

An analogy I have been using would be, Mr. President, if I said: Mr. President, give me \$200. The Presiding Officer would look at me in shock, but because he is a generous individual, he would say: Maybe not \$200, but I will give you \$100. But just because the Presiding Officer didn't give me the full \$200, I would go stomping off, and I don't even take the \$100. That is, in effect, what the Senators on the other side of the aisle are doing.

We are offering and we supported \$600 billion on top of \$3 trillion in relief—necessary relief, needed relief for unemployment benefits, for small businesses, for vaccines, for testing, for education, for childcare. It is there for the taking. All they have to do is say yes. Yet they say no because they would rather have an issue rather than result.

Are they serious about helping the American public or do they just want to play politics? I think the answer is quite obvious.

I object.

The PRESIDING OFFICER. Objection is heard.

The Democratic leader.

Mr. SCHUMER. The emaciated bill filled with poison pills that the Senator from Wisconsin talks about was never intended to pass. In fact, the Republican majority leader waited 5 months before doing anything while people were suffering. The bill does not contain close to what is needed.

Basically, his analogy is incorrect. The analogy would be saying: You have a series of serious illnesses; let's treat one because we don't want to pay for the others—even though we were willing to increase the deficit by close to \$2 trillion by giving a tax break to the wealthy.

So this cry about deficit, when it comes to helping middle-class people, hurting people, unemployed people, people who can't feed their kids, no, it is the deficit. When it comes to giving a big tax break to wealthy corporations and wealthy people, that is fine.

As much as I respect my colleague from Wisconsin, I don't really take his words very seriously. Our Republican friends put this emaciated bill on the floor at the last minute because they got such pressure for doing nothing. They know it can't pass the House. They know it is totally inadequate.

This is the greatest economic crisis since the Great Depression, the greatest healthcare crisis for 100 years since the Spanish pandemic flu, and our colleagues do next to nothing in terms of the crisis. This is loaded with poison pills so they know it can't pass. They know it can't pass the House, and they waited 5 months.

The American people know it. When they are asked: Who wants to solve this problem, they know that it is the Democrats in the Senate and House who want to and the Republicans have resisted. There is no question about it.

The bills I just asked for are small bills, not very expensive, that deal

with suicide. Of course, the answer is no again. It is sad and unfortunate. Fortunately, the American people will be able to have a real say, not on the Supreme Court Justice they are rushing through but on who will be the next administration and who will do more. We will see what their answer is.

Mr. BROWN. Will the Democratic leader yield?

Mr. SCHUMER. I would be happy to yield.

Mr. BROWN. I hear Senator JOHNSON talk about employers can't find workers. There are 600,000 in my State who lost their unemployment insurance just like that at the end of July. Six hundred thousand people lost \$600 a week.

I go back to March, when we passed this bill that was so important it passed unanimously. There was one amendment Republicans wanted for this \$2.5 trillion bill. It was to strip out unemployment insurance so that those workers didn't get the \$600 a week. What are they to live on? Six hundred thousand people in my State can't find work, 100,000 in Wisconsin, even more in New York, tens of thousands in Iowa and Utah. What are they to do?

We know there is going to be a wave of evictions and foreclosures as people are thrown out of their apartments and their homes.

This Congress continues to—the Senate just won't do its job. Do your job. If Senator MCCONNELL would do his job, we could do our job and get this economy back on track.

Thank you.

Mr. SCHUMER. I would add one final thing. The bill that the Senator from Wisconsin talks about was totally partisan, which they know can't pass. Then, when Leader MCCONNELL put it on the floor, he filled the tree so it couldn't even be amended.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

NOMINATION OF AMY CONEY BARRETT

Mr. GRASSLEY. Mr. President, the Senate will soon vote on the confirmation of Judge Barrett to become Associate Justice of the U.S. Supreme Court. I will be voting in favor of her nomination, and I urge my colleagues to do just the same.

As was made clear to millions of Americans who watched her hearing, Judge Barrett has the temperament, the modesty, and the humility that we should all expect in a judge. She approaches cases without bias or personal agenda. She made that very clear to almost every question asked to her by every member of the Judiciary Committee.

Most importantly, Judge Barrett understands the proper role of members of the Judiciary and our constitutional system of separated powers. That is, a judge should interpret—not make—the law. Making law is, under the Constitution, the responsibility of the Congress, not the Supreme Court. She also made that very clear in almost every ques-

tion that she was asked by members of the Judiciary Committee.

Judge Barrett has an impressive command and, of course, the respect for the law and the Constitution. Clearly, from her testimony, she respects precedent, and she practices judicial restraint. In her words: "A judge who approaches a case as an opportunity for an exercise of will has . . . betrayed her judicial duty."

She went on to explain to the committee her legal method, how she considers statutes and the Constitution and how she interprets and applies the statutes and the Constitution. Her judicial method is rigorous and exacting but fair. She testified that she would listen to both sides in every case. She said: "We want judges to approach cases thoughtfully and with an open mind."

When pressed on how she might rule in a particular case, Judge Barrett promptly applied what we all know as the Ginsburg rule, and she did it just like every other recent nominee to the Supreme Court for the last 30 years when Ginsburg first told the Judiciary Committee that there would be no hints, no previews, or forecasts, and Judge Barrett demonstrated her independence by often repeating the Justice Ginsburg rule.

I specifically asked Judge Barrett if she had made any promises or guarantees to anyone about how she might rule on a case. She responded this way to my question:

The answer is no. . . . No one ever talked about any case with me. . . . I can't make any pre-commitments to this body either. It would be inconsistent with judicial independence.

To quote further:

I'm not willing to make a deal—not with the committee, not with the president, not with anyone. I am independent.

That quote or similar words were spoken by Judge Barrett to almost every suspicious Judiciary member about whom she might have made some deal ahead of time to get on the Supreme Court.

Contrary to critics' claims about her being biased, Judge Barrett is evenhanded and has ruled for both plaintiffs and defendants in all kinds of cases. She believes in justice for all, in accordance with the law and the Constitution, just like we would expect everybody to say who is a lifetime appointee to the Judiciary, but we don't see all of them following that practice.

She went on to tell the committee: "I am fully committed to equal justice under the law for all persons."

When asked if she will follow the law wherever it leads, she said: "Yes." Then she said: "I have an agenda to stick to the rule of law and decide cases as they come." Yet that wasn't good enough for our Democratic colleagues and their leftist allies.

However, throughout the hearings, the Democrats and many in the media deliberately misrepresented Judge Barrett's views on the Affordable Care

Act. They claimed her critique of Chief Justice Roberts' reasoning in the 2012 ACA case will dictate how she will vote in some upcoming cases. They obviously didn't listen to her when she had no preconceived notions about any case and had made no promises to anybody.

The Democrats even pushed the story line that Judge Barrett signaled to President Trump that she would support invalidating the ACA if she were confirmed to the Supreme Court. That is nonsense. Judge Barrett made it clear that she didn't have an agenda. She testified: "I have no hostility to the ACA."

Legal scholars critique court decisions all the time even when they don't disagree with the outcome. For instance, Ruth Bader Ginsburg, before her nomination, criticized the Court's reasoning in *Roe v. Wade*, but no one claimed that Ginsburg didn't support the outcome of *Roe v. Wade*.

Judge Barrett's critique of Roberts' reasoning was shared by many legal commentators across the political spectrum, including by ones on the other side of the aisle. Even President Obama rejected the notion that the Affordable Care Act was a tax instead of a penalty. The question of its being a tax or a penalty and the constitutionality or the unconstitutionality of the ACA was what they were critiquing based on Roberts' decision to uphold the constitutionality of the ACA, for it could be constitutional under the taxing powers of the Congress. Even Roberts didn't pay any attention to that fact. We even had Democrats saying that the penalty for the individual mandate was a penalty and that it wasn't a tax. Moreover, Judge Barrett's critique of Justice Roberts' reasoning dealt with an interpretation or a provision that is no longer in effect because we did away with the individual mandate.

The question before the Supreme Court this fall, then, will be entirely separate, and it is pointless to speculate. Yet the Democrats wasted much time on that type of speculation—question after question, Democrat after Democrat, on that side—when they were questioning her.

Senate Democrats want to portray Judge Barrett as a threat to healthcare. They want to distract from the fact that they recently filibustered a COVID relief bill that would have protected preexisting conditions. This all is just a Democratic election year scare tactic, and they are using it almost totally as a reason to vote against Judge Barrett.

It happens, though, that the voters aren't buying it, that the public is not buying it. A recent Politico poll shows a majority of Americans wants the Senate to confirm Judge Barrett, and a recent Huffington Post poll says: "Voters favor the confirmation of the Supreme Court nominee Amy Coney Barrett by a 9-point margin."

She will be confirmed. That is what we are going to do on Sunday into

Monday. Maybe our Democratic colleagues will finally show up for work, do their job, and give Judge Barrett an up-or-down vote on the merits because I think the public knows now, if it were listening in to the Judiciary Committee as it was voting her out, that the Democrats boycotted the committee's deliberation. Let's not forget that, just 4 years ago, the same Senate Democrats declared that the Court needed nine to function properly. Judge Barrett is that ninth. Only 4 years later, they don't seem to think so.

Judge Barrett is a jurist of honor, of integrity, and of great principle. The Judiciary Committee received a number of letters in support of her nomination. They all praised her intellect, her judgment, her collegiality, and her kindness. We all saw that kindness as she testified over a 3-day period of time.

Judge Barrett won't be a politician on the Bench. She will make decisions as they should be decided—in an impartial manner and in accordance with the law and the Constitution. I am pleased to vote in favor of Judge Barrett's confirmation to be an Associate Justice of the Supreme Court, and I urge my colleagues to support her as well.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN. Mr. President, that sounded really good.

Senator GRASSLEY knows, of course, she was a good witness. Of course, she didn't take positions. Of course, she said she made no promises. Of course, Judge Barrett said she was open-minded. Cut through it all. I am not a lawyer, and I don't serve on the Judiciary Committee. I don't think Senator GRASSLEY is a lawyer, but I am not really sure. Maybe he is. I might be mistaken, and I apologize if he is.

Yet we all know why she was nominated. President Trump said why she was nominated. President Trump has been very explicit in saying that he wants a judge who will overturn the Affordable Care Act and that he wants her there quickly because the Affordable Care Act hearings begin soon after the election. He wants a judge who will undermine women's rights to make their own decisions about their own healthcare. He is putting her on because he knows she will oppose workers' rights. He is putting her on because he knows she will oppose marriage equality. He also wants her on quickly because he said: I want her there when the election is contested after the election.

So, of course, Senator MCCONNELL always does the bidding. Senator MCCONNELL comes out of his office. I assume he gets many of his marching orders from the President of the United States. He comes down here, and 51 spineless Senators—and then there is the Senator sitting in the Presiding Officer's chair, and I appreciate his courage—do whatever the President tells MCCONNELL to tell them on issue after

issue after issue. I mean, that is the way this place works. That is the corruption of this place. The President of the United States has said: I want her confirmed now because I want her there to decide the election that I am going to be involved in, and I want her there now so she can overturn the Affordable Care Act.

Of course, Judge Barrett said to the committee: Well, I have made no promises. I have made no commitments. I have not cut deals with anybody. Of course, she says that, but the fact is that this is why the President nominated her. We know that.

As a result, in my State, I know what the Affordable Care Act has done for the last decade. There are 900,000 people who have insurance who didn't have insurance before the Affordable Care Act. More than 100,000 people under the age of 26 have been able to get health insurance because they have been able to stay on their parents' healthcare plans. There are a million seniors in Ohio who have gotten free preventive care—screenings for osteoporosis, physicals. More than 100,000 Ohio seniors have saved an average of \$1,100 on their prescription drugs because of the Affordable Care Act. Maybe, most importantly, 5 million Ohioans have preexisting conditions. This was before the coronavirus. Now that number is higher. There are 5 million Ohioans who have had their preexisting conditions covered over the last decade. Why? Because of the Affordable Care Act, those people with preexisting conditions have been protected. Insurance companies can't raise their rates because of preexisting conditions, and they can't cancel their insurance because of their preexisting conditions. Those will be gone. The protections for preexisting conditions will be gone if the Affordable Care Act is gone. Protections for people under 26—their staying on their parents' plans—will be gone if the Affordable Care Act is overturned by the Supreme Court.

Now, they couldn't do it democratically. They couldn't do it because the citizens of this country didn't want it repealed. So President Trump has gone to the courts to legislate so they can overturn it. We know all of that.

That is why the comments of my friend from Iowa are just disingenuous. He knows that. Of course, she didn't sit in front of the committee and say: Yes, I made a deal. Of course, she didn't sit in front of those on the committee and say: I have strong feelings about the Affordable Care Act and gay rights and women's health. She is not going to say that. I am not a lawyer, but I know enough to know that she is not going to go to the committee and say that.

We know what it is about. It is about repealing the Affordable Care Act. It is about taking rights away from LGBTQ citizens in this country. It is about taking rights away from women. Maybe it is also about fixing the election. Deep down, the President and Senator MCCONNELL know they are not

going to win the election this year, so they want that ninth vote in the Court just in case the President brings a lawsuit. If it ends up in the Supreme Court, he and the Republicans will have appointed six of the nine Justices. That is the game in town. That is what we know is rigged.

So many millions of Americans are frustrated and angry with the way the President has failed the country during this pandemic. We know we have 4 percent of the world's population but that 22 percent of the deaths in the world are of Americans. It is not because we don't have good doctors in Utah or in Wisconsin or in Ohio; it is because of terrible Presidential leadership.

President Trump and Senator MCCONNELL have essentially left the country to fend for itself during this pandemic. The stock market is up, so Trump and MCCONNELL seem to think everything is fine. The stock market is up. What the heck? They are oblivious to the families staring at stacks of bills. They are oblivious to the small businesses that are watching years and, in some cases, often decades of hard work and investment—or they are family businesses going back many, many decades—evaporate in a few short minutes, but the stock market is up, so Trump and MCCONNELL seem to think everything is fine.

It is the same story over and over again. Corporate lobbyists, their allies in Washington do whatever it takes to make sure Wall Street recovers, and then they say: Oh, no, we really can't afford to help anyone else.

I hear from small, family-owned businesses all the time, how they are struggling. They are under incredible stress. They are worried about whether they can make rent or make payroll. They have waited on the phone for hours and couldn't get answers about loans. These folks aren't lounging in a C-suite corner office. They don't have high-priced lawyers and accountants who can do all the paperwork. They don't have the lobbyists who line up outside MITCH MCCONNELL's office helping them. They are fighting for their dreams.

We know why they are struggling. We know why some of them still can't open their doors 7 months—7 months—into this crisis because the President and this Senate have so botched this crisis.

Again, 4 percent of the world's population, 22 percent of the world's deaths, and the President said: I take no responsibility. The President said: Not my fault. The President said: I get a 10 out of 10 for how I have managed this.

President Trump has no plan, never has, to control the virus. He has not even tried. Imagine if President Trump, back in March, instead of lying to the American people—he knew how serious it was. He told his Wall Street friends, and he told that reporter from the Post. I can't remember his name. He told them it was serious, but he didn't tell the American people. He lied to us.

Imagine, instead, if the President had worn a mask and stood up and treated us like adults and said to the American public: You know, this is really serious. This could turn from an epidemic into a pandemic. We have to fight back. I am wearing a mask. I ask every American to wear a mask, just like we ask people to wear seat belts and stop at stop signs. I want every American to wear a mask. I want people to socially distance so we can get this—but he didn't do any of that. Of course he didn't do any of that.

And he also came up with no national testing, contact tracing strategy. He didn't invoke the Defense Production Act so that we could make cotton swabs and gloves and masks and gowns and all the things we needed to do to stay safe. He had none of that.

He has no guidance on how businesses are supposed to protect their customers, no investment of our vast resources to help them do it.

And we see the results. We saw them in April and May, in June and July, in August, in September, and now October. In fact, in my State, as in many States, there are more coronavirus diagnoses every day—almost every day—than there were a month ago, 2 months ago, 6 months ago.

Local restaurants are closed for good. The big chains may recover. Communities that already didn't get a lot of investment—Brown and Black neighborhoods, rural communities, places you can't see from Trump Tower—those places are seeing their home-grown businesses shut their doors and lay off workers.

Black-owned businesses have closed at twice the rate of White-owned businesses. We know Latino- and Asian-owned businesses are getting disproportionately hurt.

Our office hears from so many of these Ohio businesses. We have done a series of virtual roundtables with Ohio restaurants.

One Ohioan in Zanesville talked about taking over the family business his dad first started 67 years ago. Business is down significantly. He tries to pay his employees a living wage and give them time off for vacations and family needs. He is a really good employer. He is afraid of letting his employees down.

Another, a bar owner in Bellefontaine, told us his sales are down and he is worried about his own businesses. When he wrote to me, he didn't just talk about himself. He said that he is worried about the ripple effects on the farmers and suppliers, the truck-drivers, and so many others.

Now he is dreading the winter, when he won't even be able to use the patio. He wonders what he is going to do, what the suppliers are going to do.

And it is not just restaurants. The media reported on a newsstand in downtown Cleveland, owned by Mr. Patel, an Indian immigrant who came to Ohio and has lived the American Dream. He built a better life, started

his own business, was employing other Clevelanders. Now the office building is empty. The food court is closed. His sales have dropped from \$700 a day to just \$200 a day. He is looking at impossible choices unless the government helps.

We know we can. We did it in the spring when we passed payroll protection. There were all kinds of implementation problems. The Secretary of the Treasury and the President seemed more interested in the big guys than the little guys. Too many businesses went to the front of the line, but despite all that, we hear from businesses that are open today only because of PPP.

I heard from Spangler Candy in Bryan, OH, a family-owned union company. I have toured their plant and seen the great work this, I believe, fourth generation management team has done.

They have seen business drop 70 percent. They had to take their first Federal support in their 114-year history, using PPP to prevent layoffs. They kept their doors open, and they provided pandemic premium pay for their Teamster employees.

A music and arts venue in Youngstown, the Westside Bowl, talked at one roundtable about how they how had zero dollars in revenue in the past 6 months. PPP kept their office staff and stagehands on payroll, but as it runs out, so will their ability to pay employees.

Ohio Star Forge, a parts manufacturer in Warren, just north of Youngstown, represented by the Steelworkers, lost 90 percent of their business when auto plants shut down. PPP made a difference. They are now back to about 70 percent of their capacity.

Polter's Berry Farm is a family farm in Fremont. One of their crops is pumpkins. The major pumpkin buyers are amusement parks and fall festivals. Pumpkin sales were down. PPP was helpful, but now they are worried about whether they can repay it.

A+ Cleaners in Dayton has seen demand plummet. People don't need much dry cleaning when they are working from home. They were able to stay open with an EIDL loan and a CARES Act grant from the county. They are terrified of what happens when the money runs out.

We have a bill to get more help to these businesses—the Small Business Lifeline Act. It would extend PPP through at least next spring. It would get more funding to the program so they can get more money out the door to these businesses. It would specifically target help to the truly small businesses that need it the most, including minority-owned businesses. It would extend the debt relief program. It would get help to nonprofits that we know are hurting just like businesses are.

As important as these steps are, we can't just give businesses loans and think that will take care of it when the

virus is still raging and the customers don't have jobs.

That is why we need a comprehensive bill that actually meets the magnitude of this crisis. This visceral, decades-long opposition from my colleagues to unemployment insurance—I don't know how they don't realize that when 600,000 Ohioans are getting \$600 a week, they are spending that money at local businesses. They are keeping the economy going from just a total crevasse. They are helping the economy. They are helping local businesses. They are giving those businesses revenue, but when the \$600 just stops, not only are those 600,000 Ohioans' lives just so, so difficult, but it makes the businesses of which they are patrons, the businesses that they patronize—it obviously hurts them at their bottom line.

I think the stories from these businesses really get to the fundamental question of what sort of country we want to live in. When we invest in small business, we invest in people and communities, not stock buybacks, not executive bonuses.

I know that Senator MCCONNELL and his colleagues here always are looking out for the stock market, always are looking out for Wall Street, always want to hear about stock buybacks and executive bonuses. I know that is their thing. But during a pandemic, I wish it were less their thing.

The stakeholders in these businesses are not nameless, faceless shareholders. They are the owners' neighbors. They are family members. They are the people we see or used to see at our kids' schools, in the grocery store, and at church.

A year from now, do we want to be left with only the biggest companies that follow the Wall Street business model that treats workers as expendable?

Ohioans know all too well what happens when you let Wall Street run things and you ignore Main Street. Our communities have watched for decades as factories closed and investment dried up and storefronts were boarded over in towns and cities that once were thriving.

When people in those towns wake up, they realize the only jobs you can get are at a big-box chain for rock-bottom wages with no healthcare, no paid sick leave, no power over your schedule. Is that what we want for our future?

We have the resources to fix this. We are the greatest, richest country in the world. Let's rise to meet the moment. Let's pass a comprehensive bill that gets help to our businesses, our workers, and their customers. And let's get the communities the support they need.

Mr. President, in order to proceed to the consideration of H.R. 986, the Protecting Americans with Preexisting Conditions Act, which the House passed with bipartisan support, I ask unanimous consent that the Senate proceed to legislative business.

The PRESIDING OFFICER. Is there objection?

The Senator from Wisconsin.

Mr. JOHNSON. Mr. President, reserving the right to object, where do you begin? That was quite the statement.

At some point in time, it just becomes galling to listen to the tactics—the scare tactics and false allegations, particularly from the other side that gave us the Affordable Care Act, an Orwellian-named bill if there ever were one.

One of the promises made to promote that bill was, in the end, determined to be the PolitiFact Lie of the Year—I think in the year 2013: If you like your healthcare plan, you can keep your plan. If you like your doctor, you can keep your doctor.

Millions of Americans lost their healthcare plans. They lost their doctors. Premiums didn't decline by \$2,500 per family; they actually skyrocketed—sometimes two, three, four times the price because of the faulty design of healthcare, of the Affordable Care Act, ObamaCare.

Probably the greatest false allegation that is just offensive—and, by the way, to call every Member on this side spineless is offensive. We have different views. You know, you try to respect the different views if you actually want to accomplish something.

But one of the greatest false allegations—and they go back to the well time and time and time and time again about this—is the Republicans don't want to protect the coverage for people with preexisting conditions. Nothing could be further from the truth.

That was an argument made back in 2010, and the American people decided that we should do that. Republicans agreed with the American people that we wanted to protect everybody's coverage, covering people with preexisting conditions.

We just want to do it where it doesn't cost Americans an arm and a leg. The faulty architecture of ObamaCare caused premiums to double, triple, and quadruple because they actually made a very small slice of the American public—5 to 7 percent of the people who had to buy coverage on the individual market, who don't have the employer coverage plans that cover people with preexisting conditions—they made that small percentage of the American public bear the full cost and brunt of covering people with preexisting conditions. It was not smart. It was a faulty design.

The way you fix it is, yes, you require insurance carriers to cover people with preexisting conditions, not deny them coverage, but you spread that cost over everybody.

Just as I mentioned earlier to the Democratic leader when I objected to his bill, our friends on the other side of the aisle are far more interested in an issue rather than getting a result.

How do I know this? Well, particularly on this issue, covering people with preexisting conditions, four times in just the last few days and weeks, they have voted no, first on two COVID

relief packages—the ones I was referring to earlier—the target package that does provide financial relief to the unemployed, to small businesses, to schools, to parents with childcare and provides funding for agriculture and testing and vaccines—that also included language to protect coverage for people with preexisting conditions.

Twice in the last few days or weeks, they have also voted no on Senator TILLIS's bill that does exactly that—protect the insurance coverage of people with preexisting conditions.

Now, if they were really serious about protecting the coverage of people with preexisting conditions, they would have voted yes. But they voted no.

So I could go on and on. I have jotted down all kinds of points that I would like to refute, but it is really not worth the time and effort.

Again, let me emphasize that Republicans agreed with the American people. This debate is over. We have offered proposals to do just this. We want to protect the insurance coverage of every American with preexisting conditions. We just want to do it in a way that doesn't cost them an arm and a leg like ObamaCare did.

So I personally am just getting sick of the false allegations, and that is only one of them. I could drone on and on about the false allegations made by the other side against Republicans and conservatives, but I will focus on this: This is a false charge. It is canard. It is a scare tactic. I am begging the American people not to listen to it or believe it. Republicans want to protect the insurance coverage of people with preexisting conditions. If they were serious about it, they would have voted yes on what we have already proposed; and for that and many other reasons, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. BROWN. Mr. President, before offering another unanimous consent, I just point out there were 10 years of protections for people with preexisting conditions under ObamaCare and 10 years of speeches from Republicans about repeal and replace, with no real proposal to replace the Affordable Care Act. The President has promised it about every couple of weeks through 4 years, and he still hasn't put a real bill forward.

UNANIMOUS CONSENT REQUEST—H.R. 1230

Mr. President, in order to proceed to the consideration of H.R. 1230, Protecting Older Workers Against Discrimination Act, which passed the House with bipartisan support, I ask unanimous consent that the Senate proceed to legislative session.

The PRESIDING OFFICER. Is there objection?

Mr. JOHNSON. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

UNANIMOUS CONSENT REQUEST—H.R. 1759

Mr. BROWN. Mr. President, in order to proceed to consideration of H.R.

1759, BRIDGE for Workers Act, I ask unanimous consent that the Senate proceed to legislative session.

The PRESIDING OFFICER. Is there objection?

Mr. JOHNSON. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. BROWN. Mr. President, I guess I am not surprised about that, considering I hear my colleagues talk about how outrageous it is that we were spending \$600 a week to help unemployed workers, and this bipartisan bill that passed the House would help workers to get retrained and get jobs, and they are not willing to do that either, but we also know that this is a bill that—we have seen this act before.

UNANIMOUS CONSENT REQUEST—H.R. 3659

Mr. President, in order to proceed to the consideration of H.R. 3659, Danny's Law, I ask unanimous consent that the Senate proceed to legislative session.

The PRESIDING OFFICER. Is there objection?

Mr. JOHNSON. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

UNANIMOUS CONSENT REQUEST—H.R. 4029

Mr. BROWN. Mr. President, in order to proceed to the consideration of H.R. 4029, Tribal Access to Homeless Assistance Act, I ask that the Senate proceed to legislative session.

The PRESIDING OFFICER. Is there objection?

Mr. JOHNSON. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

UNANIMOUS CONSENT REQUEST—H.R. 5084

Mr. BROWN. Mr. President, in order to proceed to the consideration of H.R. 5084, Improving Corporate Governance Through Diversity Act, legislation to require corporations to disclose—just disclose the racial, ethnic, and gender composition of their boards, which again passed the House with bipartisan support, I ask unanimous consent that the Senate proceed to legislative session.

The PRESIDING OFFICER. Is there objection?

Mr. JOHNSON. Mr. President, I object.

The PRESIDING OFFICER. The objection is heard.

Mr. BROWN. Mr. President, I will hold the floor for just another few moments.

I have watched Senator MCCONNELL—and I am sorry to call some of my colleagues spineless, Senator JOHNSON, but, you know, when the President made comments about our soldiers who had died in battle, I didn't hear hardly any Republicans speak up. I admire the courage of the Presiding Officer. I admire Senator MURKOWSKI and her courage over a number of things. But I see my colleagues—I hear what you all think. I know what Senator SASSE said during that townhall. I know many of

you, if not most of you, maybe all of you—probably not—think that about the President's lack of integrity and lack of character and dishonesty and the lies he tells. And I know, I have watched, and I sat right here and I looked across the aisle during impeachment and I saw the look of fear in my colleagues' eyes because they didn't want to cross the President; they didn't want to get the President to tweet about them or even get a primary opponent to them. That is why I use that term, but more importantly to the citizens of this country, we spent most of the last month after month after month after month, confirming very conservative, very young judges. I understand why you want to do that, but we are not doing anything for the public.

We had a high moment in March when Senator JOHNSON said we unanimously approved the CARES Act. A study shows the CARES Act kept 12 million Americans out of poverty. But then we ask to continue the CARES Act and do something similar like the Heroes Act, and instead Senator MCCONNELL—and I know the lobbyists that line up in front of his door, I know they have a lot of influence on him, but we saw Senator MCCONNELL say: no urgency, no urgency.

My favorite Abraham Lincoln quote is Lincoln wanted to—his staff wanted him to stay in the White House and win the war and abolish slavery and protect the Union, and they wanted him to stay in the White House. And he said: No, I have to go out and get my public opinion baths. Are none of my colleagues hearing the pain of laid-off workers who have lost their unemployment?

Haven't they seen schoolchildren—their parents saying: "I want to send my kids back to school, but they are not safe" because we aren't voting dollars to help?

I talked to my daughter last night. Just a few days ago, they announced that instead of school opening in person in Columbus next week, it is going to open in January, if even then, because we are not helping schools open.

We are not helping people avoid eviction. We are not helping local governments keep police and firemen on the streets and people who work in the parks and people who provide help for abused children and all the things that local governments do—we are doing none of that, but we have plenty of time to do judges. That is the frustration and why I made the comments I made.

It just breaks my heart that we all sit here. This is a group of pretty affluent and pretty privileged people. Yet we can't look out for people who are hurting like this country hasn't hurt for decades.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. JOHNSON. Mr. President, this deserves a response.

The pandemic is an act of God. Maybe—maybe—and we don't know. We don't know what complicity China had in—the chance that it was developed in a lab in this. We just don't know. But we certainly know that China controlled the spread in China while they allowed their citizens to go all over the world and spread the pandemic. It is an act of God. It is certainly nobody's fault in the United States.

As chairman of Homeland Security, we have had before our committee the men and women in charge of these agencies who are trying to respond to an incredibly difficult situation.

I never criticized President Obama or Vice President Biden during H1N1. It was a contagious disease, and 60 million Americans were infected by it. I am not sure there is anything you really can do to prevent infections.

Now, I think we have actually been pretty successful in flattening the curve, people taking responsibility, becoming germophobes. We shut down our economy. Now, I never thought we should shut it down to the extent that we have because I have always tried to keep things in perspective, the human toll of the economic devastation of those shutdowns. But again, I find it galling when I know people like Pete Gaynor, General Giroir—the men and women—Dr. Birx, Dr. Hahn, the men and women in this administration who have been working 24/7 to respond as effectively as they can to an act of God, a pandemic.

Now, I have been on the conference calls. This administration has been as transparent as any I have seen. To accuse this administration of hiding the truth—I don't know where you were during the early months of this, but I was watching the hour- and 2-hour-long press conferences where the truth was being laid out in all its gory detail. Any American who watched that that wasn't concerned about COVID, I don't know what they were looking at. There was no hiding the ball here. President Trump and his administration made it very obvious what was at stake.

I am also aware of the fact that because of this act of God, because of this pandemic, there was an enormous demand for products that should have been in the national stockpile but wasn't there because the previous administration had run the stockpile down, and then we, all of us collectively, took our eye off the ball and didn't restore it. So the product just wasn't there. But I do know, in a very difficult situation, when demand outstrips supply by two or three times, the men and women in this administration, again, working tirelessly, allocated that PPE.

I am not aware that anybody ran out. Now, I know that everybody didn't get everything they wanted because some tough decisions had to be made. We had to surge PPE product to those hotspots, and where the pandemic wasn't raging, people didn't get everything they needed.

I am not aware of anybody who wanted to get placed on a ventilator who didn't get one because they used the war production act. We did extraordinary things in terms of ramping up production. Now we are supplying ventilators to the world.

You can overlook all these things, and you can say the administration wasn't honest with the American public, but I think the actual facts refute those charges.

Maybe in other people's world there is perfection, and in this pandemic you can stop it in its tracks. You can prevent further infections. But that didn't happen with H1N1, even though they tried. Sixty-million Americans got it. Fortunately, it was not as deadly as the coronavirus and COVID-19.

Again, among many things that are galling, the false allegations—to me, to politicize a pandemic, to politicize a virus that is killing Americans, to denigrate the efforts of the men and women in these agencies who have worked 24/7 is just simply wrong. This is not something that should divide us; that we should politicize. It is something that should unite us as prior crises in this country have. So, again, there are so many more other things I can say, but I see the Senator from Alaska is here, and I don't want to take any more time on the floor.

I yield the floor.

Mr. BROWN. One last comment.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN. I just don't really understand what I just heard, when the President went straight to the American people and told them it was going to disappear. He said it was a Democratic, liberal hoax to bring down his campaign.

But look at a little history. I wear on my lapel a picture of a canary in a birdcage. It was given to me at a workers' Memorial Day rally, a rally to honor workers who had been injured or killed on the job.

This canary in the birdcage—you know, the mine workers used to take it down in the mines 120 years ago. If the canary died, the mine worker got out of the mine. He knew that he didn't have a union that was very strong or a government that cared very much. He was on his own. So I always cared a lot about public health. That is really the best prevention for the canary in the mine.

I wrote a letter to President Trump in 2018, after he had closed the Office of Global Health Security in the White House and essentially fired or transferred Dr. Ziemer, a Bush appointee who was one of the world's great malaria doctors. His job—he had 40 people on his staff. His job was to surveil the world and look at potential disease outbreaks that might turn into an epidemic which then might evolve into a pandemic. That was his job. The President eliminated the office. And I wrote a letter to the President asking him to reinstate it, and he didn't even answer the letter.

Then, the following year, 2019, he brought Dr. Linda Quick home from China. And her job was to make sure, if anything was happening in China, that we would know about it and could help them prevent the disease. Our CDC—our Centers for Disease Control, we are the best in the world. It was the United States of America leading the charge to eliminate smallpox. It was the United States of America that led the job to all but eliminate polio in this country. Some of us here are old enough—the Presiding Officer, anyway, will remember knowing people who had minor cases growing up in our schools. So we know what that meant. It was the President of the United States who pulled CDC employees out of China because of a trade or some—depending on when the President loved Xi or disliked Xi—I mean, it was back and forth with the Chinese leader, and we just unilaterally disarmed. Then the President denied that the virus meant anything.

I know he took care of ventilators, but other kinds of protective equipment, just talk to nurses and doctors and healthcare workers in our States—in Madison, in Cleveland, in Columbus, in Milwaukee, in Kenosha and Fairbanks and Salt Lake City.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

NOMINATION OF AMY CONEY BARRETT

Ms. MURKOWSKI. Mr. President, I want to start with a personal thank-you to the Presiding Officer for indulging me for an additional few moments here so I may speak this afternoon on the nomination of Judge Amy Coney Barrett to be an Associate Justice of the U.S. Supreme Court.

And while I intend to share with you my intention on how I will vote, I would like to start by expressing my disappointment with where we are in the Senate as a whole right now. There has been some good discussion here this morning as we are considering these unanimous consent agreements—statements being made but not action moving forward.

I had hoped that if we were going to be at this moment in time, just over a week out from our national elections, that we would be here on the floor debating the merits of a COVID relief bill. In my home State of Alaska, as in so many States around the country, we are seeing unprecedented numbers now. The news, just yesterday, Friday, was that the United States reported the highest single-day recorded positive cases—83,757—really staggering.

In Alaska, we have seen this virus spread to some of our small outlying villages, villages that are not accessible by road and villages that have limited medical facilities. We are really quite concerned about what this means for many of the Native people in these areas.

We are not able to stay on top of the contact tracing like we were some months ago because of our increasing numbers. The pressure on hospital ca-

capacity is also a growing concern. And, economically, Alaska has been hit extraordinarily hard. As most know, we have a pretty substantial tourist season, but this year, we had little to no season for us. Many small businesses have closed permanently, but many, many more are going into the winter wondering how they are going to make it through the winter and scrambling to find ways to piece it together.

Unemployment, loss of housing—in every conversation that I have with Alaskans, they are asking if and when we are going to see another round of COVID relief, and I regret that we have no deal to offer them today. Instead, we are here on a weekend, 10 days before the elections, to advance a U.S. Supreme Court nominee.

Now, I was here on the floor yesterday. I had an opportunity to listen to the majority leader as he outlined the escalation of confirmation battles over the past 30-plus years, and I think it was an important lesson in our Senate history. I am not confused about how we wound up here, but I certainly am frustrated by it. It is with a heavy heart that I just regret that we are in this place.

I think there was a worthy attempt during the 109th Congress, by the Gang of 14, to reduce tensions. There was, I think, a very genuine, good-faith effort there to try to dial things back. But, sadly, their bipartisan action was not rewarded by the voters, and perhaps that served as a warning to other Members of this body rather than an aspiration.

We heard the history lesson, and I am one who has long recognized that pointing fingers doesn't ever actually solve a problem. I personally believe that every nominee for the Supreme Court should receive an up-or-down vote after they have passed out of committee. My record has been pretty clear, pretty consistent, and some might even suggest boring in its consistency, but I made a very strong commitment after I returned to the Senate at the end of 2010 and said: I do not believe that filibustering our judges was what we should be doing.

So I might not have liked the judges that were before us, but I did not participate in a filibuster of a judge. I had an opportunity to vote up or down, and I thought that was the reasonable way to proceed. I believe that it is fair to the individual and it is fair to the institution.

But I also recognize that the timing of this confirmation that we have before us will serve to reinforce the public perception about political influence on the Court, and I would hope that we all recognize that public confidence in our courts must be an imperative. We have to believe that justice is going to be equal for all of us.

Now, I know that my colleagues are not surprised to hear me discuss my concern about the politicization of the Court. I made a similar point during the impeachment trial, when some