sayings—that are detailed into and painted onto the walls of the Capitol. One of my favorites, which I think also happens to be one of the shortest, adorns a wall, I believe, on the way into the House Chamber. The saying is attributed to Alexander Hamilton, and it reads, simply: Here, Sir, People Govern.

Here, Sir, People Govern. It is purposeful that that quote finds its way onto the walls of the Capitol Building because this is the branch of government that is given primacy by our Founders. It is no coincidence that we are the article I branch. Governing—the process of setting the rules by which the country lives—is supposed to happen here, in the article I branch, the elected wing of American democracy.

But as all of my colleagues know, there has been very little governing here happening of late. This Congress—this Senate—has been effectively dead. Here in the Senate, half the normal bills have been passed during this Congress, compared to normal years, and nearly one-third of that legislation that we have finished has just been renaming postal buildings or authorizing commemorative coins. In fact, over the last 2 years, the Senate has spent floor time on a grand total of 20—20—pieces of legislation that weren't routine or emergency spending measures. That is less than one bill a month. We are getting paid \$170,000 a year to work on one substantive piece of legislation every 30 days.

Now, perhaps you could intellectually reconcile this legislative desert if there were no problems to solve in America, if not a single major change in law was necessary. That, of course, is not the case. A pandemic disease has killed over 200,000 Americans. An opioid crisis that rages largely unchecked took another 70,000 lives last year, just in drug overdoses alone. One out of 10 Americans are out of work today. Wildfires and hurricanes and droughts, caused by a man-made warming of the planet, ravage our landscape. No, there are really big problems that need to be solved—deadly problems, existential problems.

I keep searching for the reason that no legislation is happening here, especially since the Senate does actually seem to be doing something. I mean, I am here voting most weekdays. So we must not be totally out of business. No, in fact, the Senate has been doing something, and that something is confirming judges to a record number of vacancies in the Federal court system.

Those record vacancies were created by Senator MCCONNELL, who refused—refused—to confirm any judicial nominees, including to the Supreme Court, during President Obama's final 2 years in office. And the primary reason that Senator MCCONNELL has stopped passing legislation and has turned this institution into a judge-confirming simple machine is because the modern Republican Party currently owns a policy

agenda that is about as popular as a pair of wet socks.

More people without health insurance and higher rates? Nobody wants that. Easier access for dark money to influence Congress? Not very popular. Less regulation of financial companies and polluters? No, few people out there are clamoring for that. The criminalization of abortion? Not a big groundswell in America. The elimination of the firearms background check system? Yes, pretty much everybody hates that idea too.

You see, no parts of that agenda can actually pass Congress. Certainly not now, with Democrats in charge of the House. But they couldn't even get it done when they had control of the Senate, the House, and the White House. They spent months trying to repeal the Affordable Care Act, for instance, but because Republicans figured out that they would all lose their seats if they repealed the law, they gave up and walked away.

Frankly, they gave up on it all, not just because they feared the electoral backlash—no, also because they found another way to get their agenda done. You see, Republicans found another place for that Alexander Hamilton quote. It turns out that they can't—or they don't want to—govern here. But they found a way to get another branch of government, insulated almost completely from popular opinion, to implement their world view. They want that inscription—Here, Sir, People Govern—to move to a building a block away, on the other side of First Street—the U.S. Supreme Court.

With the elevation of Amy Coney Barrett to that Court, Republicans will have completed their methodical, careful surgical procedure—the transplant of American rule setting from the abdominal cavity of this building to that of the building across the street.

I want to explain what I mean by this, but, first, let's just lay down an obvious predicate about the process that brought us to this moment. It is important. Senate Republicans were not telling the truth, as it turned out, when they said in 2016 that they believed the Senate shouldn't confirm a Supreme Court Justice in the final year of a President's term. Shocker—they didn't actually mean what they said. They said it, in 2016, to try to put some lazy, razor-thin veneer of intellectual legitimacy on their refusal to let President Obama fill a vacancy on the Supreme Court, as was his duty and right under the Constitution. But we know now that their obstruction of Merrick Garland was, of course, just a simple, naked, anti-democratic, anti-constitutional power grab.

They should have just admitted it then because at least it would have avoided the mind-blowing hypocrisy of this sudden, stunning reversal of position. Now, suddenly, all of a sudden it is OK to confirm a Justice in the last year of a President's term—in the last few months of an election, while people

are actually voting, as it turns out. Of course, it is, because all that matters here now is power. We get that. We will remember. The rules have changed. The Republicans changed them. You went back on your word. And it makes this whole process lack legitimacy.

It is important to stipulate that, but it is an insufficient explanation, admittedly, of my opposition to Amy Coney Barrett, because the consequences of this nomination go far beyond the downward spiral upon which Republicans have placed this institution. No, the real travesty here is that transplant of lawmaking from here to the Supreme Court and what it is going to mean for regular people out there when 5 of 300 million Americans—5 people who are unelected and totally unaccountable to popular opinion—start changing the rules under which we all live because the rule changes they support and their political movements support are so wildly unpopular that they couldn't be passed in Congress. So they had to be enacted over in the Supreme Court.

Seventy times since the passage of the Affordable Care Act, Republicans have tried to gut all or part of the law. Thirty-one times the Republicans tried to repeal it in its entirety. They shut down the entire Federal Government for 2 weeks, trying to strong-arm Democrats to acquiesce to their demands to end health insurance for 20 million Americans. But all 31 times, they failed—most spectacularly, of course, in the summer of 2017.

So, having failed here at this political imperative, Republicans turned to the courts. Senator CORNYN kind of explained what they did for you in his remarks just before mine. He said, Republicans put into the 2017 tax bill a relatively small change to the Affordable Care Act that opened it up to judicial assault. Then, not coincidentally, Republican attorneys general, joined by President Trump, sued to invalidate the entire law because of that one small change. Senator CORNYN talked about severability. That is not what the plaintiffs in the case, including President Trump, are asking for. They are asking for that change in law to bring down the entirety of the ACA, and President Trump confirmed that, once again, today in an interview on "60 Minutes."

A Republican-appointed judge ruled for Trump at the district court, and then a Trump-appointed, McConnell-confirmed judge provided the decisive vote at the appeals court in favor of striking down the law. Now that entire law is up for legal challenge at the Supreme Court, and—surprise—the hearing to invalidate the entirety of the Affordable Care Act is in 3 weeks.

You wonder why we are rushing through this nomination in record time. Amy Coney Barrett, who has already stated on the record that she thinks the law, even before the changes in the tax bill were made, is unconstitutional, has been selected specifically

in order to be the fifth vote to invalidate the Affordable Care Act.

That is not conspiratorial thinking. That is the President's word. He has said he is not going to put people on the Supreme Court unless they do the opposite of what John Roberts did.

The same goes for Neil Gorsuch and Brett Kavanaugh. They have all been picked for the Court because of their willingness to bend the law and the Constitution, through this riotously flexible doctrine called originalism, to comply with Republican requests of the Court. This new crowd of jurists that are trained, midwived, and championed by Republican political associations like the Federalist Society are brought up through the farm system and up to the majors to do one thing, to win games for the franchise—the pro-corporate, anti-worker, modern Republican Party.

Really, Coney Barrett's confirmation is just the final act of this plan to make the Supreme Court do what the Republican Congress couldn't—in this case, end the Affordable Care Act and the insurance it provides for 23 million Americans and the protections that it gives to 130 million Americans with preexisting conditions.

I love this argument that Republicans use that all of a sudden we shouldn't worry about what is about to happen on the Supreme Court, that it is all a construction of our imagination that there is some effort under way to invalidate the Affordable Care Act.

I didn't just wake up yesterday. I have been in Congress since the passage of the Affordable Care Act. I have watched the methodical, daily, unending campaign of Republicans to strike down the entirety of the Affordable Care Act. I watched them make the change to the tax law when they couldn't repeal it through Congress. I then watched mainstream Republican attorneys general all together, en masse, bring a case to invalidate the entire law. I watched the Trump administration break with precedent and join that suit, arguing against his own government's position.

Now I have watched this Senate elevate three people to the Supreme Court who have been brought up through that same political movement and will vote to end those protections in the Affordable Care Act. My eyes have been opened these last 10 years. I know what is going on, and so do the American people.

Joe is a constituent of mine from East Haven. He says:

After working for decades, I was one of millions laid-off due to the covid-19 economic disaster. Not only was my livelihood destroyed, but my health insurance disappeared along with it. I am not old enough for Medicare nor young enough to feel secure without health insurance. Private insurance and COBRA are simply too expensive for the average middle class individual who now has no income. The ACA is my only option for healthcare coverage.

Margaret from Enfield, CT, says:

My husband had a near fatal heart attack 2 years ago. He has recovered but requires

on-going monitoring. He now has a "pre-existing condition." He was laid off from his job . . . six weeks ago [a job he had for 28 years]. We have no income, and [we have] to pay . . . to have his health care continued. Without the ACA, we would not only have no income, but also no health insurance. We would be destitute trying to pay his health care bills.

Imagine 23 million people losing health insurance in the middle of a pandemic. But that is why we are rushing through Amy Coney Barrett's nomination—because there is this chance, finally, to grab the brass ring, to get rid of the Affordable Care Act. If you don't get Amy Coney Barrett on the Court by the time that hearing happens in 3 weeks, it makes that effort a lot harder.

Healthcare isn't the only area of our daily lives that will be changed if Amy Coney Barrett turns the Supreme Court into a new legislative body. Let me take you down another rabbit hole: the use of the Supreme Court to rewrite the Nation's firearm laws.

The National Rifle Association's vice grip over Congress is nearly over. Evidence of that comes from the 2017–2018 legislative session, when the NRA controlled both Houses of Congress, had their man sitting in the Oval Office, and they had priorities, but they couldn't get any of them called up for a vote. Then, in 2018, 30-plus NRA A-rated House Members were removed from office by their voters and replaced by supporters of measures like universal background checks and bans on AR-15s. NRA-sponsored measures can't even get a vote in a Republican Congress anymore because they are so unpopular.

But just like ACA repeal, the window, though it is closed here to weaken our Nation's gun laws, remains open on the Supreme Court. Once again, it is time to abandon legislative action and for Republicans to turn to the Court.

Amy Coney Barrett represents the vanguard of the new, radical, out-of-the-box pro-gun industry thinking on the definition of the Second Amendment. It is the kind of radical, new thinking that is necessary if one wants the courts, rather than the legislature, to invalidate background checks laws, something an elected body could never, ever, ever do, what with 90 percent of the Americans supporting universal background checks.

Amy Coney Barrett's opinion in *Kanter v. Barr* is a sight to behold, really. In it, she argues it is unconstitutional for a legislature to prohibit felons from owning a gun. She says the Second Amendment guarantees certain felons the right to own firearms, even though 90 percent of Americans think otherwise.

What she writes to back up her view is even more radical, even more dangerous. She says that courts, not the legislature, should be the finder of fact on whether a person is too dangerous to own a gun. And she says that the courts can overturn any gun restriction if they find evidence that refutes the efficacy of the law.



Basically, she is saying the courts are now going to micromanage our gun laws. She believes the Second Amendment puts the courts, not the legislature, in charge of choosing who can own a weapon and who can't. That is, of course, a curiously convenient view for a Republican Party that would love to weaken our gun laws but can't do it through Congress. Now—surprise again—the Supreme Court rides to the rescue.

This, of course, would be devastating for the safety of Americans if criminals could once again buy guns. Last week, I was spending time with Janet Rice, whose son Shane was killed just a few blocks from my house in Hartford. An argument over a girl turned deadly when one angry young man went to the front seat of his car and grabbed an illegal weapon, likely bought through a loophole in the background checks system, and used it to shoot Shane in the back.

Weaker background checks systems mean more illegal weapons, more suicides, more domestic violence murders, but they probably mean higher profits for the NRA's members.

Let's move on to one last priority of Republicans that is stuck, that can't move, in the legislative branch: more power and influence for dark money political groups.

No Member of the Senate who wants to run for reelection in this body would ever introduce a piece of legislation allowing anonymous billionaire donors to gain more influence over the political process. That would be career suicide. No one in America supports that. But these dark money groups are a boon for Republicans because most of the billion-dollar interests that want to influence elections—like the oil and gas industry, for instance—support Republican candidates.

Once again, the Supreme Court becomes that back door to get rules put in place that advance a Republican political interest that could never get enacted by Congress. Amy Coney Barrett will join five other Justices who will all likely rule that most regulations of campaign finance laws, like our Federal and State laws restricting the size of donations to campaigns, are constitutionally invalid.

The Court has already ruled that the Constitution protects a corporation's right to spend limitless amounts of political money. That is just the beginning. Billionaires want all of our campaign finance laws eviscerated, and that new radical, out-of-the-box thinking on the First Amendment suggests that day is coming if Amy Coney Barrett does what is expected of her and joins other ultraconservatives on the Court to strike down our remaining campaign finance laws.

Here, Sir, People Govern. That is what the inscription says on the walls of the U.S. Capitol. It used to be true. Now the inscription should probably read "Here, Sir, People Confirm" because now, with an activist, rule-set-

ting, norm-busting Supreme Court, there is really no need for Republicans to pass laws anymore. The Coney Barrett Court will do all the lawmaking Republican interests require. And, frankly, if Democrats win this November, that same Coney Barrett Court will just invalidate any attempts that Congress tries to make to expand the Affordable Care Act or pass universal background checks or protect voters' access to the polls.

I get it. I know it feels weird to hear somebody like me describing Amy Coney Barrett as extreme because she doesn't look extreme; she doesn't talk in extreme tones. But, really, look at what she stands for: the elimination of the Affordable Care Act, the right of felons to own guns, the interpretation of a Constitution to allow for the flood of billionaire money into politics. Those are extreme views. Do you know why I know that? Because none of that—the repeal of the ACA, the invalidation of our background checks system, the erosion of campaign finance laws—none of that could pass Congress even when the most partisan Republicans were in charge of all of the relevant lawmaking institutions here. That agenda was so unpopular, so marginal, that even a Republican Congress and a Republican President wouldn't touch it in the end.

But over there at the Supreme Court, that is now the place where people will govern after Amy Coney Barrett is rammed through in the quickest confirmation process in modern history, an abomination of a process that makes a mockery of the Senate and the Constitution. Over there, that will become the new power in American democracy, and we are all worse off for it.

I will oppose Amy Coney Barrett's nomination.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

#### NOMINATION OF MICHAEL JAY NEWMAN

Mr. PORTMAN. Mr. President, at 4:20 p.m. today, which is in about 5 minutes, we are going to vote on a Federal judge. We are going to vote on whether to confirm Judge Michael Newman to be the next Federal judge for the Southern District of Ohio.

I have known Mike Newman for over three decades, and he is an excellent choice for this role. He is an active member of the legal community in Ohio and is particularly active in his community of Dayton. He is also involved nationally. He was the first magistrate judge ever to be appointed national president of the Federal Bar Association, through which he created an impressive national civics program to allow young people, including a lot of young people in the Southern District of Ohio, to meet with Federal judges. He started and presides over the Southern District of Ohio's Federal Veterans Treatment Court, which has helped more than 70 veterans with PTSD and opioid addiction. I have seen the court in action.

Mike is doing a great job. In fact, this year, he was selected to receive the Ohio State Bar Foundation's Ritter Award, which is a lifetime service award given to one lawyer or judge in Ohio every year to recognize a long-term commitment to ethics, professionalism, and integrity. That is Mike.

Judge Newman is the right choice for this important seat in his having served the community of Dayton with honor and distinction, and I am confident he will do the same in this new role. I urge my colleagues to, in a moment, strongly support his confirmation.

#### NOMINATION OF AMY CONEY BARRETT

Mr. President, of course, this week, we are also continuing to consider an important nomination of another Federal judge—Seventh Circuit Judge Amy Coney Barrett—to fill the Supreme Court vacancy.

Yesterday, I had the chance to sit down one-on-one with Judge Barrett to ask her questions and follow up on what I thought was an impressive performance before the Senate Judiciary Committee. Even before our meeting, what I knew about Judge Barrett suggested she would be a good candidate for this important role. Based on what I heard in our meeting, it is clear to me she is not only well qualified to serve on the Court but that she is also a great listener and has the right understanding of what the Court's role is. She will be a terrific Supreme Court Justice. I believe she also understands the need to address the lack of faith in our institutions in this city, including the Court, and is willing to play an important role in helping to rebuild trust.

Importantly, she reiterated to me what she said in the committee, which is that she has a commitment to interpret the text of the Constitution and the laws as they are written rather than through the lens of her own policy and personal preferences. I appreciate that modest approach. It leaves the legislating to the representatives, who have been elected by the people, rather than to the unelected judges. Of course, we are also all inspired by her personal story and her commitment to her faith, to her family, and to her profession.

Let's be honest. During normal, less partisan times, this woman would be confirmed overwhelmingly. I believe she is an excellent choice. I commend the President for nominating her, and I strongly support her confirmation to the U.S. Supreme Court.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

#### CORONAVIRUS

Mr. PORTMAN. Mr. President, while we have another minute, let me just say on another topic, which is the coronavirus pandemic, I am deeply disappointed that yesterday we had another vote here on the floor of the Senate wherein we offered legislation which passed by a majority of the Senators but not the supermajority needed that simply focused on the coronavirus

pandemic and the economic consequences of it. Unbelievably, it was blocked. In other words, we were not able to move forward because the Democrats were not willing to at least get on the issue and begin to discuss and debate the issue. This is sad to me.

We are not out of the woods yet either in terms of the economy or in terms of the pandemic. In fact, we are in the third phase now of the pandemic in many of our States, including in mine, Ohio. We need help. This legislation had that help—as an example, \$30 billion-plus for a vaccine. We need that funding to be able to get a vaccine as quickly as possible. We need money for therapies, money for our schools, and money for small businesses to be able to keep their doors open.

I am concerned that we are not using the same bipartisan approach we used four other times in this Chamber to help deal with the coronavirus pandemic.

I yield the floor.

VOTE ON NEWMAN NOMINATION

The PRESIDING OFFICER. All postcloture time has expired on the Newman nomination.

The question is, Shall the Senate advise and consent to the Newman nomination?

Mr. LANKFORD. Mr. 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. DURBIN. I announce that the Senator from California (Ms. HARRIS), the Senator from Alabama (Mr. JONES), and the Senator from Arizona (Ms. SINEMA) are necessarily absent.

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

The result was announced—yeas 67, nays 30, as follows:

[Rollcall Vote No. 213 Ex.]  
YEAS—67

Alexander	Fischer	Peters
Barrasso	Gardner	Portman
Blackburn	Graham	Risch
Blunt	Grassley	Roberts
Boozman	Hassan	Romney
Braun	Hawley	Rosen
Brown	Hoeven	Rounds
Burr	Hyde-Smith	Rubio
Cantwell	Inhofe	Sasse
Capito	Johnson	Scott (FL)
Carper	Kaine	Scott (SC)
Cassidy	Kennedy	Shaheen
Collins	Lankford	Shelby
Cornyn	Leahy	Sullivan
Cortez Masto	Lee	Tester
Cotton	Loeffler	Thune
Cramer	Manchin	Tillis
Crapo	McConnell	Toomey
Cruz	McSally	Warner
Daines	Moran	Wicker
Enzi	Murkowski	Young
Ernst	Paul	
Feinstein	Perdue	

NAYS—30

Baldwin	Cardin	Durbin
Bennet	Casey	Gillibrand
Blumenthal	Coons	Heinrich
Booker	Duckworth	Hirono

King	Murray	Stabenow
Klobuchar	Reed	Udall
Markey	Sanders	Van Hollen
Menendez	Schatz	Warren
Merkley	Schumer	Whitehouse
Murphy	Smith	Wyden

NOT VOTING—3

Harris	Jones	Sinema
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The nomination was confirmed.

The PRESIDING OFFICER. The majority leader.

MOTION TO RECESS

Mr. MCCONNELL. Mr. President, I move to recess and ask for the yeas and nays.

The PRESIDING OFFICER. The question is on agreeing to the motion. 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. DURBIN. I announce that the Senator from California (Ms. HARRIS), the Senator from Alabama (Mr. JONES), the Senator from Virginia (Mr. Kaine), and the Senator from Arizona (Ms. SINEMA) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber wishing to vote or to change their vote?

The result was announced—yeas 53, nays 43, as follows:

[Rollcall Vote No. 214 Ex.]  
YEAS—53

Alexander	Fischer	Perdue
Barrasso	Gardner	Portman
Blackburn	Graham	Risch
Blunt	Grassley	Roberts
Boozman	Hawley	Romney
Braun	Hoeven	Rounds
Burr	Hyde-Smith	Rubio
Capito	Inhofe	Sasse
Cassidy	Johnson	Scott (FL)
Collins	Kennedy	Scott (SC)
Cornyn	Lankford	Shelby
Cotton	Lee	Sullivan
Cramer	Loeffler	Thune
Crapo	McConnell	Tillis
Cruz	McSally	Toomey
Daines	Moran	Warner
Enzi	Murkowski	Wicker
Ernst	Paul	Young

NAYS—43

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

NOT VOTING—4

Harris	Kaine
Jones	Sinema

The motion was agreed to.

MORNING BUSINESS

TRIBUTE TO PAUL IGNATIUS

Mr. MCCONNELL. Mr. President, next month, our country will salute the life and achievements of former

Secretary of the Navy Paul Ignatius as he celebrates his 100th birthday. I would like to join Paul's family and friends in recognizing his years of leadership and service to our country.

The son of Armenian immigrants, Paul completed his undergraduate studies at the University of Southern California. There, he entered the Phi Kappa Tau brotherhood, the same college fraternity I would later join at the University of Louisville. Paul's achievements on campus were just the beginning of his remarkable life.

Like so many other members of the Greatest Generation, Paul put his life on hold to serve in uniform during World War II. He interrupted his studies at Harvard Business School to enlist in the U.S. Navy and was commissioned as a lieutenant. As an aviation ordnance officer, Paul served aboard the escort aircraft carrier USS *Manila Bay* in the Pacific.

Returning home after 4 years in the Navy, Paul completed his MBA at Harvard and began a successful career in the private sector. However, our country would call on him once again. When it did, Paul was ready to answer.

In 1961, Secretary of Defense Robert McNamara asked Paul to serve as Assistant Secretary of the Army. He agreed and began 8 years of prominent leadership in the Pentagon under both President John F. Kennedy and President Lyndon B. Johnson. Paul served in several capacities, including Assistant Secretary of Defense for Installations and Logistics. Finally, in 1967, Paul was chosen to lead the same Navy he joined as a lieutenant more than two decades before.

Paul left the Pentagon and began new ventures in journalism, philanthropy, and scholarship. He has earned several honors and awards for the lasting impacts of his leadership. Last year, Paul received a premier recognition for a Navy veteran and leader. He joined his successor, Secretary of the Navy Richard V. Spencer, at a commissioning ceremony of the USS *Paul Ignatius*, an Arleigh-Burke class guided-missile destroyer.

So it is a privilege to join those paying tribute to Paul Ignatius' lifetime of accomplishments for our Armed Forces and our Nation. As he celebrates his 100th birthday, appropriately on Veterans Day, I wish him the very best. On behalf of the Senate, I extend my sincere gratitude for his service.

REMEMBERING JOHN MCNAMARA

Mr. DURBIN. Mr. President, Winston Churchill famously said: "If you're going through hell, keep going." Persevere, don't give up. It is good advice.

Here is another bit of good advice for weathering hard times: Look to a brighter future, but also study the past. Look at how others before you have triumphed over similar difficulties, and learn from their example.

During these hard, pandemic times, leaders and communities—and anyone,