



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 116<sup>th</sup> CONGRESS, SECOND SESSION

Vol. 166

WASHINGTON, FRIDAY, OCTOBER 23, 2020

No. 182

## Senate

(Legislative day of Monday, October 19, 2020)

The Senate met at 12 noon and was called to order by the Honorable JOHN KENNEDY, a Senator from the State of Louisiana.

### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal King, You are great and marvelous. You alone are God. Without Your wondrous deeds, our Nation and planet could not survive. You continue to perform wonders on our behalf, rescuing us from ourselves.

Lord, teach our lawmakers Your precepts so that they may walk in Your truth, experiencing the reverential awe that comes when You are near. Provide them with the inspiration and knowledge that will bring peace and stability to our land. May we not conceal our sins but confess and forsake them. Sovereign God, keep our Senators on the path of wisdom.

We pray in Your mighty Name. Amen.

### PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. GRASSLEY).

The assistant legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, October 23, 2020.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the

Senate, I hereby appoint the Honorable JOHN KENNEDY, a Senator from the State of Louisiana, to perform the duties of the Chair.

CHUCK GRASSLEY,  
President pro tempore.

Mr. KENNEDY thereupon assumed the Chair as Acting President pro tempore.

### RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

### LEGISLATIVE SESSION

#### PROTECT ACT—MOTION TO PROCEED

Mr. MCCONNELL. Mr. President, I move to proceed to legislative session and I ask for the yeas and nays.

Motion to proceed to Calendar No. 554, S. 4675, a bill to amend the Health Insurance Portability and Accountability Act.

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

Mr. SCHUMER. I suggest the absence of a quorum.

### QUORUM CALL

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll and the following Senators entered the Chamber and answered their names:

[Quorum No. 2 Ex.]

Alexander  
Barrasso  
Blackburn  
Blunt  
Boozman  
Braun  
Burr  
Capito  
Cassidy  
Collins  
Cornyn  
Cotton

Cramer  
Crapo  
Cruz  
Daines  
Enzi  
Ernst  
Fischer  
Gardner  
Graham  
Grassley  
Hawley  
Hyde-Smith

Inhofe  
Johnson  
Kennedy  
Lankford  
Lee  
Loeffler  
McConnell  
McSally  
Murkowski  
Paul  
Perdue  
Portman

Risch  
Roberts  
Romney  
Rounds  
Rubio  
Sasse

Schumer  
Scott (FL)  
Scott (SC)  
Shelby  
Sullivan  
Thune

Tillis  
Toomey  
Wicker  
Youn

The ACTING PRESIDENT pro tempore. A quorum is present.

### VOTE ON MOTION TO PROCEED

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

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

There is a sufficient second.

### RECOGNITION OF THE MINORITY LEADER

The Democratic leader is recognized.

### NOMINATION OF AMY CONEY BARRETT

Mr. SCHUMER. Mr. President, the Republicans, as we all know and as the Nation knows, are running the most partisan, most hypocritical, and least legitimate process in the history of Supreme Court nominations. That is why I suggested the absence of a quorum. We are not going to have business as usual.

I yield the floor.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk called the roll.

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

The ACTING PRESIDENT pro tempore. Are there any other Senators in the Chamber desiring to vote?

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

[Rollcall Vote No. 215 Leg.]

### YEAS—53

Alexander  
Barrasso  
Blackburn  
Blunt  
Boozman  
Braun

Burr  
Capito  
Cassidy  
Collins  
Cornyn  
Cotton

Cramer  
Crapo  
Cruz  
Daines  
Enzi  
Ernst

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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Fischer	Loeffler	Rubio
Gardner	McConnell	Sasse
Graham	McSally	Scott (FL)
Grassley	Moran	Scott (SC)
Hawley	Murkowski	Shelby
Hoeven	Paul	Sullivan
Hyde-Smith	Perdue	Thune
Inhofe	Portman	Tillis
Johnson	Risch	Toomey
Kennedy	Roberts	Wicker
Lankford	Romney	Young
Lee	Rounds	

## NAYS—43

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

## NOT VOTING—4

Booker	Jones
Harris	Sinema

The motion was agreed to.  
The ACTING PRESIDENT pro tempore. The majority leader.

## EXECUTIVE SESSION

## EXECUTIVE CALENDAR—MOTION TO PROCEED

Mr. MCCONNELL. Mr. President, I move to proceed to executive session to consider Calendar No. 890 and ask for the yeas and nays.

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

There is a sufficient second.

The Democratic leader.

Mr. SCHUMER. Mr. President, now, I believe the Senate majority is on the precipice of making a colossal and historic mistake. By rushing this nomination through the Senate only 8 days before a national election, after 50 million Americans have already voted, the Republican majority is steering the Senate, the Supreme Court, and the country in a very dangerous direction. The damage to Americans' faith in these institutions could be lasting.

So before we go any further, we should shut off the cameras, close the Senate, and talk face-to-face about what this might mean for the country.

We need to restore public trust in our institutions, not continue to undermine it. The Senate majority may have the power to confirm this nomination before the election, but that does not make it right. Might does not make it right.

We ought to have a candid conversation, Senator-to-Senator, in which we truly listen to each other before it is too late. So I am making a motion to move to closed session.

## MOTION TO GO INTO CLOSED SESSION

Mr. SCHUMER. Mr. President, in accordance with rule XXI, I now move that the Senate go into closed session.

The ACTING PRESIDENT pro tempore. Is there a second?

Mr. DURBIN. I second the motion.

The ACTING PRESIDENT pro tempore. The motion having been made and seconded, the Senate will go into closed session.

The Chair, pursuant to rule XXI, now directs the Sergeant at Arms to clear all Galleries, close all doors of the Senate Chamber, and exclude from the Chamber and its immediate corridors all employees and officials of the Senate who, under the rule, are not eligible to attend the closed session and who are not sworn to secrecy.

The question is not debatable.

Pursuant to rule XXIX, I authorize the Secretary's desk staff and her Deputies and the Assistant Secretaries for the majority and minority to remain in the Chamber during the closed session.

The doors will be closed.

People who are not authorized to be here will please leave the Chamber.

(At 12:55 p.m., the doors of the Chamber were closed.)

(At 1:15 p.m., by a vote of 53 to 44, the doors of the Chamber were opened, and the open session of the Senate was resumed.)

## VOTE ON MOTION TO PROCEED

The ACTING PRESIDENT pro tempore. The question is on the motion to proceed to executive session to consider Calendar No. 890, the nomination of Amy Coney Barrett to be an Associate Justice of the Supreme Court of the United States.

The yeas and the nays were previously ordered.

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 ACTING PRESIDENT pro tempore. Are there any other Senators in the Chamber desiring to vote or change their vote?

The result was announced—yeas 51, nays 46, as follows:

[Rollcall Vote No. 217 Leg.]

## YEAS—51

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)
Cornyn	Kennedy	Scott (SC)
Cotton	Lankford	Shelby
Cramer	Lee	Sullivan
Crapo	Loeffler	Thune
Cruz	McConnell	Tillis
Daines	McSally	Toomey
Enzi	Moran	Wicker
Ernst	Paul	Young

## NAYS—46

Baldwin	Cardin	Duckworth
Bennet	Carper	Durbin
Blumenthal	Casey	Feinstein
Booker	Collins	Gillibrand
Brown	Coons	Hassan
Cantwell	Cortez Masto	Heinrich

Hirono	Murphy	Stabenow
Kaine	Murray	Tester
King	Peters	Udall
Klobuchar	Reed	Van Hollen
Leahy	Rosen	Warner
Manchin	Sanders	Warren
Markley	Schatz	Whitehouse
Menendez	Schumer	Wyden
Merkley	Shaheen	
Murkowski	Smith	

## NOT VOTING—3

Harris	Jones	Sinema
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The motion was agreed to.

## EXECUTIVE SESSION

## EXECUTIVE CALENDAR

The ACTING PRESIDENT pro tempore. The clerk will report the nomination.

The legislative clerk read the nomination of Amy Coney Barrett, of Indiana, to be an Associate Justice of the Supreme Court of the United States.

The ACTING PRESIDENT pro tempore. The majority leader.

## CLOTURE MOTION

Mr. MCCONNELL. Mr. President, I send a cloture motion to the desk.

The ACTING PRESIDENT pro tempore. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

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 Amy Coney Barrett, of Indiana, to be an Associate Justice of the Supreme Court of the United States.

Mitch McConnell, John Thune, Joni Ernst, Cindy Hyde-Smith, Marsha Blackburn, Roy Blunt, Shelley Moore Capito, Roger F. Wicker, Lindsey Graham, David Perdue, Chuck Grassley, James M. Inhofe, Tom Cotton, John Hoeven, Mike Crapo, Richard Burr, Lamar Alexander, Ben Sasse.

The ACTING PRESIDENT pro tempore. The majority leader.

Mr. MCCONNELL. Mr. President, colleagues, in my first experience with Supreme Court confirmations in the Senate, I was a young staffer for a junior Member of the Judiciary Committee. That was also the same time I met a young guy named LAMAR ALEXANDER, who had just left the Senate to go to the White House to work in Congressional Affairs. So I have had an opportunity for quite a long time to observe the confirmation process through various ups and downs—periods when nominees were confirmed almost overwhelmingly and periods during which they were heated, to put it mildly, contests over the nomination.

What I think you can safely say about the Senate over the last 40 or 50 years is that it is in an assertive period. In other words, viewing the whole process as a joint thing, the President has a role to play, and the Senate has a role to play. And at various times in the history of our country, the Senate has been pretty passive about it; at

other times, they have been pretty aggressive about it. But the Constitution is clear: The Senate has a role if it chooses to exercise it.

Rarely have we ever had a nominee as extraordinary as the one we have before us right now. We have had a chance to witness this outstanding nominee. We have watched her in committee. She has demonstrated she has the deep legal expertise, dispassionate judicial temperament, and sheer intellectual horsepower that the American people deserve to have on their Supreme Court.

Last week, we saw why fellow legal scholars called Judge Barrett “a brilliant and conscientious lawyer who will analyze and decide cases in good faith,” and they say she is “tailor-made”—tailor-made—“for this job.”

We saw why her former law clerks—her students—call her “a woman of unassailable integrity” and “a role model for generations to come.”

We saw why the American Bar Association—an institution the Democratic leader has called the gold standard—the gold standard—deemed Judge Barrett “well qualified” to sit on the Supreme Court. And they heard why the legal professionals behind that rating called her—listen to this—“a staggering”—staggering—“academic mind.”

The chair of the ABA Standing Committee on the Federal Judiciary told the committee directly that “in interviews with individuals in the legal profession and community who know Judge Barrett, whether for a few years or decades, not one person”—not one, not one—“uttered a negative word about her character.”

This outstanding nominee is exceptionally suited to this job, period. And I know we all know that. She is an exceptional nominee to the Supreme Court who will make the Senate and the country exceedingly proud.

There are few of us around here who have experienced the last 30 years up close and personal, and I am one of them. Others of you have followed parts of history from the outside, and now you are making history.

It is a matter of fact, a matter of history, that it was Senate Democrats who first began our contemporary difficulties with judicial nominations back in 1987 and who have initiated every meaningful escalation—every single one of them—from then up to the present day. Every escalation was initiated by the other side.

In 1987, Ted Kennedy and his friends introduced the country to Robert Bork’s America—the first effort to smear a fully qualified judicial nominee based on insulting, apocalyptic scare tactics. Even some of the people who were directly involved in “Borking” Bork—Democrats, by the way—say they regret that low moment and what it has unleashed in the years since.

In the early 2000s, it was Democrats who very willfully invented a brandnew

strategy to make judicial ideology, and not just qualifications, an acceptable criteria for tanking Presidential nominees.

I remember reading in the early part of Bush 43’s first term a seminar that was convened by my friend the Democratic leader, and he invited a couple of scholars—Laurence Tribe and Cass Sunstein—to come talk to him about the appropriateness of beginning to use every single tool in the toolbox to stop judicial nominations.

It was always possible to filibuster judges; it just wasn’t done. I mean, there are plenty of things you could do that you don’t do; it just simply wasn’t done.

The best example of that was the Clarence Thomas nomination. There couldn’t have been a more controversial nomination than that one. The chairman of the Judiciary Committee, Joe Biden, and Ted Kennedy sitting next to him—it was about as aggressive as it gets. It made, in some ways, the Bork treatment look like child’s play. The committee reported out Justice Thomas with an even vote—even. And as we all know around here, it only takes 1 of 100 Senators to make you get 60—just 1—only 1 to get the Senate in a place where you have to get 60 votes.

The tradition of dealing with the judicial nominees with a simple majority was so strong that not 1 Democrat—not 1—required 60 votes on Clarence Thomas. In case you don’t remember, the vote on this confirmation was 52 to 48. One Senator out of 100 could have denied Clarence Thomas his career on the Supreme Court. That is how strong the tradition was of dealing with the Judiciary in a simple majority way.

Well, in Bush 43, my colleague, the Democratic leader, at this meeting, apparently, with Cass Sunstein and Laurence Tribe—I am paraphrasing, I am sure—was predicting all of these crazy rightwing judges were going to be sent up by Bush 43, and we ought to use every tool in the toolbox, whether it was used before or not, to stop judicial nominees.

So Democrats used the brandnew tool, the partisan filibuster, to block one Bush nominee after another whose qualifications nobody even disputed.

In her own confirmation hearing years later, for example, now-Justice Elena Kagan went out of her way to say that Miguel Estrada—a name some of you may not be familiar with, who got here recently—would have been qualified to sit on the DC Circuit. She said he even would have been qualified to sit on the Supreme Court. He became the poster child for this new process invented by the Democratic leader and his colleagues to routinely filibuster judges. It was written, the suspicion was, that it might provide for Bush 43 the opportunity to name the first Hispanic Supreme Court Justice, and, of course, they didn’t want that to happen. So Senate Democrats filibustered him seven separate times in 2003. He was one of the many victims of this

norm-shattering, precedent-breaking behavior.

A few years later, colleagues such as Senators Biden, DURBIN, LEAHY, Obama, and SCHUMER tried to filibuster Justice Alito’s nomination to the Supreme Court. Fortunately, that was not successful.

But then something really funny happened. Something really funny happened. All of a sudden, there was a new President—President Obama. Suddenly, a Democratic President was making judicial nominations.

Well, imagine what happened then. Suddenly, Senate Democrats became very allergic to experiencing the effects of what they had started—in effect, the effects of their own playbook. They had no patience to taste their own medicine, none whatsoever. Our colleagues did not appreciate being held to the standards they had just created a few years before. The shoe was on the other foot.

Well, we all know what happened next—another massive Senate-shaking escalation by Senate Democrats in 2013: the nuclear option. They broke the Senate rules to change the Senate rules so that a Democratic President would not have to play by the same rules they had invented shortly before. And with a 51-vote threshold in place, Democrats began confirming nominees without meaningful minority support.

I said at the time, quoting myself: They would regret it a lot sooner than they would think.

Well, that regret began in 2016. In 2016, when Justice Scalia passed away, Senate Republicans had won our majority a year later. As I said then, when I recommended to all of you that we not fill that vacancy created in the middle of a Presidential election year, you would have to go back to 1888 to find the last time a Senate of a different party from the President confirmed a Supreme Court nominee to a vacancy created during the Presidential election year. In other words, not surprisingly, one party in control of the Senate was less inclined—and had been less inclined for a very long time—to confirm a Supreme Court nominee in the middle of a Presidential election year. It was entirely within the rights of the Senate to do that because what had clearly developed over these years was the Senate viewed itself as a partner—a partner—in the process. The President gets to nominate, but we get to decide whether to act on the nomination.

Needless to say, after the unprecedented Senate-shaking steps that Senate Democrats had taken, the Republican Senate majority was not much inclined to depart from precedent and do President Obama that favor.

Our decision in 2016 was fully in line with precedent, fully within the Constitution, and completely within the Senate rules. Now, I understand why they didn’t like it. I wouldn’t have either. Of course they didn’t like it. But elections have consequences, and

America had chosen a Republican Senate in 2014.

But there is no parallel between actually breaking the rules, as the Democrats did in 2013, and merely applying the rules in ways the Democrats do not like. There is a big difference between breaking the rules and applying the rules in ways the Democrats did not like. If the Senate is going to function, we must maintain a distinction between when people break the rules and when they apply the rules in ways we may not like.

When President Trump won in 2016, Senate Democrats took yet another reckless and unprecedented step. They mounted the first ever successful partisan filibuster of a Supreme Court nominee. That had not been done before. They tried it on Alito; it didn't succeed. They tried it on Gorsuch, and it did. The message was, in effect, nobody who President Trump nominates is going to get 60 votes for the Supreme Court, no matter how qualified.

Of course, speaking of qualifications, Justice Gorsuch's qualifications were simply beyond question—someone who, frankly, has gone on to issue some rulings, by the way, that these guys over here like, which shows you predicting what a Supreme Court Justice is going to rule on has been a hazardous guess most of the time. Their apocalyptic threats about predictions about what is going to happen with nominees of Republican Presidents have been consistent going back to John Paul Stevens: Every single one of them is going to be a disaster for women, minorities, and all the rest—none of which, of course, ever materialized.

So, Republicans applied and extended what Senate Democrats had begun in 2013. They had left out the Supreme Court from being dealt with with a simple majority. So we decided we were going to return to where, by the way, the judicial calendar was—by practice anyway—just a few years ago. It was always dealt with with a simple majority. The Thomas nomination proved it. That was the custom here, until our friends on the other side decided to start a new custom, within the rules but a new custom.

So, all of my friends, this happened as a result of the threshold being lowered for the Supreme Court, and we are back to where we were as recently as Clarence Thomas. The Executive Calendar is dealt with with a simple majority. I think that is better for the country, and they will benefit from that, too, at some point.

When you have a President and a Senate of the same party, obviously, this is going to happen quicker. That is the way it has always been, whether the rule allowed a filibuster or not. So, ironically, we are back to where we were; the entire Executive Calendar will now be dealt with as it was a few years ago, before all of this back-and-forth with a simple majority.

Well, obviously, Justice Gorsuch was confirmed on a bipartisan basis once

the Executive Calendar was returned finally to a simple majority.

And then Justice Kavanaugh—most of us were here for that—despite the horrific and embarrassing display that some of our Senate colleagues aided and abetted, we made it through that.

So the good news is this: In about 72 hours, I anticipate we will have a third new Associate Justice of the Supreme Court—in about 72 hours.

I do not blame some of my Democratic colleagues, who were not present for all of this, who wish the Senate would behave differently.

But just know this—this is not spin. This is fact. Just know this: Every new escalation, every new step, every new shattered precedent, every one of them, was initiated over there. No exceptions. Every one of them. And it all happened over the strenuous objection of Republicans, who tried, in each instance, to stop Democrats from trading away long-term Senate norms for short-term political wins.

Seventeen years ago, colleagues—seventeen years ago—Democrats were boasting to newspapers about this brandnew campaign to politicize judicial confirmations. They thought it was a great idea—bragged about it. One of my colleagues called himself the king of the filibuster and proudly wanted to own it. Well, sooner or later, the shoe is always on the other foot.

So I hope our colleague from New York is happy with what he has built. I hope he is happy with where his ingenuity has gotten the Senate.

Colleague, we have had this argument over and over for months, if not years. This is not really what we are here to debate today. We are here to actually consider an outstanding nominee whose qualifications nobody doubts—Judge Amy Coney Barrett.

So, colleagues, let's get on with it. Let's do our job. Let's rediscover the rational treatment of nominations that the Democratic leader embarked on a deliberate project, starting 20 years ago, to erase.

We will give this nominee the vote she deserves no later than Monday.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Democratic leader is recognized.

Mr. SCHUMER. Mr. President, we have just heard a tit-for-tat, convoluted version of history that the majority leader uses to justify steering the Senate toward one of the lowest moments in its long history. Might does not make right.

"You did something wrong, so we can do something wrong" is no justifications when the rights of the American people are at stake. The Republican majority is steering the Senate toward one of the lowest moments in its long history. The Republican majority is on the precipice of making a colossal and historic mistake, and the damage it does to this Chamber will be irrevocable.

After thwarting the constitutional prerogative of a duly elected Demo-

cratic President to appoint a Supreme Court Justice because it was an election year, the Republican majority is rushing to confirm a Justice for a Republican President 1 week before election day. Consistency? I am afraid not. You don't have the right to argue consistency when you are doing what you are doing now.

Four short years ago, all of our Republican friends argued that it was a principle—that was the word they used, "principle"—to let the American people have a voice in the selection of a Supreme Court Justice because an election was 8 months away.

Those same Republicans are preparing to confirm a Justice with an election that is 8 days away. In the process, the majority has trampled over norms, rules, standards, honor, values—any of them—that could possibly stand in its monomaniacal pursuit to put someone on the Court who will take away the rights of so many Americans.

The Republican majority, of course, ignored health guidelines to conduct in-person hearings in the middle of a pandemic after Republican members of the committee themselves had contracted COVID-19. It has broken longstanding Senate precedent. Never—never in the history of the Senate, despite any sophistic analyses of recent history, never has a Supreme Court nominee, a lifetime appointment, been considered so close to an election. The Presiding Officer of the Senate confirmed this yesterday in response to this Senator's inquiry; never in the history of the Senate has a Supreme Court nominee been confirmed after July of an election year.

My friends, it is the hallmark of democracy that might does not make right. The Republican Senate is blatantly ignoring this principle. Here in Leader McCONNELL's Senate, the majority lives by the rules of "because we can." They completely ignore the question of whether they should.

A Supreme Court nominee will be confirmed on a party-line vote after the rules were changed to allow it. Now it doesn't matter that an election is just a short time away. It is a complete contradiction of the supposed principle that same party so vehemently argued only 4 years ago. Again, it is 8 days—8 days—before an election in which the American people will choose exactly whom they want to pick Supreme Court Justices for them.

For the Republican leader to argue for consistency, using his convoluted version of history is laughable. It is absurd. It is outrageous. It is a stain on this body and an indelible mark on this Senate majority. In short, the Senate Republican majority is conducting the most rushed, most partisan, and least legitimate process in the entire history of Supreme Court nominations, and Democrats will not lend an ounce of legitimacy to the process.

Yesterday, the seats of the Democratic members of the Judiciary remained vacant in that committee

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  
Portman  
Risch  
Roberts  
Romney  
Rounds

Rubio  
Sasse  
Scott (FL)  
Scott (SC)  
Shelby  
Sullivan

Thune  
Tillis  
Toomey  
Wicker  
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 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:

[Rollcall Vote No. 220 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—43

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

## NOT VOTING—4

Harris	Shaheen
Jones	Sinema

The PRESIDING OFFICER. The motion to table is agreed to, and the ruling of the Chair stands.

The majority leader is recognized.

## MOTION TO RECESS

Mr. MCCONNELL. Mr. President, I move to recess, and I 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 New Hampshire (Mrs. SHAHEEN), 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 53, nays 43, as follows:

[Rollcall Vote No. 221 Ex.]

## YEAS—53

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

Sullivan	Tillis	Wicker
Thune	Toomey	Young

## NAYS—43

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

## NOT VOTING—4

Harris	Shaheen
Jones	Sinema

The motion was agreed to.

## MORNING BUSINESS

## ADDITIONAL STATEMENTS

## RECOGNIZING THE ROTARY CLUB OF BOWLING GREEN, KENTUCKY

• Mr. PAUL. Mr. President, for 100 years, the Rotary Club of Bowling Green, KY, has been committed to the highest standards of humanitarian service. The results of this century of engagement can be seen in successful projects throughout my hometown of Bowling Green, but also abroad, where our local Rotary Club has partnered with Rotary International to globally eradicate polio and to meet other enormous public health and safety needs. I was privileged to participate, along with one of my sons, in a project to bring clean, chlorinated water to an underserved community in Guatemala and to see, firsthand, the impact that the Rotary Club of Bowling Green is having in the lives of families and children in that country. This is a tremendous organization that deserves our recognition. I commend its current president, Alan Palmer, his board, and the current members—who give generously of their time, resources, and talents—for leading this organization into a new century of service.●

## MESSAGE FROM THE HOUSE ON OCTOBER 19, 2020

At 4:42 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, with an amendment, in which it requests the concurrence of the Senate:

S. 1982. An act to improve efforts to combat marine debris, and for other purposes.

The message also announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 4447. An act to establish an energy storage and microgrid grant and technical assistance program.

H.R. 4470. An act to rename the Saint Lawrence Seaway Development Corporation the

Great Lakes St. Lawrence Seaway Development Corporation.

H.R. 5068. An act to authorize the Women Who Worked on the Home Front Foundation to establish a commemorative work in the District of Columbia and its environs, and for other purposes.

H.R. 5126. An act to require individuals fishing for Gulf reef fish to use certain descending devices, and for other purposes.

H.R. 5139. An act to protect transportation personnel and passengers from sexual assault and harassment, and for other purposes.

H.R. 5572. An act to establish a grant program for family community organizations that provide support for individuals struggling with substance use disorder and their families.

H.R. 5912. An act to amend title 49, United States Code, to permit the use of incentive payments to expedite certain federally financed airport development projects.

H.R. 6813. An act to amend the Elder Abuse Prevention and Prosecution Act to improve the prevention of elder abuse and exploitation of individuals with Alzheimer's disease and related dementias.

H.R. 7718. An act to address the health needs of incarcerated women related to pregnancy and childbirth, and for other purposes.

H.R. 8124. An act to amend title 18, United States Code, to provide for transportation and subsistence for criminal justice defendants, and for other purposes.

H.R. 8225. An act to amend title 18, United States Code, to prohibit certain types of fraud in the provision of immigration services, and for other purposes.

H.R. 8472. An act to provide that, due to the disruptions caused by COVID-19, applications for impact aid funding for fiscal year 2022 may use certain data submitted in the fiscal year 2021 application.

## ENROLLED BILLS SIGNED

The message further announced that the Speaker has signed the following enrolled bills:

H.R. 561. An act to amend title 38, United States Code, to improve the oversight of contracts awarded by the Secretary of Veterans Affairs to small business concerns owned and controlled by veterans, and for other purposes.

H.R. 1952. An act to amend the Intercountry Adoption Act of 2000 to require the Secretary of State to report on intercountry adoptions from countries which have significantly reduced adoption rates involving immigration to the United States, and for other purposes.

H.R. 3399. An act to amend the Nutria Eradication and Control Act of 2003 to include California in the program, and for other purposes.

The enrolled bills were subsequently signed by the President pro tempore (Mr. GRASSLEY)

The message also announced that the Speaker pro tempore (Mr. BROWN) has signed the following bills:

S. 2330. An act to amend the Ted Stevens Olympic and Amateur Sports Act to provide for congressional oversight of the board of directors of the United States Olympic and Paralympic Committee and to protect amateur athletes from emotional, physical, and sexual abuse, and for other purposes.

S. 2638. An act to amend title 49, United States Code, to require small hub airports to construct areas for nursing mothers, and for other purposes.

S. 3051. An act to improve protections for wildlife, and for other purposes.

S. 3758. An act to amend the Klamath Basin Water Supply Enhancement Act of 2000 to make certain technical corrections.



S. 4075. An act to amend the Public Works and Economic Development Act of 1965 to provide for the release of certain Federal interests in connection with certain grants under that Act, and for other purposes.

S. 4762. An act to designate the airport traffic control tower located at Piedmont Triad International Airport in Greensboro, North Carolina, as the "Senator Kay Hagan Airport Traffic Control Tower".

H.R. 2359. An act to direct the Secretary of Veterans Affairs to submit to Congress a report on the Department of Veterans Affairs advancing of whole health transformation.

H.R. 4183. An act to direct the Comptroller General of the United States to conduct a study on disability and pension benefits provided to members of the National Guard and members of reserve components of the Armed Forces by the Department of Veterans Affairs, and for other purposes.

The enrolled bills were subsequently signed by the President pro tempore (Mr. GRASSLEY).

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Roberts, one of his secretaries.

#### EXECUTIVE MESSAGES REFERRED

In executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the Committee on the Judiciary.

(The messages received today are printed at the end of the Senate proceedings.)

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-5729. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Glen Falls, New York" ((RIN2120-AA66) (Docket No. FAA-2020-0192)) received during adjournment of the Senate in the Office of the President of the Senate on October 13, 2020; to the Committee on Commerce, Science, and Transportation.

EC-5730. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class D and E Airspace; St Louis, Missouri" ((RIN2120-AA66) (Docket No. FAA-2020-0319)) received during adjournment of the Senate in the Office of the President of the Senate on October 13, 2020; to the Committee on Commerce, Science, and Transportation.

EC-5731. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Decorah, Iowa" ((RIN2120-AA66) (Docket No. FAA-2020-0398)) received during adjournment of the Senate

in the Office of the President of the Senate on October 13, 2020; to the Committee on Commerce, Science, and Transportation.

EC-5732. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Baudette, Minnesota" ((RIN2120-AA66) (Docket No. FAA-2020-0362)) received during adjournment of the Senate in the Office of the President of the Senate on October 13, 2020; to the Committee on Commerce, Science, and Transportation.

EC-5733. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class D and E Airspace; Establishment of Class E Airspace; Alton/St. Louis, Illinois;" ((RIN2120-AA66) (Docket No. FAA-2020-0321)) received during adjournment of the Senate in the Office of the President of the Senate on October 13, 2020; to the Committee on Commerce, Science, and Transportation.

EC-5734. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Winner, South Dakota" ((RIN2120-AA66) (Docket No. FAA-2020-0377)) received during adjournment of the Senate in the Office of the President of the Senate on October 13, 2020; to the Committee on Commerce, Science, and Transportation.

EC-5735. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Webster City, Iowa" ((RIN2120-AA66) (Docket No. FAA-2020-0398)) received during adjournment of the Senate in the Office of the President of the Senate on October 13, 2020; to the Committee on Commerce, Science, and Transportation.

EC-5736. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Sleetmute, Alaska" ((RIN2120-AA66) (Docket No. FAA-2020-0359)) received during adjournment of the Senate in the Office of the President of the Senate on October 13, 2020; to the Committee on Commerce, Science, and Transportation.

EC-5737. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Kotzebue, Alaska" ((RIN2120-AA66) (Docket No. FAA-2020-0350)) received during adjournment of the Senate in the Office of the President of the Senate on October 13, 2020; to the Committee on Commerce, Science, and Transportation.

EC-5738. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; McGrath, Alaska" ((RIN2120-AA66) (Docket No. FAA-2020-0351)) received during adjournment of the Senate in the Office of the President of the Senate on October 13, 2020; to the Committee on Commerce, Science, and Transportation.

EC-5739. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of

Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class D and Class E Airspace, Revocation of Class E Airspace, and Establishment of Class E Airspace; Multiple Ohio Towns; Glen Falls, New York" ((RIN2120-AA66) (Docket No. FAA-2020-0396)) received during adjournment of the Senate in the Office of the President of the Senate on October 13, 2020; to the Committee on Commerce, Science, and Transportation.

EC-5740. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class D and E Airspace; Mountain Home, Idaho; Glen Falls, New York" ((RIN2120-AA66) (Docket No. FAA-2020-0282)) received during adjournment of the Senate in the Office of the President of the Senate on October 13, 2020; to the Committee on Commerce, Science, and Transportation.

EC-5741. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Rolls-Royce Deutschland Ltd & Co KG (Type Certificate Previously Held by Rolls-Royce plc) Turbofan Engines; Amendment 39-21171 ((RIN2120-AA64) (Docket No. FAA-2020-0424)) received during adjournment of the Senate in the Office of the President of the Senate on October 13, 2020; to the Committee on Commerce, Science, and Transportation.

EC-5742. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Removal of Class E Airspace, and Amendment of Class D and Class E Airspace; Jacksonville, Florida" ((RIN2120-AA66) (Docket No. FAA-2020-0932)) received during adjournment of the Senate in the Office of the President of the Senate on October 13, 2020; to the Committee on Commerce, Science, and Transportation.

EC-5743. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Prohibition Against Certain Flights in the Tripoli Flight Information Region (FIR) (HILL)" ((RIN2120-AL47) received during adjournment of the Senate in the Office of the President of the Senate on October 13, 2020; to the Committee on Commerce, Science, and Transportation.

EC-5744. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Sitka, Alaska" ((RIN2120-AA66) (Docket No. FAA-2020-0352)) received during adjournment of the Senate in the Office of the President of the Senate on October 13, 2020; to the Committee on Commerce, Science, and Transportation.

EC-5745. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "The Boeing Company Airplanes; Amendment 39-21177" ((RIN2120-AA64) (Docket No. FAA-2020-0352)) received during adjournment of the Senate in the Office of the President of the Senate on October 13, 2020; to the Committee on Commerce, Science, and Transportation.

EC-5746. A communication from the Attorney Advisor, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled

"Cable Service Change Notifications, Modernization of Media Regulation Initiative, Amendment of the Commission's Rules Related to Retransmission Consent" ((MB Docket Nos. 19-347, 17-105, and 10-71) (FCC 20-135)) received during adjournment of the Senate in the Office of the President of the Senate on October 13, 2020; to the Committee on Commerce, Science, and Transportation.

EC-5747. A communication from the Program Analyst, Consumer and Governmental Affairs Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Misuse of Internet Protocol (IP) Captioned Telephone Service; Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities; Structure and Practices of the Video Relay Service Program" ((CG Docket Nos. 13-24, 03-123, and 10-51) (FCC 20-132)) received during adjournment of the Senate in the Office of the President of the Senate on October 13, 2020; to the Committee on Commerce, Science, and Transportation.

EC-5748. A communication from the Assistant Chief Counsel for Regulatory Affairs, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Hazardous Materials: Response to an Industry Petition to Reduce Regulatory Burden for Cylinder Requalification Requirements" (RIN2137-AF30) received in the Office of the President of the Senate on October 19, 2020; to the Committee on Commerce, Science, and Transportation.

EC-5749. A communication from the Attorney Adviser, Federal Railroad Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Rail Integrity and Track Safety Standards" (RIN2130-AC53) received during adjournment of the Senate in the Office of the President of the Senate on October 13, 2020; to the Committee on Commerce, Science, and Transportation.

EC-5750. A communication from the Program Analyst, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Part 90 of the Commission's Rules" (FCC 20-137) received during adjournment of the Senate in the Office of the President of the Senate on October 16, 2020; to the Committee on Commerce, Science, and Transportation.

EC-5751. A communication from the Program Analyst, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Commission Rule Requiring Records of Cable Operator Interests in Video Programming" (FCC 20-139) received during adjournment of the Senate in the Office of the President of the Senate on October 16, 2020; to the Committee on Commerce, Science, and Transportation.

EC-5752. A communication from the Program Analyst, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Facilitating Shared Use in the 3100-3550 MHz Band" (WT Docket No. 19-348) received during adjournment of the Senate in the Office of the President of the Senate on October 8, 2020; to the Committee on Commerce, Science, and Transportation.

EC-5753. A communication from the Program Analyst, International Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "In the Matter of Process Reform for Executive Branch Review of Certain FCC Applications and Petitions Involving Foreign Ownership" ((FCC 20-133) (IB Docket No. 16-155)) received during adjournment of the Senate

in the Office of the President of the Senate on October 8, 2020; to the Committee on Commerce, Science, and Transportation.

EC-5754. A communication from the Administrator of the Environmental Protection Agency, transmitting, pursuant to law, a report entitled "The Great Lakes and Lake Champlain Invasive Species Program, 2019 Report to Congress"; to the Committee on Commerce, Science, and Transportation.

## REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BARRASSO, from the Committee on Environment and Public Works:

Report to accompany S. 3590, A bill to amend the Safe Drinking Water Act to reauthorize certain provisions, and for other purposes (Rept. No. 116-284).

## EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. WICKER for Mr. INHOFE for the Committee on Armed Services.

Air Force nomination of Brig. Gen. Jon S. Safstrom, to be Major General.

Army nomination of Col. Robert B. Davis, to be Brigadier General.

Air Force nomination of Maj. Gen. Robert J. Skinner, to be Lieutenant General.

Army nomination of Lt. Gen. Mark C. Schwartz, to be Lieutenant General.

Army nominations beginning with Brig. Gen. Matthew V. Baker and ending with Col. Michael L. Yost, which nominations were received by the Senate and appeared in the Congressional Record on September 30, 2020.

Space Force nomination of Maj. Gen. John E. Shaw, to be Lieutenant General.

Space Force nomination of Maj. Gen. John E. Shaw, to be Major General.

Mr. WICKER for Mr. INHOFE, Mr. President, for the Committee on Armed Services I report favorably the following nomination lists which were printed in the RECORDS on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary's desk for the information of Senators.

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

Air Force nominations beginning with Jessica R. Colman and ending with Brian A. Thalhofer, which nominations were received by the Senate and appeared in the Congressional Record on September 30, 2020.

Air Force nominations beginning with Scott R. Moore and ending with Sandra V. Slater, which nominations were received by the Senate and appeared in the Congressional Record on September 30, 2020.

Army nomination of Anne B. Warwick, to be Colonel.

Army nominations beginning with Jakob H. Andrews and ending with D002999, which nominations were received by the Senate and appeared in the Congressional Record on September 30, 2020.

Army nominations beginning with Matthew T. Adamczyk and ending with D015515, which nominations were received by the Senate and appeared in the Congressional Record on September 30, 2020.

Army nominations beginning with John J. Agnello and ending with John J. Zollinger, which nominations were received by the Sen-

ate and appeared in the Congressional Record on September 30, 2020.

Army nominations beginning with Cornelius L. Allen, Jr. and ending with Micheal A. Zweifel, which nominations were received by the Senate and appeared in the Congressional Record on September 30, 2020.

Army nomination of Corey M. James, to be Lieutenant Colonel.

Army nomination of John H. Mitchell, to be Colonel.

Navy nomination of Robert K. Debusse, to be Captain.

Navy nomination of Paul S. Ruben, to be Captain.

Navy nomination of Robert M. Knapp, to be Lieutenant Commander.

Navy nomination of Brian E. Lamarche, to be Lieutenant Commander.

Navy nomination of Terence M. Murphy, to be Lieutenant Commander.

Navy nomination of Roldan J. Crespopabon, to be Lieutenant Commander.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

## INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. WYDEN:

S. 4850. A bill to amend the Food Security Act of 1985 to create permanent payments within the environmental quality incentives program for soil health practices and carbon sequestration monitoring, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. CORNYN (for himself and Mr. CRUZ):

S. 4851. A bill to designate the facility of the United States Postal Service located at 315 Addicks Howell Road in Houston, Texas, as the "Deputy Sandeep Singh Dhaliwal Post Office Building"; to the Committee on Homeland Security and Governmental Affairs.

By Ms. MCSALLY:

S. 4852. A bill to authorize the Secretary of Veterans Affairs to transfer certain coronavirus aid and relief funds to various accounts of the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. CORNYN (for himself and Mr. CRUZ):

S. 4853. A bill to designate the facility of the United States Postal Service located at 3519 East Walnut Street in Pearland, Texas, as the "Tom Reid Post Office Building"; to the Committee on Homeland Security and Governmental Affairs.

By Ms. COLLINS (for herself and Mr. CARDIN):

S. 4854. A bill to provide payments for home health services furnished via visual or audio telecommunication systems during an emergency period; to the Committee on Finance.

By Mr. CORNYN (for himself and Mr. CRUZ):

S. 4855. A bill to designate the facility of the United States Postal Service located at 1305 U.S. Highway 90 West in Castroville, Texas, as the "Lance Corporal Rhonald Dain Rairdan Post Office"; to the Committee on Homeland Security and Governmental Affairs.

By Mr. GARDNER:

S. 4856. A bill to authorize the construction of a major medical facility for the Department of Veterans Affairs in Colorado



Springs, Colorado, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. PORTMAN (for himself and Mr. BROWN):

S. 4857. A bill to designate the facility of the United States Postal Service located at 275 Penn Avenue in Salem, Ohio, as the "Howard Arthur Tibbs Post Office"; to the Committee on Homeland Security and Governmental Affairs.

By Mrs. LOEFFLER (for herself and Mr. ROUNDS):

S. 4858. A bill to amend title 38, United States Code, and the Honoring America's Veterans and Caring for Camp Lejeune Families Act of 2012, to make certain enhancements to grants awarded by the Secretary of Veterans Affairs and contracts between the Secretary and entities that provide services to homeless veterans, and for other purposes; to the Committee on Veterans' Affairs.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. MENENDEZ:

S. Res. 756. A resolution urging the Government of Tanzania and all parties to respect human, civil, and political rights and ensure free and fair elections in October 2020, and recognizing the importance of multiparty democracy in Tanzania; to the Committee on Foreign Relations.

By Mr. WHITEHOUSE (for himself, Mr. COONS, Mr. JONES, and Mr. BROWN):

S. Res. 757. A resolution expressing support for the designation of the month of November 2020 as "Pancreatic Cancer Awareness Month"; to the Committee on Health, Education, Labor, and Pensions.

#### ADDITIONAL COSPONSORS

S. 2886

At the request of Ms. MCSALLY, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 2886, a bill to prohibit the use of animal testing for cosmetics and the sale of cosmetics tested on animals.

S. 3533

At the request of Mr. CRAMER, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 3533, a bill to authorize and establish minimum standards for electronic and remote notarizations that occur in or affect interstate commerce, to require any Federal court located in a State to recognize notarizations performed by a notary public commissioned by another State when the notarization occurs in or affects interstate commerce, and to require any State to recognize notarizations performed by a notary public commissioned by another State when the notarization occurs in or affects interstate commerce or when the notarization was performed under or relates to a public act, record, or judicial proceeding of the State in which the notary public was commissioned.

S. 4012

At the request of Mr. WICKER, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 4012, a bill to establish a \$120,000,000,000 Restaurant Revitaliza-

tion Fund to provide structured relief to food service or drinking establishments through December 31, 2020, and for other purposes.

S. 4154

At the request of Mr. CRAMER, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S. 4154, a bill to amend the Bank Service Company Act to provide improvements with respect to State banking agencies, and for other purposes.

S. 4258

At the request of Mr. CORNYN, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of S. 4258, a bill to establish a grant program for small live venue operators and talent representatives.

S. 4299

At the request of Ms. CORTEZ MASTO, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S. 4299, a bill to provide grants for tourism and events support and promotion in areas affected by the Coronavirus Disease 2019 (COVID-19), and for other purposes.

S. 4375

At the request of Mr. ALEXANDER, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 4375, a bill to amend title XVIII of the Social Security Act to make permanent certain telehealth flexibilities under the Medicare program related to the COVID-19 public health emergency.

S. 4711

At the request of Mr. MENENDEZ, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 4711, a bill to provide for judicial security and privacy.

S. 4805

At the request of Mr. CRUZ, the names of the Senator from Louisiana (Mr. CASSIDY) and the Senator from Texas (Mr. CORNYN) were added as cosponsors of S. 4805, a bill to create a point of order against legislation modifying the number of Justices of the Supreme Court of the United States.

S.J. RES. 14

At the request of Mr. RUBIO, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S.J. Res. 14, a joint resolution proposing an amendment to the Constitution of the United States to require that the Supreme Court of the United States be composed of not more than 9 justices.

S.J. RES. 76

At the request of Mr. CRUZ, the name of the Senator from Louisiana (Mr. CASSIDY) was added as a cosponsor of S.J. Res. 76, a joint resolution proposing an amendment to the Constitution of the United States to require that the Supreme Court of the United States be composed of nine justices.

S. RES. 709

At the request of Mr. GRAHAM, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. Res. 709, a resolution express-

ing the sense of the Senate that the August 13, 2020, and September 11, 2020, announcements of the establishment of full diplomatic relations between the State of Israel and the United Arab Emirates and the State of Israel and the Kingdom of Bahrain are historic achievements.

S. RES. 752

At the request of Mr. HAWLEY, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. Res. 752, a resolution condemning the Chinese Communist Party's use of forced labor and other coercive measures to destroy religious freedom in Tibet.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTION

By Ms. COLLINS (for herself and Mr. CARDIN):

S. 4854. A bill to provide payments for home health services furnished via visual or audio telecommunication systems during an emergency period; to the Committee on Finance.

Ms. COLLINS. Mr. President, I rise today, along with my colleague Senator CARDIN, to introduce the Home Health Emergency Access to Telehealth Act or Heat Act. This bipartisan bill would help ensure that seniors who rely on home health care have the choice to receive these critical services through telehealth during the COVID-19 pandemic and future public health emergencies.

COVID-19 is the greatest public health challenge since the flu pandemic of 1918 and has claimed the lives of more than 200,000 Americans. This public health emergency has underscored the need for older adults and other at-risk populations to have access to health care in the home setting. Home-based care is crucial to ensuring that this pandemic does not create devastating long-term health consequences due to delayed care. The highly skilled and compassionate care that home health agencies provide are an important component of this inhome care.

I have been a strong supporter of home care since my very first home visit, which took place in my hometown in Aroostook County early in my Senate service. This experience gave me the opportunity to meet and visit with home health patients, where I saw first-hand what a difference highly skilled and caring visiting nurses and other health care professionals make to the lives of patients and their families. I have been a passionate advocate for home care ever since.

In March, my bipartisan home health legislation, the Home Health Care Planning Improvement Act, became law as part of the Coronavirus Aid, Relief, and Economic Security (CARES) Act. This new law will improve the access Medicare beneficiaries have to home health care by allowing physician assistants, nurse practitioners, clinical nurse specialists, and certified

nurse midwives to order home health services. Far too often seniors experience unnecessary delays in accessing home health care. To avoid these needless delays, it is common sense that other medical professionals who are familiar with a patient's case should be able to order these services.

Home health professionals have continued to provide face-to-face services during the COVID-19 public health emergency, but this crisis has created additional challenges, including the need to maintain an adequate supply of personal protective equipment to protect themselves, their patients, and their patients' families. The use of telehealth and virtual visits can help address these challenges. Unlike other Medicare providers, however, home health agencies are not eligible to receive Medicare reimbursement for telehealth services during the COVID-19 emergency.

In May, I led Congress' first hearing examining COVID-19's devastating impact on seniors. During the hearing, Dr. Steven H. Landers, President and CEO of the Visiting Nurse Association Health Group, testified that, despite this lack of Medicare reimbursement, his organization has found telehealth to be an essential part of providing high quality home health care during the COVID-19 public health emergency. He urged action to ensure that home health providers can continue offering these critical services remotely.

Maine home health care providers have also shared stories about how telehealth is helping them to continue caring for their patients during COVID-19. Through a combination of video visits and care calls, one provider has been able to care for a woman with severe heart and lung disease and keep this patient out of the hospital. The nurse would speak with the woman by phone a couple of times per week to assess any symptoms that needed follow up. If the nurse identified an issue during the call, she would schedule a video visit and also work with the patient's physician to modify medications as needed.

The bill I am introducing today would authorize Medicare reimbursement for home health services provided through telehealth during a public health emergency where telehealth can be used appropriately. The services would not be reimbursed unless the beneficiary consents to receiving the services via telehealth. To ensure that the Medicare home health benefit does not become a telehealth-only benefit, Medicare reimbursement would only be provided if the telehealth services constitute no more than half of the billable visits made during the 30-day payment period.

Home health serves a vital role in helping our nation's seniors avoid more costly hospital visits and nursing home stays. The COVID-19 emergency has further underscored the critical importance of home health services and highlighted how these agencies are able to

use telehealth to provide skilled care to their patients. The Home Health Emergency Access to Telehealth (HEAT) Act would ensure that seniors in Maine and across the country retain access to remote home health services during the COVID-19 emergency and future public health emergencies.

Thank you, Mr. President.

#### SUBMITTED RESOLUTIONS

##### SENATE RESOLUTION 756—URGING THE GOVERNMENT OF TANZANIA AND ALL PARTIES TO RESPECT HUMAN, CIVIL, AND POLITICAL RIGHTS AND ENSURE FREE AND FAIR ELECTIONS IN OCTOBER 2020, AND RECOGNIZING THE IMPORTANCE OF MULTI-PARTY DEMOCRACY IN TANZANIA

Mr. MENENDEZ submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 756

Whereas the United States has an important interest in supporting democracy in Tanzania and has consistently demonstrated support for the people of Tanzania through efforts to advance good governance, economic growth, and improved access to health and education;

Whereas respect for human, civil, and political rights and deepening multiparty democracy are essential to Tanzania's long-term economic prosperity and continued political stability;

Whereas the conduct of elections will have a significant impact on the trajectory of democratic growth in Tanzania, as well as its relationship with the United States;

Whereas Tanzania has held successive multiparty elections since 1995, with the elections in 2015 being the most competitive to date, despite substantial state interference in political organizing by the opposition, both during and following the campaign period;

Whereas, since President John Magufuli's election in 2015, the Government of Tanzania has adopted and enforced multiple repressive laws that restrict media freedoms, and freedoms of expression, assembly, and association, such as the Cybercrimes Act of 2015, the Media Services Act of 2016, the Electronic and Postal Communications (Online Content) Regulations Act of 2020, the Written Laws (Miscellaneous Amendments) (No. 3) Act, 2018, and the Written Laws (Miscellaneous Amendments) Act No. 3 of 2020;

Whereas the Government of Tanzania has promulgated onerous regulations that actively undermine the independent collection, dissemination, and publication of statistics without government approval, and suspended or halted activities by multiple newspapers and digital and broadcast media outlets in retaliation for publishing content deemed critical of the state or officials;

Whereas state actors have threatened, arbitrarily arrested, and attacked journalists with impunity, and some journalists have disappeared;

Whereas in mid-2016, the Magufuli Administration placed a ban on political party rallies until the 2020 elections;

Whereas political freedoms were further eroded following the amendment of the Political Parties Act in January 2019, which granted Tanzanian authorities sweeping powers to regulate the operations of opposi-

tion parties, and private opposition political party meetings have been broken up by police;

Whereas freedom of association has been limited through mandatory registration and reporting processes for nongovernmental organizations that are arbitrary in nature;

Whereas, in September 2019, the Government of Tanzania amended both the Companies Act and Nongovernmental Organization Act, which has severely restricted the ability of civil society organizations, particularly those focused on democracy and human rights, to receive foreign funds;

Whereas opposition leaders have been threatened, intimidated, and physically attacked, and the Magufuli Administration has failed to hold perpetrators accountable;

Whereas President Magufuli's failure to hold Tanzanian government actors accountable for arbitrary arrests, paired with actions to limit democratic space for civil society, opposition parties, and citizens of Tanzania, has undermined the Tanzanian Constitution and the rule of law;

Whereas the Government of Tanzania has rapidly escalated its campaign of repression against the opposition in the lead-up to the October 2020 elections, through arbitrary and partisan legal action against opposition candidates and their parties, which undermines democratic principles of fair play and potentially calls into question the credibility of the country's October polls;

Whereas some United States companies operating in Tanzania have reported harassment, corruption, and lack of respect for contracts and business operations, which threatens future United States business investment and trade partnerships; and

Whereas the Government of Tanzania's claim that the Novel Coronavirus (COVID-19) has been eliminated in the country, and its suppression of information related to the pandemic have not only placed citizens' health at risk, but have also violated citizens' freedom of speech and right of access to information: Now, therefore, be it

*Resolved*, That the Senate—

(1) urges the Government of Tanzania to ensure that the October 2020 elections are conducted in a free, fair, credible, transparent, and peaceful manner that enables citizens of Tanzania the opportunity to exercise their right to vote;

(2) urges the Government of Tanzania to legally guarantee and respect the rights enshrined in its Constitution, particularly the rights to freedom of movement, expression, information, religion, and association, as well as equality, privacy, and personal security;

(3) urges the Government of Tanzania to foster a robust, market-led business environment conducive to continued United States trade and investment in Tanzania, including respect for the legal and contractual rights of United States companies operating in Tanzania;

(4) calls upon the Government of Tanzania and President Magufuli—

(A) to repeal repressive laws that are contrary to the principles of good governance, a healthy democracy, and the rights enumerated in the Tanzanian Constitution;

(B) to allow citizens, civil society organizations, and political parties to assemble peacefully and express their views freely;

(C) to immediately lift the ban on political activities and allow opposition parties to hold political rallies and demonstrations at any time, both during and outside of election periods;

(D) to provide transparent, consistent, and nonintrusive procedures for nongovernmental organizations to register and to enable them to carry out programs and other

legal activity absent arbitrary state interference, including with respect to receiving funding or cooperating with foreign organizations;

(E) to safeguard press freedom, in accordance with the Tanzanian Constitution and the Universal Declaration of Human Rights;

(F) to condemn threats and attacks against Members of Parliament and opposition political parties, and ensure accountability for harassment, intimidation, or physical attacks on members of the opposition;

(G) to end the escalating campaign of arbitrary and partisan legal action against opposition candidates and their parties in the lead-up to the October 2020 elections; and

(H) to guarantee the ability of domestic and international election observers to monitor the October 2020 polls without hindrance; and

(5) calls on the United States Government to continue to speak out against democratic backsliding in Tanzania and hold the Government of Tanzania accountable for respecting the rights of its citizens, in accordance with its international obligations and the Tanzanian Constitution, including by—

(A) considering the imposition of targeted sanctions and visa restrictions on actors involved in perpetrating or abetting human rights abuses;

(B) leading international partners and institutions, including those in Africa, in developing and implementing strategies and actions to promote and defend human, civil, and political rights and multiparty democracy in Tanzania;

(C) immediately conducting a review of United States Government assistance and cooperation with the Government of Tanzania for the purposes of reprioritizing such assistance should neutral observers determine that the October 2020 polls do not meet internationally accepted standards for credible elections; and

(D) demanding the Government of Tanzania conduct full and public investigations that ensure judicial accountability for acts of violence perpetrated against political opposition, journalists, and members of civil society.

# SENATE RESOLUTION 757—EXPRESSING SUPPORT FOR THE DESIGNATION OF THE MONTH OF NOVEMBER, 2020 AS “PANCREATIC CANCER AWARENESS MONTH”

Mr. WHITEHOUSE (for himself, Mr. COONS, Mr. JONES, and Mr. BROWN) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pension:

S.RES. 757

Whereas pancreatic cancer will kill an estimated 47,050 people in the United States in 2020;

Whereas pancreatic cancer is the third leading cause of cancer-related death in the United States;

Whereas, in 2020, pancreatic cancer has killed two United States icons—Representative John Lewis and Associate Justice of the Supreme Court Ruth Bader Ginsburg;

Whereas an additional 57,600 individuals in the United States will be diagnosed with pancreatic cancer in 2020;

Whereas, of those diagnosed with pancreatic cancer, 66 percent will die within the first year of their diagnosis;

Whereas persistent healthcare inequities and disparities for communities of color compound the devastation of pancreatic cancer;

Whereas the incidence rate for pancreatic cancer among Black Americans is 20 percent higher than that of any other racial demographic;

Whereas the pancreatic cancer death rate is 17 percent higher for Black men than for White men;

Whereas the lack of pancreatic cancer early detection research accelerates the racial unfairness in the United States healthcare system, with devastating consequences for minorities;

Whereas pancreatic cancer has no early detection test to diagnose this cancer quickly and accurately determine the presence of this cancer;

Whereas, if diagnosed early, the 5-year survival rate for pancreatic cancer patients is above 80 percent;

Whereas, if pancreatic cancer is detected late, the 5-year survival rate drops to less than 10 percent;

Whereas without adequate funding and early detection research, pancreatic cancer

is not discovered until the late stages of this horrific cancer when treatment options are limited;

Whereas, in fiscal year 2020, pancreatic cancer received its own dedicated research program at the Department of Defense under the Congressionally Directed Medical Research Programs;

Whereas, in the Department of Defense Appropriations Act, 2020 (division A of Public Law 116-93), Congress appropriated funds to the Congressionally Directed Medical Research Programs, with \$6,000,000 going to the Pancreatic Cancer Research Program; and

Whereas the 116th Congress has a unique opportunity to make a historic investment in pancreatic cancer research at the Department of Defense: Now, therefore, be it

*Resolved*, That the Senate—

(1) supports the designation of “Pancreatic Cancer Awareness Month” for the month of November, 2020;

(2) recognizes the critical importance of increasing funding for pancreatic cancer research at the Department of Defense and the National Institutes of Health to find effective treatments for this cancer and reduce the disproportionate impact on communities of color; and

(3) supports the efforts of the many advocacy organizations to educate communities in the United States about pancreatic cancer and the need for more research funding, early-detection initiatives, diagnostic tests, and effective treatments.

## RECESS UNTIL TOMORROW

The PRESIDING OFFICER. The Senate stands in recess until 12 noon tomorrow.

Thereupon, the Senate, at 3:33 p.m., recessed until Saturday, October 24, 2020, at 12 noon.

## NOMINATIONS

Executive nominations received by the Senate:

### THE JUDICIARY

STEPHEN ANDREW KUBIATOWSKI, OF KENTUCKY, TO BE A JUDGE OF THE UNITED STATES COURT OF FEDERAL CLAIMS FOR A TERM OF FIFTEEN YEARS, VICE THOMAS CRAIG WHEELER, TERM EXPIRING.

JOSEPH DAWSON III, OF SOUTH CAROLINA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF SOUTH CAROLINA, VICE TERRY L. WOOTEN, RETIRED.