

room. In their place, were the reminders of what is ultimately at stake in this nomination—the fundamental rights of the American people. It is not Democrat or Republican or who did this when and who did that when. It is the rights of the American people, what America needs and what Judge Barrett has stood for on these issues in the past that is ultimately what matters.

On the seats of those Democratic members were photographs of Americans whose lives would be devastated if a Justice Barrett delivers the decisive vote to strike down the Affordable Care Act, ripping away healthcare from tens of millions of Americans and eliminating protections for more than 130 million Americans with preexisting conditions.

You could imagine, alongside their faces, the faces of women who cherish the right to make their own private medical decisions, the faces of LGBTQ Americans who want to marry whom they love and not be fired for who they are, the faces of American workers who are breaking their backs to make ends meet and need their union to help them get a better wage, the faces of young people who know that the planet is in peril in their lifetimes.

I hope that when Republican Members of the Senate think about this nomination, they will think about those faces and what this nomination means to them, the hundreds of millions of Americans who will lose rights and fundamental things they need to make their lives better because of this nomination. It is not about qualifications. It is about what the American people need and want and will an unelected body take those rights away from them.

So I hope my colleagues will think about that. Take a moment. Take a moment to think about it, and then think about what it says about this sham of a process and the passion that we on this side of the aisle feel about protecting those people's rights, that we were forced to take the extraordinary step of refusing to participate in this process, because while they may realize it or not, our Republican majority's monomaniacal drive to confirm this Justice in the most hypocritical, the most inconsistent of circumstances will forever defile the Senate and, even more importantly, curtail the fundamental rights of the American people for generations to come. Democrats will play no part in that.

#### MOTION TO POSTPONE NOMINATION

Mr. President, I move to indefinitely postpone the Barrett nomination.

#### MOTION TO TABLE

Mr. President, I move to table the motion to indefinitely postpone the nomination.

I ask for the yeas and nays.

The ACTING PRESIDENT pro tempore. Is there a sufficient second?

There appears to be a sufficient second.

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 result was announced—yeas 53, nays 44, as follows:

[Rollcall Vote No. 218 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	Wicker
Enzi	Murkowski	Young
Ernst	Paul	

#### 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 motion was agreed to.

The ACTING PRESIDENT pro tempore. The Democratic leader.

#### MOTION TO RECOMMIT

Mr. SCHUMER. Mr. President, I move to recommit the Barrett nomination to the Committee on the Judiciary.

#### MOTION TO TABLE

I move to table the motion to recommit, and I ask for the yeas and nays.

The PRESIDING OFFICER (Mr. HAWLEY). Is there a sufficient second?

There is 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 result was announced—yeas 53, nays 44, as follows:

[Rollcall Vote No. 219 Ex.]

#### YEAS—53

Alexander	Cramer	Hyde-Smith
Barrasso	Crapo	Inhofe
Blackburn	Cruz	Johnson
Blunt	Daines	Kennedy
Boozman	Enzi	Lankford
Braun	Ernst	Lee
Burr	Fischer	Loeffler
Capito	Gardner	McConnell
Cassidy	Graham	McSally
Collins	Grassley	Moran
Cornyn	Hawley	Murkowski
Cotton	Hoeven	Paul

Perdue	Rubio	Thune
Portman	Sasse	Tillis
Risch	Scott (FL)	Toomey
Roberts	Scott (SC)	Wicker
Romney	Shelby	Young
Rounds	Sullivan	

#### 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 motion was agreed to.

The PRESIDING OFFICER. The Democratic leader.

#### MOTION TO ADJOURN

Mr. SCHUMER. Mr. President, I move to adjourn and to then convene for pro forma sessions only, with no business being conducted, at 12 noon on the following dates, and that following each pro forma session, the Senate adjourn until the next pro forma session: Tuesday, October 27; Friday, October 29; Tuesday, November 3; Friday, November 6. Further, that if there is an agreement on legislation in relation to the COVID pandemic, the Senate convene under the authority of S. Res. 296 of the 108th Congress. Finally, that when the Senate adjourns on Friday, November 6, it next convene at 4:30 p.m., Monday, November 9, and that following the prayer and the pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed.

The PRESIDING OFFICER. That motion would require consent. It is not in order.

Mr. SCHUMER. Mr. President, I appeal the ruling of the Chair, and I move to table the appeal.

#### VOTE ON MOTION TO TABLE

The PRESIDING OFFICER. The question is on the motion to table the appeal.

Mr. SCHUMER. 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 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 New Hampshire (Mrs. SHAHEEN), and the Senator from Arizona (Mrs. SINEMA) are necessarily absent.

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

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