



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 116th CONGRESS, SECOND SESSION

Vol. 166

WASHINGTON, TUESDAY, SEPTEMBER 29, 2020

No. 169

Senate

The Senate met at 3 p.m. and was called to order by the President pro tempore (Mr. GRASSLEY).

PRAYER

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

Let us pray.

Eternal God, sovereign source of wisdom, hear our prayers. Listen as we lift our hearts to You. In our times of distress, answer us quickly.

Strengthen our lawmakers. Keep them restless until they find rest in You. Keep them dissatisfied until they find their satisfaction in You.

Lord, give them the wisdom to make wise choices that will glorify Your Name. Help them to keep their hearts and minds responsive to You, enabling them to help make a better Nation and world.

Remind them that You keep a protective eye on the godly so that they may be surrounded with the shield of Your divine favor. May our Senators, with faith, expect You to provide them with strength for each task.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

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

The PRESIDING OFFICER (Mr. BOOZMAN). The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I ask unanimous consent to speak in morning business for 1 minute.

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

BLACK REVOLUTIONARY WAR PATRIOTS MEMORIAL

Mr. GRASSLEY. Mr. President, I have been working for decades to es-

tablish a memorial on the National Mall to those Black Revolutionary War patriots who fought for the founding of our country. We are close to achieving that goal, which is needed now more than ever.

The rationale for the memorial was summarized in congressional testimony in 1985 by its founder, Maurice Barboza:

The Patriots Memorial would serve an educational purpose in that it would remind Americans of the rich and meaningful contributions of Blacks to the birth of America. It would illuminate the past so that the present generation would better understand the Nation's history. In that sense, it would serve a retrospective purpose.

The Patriots Memorial would serve a prospective purpose by helping future generations of Americans understand what it is that binds us . . . as a [nation].

He then quoted then-Representative Nancy L. Johnson, the memorial's chief proponent in the House of Representatives. I quote her and will end with this quote:

An American cannot be identified by simple physical, ethnic, racial, or religious characteristics. Even our cultural heritage is best defined by its rich diversity. What ties us together as a nation is our commitment to individual freedom and maintaining the rights and privileges guaranteed by the Constitution to assure the perpetuation of our freedom.

I yield the floor.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

NOMINATION OF AMY CONEY BARRETT

Mr. MCCONNELL. Mr. President, on Saturday evening, President Trump announced his nominee for the Supreme Court, Judge Amy Coney Barrett of the U.S. Court of Appeals for the Seventh Circuit.

I had the opportunity to meet with Judge Barrett earlier today. I left our discussion even more convinced that President Trump has nominated exactly the kind of outstanding person whom the American people deserve to have on their highest Court.

Americans deserve brilliant judges with first-rate legal minds. Judge Barrett is that and then some. She attended Notre Dame Law School on full scholarship, graduated No. 1 in her class, and was executive editor of the Law Review.

She secured top-flight clerkships on the DC Circuit and the Supreme Court. After a few years in private practice, she returned to academia and built a national reputation as an award-winning professor and legal scholar. Judge Barrett is brilliant.

Americans also deserve judges who are committed to fairness and impartiality, to following the facts in every case. They deserve judges who understand that their job is to interpret the text of our laws and Constitution as they are written, not as the judge might personally wish they had been written differently.

Again, Judge Barrett passes with flying colors. Her 3 years of rulings on the Seventh Circuit are the record of a judge who sets out to do impartial justice under law—nothing more and nothing less. This nominee could not be more fully qualified to serve on the Supreme Court.

Harvard Law Professor Noah Feldman is a fierce critic of President Trump. He was one of the House Democrats' star witnesses in their impeachment. He has known Judge Barrett professionally for more than 20 years. Despite some philosophical differences, he went out of his way this past weekend to write that she is "highly qualified to serve on the Supreme Court."

Here is what Professor Feldman wrote:

I know her to be a brilliant and conscientious lawyer who will analyze and decide

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



Printed on recycled paper.

S5885

cases in good faith, applying the jurisprudential principles to which she is committed. Those are the basic criteria for being a good justice. Barrett meets and exceeds them.

And if you “believe in an ideal judicial temperament,” Professor Feldman went on, “then rest assured that Barrett has it.”

It is the same story from everyone—everyone—who knows Judge Barrett well.

The dean of Notre Dame Law School says she is “an absolutely brilliant legal scholar and jurist [and] one of the most popular teachers we have ever had here.”

One of her faculty colleagues said: “She is a principled, careful judge, admired legal scholar, and amazing teacher.”

Six young women who all studied under now-Judge Barrett say she drilled into them “the necessity of setting personal beliefs aside when evaluating the answer to a legal question.”

These objective qualifications and credentials are what matter most. Judge Barrett deserves to be judged by her record.

But a few more things bear notice. As our Nation continues to honor the trailblazing life of the late Justice Ginsburg, it seems fitting that President Trump has nominated another brilliant woman who has climbed to the very top of the legal field. Young women who know Judge Barrett well describe her as not just an excellent teacher but a gracious mentor and an inspiring example of female leadership.

As the only congressional leader not from New York or California, I applaud the President’s decision to look to the heartland. If confirmed, Judge Barrett would be the only current Supreme Court Justice with a law degree from anywhere besides Harvard or Yale—from anywhere besides Harvard or Yale. I would say this nominee would bring welcomed diversity on multiple fronts.

As I predicted last week, the far left is rushing to make this nomination about anything but Judge Barrett’s qualifications. The instant she was announced, they started with the same unhinged attacks they have recycled for every Supreme Court nomination by every Republican President since the 1970s.

Remember, the far left said Justice Stevens opposed “women’s rights,” that Justice Kennedy would be “a disaster for women,” and that Justice Souter would put the “health and lives” of Americans at risk.

Well, Saturday went like clockwork. The political left took one more look at Judge Barrett’s qualifications, gave up on debating the merits, and headed right at the same old scare tactics. Our colleague, the Democratic leader, informed Americans that this 48-year-old working mother was going to “turn back the clock on women’s rights.” This 48-year-old working mother was going to “turn back the clock on women’s rights,” so said the Democratic leader.

The junior Senator from California said the nominee would “harm millions of Americans.”

The junior Senator from Connecticut said “Amy Coney Barrett would create a humanitarian catastrophe.”

Well, here we go again. Here we go again. One of the preselected scare tactics is that Judge Barrett is out to steal Americans’ healthcare coverage. That is the claim. This mother of seven, including multiple children who were born or adopted facing preexisting medical challenges, is just itching to block families like hers from accessing medical care. What a joke. What a joke.

When Senate Democrats were trying to attack Chief Justice John Roberts, long before ObamaCare even existed, they claimed he had sought to “put millions of American consumers and families at risk of losing coverage.” They have been recycling these same attacks since before they even passed the law they now say they are worried about.

On this occasion, their entire argument seems to come down to a technical analysis Judge Barrett put forward in a 4-year-old academic paper about one part of ObamaCare, which Congress has already zeroed out in the meantime. Let me just say that again. The entire argument seems to come down to a technical analysis that Judge Barrett put forward in a 4-year-old academic paper about one part—just one part—of ObamaCare, which Congress has already zeroed out in the meantime.

These hysterical claims collapse under the slightest examination, but, sadly, they are just beginning. Three years ago, Senate Democrats’ bizarre attacks on Judge Barrett’s religious faith became a national embarrassment for their side of the aisle.

The senior Senator from Illinois asked now-Judge Barrett: “Do you consider yourself an orthodox Catholic?” This was actually during a U.S. Senate hearing. The senior Senator from California told her that “the dogma lives loudly within you. And that’s of concern.”

This was not, regretfully, an isolated incident. Over the past few years, multiple Senate Democrats, on multiple different occasions, have openly suggested that certain kinds of religious beliefs might disqualify citizens from public service.

In 2017, the junior Senator from Vermont, Senator SANDERS, told an executive branch nominee that he had made an “indefensible, hateful, Islamophobic” statement because he had articulated a personal belief that Christianity gets things right which Islam gets wrong.

In 2018, the junior Senator from California, who is now asking for Americans’ votes to be Vice President, attacked a different nominee for participating in the Knights of Columbus. The Knights of Columbus? This is a massive, noncontroversial Catholic men’s

association that is known for things like shoveling snow off church sidewalks and hosting pancake breakfasts.

“Were you aware that the Knights of Columbus opposed a woman’s right to choose,” Senator HARRIS asked, as though it were remotely controversial that a famous Catholic organization would subscribe to Catholic teaching on the right to life.

The junior Senator from Hawaii suggested this nominee would need to quit the organization, quit the Knights of Columbus to serve as a judge. You would think the national backlash to all of this would have taught the political left a lesson.

Here is what happened in just the past few days. The Associated Press, Reuters, POLITICO, Newsweek, and the Washington Post have already run up major stories on the Barrett family’s private faith practices. Each strongly implied there might be something worrisome or disqualifying if a Federal judge were a faithful Christian with strong ties to spiritual groups. POLITICO’s contributing editor literally went and peered around the physical grounds of a religious facility in South Bend so he could report what the youth group had written on their whiteboard. Less than 72 hours in, this is where we are. The elite class is already treating Americans of faith like exotic animals on display in a menagerie.

Look, I understand the far left had committed to opposing this nominee before she was even named. I understand some politicians have decided to oppose Judge Barrett before they even considered her record. But every time they choose to use the nominee’s personal faith as a political weapon, they will only be reminding millions of Americans why it is so essential to have judges just like Judge Barrett on the bench.

In this country—our country—citizens have religious liberty. In this country—our country—there is no religious test for public office. In this Country—our country—we have the right to seek the protection of the courts when our free exercise of religion is threatened. That is why we need judges like Judge Barrett who understand our laws and Constitution and will uphold our freedoms accordingly. If the reflexive opponents of Judge Barrett’s nomination want to argue otherwise, they will only be proving how much better she understands our Constitution than they do.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

UKRAINE INVESTIGATION

Mr. GRASSLEY. Last week Senator JOHNSON and I released our report

about our investigation into potential conflicts of interest with respect to Ukraine policy during the Obama administration. My Democratic colleagues have attacked this investigation with unsupported and inaccurate allegations that this investigation is rooted in a foreign-sourced influence campaign. They have asserted that our oversight activities relating to the Obama administration are advancing a Russian disinformation campaign and have implied that we are “wielding that disinformation as a political cudgel.” Nothing could be further from the truth, so I want to explain.

My Democratic colleagues have publicly insinuated that I received the records from a Ukrainian national, Andriy Derkach, a Russian agent who has taken action to influence and interfere in the 2020 election.

Now, get this: I have praised the Treasury Department for sanctioning Derkach. I have neither received nor solicited information from Derkach. This is probably the third time I have come to the floor of the Senate to say this. Yet you still keep getting these accusations from my friends on the other side of the aisle. Now, the Democrats know that we have not received this information. Yet they refuse to stop repeating their false insinuations, and those false insinuations have resulted in Russian-based media repeating the Democratic disinformation, which is Exhibit A why the Democrats should have never created that false narrative in the first place. In fact, during the course of this investigation, the minority—not the majority—of the committee introduced Derkach’s disinformation into the committee record.

Foreign election interference should have no quarter in this country, and we must do everything to stop that interference. If only the Democrats felt the same about the Steele dossier, which is the very definition of Russian disinformation and election interference.

Our investigation is based upon Obama administration government records and records from a Democratic lobby shop, Blue Star Strategies. They aren’t based on any information that we received from a fellow by the name of Derkach. So if my Democratic colleagues think that those records amount to Russian disinformation, then that says more about the previous Obama administration than it does about the Johnson-Grassley inquiry.

Do you think my Democratic colleagues would have attacked an investigation involving Donald Trump, Jr.? Remember, I interviewed the President’s son years ago as part of my Russia investigation. I didn’t hear any complaints about my investigative work at that time. Funny how this has played out, right?

My Democratic colleagues have jammed up document production from government agencies and engaged in questionable political media efforts.

We would have been done with this investigation a long time ago if all that opposition hadn’t occurred, but here we are, and now the American people can see our work and judge our work for themselves.

I would like to remind my Democratic colleagues that the first step in this investigation was a letter that I wrote on August 14, 2019. That letter was about an Obama-era Committee on Foreign Investment in the United States transaction. That transaction gave control over an American company that made anti-vibration technologies with military applications to a Chinese Government-owned aviation company and a Chinese-based investment firm with established ties to the Communist Chinese Government. Reports indicated that a firm formed by Hunter Biden and Chris Heinz, the stepson of John Kerry, later partnered with a Chinese-based firm to purchase the American company.

Also at that time, Joe Biden was Vice President and John Kerry was Secretary of State. The State Department is an approval agency on the Committee on Foreign Investment.

Clearly, this transaction presented conflicts of interest, and that is exactly why I wrote the letter of August 2019 to the Treasury Department.

My Democratic colleagues like to say that we started this investigation as a result of the Trump impeachment. Well, the last time I checked, August 14, 2019, was well before the impeachment investigation began. That letter was also sent before Congress was notified of the Ukrainian-related whistleblower complaint and before it was made public.

No matter how hard the Democrats try to say otherwise, this investigation is rooted in nothing but simply good government oversight. That is exactly the type of investigation I have run my entire Senate career.

After the August 2019 letter, news reporting picked up the pace about Hunter Biden’s association with Burisma, the corrupt Ukrainian company, and the fact that his father was in charge of the Obama administration’s anti-corruption policy for Ukraine.

Now, just think about that for a second. Vice President Biden was responsible for carrying an anti-corruption message to Ukraine on behalf of the U.S. Government. At the same time, his son was making millions of dollars working on the board of a corrupt Ukrainian company.

To any reasonable observer, that is a very questionable fact pattern that deserves attention, and it got a lot of attention besides from GRASSLEY and JOHNSON. Documents made public as a result of the Freedom of Information Act and investigative reporting brought very fresh public attention and scrutiny to this fact pattern.

Reporting showed additional potential conflicts of interest with respect to Hunter Biden’s business dealings all over the world, not just Ukraine. Those

financial dealings also exposed how Hunter Biden and his business associates sought to benefit financially from their relationship with Vice President Biden.

As our report shows, Hunter Biden and his business associates had extensive connections to Russian or Ukrainian nationals. Their business association also extended to Russian nationals.

The report also shows that Hunter Biden, his family members, and business associates had extensive connections to Chinese nationals. The records acquired by the committee show that Hunter Biden and his associates and family members were connected to Chinese nationals associated with the Communist Party and the People’s Liberation Army. Those connections formed business links, which resulted in millions of dollars passing through company after company.

Some of those companies were associated with Hunter Biden, his business partner Devon Archer, and James Biden. The records show deep and complex financial relationships with Chinese nationals and how financially fruitful those relationships became.

As one example, records show that Hunter Biden opened a bank account with a Chinese national linked to the Communist regime and funded with approximately \$100,000. Then he, James Biden, and Sarah Biden went on an extravagant global spending spree. Records show that Hunter Biden, via his law firm, also sent over a million dollars to James Biden’s consulting firm, the Lion Hall Group. When the bank contacted Sarah Biden, who was associated with the firm’s bank account, she refused to answer the questions and provide any additional information and documentation. According to records we have on file, the bank submitted the account for closure.

Now, what is very clear is that Hunter Biden leveraged his name and his father’s position for financial gain, and his work with Burisma is just the tip of the iceberg.

These associations and the millions of dollars that passed between and among Hunter Biden, Archer, James Biden, and others create criminal financial concerns. Moreover, they create counterintelligence and extortion concerns.

The investigation also uncovered that the Obama administration was well aware of the problems that Hunter Biden’s board position caused. State Department officials testified that his board membership created the perception of a conflict of interest and was very awkward for all U.S. officials pushing an anti-corruption agenda in Ukraine.

Secretary of State Kerry publicly denied knowing of Hunter Biden’s role on the Burisma board. Now, we have acquired evidence that he did, in fact, know about that role.

The owner of Burisma was viewed as an “odious oligarch” by State Department officials. However, in December

of 2015, instead of following U.S. objectives of confronting oligarchs, Vice President Biden's staff advised him to avoid commenting on the odious oligarch and instead say "I am not going to get into naming names or accusing individuals."

Well, if you are running an anticorruption agenda in Ukraine and you pull your punches when it comes to Burisma while your son is on the board, that goes to judgment—and here it looks like very bad judgment and weak leadership.

Based on witness testimony, Burisma's owner allegedly paid a \$7 million bribe to officials serving under Ukraine's prosecutor general to shut the case against him. When he allegedly placed the bribe in December 2014, Hunter Biden was on the board and—can you believe this—he had been hired to be on the board to assist with what they call "corporate governance and responsibility." Obviously, he wasn't doing his corporate job—due diligence.

The facts show that the Obama administration was well aware of the problems that Hunter Biden being on the Burisma board caused. The facts show that the Obama administration turned a blind eye to it. Everyone knew about the problems it caused, but nobody wanted to do anything about it. So much for leadership.

At its core, the investigation is a good government oversight investigation. These are exactly the kinds of shady, backroom deals that the American people should know about. So now the facts are out there. The American people can judge this information for themselves. They don't need the people on the other side of the aisle of this institution telling them what went on when they were using disinformation from Russia and spreading that disinformation around and trying to say it was attributed to something that we got.

As for the next step, Senator JOHN-SON and I will continue to review the records that we possess and further records that we hope we are able to acquire.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. ENZI). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

NOMINATION OF AMY CONEY BARRETT

Mr. SCHUMER. Mr. President, after Senate Republicans established the

principle that the Senate shouldn't consider Supreme Court nominations in Presidential election years, on Saturday, President Trump nominated Amy Coney Barrett to the Supreme Court with less than 40 days left in the Presidential election.

The Senate has never—never—confirmed a nominee to the Supreme Court this close to a Presidential election. In fact, the election is already underway, but President Trump gets to play by different rules under this Republican majority.

By nominating Judge Amy Coney Barrett to the Supreme Court, President Trump has once again put Americans' healthcare in the crosshairs. President Trump has promised to nominate Supreme Court Justices who will "terminate"—his words—our healthcare law. In Judge Barrett, President Trump has found the deciding vote.

Judge Barrett strongly criticized the ruling to uphold the Affordable Care Act, claiming that if Justices read the law the way she does, they would "have had to invalidate" the entire healthcare law. Let me repeat that: Judge Barrett strongly criticized Justice Roberts' decision to uphold the Affordable Care Act, saying that "he pushed [the law] beyond its plausible meaning to save the statute." If Justice Roberts had read the law the way Judge Barrett does, the Supreme Court would have had to invalidate the entire Affordable Care Act.

The Republican lawsuit against the Affordable Care Act, as everyone knows, will be heard 1 week after the election. Senate Republicans are rushing to jam Judge Barrett's confirmation through in time for her to hear arguments in that very case. Not one for subtlety, President Trump tweeted on Saturday that our healthcare law would be replaced "if terminated by the Supreme Court."

So the American people should make no mistake, a vote by any Senator for Judge Amy Coney Barrett is a vote to strike down the Affordable Care Act and eliminate protections for millions of Americans with preexisting conditions.

Judge Barrett's record also suggests that if she is confirmed, the reproductive freedom of millions of women would be in grave danger. Should Judge Amy Coney Barrett be confirmed, a far-right majority on the Court could turn back the clock on women's rights and a woman's right to choose, workers' rights, voting rights, civil rights, environmental protections, LGBTQ rights, and many more. The future for DACA recipients hangs in the balance as well.

So this nomination concerns no less than the fundamental rights of the American people. After holding a Supreme Court vacancy open for 8 months before a Presidential election, President Trump and Leader McConnell are doing what no Senate has done before—shamelessly rushing to fill Justice

Ginsburg's seat less than 40 days before the Presidential election.

Justice Ginsburg's dying wish was that she not be replaced until a new President is installed. Republicans are poised not only to ignore her wishes, but to replace her with someone who could tear down everything she had built.

This reprehensible power grab is a cynical attack on the legitimacy of the Court, and I would strongly, strongly oppose this nomination.

The Senate Republican majority has decided, however, that they will stop at nothing, break all the rules—even their own rules—to rush this nomination through before the election. But apparently the Senate majority isn't going to stop at naked hypocrisy. It is also going to engage in manufactured hysterics.

For the past few weeks, long before President Trump even nominated Judge Barrett, Senate Republicans have been telling everyone who will listen that Democrats "better not make Catholicism an issue in this nomination." That is their quote.

Last week, a Member of this Chamber wrote me an entire letter preemptively warning about anti-Catholic attacks against a nominee who hadn't been named yet. Another Member of this Chamber said that "in CHUCK SCHUMER's America—only atheists can be Supreme Court Justices."

Of course, not a single Democrat will make these attacks or make personal religious beliefs an issue, but that doesn't matter to my Republican friends. Oh, no. They will try to slander Democrats with this imaginary issue anyway because they are desperate for a distraction. Republicans invented this concern because they are so eager to make this nomination about anything other than their disgraceful double standard—anything besides their attempts to take away healthcare and curtail the fundamental rights of the American people.

Honestly, it is embarrassing how transparent Republicans are being about this manufactured line of attack. They couldn't even wait for a Catholic nominee to be chosen. They already scripted the attacks.

The Senator from Tennessee is making wild allegations; the Senator from Missouri is writing ridiculous letters; and my friend from Florida is cutting videos decrying the kind of attacks on a person's faith that haven't occurred since the political right was implying that our last practicing Christian President, President Obama, was a secret Muslim.

I don't remember my Republican colleagues making a fuss when peaceful protesters were tear-gassed so President Trump could hold the Bible upside down in front of a church for a photo op.

I understand why certain Republicans are resorting to this disgusting tactic: They have no other argument. They can't argue that this nomination

could proceed because of some solemn constitutional duty because they argued the exact opposite position 4 years ago.

They certainly can't argue the merits of Judge Barrett's position on the Affordable Care Act because they know it is dreadfully unpopular with the American people. No wonder—no wonder Republicans are so desperate to talk about, literally, anything else.

CORONAVIRUS

Mr. SCHUMER. Mr. President, on another matter, COVID-19, yesterday, the House of Representatives unveiled legislation to provide \$2.2 trillion in emergency funding to help the American people in the fight against COVID-19.

The proposal includes a number of crucial provisions that families, businesses, local leaders, and hospitals desperately need, including \$600 in weekly emergency unemployment insurance, funding for our schools, support for State and local governments, assistance for renters and homeowners, additional resources for testing and contact tracing, and measures to strengthen the post office and complete the census.

It includes important aid for transit systems, by the way, vital to our Nation's economy. It includes crucial support for economic drivers like restaurants, music venues, independent theaters, and more that we have named in our Save Our Stages Act, and it includes critical workplace standards and protections for our workers.

Is this new bill everything that Democrats want? No, but it is an honest attempt to provide the relief our country needs and reach an agreement by moving closer to our Republican colleagues who want to provide much less relief, if they want to provide any at all.

Once again, the bill demonstrates the willingness on the part of Democrats to compromise. COVID-19 remains the No. 1 issue in America. Weekly unemployment claims are still through the roof. Schools are struggling to adapt. Over 200,000 Americans have died. We are a long way from putting this crisis in the rearview mirror.

But none of this seems to concern the Republican majority in the Senate. As countless businesses are going under, as thousands continue to get sick, as millions of Americans are waiting for the Senate to do its job, Leader McConnell and Senate Republicans are moving at a lightning pace to jam through a Supreme Court nominee—a nominee who could rip healthcare away from tens of millions of Americans in the middle of a pandemic.

Leader McConnell chose to put the Senate on pause for 4 months while COVID devastated our country. Now Leader McConnell has the Senate on fast-forward to rush through a partisan nomination to the Supreme Court. It goes to show you the priorities on the other side of the aisle.

TRUMP TAX RETURNS

Mr. SCHUMER. Mr. President, one final matter: Over the weekend, the New York Times reported that President Trump paid \$750 in income taxes in 2016 and nothing in 10 of the prior 15 years, largely because he reported losing more money than he made. No New Yorker was at all surprised by this report. All the hallmarks of President Trump's career before and after politics are there: hyperbole, fraud, avoiding responsibility, and pursuing selfish interests above all else. That is President Trump in a nutshell.

The documents obtained by the New York Times showed a long history of President Trump's egregious tax avoidance and potentially criminal activity and include the astounding figure that the President owes more than \$500 million—\$500 million—in personal obligations. Who does he owe that money to? And \$500 million is not chump change. Who does the President owe \$500 million to?

If President Trump wants another 4-year term as President, the people have to know who President Trump is so deeply indebted to. These documents reveal that President Trump was an abject failure in business and a serial tax cheat.

We have already heard the President claim the reporting in the New York Times is fake. Well, President Trump, put your tax returns where your mouth is.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. ENZI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. KENNEDY). Without objection, it is so ordered.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

LEGISLATIVE SESSION

CONTINUING APPROPRIATIONS ACT, 2021 AND OTHER EXTENSIONS ACT

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.R. 8337, which the clerk will report.

The senior legislative clerk read as follows:

A bill (H.R. 8337) making continuing appropriations for fiscal year 2021, and for other purposes.

Pending:

McConnell amendment No. 2663, to change the enactment date.

McConnell amendment No. 2664, of a perfecting nature.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, I ask unanimous consent to speak for a few minutes as if in morning business.

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

TRIBUTE TO JOHN DAVID ARNOLD

Mr. ENZI. Mr. President, I thought I would deliver a little good news. It is a little hard to get good news these days, but I ran across some.

I want to tell you about a man named Dr. John David Arnold, who, many years ago, started out teaching school. He taught school in Arizona. He had a little blue bus from which he had ripped out the seats and put in desks. He used that blue bus to follow the migrant workers from Arizona clear to the northern border as they worked, teaching the migrant kids.

He came up with an idea. As technology advanced, he said: You know, if I give the kids a computer, I can handle a whole lot more kids. They could use the phone to send their assignments in. He did that. So remote learning has been around for a long time—probably 40 years.

One of the benefits he found was that the parents benefited from it too. The parents of these migrant workers learned along with their kids. That program grew.

Then he came up with another problem that he saw a solution for, and that is that, in Phoenix, there were a lot of high school dropouts and some kids being expelled. There weren't good results from that. So he thought maybe he could start a school for these kids, and he would only take a student who had dropped out or been expelled if they would sign a contract. They and their parents had to sign a contract before they could become students. That contract had to say, of course, that they would behave, they would do their work, and what their goal was for a job after they got out of high school. Then he trained them for that.

That was also a successful educational endeavor that goes on today. There have been a lot of graduates from that, and, today, there are students helping students.

A lot of people who graduated from that want to work with their hands and do things. He has turned out a lot of mechanics, and he has helped some mechanics get their own garages. Those mechanics have contributed money so that other kids who graduate can go into competition with them, but so that they will have the same kind of a start that they had.

Now the students in the school and the graduates are working on inventions to fight against COVID. This isn't their first crisis. They were there after Katrina, and they are still there doing

work. On COVID, they have been providing food, clothing, and medical supplies. They are still doing the job training. They have been working on some mental health problems. They have helped with utilities. They have helped with rent, and they have helped with group homes.

Where is this happening? It is not just in Arizona, not just in Phoenix where it all started. It is happening in much of Arizona and in a lot of New Mexico. They are working with the Apaches and the Navajos. They are working against COVID in Mexico and in Africa. Yes, his school has expanded to Africa. They are in Ghana. They are in Cameroon. They are in Nigeria and in Liberia.

There are some good things happening in this world—people watching out for other people. It isn't government that has all the solutions. It is people caring about people.

I congratulate Dr. John David Arnold and his efforts following the blue bus and through these other iterations of education. I hope he is helping others with more on remote learning because that is where America is at the moment.

I thank you for the time.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

PROTECTING THE HEALTHCARE OF HUNDREDS OF MILLIONS OF PEOPLE OF THE UNITED STATES AND PREVENTING EFFORTS OF THE DEPARTMENT OF JUSTICE TO ADVOCATE COURTS TO STRIKE DOWN THE PATIENT PROTECTION AND AFFORDABLE CARE ACT—Motion to Proceed

Mr. SCHUMER. Mr. President, I move to proceed to Calendar No. 551, S. 4653, a bill to protect the healthcare of hundreds of millions of people of the United States and prevent efforts of the Department of Justice to advocate courts to strike down the Patient Protection and Affordable Care Act.

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 551, S. 4653, a bill to protect the healthcare of hundreds of millions of people of the United States and prevent efforts of the Department of Justice to advocate courts to strike down the Patient Protection and Affordable Care Act.

CLOTURE MOTION

Mr. SCHUMER. I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented

under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to Calendar No. 551, S. 4653, a bill to protect the healthcare of hundreds of millions of people of the United States and prevent efforts of the Department of Justice to advocate courts to strike down the Patient Protection and Affordable Care Act.

Charles E. Schumer, Richard J. Durbin, Patty Murray, Tim Kaine, Martin Heinrich, Jack Reed, Jeff Merkley, Bernard Sanders, Jon Tester, Benjamin L. Cardin, Brian Schatz, Debbie Stabenow, Richard Blumenthal, Angus S. King, Jr., Michael F. Bennet, Edward J. Markey, Chris Van Hollen, Sheldon Whitehouse, Kirsten E. Gillibrand.

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

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MENENDEZ. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BOOZMAN). Without objection, it is so ordered.

TRUMP TAX RETURNS

Mr. MENENDEZ. Mr. President, the New York Times' latest reporting tells us everything we need to know about why President Trump has worked so hard to conceal his tax returns from the American people. The President is a liar, a cheat, and a fraud. For years he marketed himself as a self-made, successful businessman, but it is all an illusion. Like the Wizard of Oz, behind the curtain is just a small, petty fraud.

He made millions playing a billionaire businessman on TV, but in real life, Donald Trump was racking up huge losses in debts that he then used to get out of paying his fair share of Federal taxes. Call it tax avoidance. Call it tax evasion. Call it whatever you want. The bottom line is that Trump is no business genius. He is a con artist who thinks that the rules don't apply to him.

The President managed to avoid paying any Federal income tax for 11 of 18 years, from 2000 to 2017, and then only paid \$750 in 2016 and 2017. When I first read that in the New York Times, I thought there must have been a typo. Surely there were zeros missing. I was wrong. The page read right. Our self-proclaimed billionaire President paid just \$750 in Federal income taxes—\$750. That is a heck of a lot less than what essential workers supporting America throughout this pandemic pay in taxes, like the grocery clerk in Newark, NJ, who makes \$11 an hour but owes about \$1,060 in Federal taxes—\$300 more than Donald Trump. How about the nurse in Hackensack, NJ, working nights to save patients with COVID-19, making \$60,000 a year. She owes about \$6,200 in

Federal income taxes—more than eight times what the President paid.

Most people would agree that is a problem with our economy. Americans are working harder than ever for less. They are drowning in skyrocketing healthcare, housing, childcare, and tuition bills. At the end of the day, many middle-class New Jersey families still find themselves owing money to Uncle Sam. Meanwhile, for rich people like Donald Trump, the tax rate is the lowest it has been in decades, and you can write off fancy haircuts and consulting fees paid to your own daughter and all the losses you racked up running your business into the ground.

I have to say, this is no surprise to most New Jerseyans. We watched in horror as Donald Trump ran his Atlantic City casinos into the ground, scamming hard-working contractors out of their pay and costing the local economy thousands of jobs. Donald Trump was like a reverse King Midas—everything he touched went bankrupt. Then after his string of bankruptcies and broken promises to workers, Trump turned around and got a \$72.9 million bailout from the IRS—you heard me right, a \$72.9 million bailout from the IRS. Most people I know think it is a good year when they get \$400 or \$500 back from the Federal Government; this scam artist got off with \$72.9 million.

Yet Donald Trump isn't swimming in cash; he is drowning in debt. The President is on the hook for approximately \$421 million in loans, more than \$300 million of that coming due in the next 4 years. To get out of the debt, the President is doing everything he can to profit off the Presidency. Over the last 4 years, he has continued to make money off foreign investments, rake in cash from special interests and foreign officials at his Washington hotel, and charge the Federal Government millions for the use of his properties. He could go anywhere. He could go to Camp David. No. He goes to his properties, where millions—Secret Service and other entities protect the President and help the President whenever he leaves Washington. But he is always at his properties.

In spite of all this revenue, Trump is still badly in debt. It is no surprise that intelligence experts are concerned about who is holding it. They worry about the President's personal exposure to foreign creditors and what that might mean for national security. Anyone else in that much debt to foreign entities would have their security clearances immediately revoked. Is this why Trump refuses to punish Putin for putting bounties on the heads of U.S. soldiers? Is this why he applauds dictators like Erdogan and sells out American allies like the Kurds? Is this why he applauds dictators like Philippines President Rodrigo Duterte for doing "an unbelievable job"?

The bottom line is this: Who does Donald Trump owe those hundreds of millions of dollars to, and how much do

they know about him and how deep are they into him?

For years, the President has fought to keep Americans in the dark. Well, now we know why. He is a liar, a fraud, and a failed businessman so deep in the red, he is a potential national security liability.

Let me close by quoting President Donald Trump in his own book, "The Art of the Deal." He said:

You can't con people, at least not for long. You can create excitement, you can do wonderful promotion and get all kinds of press, and you can throw in a little hyperbole. But if you don't deliver the goods, people will eventually catch on.

I only hope the American people are catching on.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

CLOTURE MOTION

The PRESIDING OFFICER (Ms. MCSALLY). Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on Calendar No. 552, H.R. 8337, a bill making continuing appropriations for fiscal year 2021, and for other purposes.

Mitch McConnell, Richard C. Shelby, Lindsey Graham, Cindy Hyde-Smith, Tom Cotton, Mike Rounds, Thom Tillis, Roy Blunt, Lamar Alexander, Richard Burr, Cory Gardner, John Barrasso, Joni Ernst, Mike Crapo, Rob Portman, James E. Risch, John Hoeven.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on H.R. 8337, a bill making continuing appropriations for fiscal year 2021, and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from Tennessee (Mrs. BLACKBURN), the Senator from Missouri (Mr. BLUNT), the Senator from Kansas (Mr. MORAN), the Senator from Florida (Mr. RUBIO), the Senator from Nebraska (Mr. SASSE), and the Senator from North Carolina (Mr. TILLIS).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted "yea" and the Senator from Florida (Mr. RUBIO) would have voted "yea."

Mr. DURBIN. I announce that the Senator from Delaware (Mr. COONS), the Senator from California (Ms. HARRIS), the Senator from Vermont (Mr.

SANDERS), the Senator from Hawaii (Mr. SCHATZ), and the Senator from Montana (Mr. TESTER) are necessarily absent.

The yeas and nays resulted—yeas 82, nays 6, as follows:

[Rollcall Vote No. 196 Leg.]

YEAS—82

Baldwin	Gardner	Peters
Barrasso	Gillibrand	Portman
Bennet	Graham	Reed
Blumenthal	Grassley	Risch
Booker	Hassan	Roberts
Boozman	Heinrich	Romney
Braun	Hirono	Rosen
Brown	Hoeven	Rounds
Burr	Hyde-Smith	Schumer
Cantwell	Inhofe	Scott (FL)
Capito	Johnson	Scott (SC)
Cardin	Jones	Shaheen
Carper	Kaine	Shelby
Casey	Kennedy	Sinema
Cassidy	King	Smith
Collins	Klobuchar	Stabenow
Cornyn	Lankford	Sullivan
Cortez Masto	Leahy	Thune
Cotton	Manchin	Udall
Cramer	Markay	Van Hollen
Crapo	McConnell	Warner
Daines	McSally	Warren
Duckworth	Menendez	Whitehouse
Durbin	Merkley	Wicker
Enzi	Murkowski	Wyden
Ernst	Murphy	Young
Feinstein	Murray	
Fischer	Perdue	

NAYS—6

Cruz	Lee	Paul
Hawley	Loeffler	Toomey

NOT VOTING—12

Alexander	Harris	Sasse
Blackburn	Moran	Schatz
Blunt	Rubio	Tester
Coons	Sanders	Tillis

The PRESIDING OFFICER. On this vote, the yeas are 82, the nays are 6.

Three-fifths of the Senate duly chosen and sworn, having voted in the affirmative, the motion is agreed to.

The PRESIDING OFFICER. The Senator from Illinois.

NOMINATION OF AMY CONEY BARRETT

Mr. DURBIN. Madam President, the selection of the person to fill the Supreme Court vacancy is a historic moment in Washington. This is the seventh time that we will be in a position to at least meet someone who is aspiring to that position. I have had opportunities with each one of them to ask some questions before the formal hearing. I hope I have the same opportunity with the current nominee, Judge Amy Coney Barrett.

What is different about this particular moment is the fact that we know that there is an issue at stake here and one that is likely to be decided almost immediately by the new Supreme Court Justice. It is the only explanation I can find—perhaps one other—the only two explanations I can find as to why there is this hurry to fill this vacancy.

You see, it was 4 years ago, when there was a vacancy on the Supreme Court with Antonin Scalia's death—and that occurred on the February before the election—that Senator MCCONNELL, then the Republican Senate leader, argued there was no need to hurry. Why hurry about it? Leave the vacancy on the Supreme Court. Wait until after

the next Presidential election. Let the American people decide who will be filling that vacancy.

He made that argument, despite the clear history in this Chamber that did not support him, and he won the support of his position by every Republican Senator. They went so far as to say that if President Obama, in his last year in office, nominated someone to fill the Supreme Court vacancy, they wouldn't give that person a hearing.

Well, President Obama, in his last year of his Presidency, nominated Merrick Garland, a person who was widely respected as the chief judge in the DC Circuit Court—the second highest court in the land by some measure—and Merrick Garland came to Capitol Hill in the hopes that he would get his day in court, so to speak, in the Senate. But Senator MCCONNELL said: No way. Words out, Republican Senators, don't meet with him. A couple of them broke his rule and met with him anyway. But the word was out not to even give him the courtesy of a meeting 4 years ago. So Merrick Garland never had his day before the Senate Judiciary Committee, and his nomination departed with the Presidency of Barack Obama.

Senator MCCONNELL's new theory prevailed on how the Senate should treat Supreme Court vacancies. Every one of his soldiers on the Republican Senate marched in lock step with his theory. Well, guess what happened 4 years ago later. An incumbent President had a late vacancy on the Supreme Court with the untimely death of Ruth Bader Ginsburg, just a little over a week-and-a-half ago. And the obvious question to Senator MCCONNELL is: Will you be consistent now and say that that vacancy should not be filled until a new President is elected, and that President should have the option to fill it? And Senator MCCONNELL said: Of course not. It is not to my political advantage—he didn't add those words; I did—not to my political advantage. I am going to change this hard-and-fast rule of 4 years ago, and I am going to ask all of my Republican Senators to march before a camera and a microphone and to look down at their shoes and say the position they took 4 years ago, they are abandoning today. And all but two of them did it. All but two of them walked away from their pledge that they were under the old McConnell rule.

That McConnell rule was stated in just a few words. Here is what Senator MCCONNELL said 4 years ago:

The American people should have a voice in the selection of their next Supreme Court Justice. Therefore, this vacancy should not be filled until we have a new President.

The McConnell rule was thrown out just a few days ago. Why? Because it was to Senator MCCONNELL's advantage to fill this vacancy and to the President's and not to wait for the outcome of the November 3 election. So what is the issue? What would cause Senator MCCONNELL to change so quickly and

to ask all of his loyal Republican Senators to go through the embarrassment of recanting the position they took publicly 4 years ago? What is the big deal, Senator MCCONNELL? Well, it turns out we know what the big deal is. It is the Affordable Care Act. To paraphrase a Senator from Arkansas, Dale Bumpers, the Republicans and President Trump hate the Affordable Care Act like the devil hates holy water. They have tried every imaginable way to eliminate it, to change it, to water it down, and to discourage it. There were 50 different votes in the House of Representatives to eliminate the Affordable Care Act, and were it not for the Democrats in the Senate, they might have had some luck in doing that, but it didn't work. So they tried it on the Senate floor under reconciliation. They thought: Here is our chance. We just need a majority. We should be able to pull this one off.

And we had this historic moment just 3 years ago when, at 2:30 in the morning, John McCain came through those doors, and, with his "no" vote and the vote of two other Republican Senators, saved the Affordable Care Act. Imagine the frustration of MITCH MCCONNELL. Here was his moment to finally drive that dagger deep in the heart of the Affordable Care Act, and John McCain voted no. What was he going to do to get this job done?

Well, it turns out he figured he would get it done across the street in the U.S. Supreme Court. So 18 Republican State attorneys general filed a lawsuit to eliminate the Affordable Care Act. And then the Trump administration said: We are on board too. Let's get rid of it completely.

Off they went through the long treacherous journey in the courts all the way up to the Supreme Court across the street. Guess when the argument is scheduled to be heard. It is to be heard 7 days after the election. So you wonder why there is such a hurry to put another Supreme Court Justice on the Court who also opposes the Affordable Care Act? And make no mistake, President Trump made that one of the conditions of employment for anyone he would name to the Supreme Court. You have to be ready to march right in there and put an end to it.

So if we can vote under Senator MCCONNELL's timetable on or before the election, November 3, the new Supreme Court Justice sworn in, in her black robe, ascends to the bench in the Supreme Court on November 10, listens to the oral argument on the Affordable Care Act, and then a few weeks or months later puts an end to it. That is why we are in such a hurry, because if that Supreme Court vacancy is not filled by November 10, then whomever is chosen, as they do by tradition, could vote on the actual outcome of the case in the spring. That is what this is all about.

As someone told me long ago in this business of politics, there is always a good reason, and then there is always

the real reason. The real reason for the mad dash of the Senate Judiciary Committee to fill the Supreme Court vacancy, the real reason why Republican Senators are asked to march in lockstep and say that what they pledged 4 years ago meant nothing today—the real reason—is to put an end to the Affordable Care Act.

Let me tell the story, if I can, about the Affordable Care Act. I voted for it and am proud to have done it. Twenty million Americans have insurance because of it—600,000 in Illinois and, I might add, protections for people all across America. Let me discuss one of the protections of the Affordable Care Act that will go away and be eliminated if President Trump, the Republican Attorney General, and the Republican Senators who are supporting MITCH MCCONNELL have their way. Here is one of the provisions in the law.

Here is the story.

A couple of years ago, Tom from Palatine, IL, a suburb of Chicago, wrote to me about the Affordable Care Act. I will show a picture here. This is him. At the age of 30, Tom, married with dreams of fatherhood, was diagnosed with cancer, a tumor in his chest. He underwent 20 rounds of chemo and major surgery to remove the tumor. Thankfully, after that, he was cancer free.

There is Tom in his better days, racing to Wrigley. And there he is fighting his way through cancer in a hospital bed.

How much did it cost him for all of that care? Two million dollars. Two million dollars was the bill.

Before the Affordable Care Act, insurance companies imposed arbitrary annual and lifetime limits on how much they would actually reimburse a patient for medical bills. If you pass the limit, you are on the hook personally. That is why for years, medical debt was a leading cause of bankruptcy in America.

A fellow like Tom, racing along here, looking as healthy and fit as possible, ends up with a cancer diagnosis and goes through months and months of therapy and a bill of 2 million bucks, and the insurance company says: It is all yours. There is a limit in your policy.

That is the way it used to be before the Affordable Care Act. The Affordable Care Act put an end to those limits. Without those protections, Tom wrote to me and said that he "would most likely have capped [his] coverage and be bankrupt." It is pretty clear.

Thousands of other Americans could also be right there with him without the Affordable Care Act. Although Tom wants to continue working and contributing to society, he said he is scared to death. He is "terrified"—in his words—that protections for pre-existing conditions would be ended. You see, Tom having defeated surgery and declared this great victory—I am sure his friends and family couldn't be happier—is now branded by the insur-

ance companies as a man with a pre-existing condition.

In the old days, before the Affordable Care Act: Good luck, Tom. Good luck, because if you had a preexisting condition—and almost anything would count: acne, asthma, being a woman who might get pregnant, and on and on and on—you were subjected to higher premiums, maybe even no insurance at all. Those were the days before the Affordable Care Act.

Now, President Trump, the Republican attorneys general, and the Republicans in the Senate are dutybound to send a new Supreme Court Justice in to put an end to that protection, to put an end to the Affordable Care Act. They are so determined to get rid of ObamaCare at any cost that they could care less about Tom and people just like him with these lifetime limits.

If the Affordable Care Act is struck down, insurers could once again deny coverage to millions of Americans with preexisting conditions. That isn't all.

The Affordable Care Act also made it clear that if you are a family with a son or daughter who goes to college, comes out of school looking for a job, maybe had taken that gap year, maybe had taken an internship, but likely not to have health insurance, the Affordable Care Act says don't worry. Until that young man or young woman in your household reaches the age of 26, they can stay on your family's health insurance plan—a provision of the Affordable Care Act and a provision that a lot of families count on.

Our family needed something just like that when our daughter graduated college and didn't have health insurance and assured me that she sure didn't need it and she was so healthy. Well, that is scary talk for a parent to hear. But when it came to the Affordable Care Act, we would have been able to keep our young daughter under that policy—our family policy—for a period of time. The Republicans want that to go away—to go away with the Affordable Care Act.

You say to yourself: Well, clearly, Durbin, you are not telling the whole story. You are not telling us what the Republican plan is to replace the Affordable Care Act.

It is true—guilty as charged. I am not describing to you the Republican alternative to the Affordable Care Act because it doesn't exist. It does not exist. That is why John McCain and two other Republican Senators said: You can't eliminate the Affordable Care Act unless you have a replacement that is as good or better. Otherwise, too many American families will lose their insurance and lose their protection.

We had a hearing a few weeks ago, and I asked the leaders in the health community under the Trump administration the basic question: What have you heard about the Republican substitute for the Affordable Care Act? President Trump has told us over and over and over and over again that it is

just a week or two away. So what have you heard about preparedness?

They said: Nothing. We have heard nothing.

There is no Republican substitute for the Affordable Care Act. They are just dutybound to eliminate ObamaCare, and, sadly, the consequences would be awful.

That is what this is about. So if you think, I don't want to tune in to this whole debate about a new Supreme Court Justice from Indiana; I don't want to hear all these arguments because what difference does it make to me—if you are that person in America—I would say to you, please, take a look at what we are really facing here—an effort to fill a vacancy on the Supreme Court in a timely way to eliminate the Affordable Care Act. That is what this is all about.

Then, the President, just for good measure, tossed in another issue last week. How about this one—the first President in the history of the United States to not publicly declare that he would accept the outcome of an election? How about that? It is nothing short of a constitutional outrage that any President would say that. It is no surprise with this President because, when he was a candidate, he said basically the same thing: If it doesn't turn out that I win, then, I am not sure I want to live by the results.

He makes up these contrived arguments against paper ballots and how fraudulent they are. There are five States—five States in America—that use mail-in ballots exclusively. They include, of course, the State of Oregon, which might have been one of the first, and they include the State of Utah, as well, and Hawaii. Other States do it. How much fraud is there? Almost none. But that doesn't stop the President from claiming that mail-in ballots are fraudulent.

How does the President vote, incidentally? By mail-in ballot. What hypocrisy for him to make that kind of statement when he is casting his own vote with a mail-in ballot.

So now he said that he wants that Supreme Court vacancy filled: Do it now because I need nine Justices sitting on that Supreme Court if there is any election contest to follow.

It is pretty obvious what this is all about. The President needs a sure vote on the Supreme Court.

What a shame that we have reached this point, that we have denigrated the U.S. Senate to the point that we change the rules at our convenience, that we have reached the point where we are prepared to eliminate protections for 20 million Americans with nothing to replace it, and that we have reached a point where a President is so brazen as to say he wants to fill that spot on the Supreme Court just in case he runs into an election contest.

You would think there would be a chorus—a bipartisan chorus—of outrage for that statement by the President. Not so. There may have been oth-

ers—and I will scour the records to make sure—but two Republicans stepped up and said that the President's public statement on not abiding by election returns was terrible.

Who were those two? Senator MITT ROMNEY, here, the only Republican Senator I know of. If there were more, I will come back and correct the record. But I heard him clearly say that what the President said was intolerable. Then there was the Republican Governor of Massachusetts. I watched that press conference. He wasn't just declarative. He was upset to think that any President of either party would make that kind of statement. That is what we are up against.

Two weeks from yesterday, they want to hold a hearing in the Senate Judiciary Committee on this nominee, Judge Barrett, and they want the vote before the election, before the argument on the Affordable Care Act, and before the President faces any possibility of an election contest.

What a point we have reached in this country. The silence of Republicans across the Nation is deafening. They ignore the obvious.

You cannot have a viable, trustworthy democracy if you don't have viable, trustworthy elections, and in order to have that happen, you need Presidents of both political parties who are committed to fairness, committed to honesty, and committed to our Constitution.

Sadly, at this moment in time, we do not have a President who is, and there are too many of his own political party who stand back in the shadows in silence, recanting on pledges they made 4 years ago, doing whatever is necessary to win the favor of this President.

I hope another day will come soon with different leadership and a different view of this country. I am genuinely concerned about what we face on November 3 and the days that follow, but I have never given up on America, and I never will. I believe this democracy will prevail, and I hope that after he is gone, some Republicans will step forward and say: It is time to create a party not in his image.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

ORDERS FOR WEDNESDAY, SEPTEMBER 30, 2020

Mr. MCCONNELL. Madam President, I ask unanimous consent that when the Senate completes its business today, it recess until 12 noon, Wednesday, September 30; further, that following the prayer and pledge, the time for the two leaders be reserved for their use later in the day; further, that following leader remarks, the Senate resume consideration of H.R. 8337; finally, that all

time during recess of the Senate and leader remarks count postcloture on H.R. 8337.

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

MORNING BUSINESS

VOTE EXPLANATION

Ms. STABENOW. Madam President, I was unable to attend the rollcall vote No. 184 on the motion to invoke cloture on the nomination of Edward H. Meyers, of Washington, DC, to be judge of the Court of Federal Claims. Had I been able to attend, I would have voted to oppose cloture.

I was unable to attend the rollcall vote No. 185 on the motion to confirm the nomination of Edward H. Meyers, of Washington, DC, to be judge of the Court of Federal Claims. Had I been able to attend, I would have voted to oppose confirmation.

I was unable to attend the rollcall vote No. 186 on the motion to invoke cloture on the nomination of Andrea R. Lucas, of Virginia, to be a Member of the Equal Employment Opportunity Commission. Had I been able to attend, I would have voted to oppose cloture.

I was unable to attend the rollcall vote No. 187 on the motion to confirm the nomination of Andrea R. Lucas to be a Member of the Equal Employment Opportunity Commission. Had I been able to attend, I would have voted to oppose confirmation.

I was unable to attend the rollcall vote No. 188 on the motion to invoke cloture on the nomination of Keith Sonderling to be a Member of the Equal Employment Opportunity Commission. Had I been able to attend, I would have voted to oppose cloture.

I was unable to attend the rollcall vote No. 189 on the motion to confirm the nomination of Keith Sonderling to be a Member of the Equal Employment Opportunity Commission. Had I been able to attend, I would have voted to oppose confirmation.

NATIONAL BLACK BUSINESS MONTH

Mr. PERDUE. Madam President, I rise today to recognize the great work of the Georgia Greater Black Chamber of Commerce. The Georgia Greater Black Chamber has focused on recognizing the integral contributions of Black-owned businesses to the strength of both our State and our Nation's economy during National Black Business Month in August. For 7 straight years, Georgia has been named the No. 1 place in the country in which to do business, and the Georgia Greater Black Chamber has been instrumental in making that possible.

As I mentioned, August was National Black Business Month, and the Georgia Greater Black Chamber celebrated by honoring an important Georgian: Mr. Herman J. Russell.

H. J. Russell was the epitome of the American entrepreneur. Despite all the obstacles in his way, he worked hard to achieve his dreams. His business started as a plastering company, and he grew it into one of Atlanta's best real estate developers. Anywhere you look in Atlanta, you will see the incredible landmarks that the H.J. Russell Company has worked on: the Georgia Dome, Hartsfield-Jackson Airport, and Castleberry Hill. As a business guy myself, I am inspired by all that Herman J. Russell did in his life. Simply put, Atlanta would not be what it is today without H.J. Russell and the H.J. Russell Company. His children carry on this entrepreneurial spirit to this day. I recently had the opportunity to visit with his sons Michael and Jerome. They and their sister Donata Russell Ross are dedicated to continuing Black entrepreneurship.

Recently, I had the privilege of visiting the Russell Center for Innovation and Entrepreneurship—RCIE—with Housing and Urban Development Secretary Ben Carson. The Russell Center assists African-American entrepreneurs by providing workspace, networking opportunities, and educational resources. In 2019, RCIE converted a 43,000-square-foot corporate headquarters into space for 100 emerging entrepreneurial companies. RCIE is a testament to the efforts of African-American entrepreneurs to uplift each other.

As the Georgia Greater Black Chamber and other organizations in my State look to support growth in Black business and entrepreneurship, I will continue to work to support them. Through a recent conversation with Dr. David Thomas, president of Morehouse College, I was made aware that approximately 45 percent of the young men who start as freshmen at Morehouse will not graduate. I have appealed to the Georgia business community to support HBCU's and hire their graduates as part of the solution to this problem. I was also proud to work with Congressman David Scott on a scholarship program for the "1890s" land grant institutions like Fort Valley State to help ensure they can continue to produce farmers and agribusinesses that are of critical importance to Georgia's economic future.

African-American entrepreneurship and business ownership accounts for nearly 3 million businesses in the United States and nearly a million employees. Before COVID-19, African-American unemployment was at its lowest point in U.S. history. These are remarkable statistics, but we must continue to advance the important work of supporting Black businesses, as this is key to empowering communities and individuals to move out of poverty and into prosperity.

I look forward to working with the Georgia Great Black Chamber of Commerce and other Chambers in Georgia to ensure Georgia remains the best place in America for all businesses.

MESSAGE FROM THE HOUSE ON SEPTEMBER 24, 2020

At 1:28 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, without amendment:

S. 785. An act to improve mental health care provided by the Department of Veterans Affairs, and for other purposes.

S. 1646. An act to designate the community-based outpatient clinic of the Department of Veterans Affairs in St. Augustine, Florida, as the "Leo C. Chase Jr. Department of Veterans Affairs Clinic".

S. 4072. An act to designate the clinic of the Department of Veterans Affairs in Bend, Oregon, as the "Robert D. Maxwell Department of Veterans Affairs Clinic".

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

H.R. 451. An act to repeal the requirement to reallocate and auction the T-Band spectrum, to amend the Wireless Communications and Public Safety Act of 1999 to clarify acceptable 9-1-1 obligations or expenditures, and for other purposes.

H.R. 1925. An act to designate the Manhattan Campus of the New York Harbor Health Care System of the Department of Veterans Affairs as the "Margaret Cochran Corbin Campus of the New York Harbor Health Care System".

H.R. 3798. An act to amend title 38, United States Code, to provide for limitations on copayments for contraception furnished by the Department of Veterans Affairs, and for other purposes.

H.R. 4983. An act to designate the Department of Veterans Affairs community-based outpatient clinic in Gilbert, Arizona, as the "Staff Sergeant Alexander W. Conrad Veterans Affairs Health Care Clinic".

H.R. 5023. An act to name the Department of Veterans Affairs community-based outpatient clinic in Youngstown, Ohio, as the "Carl Nunziato VA Clinic".

H.R. 5245. An act to amend title 38, United States Code, to provide for a bar on the recovery of certain payments or overpayments made by the Department of Veterans Affairs by reason of delays in processing of certain information, and for other purposes.

H.R. 7105. An act to provide flexibility for the Secretary of Veterans Affairs in caring for homeless veterans during a covered public health emergency, to direct the Secretary of Veterans Affairs to carry out a retraining assistance program for unemployed veterans, and for other purposes.

H.R. 7347. An act to designate the medical center of the Department of Veterans Affairs in Ann Arbor, Michigan, as the "Lieutenant Colonel Charles S. Kettles Department of Veterans Affairs Medical Center".

H.R. 8247. An act to make certain improvements relating to the transition of individuals to service from the Department of Veterans Affairs, suicide prevention for veterans, and care and services for women veterans, and for other purposes.

MEASURES PLACED ON THE CALENDAR ON SEPTEMBER 24, 2020

The following bill was read the second time, and placed on the calendar:

S. 4675. A bill to amend the Health Insurance Portability and Accountability Act.

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 5245. An act to amend title 38, United States Code, to provide for a bar on the recovery of certain payments or overpayments made by the Department of Veterans Affairs by reason of delays in processing of certain information, and for other purposes.

MESSAGE FROM THE PRESIDENT

A message from the President of the United States was communicated to the Senate by Ms. Roberts, one of his secretaries.

EXECUTIVE MESSAGE REFERRED

As in executive session the Presiding Officer laid before the Senate a message from the President of the United States submitting a nomination which was referred to the Committee on Judiciary.

(The message received today is printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

At 3:02 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has agreed to the following concurrent resolution, without amendment:

S. Con. Res. 45. Concurrent resolution providing for the use of the catafalque situation in the crypt beneath the Rotunda of the Capitol in connection with memorial services to be conducted in the Supreme Court Building and the Capitol for the late honorable Ruth Bader Ginsburg, Associate Justice of the United States Supreme Court.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Mrs. MURRAY:

S. 4739. A bill to amend the Arms Export Control Act to provide for better monitoring and verification of the use of defense articles and defense services by countries of concern, and for other purposes; to the Committee on Foreign Relations.

By Mrs. MURRAY (for herself, Mr. CASEY, Mr. MENENDEZ, Mr. VAN HOLLEN, Ms. DUCKWORTH, Mr. BROWN, Mr. MERKLEY, Mr. BENNET, Ms. WARREN, Mr. MARKEY, Ms. HIRONO, Ms. BALDWIN, Ms. ROSEN, Mr. SCHATZ, Ms. KLOBUCHAR, Mr. REED, Ms. SMITH, Mr. BLUMENTHAL, and Mr. DURBIN):

S. 4740. A bill to support public health infrastructure; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BENNET (for himself and Mr. MERKLEY):

S. 4741. A bill to prohibit transfers of individuals between ICE facilities and Federal, State, and local facilities, to ensure physical distancing inside ICE facilities, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. BURR (for himself and Mr. CARDIN):

S. 4742. A bill to amend title XIX of the Social Security Act to promote access to lifesaving therapies for Medicaid enrollees by ensuring coverage of routine patient costs

for items and services furnished in connection with participation in qualifying clinical trials, and for other purposes; to the Committee on Finance.

By Mr. ROUNDS:

S. 4743. A bill to amend the Act of August 10, 1956, to provide for the payment of pay and allowances for certain officers of the Army who are assigned to the Corps of Engineers; to the Committee on Environment and Public Works.

By Mr. CRUZ:

S. 4744. A bill to authorize the Daughters of the Republic of Texas to establish the Republic of Texas Legation Memorial as a commemorative work in the District of Columbia, and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. SMITH (for herself, Mrs. MURRAY, Mrs. SHAHEEN, Ms. HIRONO, Ms. HASSAN, and Ms. KLOBUCHAR):

S. 4745. A bill to prevent surprise medical bills with respect to COVID-19 testing; to the Committee on Health, Education, Labor, and Pensions.

By Mr. DAINES:

S. 4746. A bill to permit reenrollment and establishment by retiree beneficiaries of monthly enrollment fee payment for TRICARE Select at any time during 2021, and for other purposes; to the Committee on Armed Services.

By Mr. CASEY (for himself and Mr. YOUNG):

S. 4747. A bill to amend title IV of the Social Security Act to require States to provide information about available benefits and services to kinship caregivers; to the Committee on Finance.

By Ms. DUCKWORTH:

S. 4748. A bill to require the Bureau of Prisons to submit to Congress an annual summary report of disaster damage, and for other purposes; to the Committee on the Judiciary.

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

S. 4749. A bill to address the public health risks posed by wildlife markets, and for other purposes; to the Committee on Foreign Relations.

By Mr. HEINRICH:

S. 4750. A bill to assist Tribal entities in deploying broadband using the 2.5 GHz spectrum band; to the Committee on Commerce, Science, and Transportation.

By Mr. DAINES (for himself, Mr. GRASSLEY, and Mr. ROBERTS):

S. 4751. A bill to amend the Internal Revenue Code of 1986 to limit the charitable deduction for certain qualified conservation contributions; to the Committee on Finance.

By Ms. WARREN:

S. 4752. A bill to establish the Truth and Healing Commission on Indian Boarding School Policy in the United States, and for other purposes; to the Committee on Indian Affairs.

By Mr. BOOKER (for himself and Mrs. BLACKBURN):

S. 4753. A bill to require the Secretary of Veterans Affairs to establish a pilot program to furnish doula services to veterans; to the Committee on Veterans' Affairs.

By Mr. PERDUE (for himself and Mr. CASSIDY):

S. 4754. A bill to amend the Internal Revenue Code of 1986 to establish COVID Recovery Bonds, and for other purposes; to the Committee on Finance.

By Mr. BOOKER:

S. 4755. A bill to prohibit private passenger automobile insurers from using certain income proxies to determine insurance rates and eligibility; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. KENNEDY:

S. 4756. A bill to amend the Communications Act of 1934 to narrow the scope of the

limitation on liability provided under section 230 of that Act, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. DURBIN:

S. 4757. A bill to amend the Animal Welfare Act to establish additional requirements for dealers, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

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

S. 4758. A bill to require reporting of suspicious transmissions in order to assist in criminal investigations and counterintelligence activities relating to international terrorism, and for other purposes; to the Committee on Commerce, Science, and Transportation.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. PERDUE (for himself, Mrs. LOEFFLER, and Mr. MURPHY):

S. Res. 726. A resolution honoring Rosalynn Smith Carter's 50 years of mental health advocacy; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 350

At the request of Mr. DAINES, the name of the Senator from Mississippi (Mrs. HYDE-SMITH) was added as a cosponsor of S. 350, a bill to restore the application of the Federal antitrust laws to the business of health insurance to protect competition and consumers.

S. 511

At the request of Mrs. GILLIBRAND, the names of the Senator from Minnesota (Ms. SMITH) and the Senator from Montana (Mr. DAINES) were added as cosponsors of S. 511, a bill to promote and protect from discrimination living organ donors.

S. 514

At the request of Mr. BOOZMAN, the name of the Senator from Montana (Mr. DAINES) was added as a cosponsor of S. 514, a bill to amend title 38, United States Code, to improve the benefits and services provided by the Department of Veterans Affairs to women veterans, and for other purposes.

S. 764

At the request of Mr. LEE, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 764, a bill to provide for congressional approval of national emergency declarations, and for other purposes.

S. 997

At the request of Ms. WARREN, the name of the Senator from Louisiana (Mr. CASSIDY) was added as a cosponsor of S. 997, a bill to recognize and honor the service of individuals who served in the United States Cadet Nurse Corps during World War II, and for other purposes.

S. 1190

At the request of Mrs. CAPITO, the name of the Senator from Nevada (Ms.

ROSEN) was added as a cosponsor of S. 1190, a bill to amend title XVIII of the Social Security Act to provide for payments for certain rural health clinic and Federally qualified health center services furnished to hospice patients under the Medicare program.

S. 1480

At the request of Mr. CORNYN, the name of the Senator from Oklahoma (Mr. LANKFORD) was added as a cosponsor of S. 1480, a bill to protect law enforcement officers, and for other purposes.

S. 2473

At the request of Mrs. LOEFFLER, her name was added as a cosponsor of S. 2473, a bill to extend certain provisions of the Caribbean Basin Economic Recovery Act until September 30, 2030, and for other purposes.

S. 2561

At the request of Mr. BLUMENTHAL, the names of the Senator from Connecticut (Mr. MURPHY), the Senator from Illinois (Mr. DURBIN), the Senator from New Mexico (Mr. UDALL) and the Senator from Hawaii (Mr. SCHATZ) were added as cosponsors of S. 2561, a bill to amend the Lacey Act Amendments of 1981 to clarify provisions enacted by the Captive Wildlife Safety Act, to further the conservation of certain wildlife species, and for other purposes.

S. 2886

At the request of Ms. MCSALLY, the names of the Senator from Hawaii (Mr. SCHATZ), the Senator from New Hampshire (Ms. HASSAN), the Senator from New Mexico (Mr. UDALL) and the Senator from Illinois (Mr. DURBIN) were added as cosponsors of S. 2886, a bill to prohibit the use of animal testing for cosmetics and the sale of cosmetics tested on animals.

S. 3064

At the request of Mr. WICKER, the name of the Senator from Pennsylvania (Mr. TOOMEY) was added as a cosponsor of S. 3064, a bill to oppose violations of religious freedom in Ukraine by Russia and armed groups commanded by Russia.

S. 3067

At the request of Mrs. CAPITO, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 3067, a bill to amend title XVIII of the Social Security Act to combat the opioid crisis by promoting access to non-opioid treatments in the hospital outpatient setting.

S. 3595

At the request of Ms. ROSEN, the names of the Senator from Delaware (Mr. CARPER), the Senator from Minnesota (Ms. SMITH) and the Senator from Michigan (Mr. PETERS) were added as cosponsors of S. 3595, a bill to require a longitudinal study on the impact of COVID-19.

S. 3608

At the request of Mr. KENNEDY, the name of the Senator from Georgia (Mr. PERDUE) was added as a cosponsor of S. 3608, a bill to amend the CARES Act to

provide flexibility in use of funds by States, Indian Tribes, and municipalities.

S. 3761

At the request of Mrs. MURRAY, her name was added as a cosponsor of S. 3761, a bill to amend title 38, United States Code, to require the Secretary of Veterans Affairs to provide veterans service organizations and recognized agents and attorneys opportunities to review Department of Veterans Affairs disability rating determinations before they are finalized, and for other purposes.

At the request of Ms. WARREN, her name was added as a cosponsor of S. 3761, *supra*.

At the request of Mr. BOOZMAN, his name was added as a cosponsor of S. 3761, *supra*.

S. 3823

At the request of Mr. MANCHIN, the name of the Senator from Arizona (Ms. SINEMA) was added as a cosponsor of S. 3823, a bill to ensure that a portion of funds appropriated to the Public Health and Social Services Emergency Fund for payments to eligible health care providers is reserved for such providers located in rural areas, and for other purposes.

S. 4117

At the request of Mr. CRAMER, the name of the Senator from Nebraska (Mr. SASSE) was added as a cosponsor of S. 4117, a bill to provide automatic forgiveness for paycheck protection program loans under \$150,000, and for other purposes.

S. 4166

At the request of Ms. SINEMA, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 4166, a bill to require the Secretary of Veterans Affairs to secure medical opinions for veterans with service-connected disabilities who die from COVID-19 to determine whether their service-connected disabilities were the principal or contributory cases of death, and for other purposes.

S. 4258

At the request of Mr. CORNYN, the names of the Senator from New Jersey (Mr. MENENDEZ), the Senator from Kansas (Mr. ROBERTS), the Senator from Maryland (Mr. VAN HOLLEN) and the Senator from Virginia (Mr. KAINE) were added as cosponsors of S. 4258, a bill to establish a grant program for small live venue operators and talent representatives.

S. 4284

At the request of Mr. SCOTT of South Carolina, the name of the Senator from Oklahoma (Mr. LANKFORD) was added as a cosponsor of S. 4284, a bill to provide for emergency education freedom grants, to amend the Internal Revenue Code of 1986 to establish tax credits to encourage individual and corporate taxpayers to contribute to scholarships for students through eligible scholarship-granting organizations, and for other purposes.

S. 4380

At the request of Mr. WARNER, the name of the Senator from Maryland (Mr. VAN HOLLEN) was added as a cosponsor of S. 4380, a bill to provide redress to the employees of Air America.

At the request of Mr. DURBIN, his name was added as a cosponsor of S. 4380, *supra*.

S. 4433

At the request of Mr. CORNYN, the name of the Senator from North Carolina (Mr. TILLIS) was added as a cosponsor of S. 4433, a bill to authorize the National Medal of Honor Museum Foundation to establish a commemorative work in the District of Columbia and its environs, and for other purposes.

S. 4442

At the request of Mr. WARNER, the name of the Senator from Nevada (Ms. CORTEZ MASTO) was added as a cosponsor of S. 4442, a bill to amend subtitle A of title II of division A of the CARES Act to provide Pandemic Unemployment Assistance to individuals with mixed income sources, and for other purposes.

S. 4453

At the request of Ms. STABENOW, the name of the Senator from Alaska (Mr. SULLIVAN) was added as a cosponsor of S. 4453, a bill to protect the continuity of the food supply chain of the United States in response to COVID-19, and for other purposes.

S. 4572

At the request of Mrs. GILLIBRAND, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 4572, a bill to amend title 38, United States Code, to provide for a presumption of service connection for certain diseases associated with exposure to toxins, and for other purposes.

S. 4608

At the request of Mr. LEE, the name of the Senator from Georgia (Mr. PERDUE) was added as a cosponsor of S. 4608, a bill to amend the Servicemembers Civil Relief Act to provide for the portability of professional licenses of members of the uniformed services and their spouses, and for other purposes.

S. 4649

At the request of Mrs. LOEFFLER, the name of the Senator from Mississippi (Mrs. HYDE-SMITH) was added as a cosponsor of S. 4649, a bill to provide that for purposes of determining compliance with title IX of the Education Amendments of 1972 in athletics, sex shall be recognized based solely on a person's reproductive biology and genetics at birth.

S. 4658

At the request of Mr. LANKFORD, the name of the Senator from Mississippi (Mrs. HYDE-SMITH) was added as a cosponsor of S. 4658, a bill to amend title XIX of the Social Security Act to allow for greater State flexibility with respect to excluding providers who are involved in abortions.

S. 4671

At the request of Ms. DUCKWORTH, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S. 4671, a bill to prohibit Federal law enforcement officers from wearing camouflage uniforms in the United States.

S. 4683

At the request of Mrs. FEINSTEIN, the name of the Senator from California (Ms. HARRIS) was added as a cosponsor of S. 4683, a bill to designate the Battleship IOWA Museum, located in Los Angeles, California, as the National Museum of the Surface Navy, and for other purposes.

S. 4703

At the request of Mrs. FEINSTEIN, the name of the Senator from California (Ms. HARRIS) was added as a cosponsor of S. 4703, a bill to amend the West Los Angeles Leasing Act of 2016 to authorize the use of certain funds received pursuant to leases entered into under such Act, and for other purposes.

S. 4704

At the request of Mr. ROUNDS, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 4704, a bill to require reforms to programs of the Natural Resources Conservation Service, and for other purposes.

S. 4708

At the request of Mr. LANKFORD, the name of the Senator from Indiana (Mr. BRAUN) was added as a cosponsor of S. 4708, a bill to establish a commission to review certain regulatory obstacles to preparedness for, response to, and recovery from the Coronavirus SARS-CoV-2 pandemic and other pandemics, and for other purposes.

S. 4714

At the request of Mr. DURBIN, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 4714, a bill to preserve health benefits for workers.

S. 4736

At the request of Ms. KLOBUCHAR, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 4736, a bill to prepare the United States for the impacts of climate change, and for other purposes.

S. RES. 709

At the request of Mr. GRAHAM, the names of the Senator from New Hampshire (Ms. HASSAN), the Senator from Rhode Island (Mr. WHITEHOUSE), the Senator from West Virginia (Mr. MANCHIN), the Senator from Florida (Mr. RUBIO), the Senator from Wyoming (Mr. ENZI), the Senator from Michigan (Mr. PETERS) and the Senator from Nebraska (Mr. SASSE) were added as cosponsors of S. Res. 709, a resolution expressing the sense of the Senate that the August 13, 2020, and September 11, 2020, announcements of the establishment of full diplomatic relations between the State of Israel and the United Arab Emirates and the State of Israel and the Kingdom of Bahrain are historic achievements.

At the request of Mr. MCCONNELL, his name was added as a cosponsor of S. Res. 709, *supra*.

S. RES. 716

At the request of Mr. MURPHY, the name of the Senator from Iowa (Ms. ERNST) was added as a cosponsor of S. Res. 716, a resolution designating the week of October 5 through October 9, 2020, as "Malnutrition Awareness Week".

AMENDMENT NO. 1551

At the request of Mr. CORNYN, the name of the Senator from Tennessee (Mrs. BLACKBURN) was added as a cosponsor of amendment No. 1551 intended to be proposed to S. 2657, a bill to support innovation in advanced geothermal research and development, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DURBIN:

S. 4757. A bill to amend the Animal Welfare Act to establish additional requirements for dealers, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. DURBIN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 4757

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Puppy Protection Act of 2020".

SEC. 2. ADDITIONAL REQUIREMENTS FOR DEALERS.

(a) HUMANE TREATMENT OF DOGS BY DEALERS.—Section 13(a) of the Animal Welfare Act (7 U.S.C. 2143(a)) is amended by adding at the end the following:

"(9) In addition to the requirements under paragraph (2), the standards described in paragraph (1) shall, with respect to dealers, include requirements—

"(A) that the dealer provide adequate housing for dogs that includes—

"(i) completely solid flooring;

"(ii) indoor space sufficient to allow the tallest dog in an enclosure to stand on his or her hind legs without touching the roof of the enclosure;

"(iii) with respect to dogs over 8 weeks in age, primary enclosures that, with the length of the dog measured from the tip of the nose to the base of the tail, provide at least—

"(I) 12 square feet of indoor floor space per each dog measuring not more than 25 inches long;

"(II) 20 square feet of indoor floor space per each dog measuring more than 25 but less than 35 inches long; and

"(III) 30 square feet of indoor floor space per each dog measuring not less than 35 inches long;

"(iv) enclosures that are not stacked or otherwise placed on top of or below another enclosure; and

"(v) temperature control that—

"(I) is appropriate for the age, breed, and condition of each dog in the enclosure; and

"(II) is between 45 and 85 degrees Fahrenheit, when dogs are present in the enclosure;

"(B) that appropriate and nutritious food be provided to each dog at least twice per day, in an amount sufficient to maintain the good health and physical condition of each dog;

"(C) that each dog has continuous access to potable water that is not frozen and is free of feces, algae, and other contaminants;

"(D) that each dog has adequate exercise, including, for each dog over the age of 12 weeks—

"(i) except as provided in clause (ii), unrestricted access from the primary enclosure of the dog during daylight hours to an outdoor exercise area that—

"(I) is at ground-level;

"(II) is a solid surface;

"(III) is enclosed by a fence or other structure;

"(IV) is properly controlled for the safety of the dog; and

"(V) allows the dog to extend to full stride, play, and engage in other types of mentally stimulating and social behaviors; or

"(ii) if the dealer obtains a certification from the attending veterinarian stating that a dog should not have unrestricted access to an outdoor exercise area for a specific medical reason, an alternative exercise plan prescribed by the veterinarian for the dog that meets the applicable requirements under section 3.8 of title 9, Code of Federal Regulations (or successor regulations);

"(E) that each dog has meaningful socialization with humans and compatible dogs for at least 30 minutes each day that—

"(i) includes positive interaction with a human such as petting, stroking, grooming, feeding, playing with, exercising, or other touching of the dog that is beneficial to the well-being of the dog; and

"(ii) does not include time spent in veterinary care;

"(F) that each dog receives adequate veterinary care, including—

"(i) prompt treatment of any disease, illness, or injury by a licensed veterinarian;

"(ii) a thorough, hands-on examination by a licensed veterinarian at least once each year, which shall include a dental exam;

"(iii) core vaccinations recommended by the latest version of the American Animal Hospital Association Canine Vaccination Guidelines; and

"(iv) medications to prevent intestinal parasites, heartworm disease, fleas, and ticks that are approved by a licensed veterinarian for canine use;

"(G) with respect to safe breeding practices for dogs, including—

"(i) a screening program for known prevalent inheritable diseases that may be disabling or likely to significantly affect the lifespan or quality of life of the mother or the offspring;

"(ii) prohibiting breeding, unless each dog bred—

"(I) has been screened by a licensed veterinarian prior to each attempt to breed; and

"(II) is found in the screening under subclause (I) to be free from health conditions that may be disabling to, or likely to significantly affect the lifespan or quality of life of, the mother or the offspring;

"(iii) prohibiting the breeding of a female dog to produce—

"(I) more than 2 litters in any 18-month period; or

"(II) more than 6 litters during the lifetime of the dog;

"(iv) that a female dog of any small breed (having a maximum weight range at maturity that is less than 40 pounds) not be bred—

"(I) before reaching the age of 18 months; or

"(II) after reaching the age of 9 years;

"(v) that a female dog of any large breed (having an expected weight range at maturity that includes 40 or more pounds) not be bred—

"(I) before reaching the age of 2 years; or

"(II) after reaching the age of 7 years; and

"(vi) that any canine caesarian section be performed by a licensed veterinarian;

"(H) that dogs be housed with other dogs, unless health or behavioral issues make group housing unsafe; and

"(I) to make all reasonable efforts to find humane placement for retired breeding dogs—

"(i) such as with an adoptive family, rescue organization, or other appropriate owner for that dog; and

"(ii) not including selling at auction or otherwise placing a retired breeding dog with another breeder for breeding purposes."

(b) CONFORMING AMENDMENT.—Section 13(a)(2)(B) of the Animal Welfare Act (7 U.S.C. 2143(a)(2)(B)) is amended by inserting "subject to paragraph (9)," before "for exercise of dogs".

(c) REGULATIONS.—Not later than 18 months after the date of enactment of this Act, the Secretary shall issue final regulations establishing the standards for the care of dogs by dealers, as required by this section and the amendments made by this section.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 726—HONORING ROSALYNN SMITH CARTER'S 50 YEARS OF MENTAL HEALTH ADVOCACY

Mr. PERDUE (for himself, Mrs. LOEFLE, and Mr. MURPHY) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 726

Whereas Rosalynn Smith Carter, since 1970, when her husband, future President of the United States Jimmy Carter, was a candidate for Governor of Georgia, has been a leading advocate for raising awareness about mental health and the ability of people with mental health disorders to recover and live happy and fulfilling lives;

Whereas Mrs. Carter emerged as a national driving force for mental health when, during Jimmy Carter's presidential administration, Mrs. Carter became the active honorary chair of the President's Commission on Mental Health;

Whereas the work of President Carter's Commission on Mental Health resulted in passage of the Mental Health Systems Act of 1980, which offered reforms to publicly-funded mental health programs;

Whereas, in 1982, President and Mrs. Carter founded The Carter Center, which is dedicated to improving the quality of life for people in the United States and in the developing world through programs that promote peace and health;

Whereas, from 1985 to 2016, Mrs. Carter hosted the annual Rosalynn Carter Symposium on Mental Health Policy, bringing together national leaders in the mental health community to discuss a specific topic each year, including promoting access to appropriate and affordable behavioral health care services, improving the quality of such services, and reducing the stigma and isolation associated with mental health disorders and substance use disorders;

Whereas The Carter Center's Mental Health Program, established in 1990 and continuing under the leadership and guidance of Mrs. Carter, strives to build consensus in

order to effect positive change in mental health and substance use policy and systems, with a focus on vulnerable populations, including children and the elderly;

Whereas, in 1996, Mrs. Carter established the Rosalynn Carter Fellowships for Mental Health Journalism, which have provided training and support to more than 220 journalists in the United States and abroad to report accurately and sensitively about and reduce the stigma surrounding mental health disorders, mental health care, mental health law and policy, and related issues;

Whereas Mrs. Carter, in 2008, played a key role in supporting the passage of the Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act, which helps ensure that mental health disorders and substance use disorders are covered by insurance at parity with other illnesses;

Whereas Mrs. Carter, who has long been a champion of the physical and mental health, strength, and resilience of family caregivers, established the Rosalynn Carter Institute for Caregiving in 1987, where she continues to serve as President of the Board of Directors;

Whereas, throughout Mrs. Carter's 50 years of advocacy for mental health, she has been an effective champion for the elimination of stigma and discrimination against people with mental health disorders, which are among the most common health conditions around the world; and

Whereas, at 93 years of age, Mrs. Carter continues her devoted work to improving the lives of those affected by mental health disorders and substance use disorders in the United States and around the world: Now, therefore, be it

Resolved, That the Senate—

(1) hereby expresses its profound gratitude, on behalf of the people of the United States, to Rosalynn Smith Carter for her lifetime of accomplishments and commitment on behalf of those affected by mental health disorders and substance use disorders;

(2) recognizes, praises, and appreciates the improvements in wellbeing and the betterment of society Mrs. Carter's contributions have engendered; and

(3) encourages all people of the United States to follow Mrs. Carter's example of putting compassion into action through a lifetime of service to humanity.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2670. Mrs. LOEFFLER submitted an amendment intended to be proposed by her to the bill S. 2657, to support innovation in advanced geothermal research and development, and for other purposes; which was ordered to lie on the table.

SA 2671. Mrs. LOEFFLER submitted an amendment intended to be proposed by her to the bill S. 2657, supra; which was ordered to lie on the table.

SA 2672. Mr. DAINES submitted an amendment intended to be proposed by him to the

bill H.R. 8337, making continuing appropriations for fiscal year 2021, and for other purposes; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 2670. Mrs. LOEFFLER submitted an amendment intended to be proposed by her to the bill S. 2657, to support innovation in advanced geothermal research and development, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title I, insert the following:

Subtitle I—People's Republic of China Prohibition on Participation

SEC. 1901. PROHIBITION ON PARTICIPATION FOR CERTAIN ENTITIES.

(a) **SHORT TITLE.**—This section may be cited as the “Securing our Energy Future Act of 2020”.

(b) **DEFINITIONS.**—In this section:

(1) **CONTROLLING SHAREHOLDER.**—The term “controlling shareholder” means a shareholder that owns more than 5 percent of the total shares in a company.

(2) **COVERED ENTITY.**—The term “covered entity” means any company, organization, or entity—

(A) that is primarily based in the People's Republic of China;

(B) the primary owner of which is a resident or citizen of the People's Republic of China; or

(C) in the case of a publicly traded company, the controlling shareholder of which is—

(i) an individual that is a resident or citizen of the People's Republic of China; or

(ii) an entity that is primarily based in the People's Republic of China.

(c) **PROHIBITION ON CERTAIN ENTITIES.**—No covered entity shall be eligible for any grant or contract, or to participate in any program, authorized under this title or the amendments made by this title.

SA 2671. Mrs. LOEFFLER submitted an amendment intended to be proposed by her to the bill S. 2657, to support innovation in advanced geothermal research and development, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II, insert the following:

Subtitle D—People's Republic of China Prohibitions

SEC. 2401. PROHIBITION FOR CERTAIN ENTITIES, PRODUCTS, AND SERVICES.

(a) **SHORT TITLE.**—This section may be cited as the “Securing American Infrastructure from China Act of 2020”.

(b) **DEFINITIONS.**—In this section:

(1) **CONTROLLING SHAREHOLDER.**—The term “controlling shareholder” means a shareholder that owns more than 5 percent of the total shares in a company.

(2) **COVERED ENTITY.**—The term “covered entity” means any company, organization, or entity—

(A) that is primarily based in the People's Republic of China;

(B) the primary owner of which is a resident or citizen of the People's Republic of China; or

(C) in the case of a publicly traded company, the controlling shareholder of which is—

(i) an individual that is a resident or citizen of the People's Republic of China; or

(ii) an entity that is primarily based in the People's Republic of China.

(c) **PROHIBITION ON CERTAIN ENTITIES.**—No covered entity shall be eligible for any grant or contract, or to participate in any program, authorized under this title or the amendments made by this title.

(d) **PROHIBITION ON CERTAIN PRODUCTS AND SERVICES.**—Any company, entity, or organization otherwise eligible for any grant or contract, or to participate in any program, authorized under this title or the amendments made by this title shall be ineligible if the company, entity, or organization, as applicable—

(1) partners or subcontracts with a covered entity;

(2) uses products or services provided by any company owned in whole or in part by the Chinese Communist Party; or

(3) uses products or services provided by any company deemed a national security risk by the Department of Defense, the Department of Commerce, or any United States intelligence or national security agency.

SA 2672. Mr. DAINES submitted an amendment intended to be proposed by him to the bill H.R. 8337, making continuing appropriations for fiscal year 2021, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 4604.

RECESS UNTIL TOMORROW

Mr. McCONNELL. Madam President, if there is no further business to come before the Senate, I ask unanimous consent that it stand in recess under the previous order.

There being no objection, the Senate, at 7:13 p.m., recessed until Wednesday, September 30, 2020, at 12 noon.

NOMINATIONS

Executive nomination received by the Senate:

SUPREME COURT OF THE UNITED STATES

AMY CONEY BARRETT, OF INDIANA, TO BE AN ASSOCIATE JUSTICE OF THE SUPREME COURT OF THE UNITED STATES, VICE RUTH BADER GINSBURG, DECEASED.

NOTICE

Incomplete record of Senate proceedings. Today's Senate proceedings will be continued in the next issue of the Record.