All indications are this term will be of major consequence. The Court has chosen to take up a number of cases that have the potential to dramatically change America as we know it. For example, the Court has decided to hear cases in which it is being asked to overturn Roe v. Wade, as well as strike down State laws regarding the carrying of weapons in public places. These are among the momentous issues on the Court's first term.

Madam President, I would yield the floor to the leader.

Mr. SCHUMER. Take your time. I am going to get settled.

Mr. DURBIN. He has asked me to carry on for a little bit here.

Back to my statement.

These are among the momentous issues on the Court's merits docket this term.

But the Court has been also very active on another docket, the ''shadow docket.'' Most are not familiar with that term and don't know what it means. We learned in the Senate Judiciary Committee. It refers to decisions issued by the Supreme Court outside of the regular routine merits docket. These decisions are often rendered on a very short timetable without full briefing, public deliberation, detailed explanation, or signed opinions.

Historically, shadow docket orders were mostly noncontroversial. They typically involved routine or procedural questions, such as establishing deadlines for parties to file briefs. But that has changed in recent years. Not only have the orders from the Supreme Court shadow docket become more substantive and controversial, they have also been taking an increasingly clear, ideological bent.

Consider the weeks leading up to the start of this new October term. The Court's conservative majority used the shadow docket to block the Biden administration's COVID eviction moratorium and to reinstate the Trump administration's cruel ''Remain in Mexico'' policy that, unfortunately, blocked families and children fleeing persecution.

The Court's majority also used the shadow docket last month to allow Texas law S.B. 8 to take effect, a law that effectively bans abortion after 6 weeks, directly violating the constitutional protections the Court recognized half a century in Roe v. Wade.

These and other shadow docket orders from the Court's conservative Justices are having profound consequences for millions of Americans.

Last week, the Senate Judiciary Committee, which I chair and the Presiding Officer has joined as a member, held a hearing on the Court's use of the shadow docket.

We heard from a number of experts about the increased use of the docket and the increasing ideological nature of its use. They pointed out, for example, that President Trump's Justice Department, in 4 years, requested the Court take emergency action on their shadow docket a recordbreaking 36 times in 4 years. The Court granted 28 of those requests.

What about previous Presidents? In contrast, the Justice Department only requested emergency relief eight times total—eight times—in 16 years of George W. Bush and Barack Obama, and on only four occasions was the shadow docket approved—the request was approved.

At this point, I am going to yield the floor and ask unanimous consent that when I return to the floor, I be able to resume these remarks. But I want to yield to the majority leader.

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

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

Mr. SCHUMER. Madam President, I thank my dear friend, our majority whip and the senior Senator from the State of Illinois, as well as someone who was my roommate for, well, decades, I guess.

INFRASTRUCTURE AND BUILD BACK BETTER AGENDA

Mr. SCHUMER. Madam President, on the day that this majority commenced its work, I promised that this Chamber would meet the challenges that face our Nation ''not with timid solutions but with boldness and [with] courage.'' Now the 117th Congress stands at a pivotal moment in our pursuit of this goal.

Over the past few months, both Chambers have dedicated themselves to passing two transformative, once-in-a-generation pieces of legislation: the bipartisan infrastructure bill and the Build Back Better agenda.

Doing big things in Congress is always hard, but we didn't choose elected office just to pursue the easy things. In the days and weeks to come, Senate Democrats will remain focused on passing the agenda we promised no matter how hard the task.

All last week, I held extensive talks with the Speaker, the President, and my Senate colleagues to bring us closer to a final agreement on our Build Back Better agenda. We made important progress, but there is more work to do.

So, this week, I will continue meeting with my colleagues in an effort to produce a bill that all of us can get behind.

Last Friday, President Biden spoke to House Democrats about the path forward for passing our ambitious agenda into law. His message was simple: If we stick together, if we work to find a legislative sweet spot that we can all support, then we will succeed.

He is right, and that is exactly what we are going to do.

As I explained this morning in my ''Dear Colleague,'' our new legislative goal must be to get both the infrastructure bill and the Build Back Better agenda done by the end of October.

The reason is simple: The infrastructure bill, for all its historic investments, is also a reauthorization of the highway trust fund. We passed a 30-day patch over the weekend to keep vital programs going. But as it stands, the trust fund is set to run out of money by the end of October.

If we are going to meet this deadline, Democrats must arrive at a final agreement on the details of the Build Back Better agenda as soon as possible, preferably within a matter of days, not weeks. It is the only way we can give committees enough time to draft legislation to ensure its privileged status in our Chamber and complete the reconciliation process before the end of the month.

Now, none of this is going to be easy. It will require sacrifice, compromise, and finding common ground. Nobody is going to get everything they want.

But no matter what, our final proposal will deliver the core promise we made to the American people: We will take bold action on climate change, while creating millions of jobs; we will expand healthcare opportunities and lower costs for working Americans; and we will cut taxes for the working and middle class, while asking the wealthy to pay their fair share.

I am confident we will be proud of the end result: a bill that will dramatically improve the lives of every single American not just for today but for generations; a bill that will rebuild ladders for working people to get to the middle class, help people stay in the middle class who are there already, and rekindle—rekindle—that sunny American disposition so central to our national identity but seems to be fading a bit in the last while.

This is worth a couple of hard days. This is worth many hard days. Again, we didn't come to Washington to take the easy way out. We came here committed to work every day, to reward the faith that the American people have placed in us. We came here to get big things done, and that is exactly what we will do in the weeks ahead.

DEBT CEILING

Mr. SCHUMER. Madam President, now, on the debt ceiling, before the end of this week, the Senate must—must—get a bill to the President's desk to address the acute crisis of the debt limit.

President Biden was crystal clear in his speech this morning. If Republicans don't get out of the way and let the Senate take action now, our government will in all likelihood enter default for the first time ever.

Sadly, the Republican position as the party of default has now become so extreme that they have blocked every single attempt to prevent a default from happening, putting our country in serious, serious danger. They have gone so far as rejecting their own requests for how the debt ceiling should be