

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

wanted to literally tear down Chief Justice Roberts and the Court because they needed a sound bite for a political ad in the primary campaign. I made the same case when I voted against the nomination of now-Justice Kavanaugh.

Also, during that impeachment trial, I implored the Members of this Chamber to look inward and to really evaluate: Are we really willing to tear down not only the other party but the other institutions of our government as well?

So I have looked inward, considering, in these difficult days, what I believe is best for the institutions of our government, and I recognize that confirming this nominee is not going to heal and it is not going to salve the wounds that these institutions have endured, but neither will threats that, should the balance of power in this Chamber change, everything is on the table, including the end of the legislative filibuster and packing the Court. To do that would only inflict even deeper, deeper wounds, fundamentally and dramatically altering how the levers of power operate in this country and compromising the one branch of government that must remain apolitical.

We are the legislative branch, the executive branch. Both of these branches are inherently political. It is the third branch, our courts, that we count on to be apolitical. I think it would be a giant leap further down a path that we should not be following in the first place. So we have to figure out how we deescalate.

So let me very simply explain this afternoon how I plan to vote over the next two days, starting with procedural motions, which I opposed yesterday, and I will oppose again tomorrow.

In 2016, after the unfortunate death of Justice Scalia, I said that the Senate should not take up a nominee to fill that seat due to the impending Presidential election. I reiterated that statement in August of this year. And then, coincidentally enough, just hours before the news of Justice Ginsburg's passing that saddened the country—I didn't know that she had passed when I reaffirmed my comments from earlier, but that knowledge would not have changed my mind. I remain in the same place today. I do not believe that moving forward on a nominee just over a week removed from a pitched Presidential election, when partisan tensions are running about as high as they could—I don't think that this will help our country become a better version of itself.

But, frankly, I have lost that procedural fight. We saw that with the vote yesterday. So what I can do now is be consistent with the precedent that I have set for myself and oppose a process that I said should not move forward, and I have done that.

But at the end of the process is the substantive question of whether Judge Barrett should be categorically rejected as an Associate Justice in order to underscore my procedural objection. I believe that the only way to put us

back on the path of appropriate consideration of judicial nominees is to evaluate Judge Barrett as we would want to be judged—on the merits of her qualifications. And we do that when that final question comes before us, and when it does, I will be a “yes.”

I have no doubt about her intellect. I have no doubt about Judge Barrett's judicial temperament. I have no doubt about her capability to do the job and to do it well.

By now, most people are very familiar with her qualifications. They have seen her resume and bio. She has been all over the news, but her background is significant. She graduated with honors from Rhodes College and with honors from Notre Dame Law School, clerked on the DC Court of Appeals and the Supreme Court, and was an excellent professor for 15 years at Notre Dame Law School prior to being confirmed on the bench on the Seventh Circuit Court of Appeals. I helped to confirm her to that seat on the Seventh Circuit.

I have followed on from that time when I first came to know of Judge Amy Coney Barrett. I have done my due diligence in my role of advice and consent. I have worked through the articles that she has written and the cases that she has written. I have engaged in a lengthy one-on-one with her. I watched both full days when she appeared before the Judiciary Committee. She presented herself admirably under a difficult situation. We all know around here that confirmation processes are not pretty.

I have expressed my concerns previously that good people will decide that the confirmation process that we have now is sometimes an awful process, that I worry that they are going to think that it is just not worth it, not worth what it puts them and their families through, and they opt out. They opt to avoid government service.

And, on this note, I will say that while some of the rhetoric from my colleagues has been overblown and unnecessary, this process with Judge Barrett is not nearly what it was in 2018 during the confirmation of Justice Kavanaugh. So, ultimately, I am glad and I am thankful that Judge Barrett did not opt out.

I have concluded that she is the sort of person that we want on the Supreme Court. Her legal writing is excellent and will be an asset to her as well as future generations of lawyers as they read through her opinions. Her intellectual curiosity, which is demonstrated by the depth and breadth of her academic work as a professor, will also serve the country well. Her temperament and her very patient nature were on full display over the course of the hearing.

I had a good and, I think, a very substantive discussion with Judge Barrett about some Alaska-related matters, focusing on Alaska-specific statutes, like ANILCA. I raised some of the public safety challenges that we face in my

home State that served to undermine the principle of equal justice under the law.

I raised the issue of voting rights and access to the ballot. It was important for me to hear and to better understand her views on precedent and her evaluation process, specifically the weight that she affords reliance on decisions that have been in place for decades, such as *Roe v. Wade*. We discussed the doctrine of severability in regards to the Affordable Care Act case. We spoke at length about my concern that the Supreme Court is increasingly viewed as political by the public and what that then does to erode public confidence in the impartiality of our courts. We talked about the criteria and the evaluation that that Justice would undergo for purposes of recusal from a matter.

I do not believe Judge Barrett will take her seat on the Bench with a predetermined agenda or with the goal of putting a torch to every volume of the “United States Reports.”

Justices should come to the Court with an open mind, willing to be convinced by the arguments presented in each case, to exchange thoughts with their colleagues, to learn new things, and rule as the law requires. I am convinced that Judge Barrett will do just that.

So while I oppose the process that has led us to this point, I do not hold it against her as an individual who has navigated the gauntlet with grace, skill, and humility. I will vote no on the procedural votes ahead of us but yes to confirm Judge Barrett when the question before us is her qualification to be an Associate Justice on the Supreme Court.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. CASSIDY. Mr. President, I rise today to offer my support for confirming Louisiana native Amy Coney Barrett to the Supreme Court of the United States.

Deciding whether to confirm a Justice to the highest Court in the land is among the most important duties and privileges that a Senator has. We must consider the qualifications of the nominee the President puts forward and determine a nominee's fitness to serve.

In this case, President Donald Trump made a terrific selection in Amy Coney Barrett. The Senate will vote on her confirmation in the coming days, and I will proudly cast my vote to confirm. Here is why:

Judge Barrett is incredibly qualified to serve on the Court. She graduated *summa cum laude* from Notre Dame Law School, clerked for the late-Supreme Court Justice Antonin Scalia, and spent 15 years in academia shaping a new generation of legal minds.

According to her students, she was not an ideologue but, rather, she would listen and take their thoughts and process them and bring them to a better knowledge of the law. With that,

she has been universally praised by her former students and ultimately served on the U.S. Court of Appeals for the Seventh Circuit.

Her record and experience show that she is ready for the Supreme Court.

There is some home-State pride. Judge Barrett was raised in Metairie, LA, and is a graduate of St. Mary's Dominican High School. When I go back there, I will see folks with the pen she would have received when she graduated, and they are very proud to have attended the same school and perhaps to have been in the same class.

As a fellow Louisianan, I am proud that one of our own will become a Supreme Court Justice. She will be only the second person from Louisiana to serve on the Court, which, for my State, makes the confirmation historic. But it is more than Louisiana rooting for Amy Coney Barrett; she will serve our country well.

I will also say that I think it fitting that a woman fill the seat that opened after Justice Ruth Bader Ginsburg's passing. Although she and I had our differences in political and judicial philosophy, she should be recognized for her service and lifelong pursuit of ensuring that women have a seat at the table. We thank the legacy of Justice Ginsburg and her service to the United States.

One of the many things that are notable for Justice Ginsburg that I will emphasize is that she broadened the perspective of SCOTUS—the Supreme Court of the United States—as they treated the law. I think Judge Barrett does the same. She will be the first mother of school-age children to serve on the Court. She and her husband Jesse are raising seven children, two of whom were adopted from Haiti and the youngest of whom has Down syndrome. If there is a mom—whether a working mom or not—who wonders if her perspective is ever spoken to when cases are considered before the Supreme Court, Justice Barrett will bring that perspective to the Court.

Finally, I want to thank Judge Barrett for her willingness to serve. To accept a nomination to the Supreme Court is, sadly, to accept ruthless attacks from partisans seeking to score political points. Her nomination was no different.

She has been repeatedly attacked for being a practicing Catholic. She has every right to live her faith. No one in public service should be expected to cast aside deeply held religious convictions to satisfy an angry mob fabricating reasons to say no.

Thank you, Judge Barrett, for defending your—and by extension all of our—religious liberty.

I think the balance and the grace she exhibited during a very difficult 2 days of being before the committee but in her life in general is testimony to the depth by which she considers the best of her faith.

That said, her political enemies and some in the press intentionally

mischaracterized many of her statements, twisting them into new ways to attack her, again fabricating reasons to say no. Yet Judge Barrett handled each attack with grace and dignity.

During her hearing, she displayed time and again that she has the skills, the demeanor, and the experience to serve on the Supreme Court.

On Monday, I will proudly cast my vote to confirm Amy Coney Barrett to the Supreme Court. She will serve our country well, and she will serve the future generations that will be influenced by her decisions on the Supreme Court well. I encourage my colleagues to put politics aside and to do the same.

Thank you.

I yield back. The PRESIDING OFFICER (Ms. MURKOWSKI). The Senator from Connecticut.

UNANIMOUS CONSENT REQUEST—H.R. 1112

Mr. BLUMENTHAL. Madam President, we are here today on a unique Saturday, a day that is not normal, a day when the coronavirus is setting new records across the United States for infection—just yesterday, 85,000 new cases, which is the very highest since July—ravaging the United States, and creating untold hardship and heartbreak.

We are in the midst of a raging pandemic, but we are not considering measures to deal with the pain and grief and loss that it has created, the threat that it poses to many States across the country, providing memories for many of us in Connecticut who went through the worst of these ravages and still suffer, in Connecticut, the threat of a new wave. Economic crisis grips this country, people are out of jobs, and small businesses are failing, but we are considering a nominee who would threaten to decimate our healthcare system in the midst of a healthcare crisis as we go through this pandemic.

It is a day that is sad, shocking, surreal, and it is not normal. It is not normal to rush through a nominee for the highest Court in the land—a lifetime appointment—while Americans are going to the polls in record numbers. Their voices should be heard, and the next Senate and the President should choose this next Justice. It is not normal because we are, in effect, ignoring and disregarding the duty we have to consider and pass real measures to address this pandemic and the economic crisis we face.

It is not normal for real people whose lives are impacted so severely and potentially even more so in the weeks ahead and whose healthcare, reproductive freedom, protection from gun violence, workplace rights, civil rights, and civil liberties are all threatened by this nominee.

We brought into the hearing room those real people from Connecticut and all around the country through the posters that we had, watching those hearings and the nonresponses that Amy Coney Barrett gave to our ques-

tions. We brought real lives and the real harm they will suffer into that hearing room.

I brought Connor Curran, whose treatment has kept him alive only because his parents were able to use the Affordable Care Act for his preexisting condition; Julia Gonzalez, who is alive because she received treatment for her cancer as a result of the ACA making it affordable, protecting her as a pre-existing condition survivor; Samantha, a rape survivor, who was able to get an abortion because of the protections of *Roe v. Wade*; Tracey, who was able to use in vitro fertilization because of reproductive freedoms that are guaranteed by *Griswold v. Connecticut* and its progeny—Amy Coney Barrett has refused to say whether she thought *Griswold* was correctly decided; Ethan Song, who lost his life because of an unsafely stored firearm in a friend's home—his parents, Michael and Kristin Song, were with me, and so was Ethan; Janet Rice, whose son, Shane, then 20 years old, was killed in downtown Hartford; and, of course, the Barton family, who lost their beautiful son, Daniel, along with 19 other wonderful children, in Sandy Hook in that massacre, and sixth grade educators as well.

Those lives and real people and real harms are what are at stake in this debate, and so this Chamber seems so surreal on this day, in the midst of hardship and heartbreak that would only be aggravated by the Justice who may be confirmed as early as Monday evening.

She has been selected, screened, and vetted to be an activist judge who would strike down the Affordable Care Act and overturn *Roe v. Wade*. We know that she has passed that “strong test”—the President's words, “strong test”—to legislate from the Bench and accomplish through the Court what they have been unable to achieve in this body, in this Chamber, and in this Congress through the legislature.

They have failed to overturn the Affordable Care Act because the majority of American people want that protection for preexisting conditions. We have stood strong on this side against those 10, 20, 40 efforts to strike down the Affordable Care Act.

Madam President, she has been vetted and screened for a position on gun violence protection that she herself has admitted in a speech she gave at Hillsdale College. It sounds kind of radical. It sounds kind of radical, as I said to her during the hearing, because it is radical. It is part of a radical, extremist agenda to deny the American people State and local laws that protect them against assault weapons and large-capacity magazines, people who are dangerous and should be denied the purchase of firearms because they should be screened out through background checks and through emergency risk protection orders and safe storage laws, and repeal of PLCAA. That gives gun manufacturers near complete immunity from any responsibility.

We are still in the middle of an epidemic of gun violence, and among those real people who have spoken out is a young woman, 19 years old, named Tabitha Escalante. I was on a phone call with her yesterday with other advocates.

She is the judiciary advisory associate at March for Our Lives, and she is advocating, along with other groups, grassroots groups, that have created a movement—Giffords, Brady, Everytown, Moms Demand Action, Students Demand Action, Connecticut Against Gun Violence, Sandy Hook Promise, Newtown Action Alliance—along with March for Our Lives. They have created a movement that is prevailing, just as we prevailed and stopped the legislative branch from overturning the Affordable Care Act.

The strength of this movement has caused the NRA and the extreme radical groups that are supporting it to go to the courts, as we documented in a report that we released just yesterday. I thank my colleague SHELDON WHITEHOUSE for spearheading this effort. I have been proud to join in various efforts on captured courts. And the report “What’s at Stake: Gun Safety” was the reason that Tabitha and I and others joined that call yesterday: “How a Corrupted Organization Has Radically Transformed the Second Amendment.”

It shows how the NRA has been at the tip of the spear, working for special interests, the gun lobby—dark money channeled to put on the court judges, at every level, who will stop commonsense measures on protecting people against gun violence. Justice nominee Amy Coney Barrett is only the most recent of them who have been screened and vetted to carry forward that agenda.

These interlocking groups—the firearms industry, retailers, and private organizations like American Encore, American Future Fund, American Action Network, Judicial Crisis Network—have spearheaded this effort, and the NRA has been their tool and instrument, and judges in the Federal courts have been the result.

The fact of the matter is that they are turning to the legislatures because of the strength of this grassroots movement—not its weakness—and their efforts to repeal the ACA have failed. So have their efforts to block those measures in State legislatures and local governments.

In fact, gun violence prevention was on the ballot in 2018, and gun violence prevention won. That is the reason that the House of Representatives passed a universal background check measure and other steps that are so important and should be done here.

In the past 10 years, in fact, this scourge and epidemic of gun violence has continued with more than 236 mass shootings in this country. Those mass shootings have taken 1,300 lives, including those innocent children and educators at Sandy Hook.

In the past 10 years, gun violence has taken more than 350,000 lives—in rural communities, urban communities, and every community across the United States. Gun violence is an insidious public health menace, a public health epidemic that affects every community.

Amid this public health epidemic, Republicans have vetted and screened this nominee to take Justice Ginsburg’s place on the Supreme Court because of her extreme views, as she articulated in her dissent in *Kanter v. Barr*. She showed an alarming willingness to stretch the founding-era history to support her extreme and expansive view of the Second Amendment. Her views are not only out of the mainstream; they are out of the position articulated by Justice Scalia, her mentor.

But the fact of the matter is that the threat to these gun violence prevention measures is real and urgent. Cases are literally one step away—remember, one step away—from the Supreme Court. There are three cases challenging restrictions on assault weapons and large-capacity magazines, two of them from California that are about to be petitioned for a review of certiorari at the U.S. Supreme Court. Two cases challenging limits on open carry and three cases challenging background check and licensing requirements are one step away from the Supreme Court, possibly this term, when Amy Coney Barrett would take her seat.

With her nomination, every single commonsense violence prevention measure at every level of government is in great peril. The public safety and health stakes of her nomination could not be greater. As Tabitha said, “Nothing less than everything is at stake.” “Nothing less than everything is at stake”—and not just now when these cases are one step away, but for decades to come.

Tabitha’s generation may have children, even grandchildren, who will see Amy Coney Barrett on the Supreme Court Bench, if she is confirmed, and district court and appellate court judges whom we have confirmed through this effort to reshape the courts in the image of the far right, of what used to be the Republican Party—one step away from this disaster.

Likewise, on the issue of reproductive freedom, Judge Barrett was also vetted and screened. At the hearing, she refused to say—absolutely refused to say—whether *Roe* was correctly decided. As you know, *Roe* protects a woman’s right to choose after being raped, as Samantha was. We presented her story.

It is constitutional to make in vitro fertilization a crime if *Roe* is overturned. It is constitutional to make it a crime for doctors to perform abortions. She refused to answer that question as well. But, in a way, she didn’t really need to answer those questions because we know where she stands. She described *Roe*’s legacy as barbaric in a

letter and ad that she aligned herself with.

She has called, in effect, through organizations with which she was aligned, for the unborn “to be protected in law.” She aligned herself with a group on legal positions—I am not talking about moral beliefs—pushing the most extreme legal views on reproductive care, which include criminalizing IVF, criminalizing doctors, ending legalized abortion in this country.

Her extreme views on reproductive freedoms once were disqualifying, but it is the reason why Donald Trump chose her in the first place—his strong test on that issue.

Right now, there are 17 abortion-related cases that are one step away from the Supreme Court. There are challenges to bans on abortion as early as 6 weeks into pregnancy, before many women even know they are pregnant. There are bans on abortion later in pregnancy, when women can face the most severe health risks and rely on their doctors for accurate information and compassionate care.

They are reason-based bans that merely exist as a pretext—and I say “reason-based ban”—for interrogating and intimidating women who seek an abortion. They are redtape laws that require abortion providers to jump through hoops that serve no medical purpose but merely exist to burden them and make necessary abortion services harder and harder to obtain—and numerous other abortion laws designed to limit access—strictly to limit access in the name of healthcare, particularly for poor, rural, and immigrant women who simply cannot afford to make trips to clinics hundreds of miles away. They are laws that impede racial justice, human justice.

Access to reproductive care is already hanging by a thread across the country. Judge Barrett’s nomination imperils what access remains. Those cases are just one step away—one step away—from decisions by the Court that Judge Barrett would join.

So there is a great deal of our fundamental rights at stake here. As Tabitha said, “Nothing less than everything is at stake.” These cases that are one step away from decision are only 17 cases involving reproductive freedom, 14 cases involving gun violence prevention, and there are numerous others involving workplace safety.

The Affordable Care Act will be argued a week after the election, when she would sit on the Court. Her hostility to the Affordable Care Act is well documented by now in her criticizing Chief Justice Roberts for his vote to uphold the act, saying he had to stretch the meaning of it to keep it alive, her saying in *King v. Burwell*, when she spoke about that case, that the dissent had the better of the argument. These are real rights for real people that would be lost.

Instead of imperiling healthcare and other rights that should be enjoyed by the American people, we should be enacting measures that are before us

right now that have been passed by the House of Representatives, by bipartisan majorities, that would actually address the needs and challenges of the American people during this extraordinary time in our history.

They are before us right now. There is no need to write them anew. There is no need to invent the words or the purposes for these acts.

In order to proceed to the consideration of H.R. 1112, the Enhanced Background Checks Act—bipartisan legislation to close the Charleston loophole, extending the initial background check review period from 3 to 10 days, and eliminating that loophole for gun purchases which enabled the Charleston shooter to get his weapon and murder people in the basement of a church and others around the country to endanger and kill innocent Americans, embodying the principle of “no check, no sale,” that must be the rule—I ask unanimous consent that the Senate proceed to legislative session.

The PRESIDING OFFICER. Is there objection?

The Senator from North Dakota.

Mr. CRAMER. Reserving the right to object.

The Senate is currently considering the qualifications of an excellent nominee to be on the Supreme Court of the United States. That is why we are here. It is very important work. This request is nothing more than another form of procedural harassment by the minority to try and stop our process of considering Amy Coney Barrett for the Supreme Court of the United States. It is certainly unfair to her. It is unbecoming of this Chamber.

If this bill was so important to the Democrats in the Senate, they wouldn't have voted four times to adjourn until after the election. So, clearly, this is just a stunt.

By the way, if that wasn't reason enough, the bill that the Senator is suggesting we get into would put onerous burdens on law-abiding Americans who just want to protect themselves at a time when Democratic mayors and Governors are overseeing all kinds of damage to life and health and property unchecked. In fact, calling off the law enforcement of their communities to protect our citizens, they now want to take away the rights of those citizens to be able to purchase arms or at least make it much more difficult.

For these reasons and several others, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. BLUMENTHAL. Madam President, what my colleague calls procedural harassment, it is actually democracy. It is legislation. It was passed by the House. It is bipartisan. The majority was bipartisan. It will save lives. I fail to understand why my Republican colleagues will not allow this loophole—it is a fatal and defective loophole in our current laws—to be repaired.

UNANIMOUS CONSENT REQUEST—H.R. 7

Madam President, let me move to another measure. In order to proceed to the consideration of H.R. 7, Paycheck Fairness Act—again, bipartisan legislation that would empower women to challenge pay discrimination in the workplace, passing the House by a bipartisan majority and giving women the power to hold employers accountable for discriminatory practices, making a tremendous difference in their lives—I ask unanimous consent that the Senate proceed to legislative session on the Paycheck Fairness Act.

The PRESIDING OFFICER. Is there objection?

The Senator from North Dakota.

Mr. CRAMER. Madam President, reserving the right to object.

This is yet one more obstructionist move to prevent us from taking up Amy Coney Barrett to the Supreme Court of the United States, a highly-qualified nominee who deserves her time in the Chamber. She deserves her time in debate and not these other external matters that, by the way, if they were important to the Senate minority, they would not have voted four times this week to adjourn until after the election.

For that reason and several others, I object.

The PRESIDING OFFICER. The objection is heard.

The Senator from Connecticut.

Mr. BLUMENTHAL. Madam President, the so-called external matters go to the heart of fairness in the workplace, equal pay for equal work, discriminatory practices, other kinds of injustices that have existed for years—women ought to have the right to challenge them and hold their employers accountable. What could be more fundamental and important?

UNANIMOUS CONSENT REQUEST—H.R. 1423

Madam President, let me move now to H.R. 1423, in order to proceed to consideration of the Forced Arbitration Injustice Repeal Act, also known as the FAIR Act, which passed the House on September 20, 2019—again, a bipartisan measure, which would increase Americans' rights to seek justice and accountability through the court system.

We are in the midst of considering a nominee who has expressed a hostility to seeking justice in the workplace and in jobs and in other areas. So this measure to eliminate forced arbitration clauses in employment and consumer and civil rights cases is especially relevant. It would allow consumers and workers to agree to arbitration after a dispute occurs, but it would not force them to do so.

I ask unanimous consent that the Senate proceed to legislative session.

The PRESIDING OFFICER. Is there objection?

The Senator from North Dakota.

Mr. CRAMER. Madam President, reserving the right to object.

I will not allow the Senate to be diverted from the issue at hand, and that is the consideration and of Amy Coney

Barrett to be an Associate Justice on the Supreme Court of the United States. She is a highly-qualified nominee and deserves this debate.

For that reason, I object.

The PRESIDING OFFICER. Objection is heard.

UNANIMOUS CONSENT REQUEST—S. 4443

Mr. BLUMENTHAL. Madam President, in order to proceed to the consideration of the Lori Jackson Domestic Violence Survivor Protection Act—because millions of women are still at risk as a consequence of this loophole in our present laws that enables dangerous, estranged spouses or partners to have access to weapons during the most perilous time in a domestic dispute right after separation, because that loophole endangers innocent women because it provides access to weapons to those dangerous people—I ask unanimous consent that the Senate proceed to legislative session.

The PRESIDING OFFICER. Is there objection?

The Senator from North Dakota.

Mr. CRAMER. Madam President, reserving the right to object.

Again, if the minority was serious about passing legislation, they would not have voted four times to adjourn until after the election, so it is a little hard to take this seriously, but it is especially difficult on this one because Federal law already prohibits violent felons from owning and purchasing firearms.

Again, should I remind the Senate and the country that Democratic mayors and Governors all over this country have failed to protect their citizens. The last thing we would want to do at a time like this when citizens are left to defend themselves against violent crime is to prohibit law-abiding Americans or make it more difficult for law-abiding Americans to own firearms. For those reasons, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Connecticut.

Mr. BLUMENTHAL. Madam President, just to remind my colleague, this measure doesn't pertain only to dangerous felons. It protects innocent women against dangerous people. There is already the provision for protective orders to provide that kind of safeguard after a period of time. This measure would close a loophole for the first period when, in fact, women and others are at greatest risk.

It is a public safety measure that is particularly relevant because of the hostility expressed by this nominee to commonsense steps in the name of a very extreme view under the Second Amendment.

UNANIMOUS CONSENT REQUEST—H.R. 840

Madam President, I would like to ask that we proceed to consideration of H.R. 840, the Veterans' Access to Child Care Act—what could be less controversial, a bill that provides childcare assistance to veterans receiving covered healthcare services in a VA facility?

The bill highlights the troubling fact that lack of childcare can dissuade parents from receiving essential healthcare services. It would make permanent a VA childcare pilot program—make it permanent.

It was first introduced in 2011, and it expands access to childcare assistance nationwide, allowing veterans to receive medical treatment with confidence that their children are receiving high-quality care—our veterans.

Whatever motions have been made in the past, this measure certainly needs to be considered. It was passed by a majority in the House on February 8 of 2019, more than a year ago, a bipartisan majority in the House—no action here.

I ask unanimous consent that the Senate proceed to legislative session.

The PRESIDING OFFICER. Is there objection?

The Senator from North Dakota.

Mr. CRAMER. Madam President, reserving the right to object.

Can we just be a little more honest? This is not about childcare. What is going on here is not about childcare, for veterans, or for anybody else. This is another attempt to prevent us from talking about the outstanding qualifications of Judge Amy Coney Barrett to be on the Supreme Court of the United States.

I will stand here all day and object if that is what it takes for my other colleagues to get to the floor and talk about the merits of this outstanding judge. With that, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Connecticut.

UNANIMOUS CONSENT REQUEST—H.R. 2722

Mr. BLUMENTHAL. Madam President, as more important as that health for veterans is, equally so is assistance for our election system. We are going through an election right now. Even as we consider this nominee, tens of millions of Americans are voting. The threat to our election security is well-known. We face not only foreign interference but also domestic threats, as has been documented.

I have been through those absolutely chilling briefings in a classified setting; we are sworn to secrecy. But the malign foreign interference makes 2016, in my impression, look like child's play from Russia, Iran, the Chinese.

In order to proceed to the consideration of H.R. 2722, Securing American Federal Elections Act, a bill that would, in fact, make critical investments to upgrade our voting systems to protect against foreign interference in our elections and democracy by requiring all voting systems to produce a verifiable paper ballot and by authorizing funding for States to bolster election security—what could be more urgent and important at this moment in our history?

It was passed by the House of Representatives on June 27, 2019—again, more than a year ago. No action here.

I ask unanimous consent that the Senate proceed to legislative session.

The PRESIDING OFFICER. Is there objection?

The Senator from North Dakota.

Mr. CRAMER. Madam President, reserving the right to object.

The only interference going on here is by Senate Democrats trying to interfere in our discussion about an outstanding nominee to the Supreme Court of the United States, Judge Amy Coney Barrett. For that reason, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Connecticut.

UNANIMOUS CONSENT REQUEST—H.R. 4894

Mr. BLUMENTHAL. Madam President, in order to proceed to the consideration of H.R. 4894, Congressional Budget Justification Transparency Act of 2020, a bill that requires Federal agencies to make budget justification materials available to the public—it is a transparency measure. It requires disclosure, and it requires the Office of Management and Budget to make certain details regarding the materials available to the public, including a list of agencies that submit budget justification.

It also forces disclosure of the dates that materials are submitted to Congress and posted online and links to the materials—a basic disclosure measure. It was passed, again, overwhelmingly by the House of Representatives on September 14 of this year, without any action so far in this body.

I ask unanimous consent that the Senate proceed to legislative session.

The PRESIDING OFFICER. Is there objection?

The Senator from North Dakota.

Mr. CRAMER. Madam President, reserving the right to object.

It is really time to move on and hear from other colleagues about the incredible, outstanding qualifications of President Trump's nominee to the Supreme Court of the United States, Judge Amy Coney Barrett. These distractions cannot prevent us from doing that.

On this bill in particular, I think people should know that most of the documents that they are talking about are—in fact, almost all of them are online today.

For that reason and others, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Connecticut.

Mr. BLUMENTHAL. That measure was a basic disclosure step proposed to address secrecy in government. Nothing is more fundamental than transparency in a democracy. Sunlight is the best disinfectant.

The people of the United States deserve that information, and so, too, they deserve all of the information about Amy Coney Barrett. Even on the morning of her approval by the Senate Judiciary Committee, new documents were disclosed, new statements and speeches by her, adding to the ones that hadn't been disclosed properly previously.

This process is a sham. It is rushed. It is not normal. As I said during our hearings, my great fear is not only the damage and the harm that this nominee can do, but the damage and harm to the Court itself.

The President said the quiet part out loud. He wants this nominee rushed to the bench so she can decide the election, not the voters—so she can sit on the Supreme Court when the election goes to the courts.

Well, my Republican colleagues have the majority. They may have the votes, but they don't have the American people, and they don't have history on their side. Might does not make right. They can do it because they have the votes. They are doing it because they can.

Amy Coney Barrett could stonewall our questions because she could establish a new standard—call it the “Barrett rule”—of not answering. But the damage to the Court will be great.

The Court has power because of its legitimacy. The trust and confidence of the American people are in its independence. Our Republican colleagues are whittling away and eventually devastating not only the authority of the Supreme Court, but all of our Federal courts, by politicizing and polarizing it.

She would not even commit that she would recuse herself in the event an election case went to the Supreme Court. I have tremendous respect—even reverence—for the Court, having served there as a law clerk with Justice Harry Blackmun, having argued four cases before the Court, including three with Justice Ginsburg.

This imperils the legitimacy of the U.S. Supreme Court, is a grave, lasting, potentially devastating disservice to the American people. It is a dagger at the heart of the Court and of our democracy. Therefore, I will continue to oppose this nomination.

I yield the floor.

The PRESIDING OFFICER (Mr. DAINES). The Senator from Florida.

UNANIMOUS CONSENT REQUEST—S. 4797

Mr. SCOTT of Florida. Mr. President, General Secretary Xi is a dictator and human rights violator. He is yet another Communist leader trying to be the dominant world power.

The Chinese Communist Party is stripping the people of Hong Kong of their freedoms, cracking down on dissidents, militarizing the South China Sea, supporting Maduro's genocide in Venezuela, surveilling its citizens, and imprisoning more than 1 million Uighurs in internment camps simply because of their religion.

Communist China is committing genocide against the Uighurs. It doesn't end there. Recent reports indicate that the Communist Party of China is attempting the same thing in Tibet, forcing hundreds of thousands of people in Tibet into mass labor camps. We know the Chinese Communist Party and their puppets continue to silence and intimidate those standing up

for democracy and human rights. They detain and harass journalists to try and prevent the truth from getting out. Foreigners and journalists working and traveling in Communist China do so at their own risk.

Just last week, Communist China began threatening to take Americans as hostages. The national security threat of Communist China cannot be taken lightly. The censorship of these human rights abuses cannot be ignored.

General Secretary Xi doesn't want us to know about the oppression occurring under his regime. For years, the Communist Government in China has tried to push its propaganda in America through state-owned media outlets while refusing to treat American journalists in China fairly. We saw this firsthand earlier this year. Chinese-backed propaganda outlets peddled China's lies about the coronavirus and endangered the lives of Americans.

In March, the Chinese Communist Party expelled more than a dozen U.S. journalists and required other outlets to submit written reports of their staff, finances, operations, and real estate in China. We cannot allow this mistreatment to continue, and we have to take action.

I am proud to sponsor the Chinese-Backed Media Accountability Act to create accountability for Communist China's censorship of free speech and failure to treat American journalists fairly. My bill prevents new visas to Chinese-backed journalists until we know exactly how many Chinese propaganda journalists are operating in the United States, and it creates reciprocity by making sure the number of Chinese-backed journalists in the United States is equal to the amount of independent American journalists allowed in China.

We have to stand up and say that this behavior by Communist China is unacceptable, and I look forward to all of my colleagues' supporting this proposal.

Mr. President, as in legislative session, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. 4797 and the Senate proceed to its immediate consideration; further, that the bill be considered read a third time and passed and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, reserving the right to object, Senator SCOTT has sought unanimous consent for a bill that would restrict the issuance of nonimmigrant visas to Chinese journalists and a number of other steps that, frankly, are already within the President's power to do.

The bill, in many ways, is an attempt to codify authorities that the State Department already has. In that sense,

there is no reason to take legislative action. If the President wants to use this power, he can.

But I want to emphasize the point that we share the goals that are behind this measure. No. 1, the goal of increasing transparency around the pandemic has to be done so that the Chinese and other authorities around the world—states that suffer from the pandemic—make the facts known to this country and the world health authority.

We share the goal of condemning China's absolutely despicable human rights abuses, its deplorable record of subjugating human liberty, including the Uighurs, at least 1 million of whom are being held in Chinese Government-run detention centers that the President of the United States has completely ignored.

But this legislation would really do nothing to address these incredibly oppressing issues. It uses the pandemic and China's human rights abuses as a pretense for deflecting blame for the President's shameful mishandling of the COVID-19 crisis. The President's ineptitude and incompetence are widely known to the American people.

We share the goals of stopping Chinese human rights abuses, of making them more honest and accurate in what they disclose, and other goals, but to this measure, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Florida.

Mr. SCOTT of Florida. Mr. President, I am disappointed my Democratic colleague doesn't want to focus on the global impact of General Secretary Xi's censorship. I clearly don't understand why my Democratic colleagues refuse to stand up to Communist China. They have stopped every attempt to protect Americans from this threat.

Again and again, the Democrats block efforts to hold Communist China accountable and never try to work with us to come up with solutions.

They blocked my resolution to move the 2022 Olympics out of Communist China. They blocked my bill to prevent Communist China from stealing or sabotaging American COVID-19 vaccine research, even as American lives depend on the rapid development of this vaccine.

Now they are turning a blind eye to the censorship of American journalists in China. Chinese state-backed journalists in America push the propaganda of the Chinese Communist Party. It is time to wake up and understand that the oppression at the hand of General Secretary Xi and the Chinese Government Party will not stop.

This is about the safety of Americans and about freedom around the world. This is about standing up for human rights.

We must act, and passing the Chinese-Backed Media Accountability Act takes real steps to hold Communist China accountable for their failure to treat American journalists fairly.

I am not going to stop working to make sure there is reciprocity between our nations and that we understand how many Chinese propaganda journalists are operating in the United States. We must, together, do everything in our power to fight for freedom and hold Communist China and General Secretary Xi accountable, and I hope, at some point, my Democratic colleagues will join me in this fight.

I yield the floor.

The PRESIDING OFFICER (Mr. SCOTT of Florida).

The Senator from North Dakota.

NOMINATION OF AMY CONEY BARRETT

Mr. CRAMER. Mr. President, 2 years ago, I was a candidate running for this job, running against a Democratic incumbent. The top issues of the race throughout the summer were things like the sanctity of human life, and most important in the minds of the voters—at least based on our polls—were law and order. The idea that a sanctuary city, much less several of them, could exist to protect violent criminals as long as they were here illegally was an absurd notion to Dakotans. They were good issues for me as a candidate.

That all changed just a little over 2 years ago, when Senate Democrats waged an attack on President Trump's nominee to fill the vacancy that occurred by the retirement of Supreme Court Justice Kennedy. By "attack," I don't mean engage in a vigorous debate about Brett Kavanaugh's political and judicial philosophy or his background. Rather, they waged an attack on Brett Kavanaugh himself, on his character, his reputation, and his family—and not with facts but with fabrications.

My opponent, North Dakota's junior Senator, joined the smear campaign and changed the priorities of our campaign quickly from sanctuary cities to, suddenly, the Supreme Court of the United States. That happened just 2 years and a couple of weeks ago. As much as anything—as much as any reason, as much as any issue—the Supreme Court is why I am here today. I do not mean just today. I mean it is why I am a U.S. Senator.

So, when President Trump nominated Judge Amy Coney Barrett to fill the vacancy created by the death of Justice Bader Ginsburg, I knew there could be no amount of political harassment that would cause me to shrink from this obligation. The suggestion that I or my colleagues would squander this—the right and the responsibility under the Constitution—and consider waiting until after an election that may create an opportunity for someone with whom my constituents don't agree to be nominated to the Court would be a dereliction of my duty and would rightly enrage the people who sent me here for exactly this moment. I refuse to shrink.

So let's talk about the nominee, Judge Amy Coney Barrett. By all accounts, she is a brilliant jurist. I don't think anybody has really questioned