judges are there to dictate policy outcomes rather than following the facts and text wherever they lead.

That is why we have had the same scare tactics for almost half a century. John Paul Stevens was going to end women's rights. David Souter was going to send vulnerable people into the Dark Ages. John Roberts was going to declare war on health insurance.

And now our Democratic colleagues want Americans to believe Judge Barrett is on a one-woman crusade to hurt Americans with preexisting conditions. One Senator has literally claimed the nominee would—listen to this—''create a humanitarian catastrophe.''

They are the same old scare tactics, totally predictable and totally dishonest.

These baseless attacks over healthcare are supposedly founded on a technical argument in a 4-year-old scholarly article. Then-Professor Barrett analyzed the Supreme Court's ruling on one piece of ObamaCare—the unfair, unpopular individual mandate penalty, which we have since zeroed out. The constitutional arguments over whether that terrible idea was a ''penalty'' or a ''tax'' are now moot because, whatever you want to call it, Republicans in Congress zeroed it out 3 years ago. Working Americans are no longer penalized by that Democrat policy. Americans with preexisting conditions are still protected and that specific legal question is moot.

Our Democratic colleagues are grasping at straws. Now they want Judge Barrett to promise to recuse herself from whole categories of cases. Of course, that is ridiculous. It is hard to think of anyone in the country over whom a President has less leverage than a judge with a lifetime appointment. Nobody suggested Justice Sotomayor or Justice Kagan needed to categorically sit on the sidelines until President Obama left office. This is just a backdoor attempt to impugn Judge Barrett's integrity.

If Senators believe this nominee is committed to impartial justice in every case, if they believe she will mean her oath when she takes it, they should vote to confirm her. If they don't, they should vote no.

But only one of these arguments has any basis in Judge Barrett's resume, her reputation, and the praise that has been showered on her jurisprudence even by famous liberal lawyers.

Judge Barrett has already stated in writing to the Senate that she has given nobody in the White House any hints or any assurances about any kind of cases, real or hypothetical. It is only Senate Democrats who are trying to extract promises and precommitments. It is only Democrats who are trying to undermine judicial independence.

Last night on national television, former Vice President Biden refused to rule out the radical notion of packing the Supreme Court. He ducked the question. In Washington, when you duck the question, you know what the answer is. That is exactly what they are up to. That is exactly what they intend to do.

Last year, our colleague Senator HARRIS said explicitly that she was open to it. That is another way of saying that is what they intend to do. Numerous of our colleagues have refused to rule out this radical institution-shattering step.

Now Senate Democrats are trying to make Judge Barrett precommit to handle hypothetical issues the way they want—more disrespect for judicial independence.

Judge Barrett understands a judge's only loyalty must be to our laws and our Constitution. She understands our system would collapse if judges do not leave politics aside. If the Democratic Party feels differently, if Democrats have decided that judicial independence is simply an inconvenience to their radical agenda, it shows how little weight we should afford their criticisms of this outstanding nominee.

CORONAVIRUS

Mr. MCCONNELL. If Senate Democrats were half as concerned as they say about America's family healthcare, they would not have filibustered a multihundred-billion-dollar proposal for more coronavirus relief just a few weeks ago.

A Senate minority that was focused on America's health would have let us fund more tests, treatments, and vaccine development, like Republicans tried to do just a few weeks ago. A Senate minority that was prioritizing wellness would have let us spend more than $100 billion to make schools safe for students, like Republicans tried to do just a few weeks ago. A Senate minority that sought to protect citizens with preexisting conditions would have let us reaffirm legal protections for those Americans, like Republicans had in our bill just a few weeks ago. A Senate minority that was serious about economic recovery would have let us fund a second round of the Paycheck Protection Program and continued the expanded unemployment checks, like Republicans tried to do just a few weeks ago.

The Senate voted on all of this 3 weeks ago. Three weeks ago, every single Senator cast a vote on preexisting conditions, money for testing, money for vaccines, money for safe schools, money for small businesses, and money for unemployed workers—just 3 weeks ago. Fifty-two Republicans voted to pass all of these policies and every single Democrat who showed up voted to filibuster it dead.

The Democratic leader and the Speaker of the House were determined that American families should not see another dime before the election. This week, Speaker PELOSI is finally caving to months of pressure from fellow Democrats who argue that her stonewalling is hurting our country. House Democrats are trying to save face by introducing yet another multi-trillion-dollar far-left wish list with virtually all the same non-COVID-related poison pills as their last unserious bill.

Speaker PELOSI's latest offering still does not include a single cent of new money toward the Paycheck Protection Program to help small businesses that are going under. It does nothing to help schools, universities, doctors, nurses, or employers avoid frivolous lawsuits. But the House did find room to provide special treatment to the marijuana industry. Their bill mentions the word ''cannabis'' more times than the words ''job'' or ''jobs.''

They still want to send taxpayer-funded stimulus checks to people in our country illegally. They still want to hand a massively expensive tax cut to millionaires and billionaires in places like New York City and San Francisco, a pet priority of the Speaker and the Democratic leader that would do nothing to help working families through this pandemic.

All of these far-left poison pills are still in their recycled bill. They have no intention of making bipartisan law for American families, but there are a few changes from the last bill.

So get this. Now that supporting law enforcement has become less than fashionable on the far left, the Democrats have actually taken out hundreds of millions of dollars for hiring and assisting police officers. Let me say that again. In this latest version, there were at least some changes. Now that supporting law enforcement has become less than fashionable on the far left, the Democrats have actually taken out hundreds of millions of dollars for hiring and assisting police officers. Their so-called sequel to the Heroes Act has decided that cops are not heroes after all. Apparently, cops are not heroes after all. The House Democrats couldn't miss a chance to defund the police.

This latest bill from the Speaker is no more serious than any of their other political stunts going back months. If they continue to refuse to get serious, then American families will continue to hurt. Less than a month ago, every single Senator voted on providing hundreds of billions of dollars for kids, jobs, healthcare, and reaffirming protections for preexisting conditions. There were 52 Republicans who voted to advance all of these things, but every single Democrat who showed up voted to block them.

The American people are still hurting. The layoffs are still mounting. Families still need more help, and the healthcare fight needs more resources. One side voted to supply all of that help. The other side decided to block it.

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.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

PRESIDENTIAL DEBATE

Mr. SCHUMER. Mr. President, last night, President Trump delivered one of the most disgraceful performances at a Presidential debate that anyone has ever seen, and I do not mean that from a political perspective; I mean it from a human perspective.

One can become inured to the President's tendency to melt down when confronted with his facts, his brazen lack of self-awareness, his stunning lack of regard for others, but it was maddening to watch the President last night—angry and small—unable to show a scintilla of respect, unable to follow even the most basic rules of human civility or decorum, unwilling to constrain a stream of obvious falsehoods and rightwing bile.

Shakespeare summed up in ''Macbeth'' Trump's performance last night—''a tale told by an idiot, full of sound and fury, signifying nothing.''

Yes, President Trump's debate performance was, in the words of ''Macbeth,'' a tale told by an idiot, full of sound and fury, signifying nothing.

In an hour and a half that felt like a lifetime, the President managed to insult Vice President Biden's deceased son and smear his living one, please a fringe White supremacist group, and cap the night off by, yet again, casting doubt on our own elections—tarnishing our own democracy. Those were just his worst moments. The rest of the debate saw the President heap lies upon lies—lies big and small and every size in between. This President and truth don't intersect at all.

Still, one moment stands out. When asked to condemn White supremacist groups like the Proud Boys—classified as a hate group by the Southern Poverty Law Center and called ''hard-core white supremacists'' by the Anti-Defamation League—President Trump demurred and then said: ''Proud Boys, stand back and stand by.''

''Stand back and stand by.''

President Obama once wondered rhetorically: ''How hard is it to say Nazis are bad?''

Apparently, for President Trump, it is beyond his capacity. In a national debate, he not only refused to condemn a far-right group of violent White supremacists, but he told them to stand by.

As much of the country was in despair last night at the President's juvenile behavior, one group was celebrating—the Proud Boys. They are who were celebrating President Trump's debate performance—White supremacists. Within minutes of the President's comments, the Proud Boys were online, rejoicing at the tacit endorsement of their violent tactics by the President himself. They made logos out of the President's remarks: ''Stand back and stand by.''

I just want to ask my Republican colleagues: How are you not embarrassed that President Trump represents your party? How can you possibly—possibly—support anyone who behaves this way? Are you watching the same person we are? Are you listening? Are you not embarrassed that millions of Americans watched President Trump and thought: ''That is what the Republican Party stands for now''?

He can't express sympathy for the families of 200,000 Americans who have died from COVID; can't go 30 seconds without interrupting someone when he is not speaking; can't refrain from attacking someone's family and pretending not to know a person's deceased son; can't honor the military, defend democracy, respect elections, or tell the truth; can't even make it through a debate without emboldening White supremacists.

How are you, my Senate colleagues, not deeply, utterly, personally embarrassed that Donald Trump is a Republican? How are we not all embarrassed that someone who behaved the way President Trump did last night is our President? I know I am. How about you?

Again, this President is just amazing, and his speech last night—''a tale told by an idiot, full of sound and fury, signifying nothing.''

SUPREME COURT NOMINATIONS

Mr. SCHUMER. Mr. President, on SCOTUS, it is for this President that Senate Republicans are now rushing through a Supreme Court nominee nearly days before a national election. A Republican majority that once argued the American people should be given a voice in the selection of their next Supreme Court Justice is planning to confirm a nominee in the middle of an election that is already underway. You could not design a scenario that would more fully expose the Republicans' double standard than this one. Of greater concern to the American people is how the rush by Senate Republicans to confirm this nominee will put their healthcare at risk.

Now, yesterday, the Republican leader actually mocked the idea that a far-right Supreme Court majority might strike down the ACA and that Judge Barrett's judicial philosophy might play a part in that. ''What a joke,'' Senator MCCONNELL said, that Justice Barrett might pose any risk to Americans' healthcare.

I guess Judge Barrett must have been joking when she publicly criticized Justice Roberts for upholding the Affordable Care Act. It must have been with a sarcastic flick of the pen when she wrote that the Supreme Court would ''have had to invalidate'' the law if it had read the statute the way she does.

I will tell you what: This is not a joke to the American people. This is not a joke to the 20 million Americans who could lose their health insurance if the ACA is struck down—not a joke to the parents of a child who has cancer and who would have to watch helplessly as their child suffers if the protections for preexisting conditions are struck down; not a joke to the millions of Americans on Medicare, whose drug prices would soar; not a joke to women across the country who could, once again, be charged more for health insurance than men, denied maternity care, and free access to birth control.

The only joke here is the Republican leader's desperate attempt to pretend that his President, his party, and their Supreme Court nominee pose no threat to our Nation's healthcare law—the same Senate leader who did everything he could on the floor of this Senate to repeal the ACA.

President Trump said he will pick Supreme Court nominees who will ''terminate the Affordable Care Act.'' His administration is in court right now, suing to eliminate it. Senate Republicans tried to repeal the law and replace it with nothing. The Republicans' lawsuit against the Affordable Care Act will be heard by the Supreme Court during the week after the election. There is a reason the Republicans are scrambling to fill this seat so quickly, and Judge Barrett, when the ACA was challenged in major litigation, twice before—twice—sided against the law.

So, if the Republican leader believes that the Democrats are raising unfounded fears about healthcare, will he urge the plaintiffs to drop their lawsuit against the ACA? Will Leader MCCONNELL urge the Justice Department not to spend taxpayer dollars in trying to eliminate the taxpayers' healthcare?

Normally these questions would be rhetorical, but yesterday I filed a procedural motion that will set up a vote on a bill that would protect the healthcare of hundreds of millions of Americans and prevent efforts by the Department of Justice—Donald Trump's Department of Justice—to advocate that courts strike down the Affordable Care Act. Leader MCCONNELL and all of my Republican colleagues will have to vote on that shortly. Let me repeat. Leader MCCONNELL and all of my Republican colleagues will have to vote very soon on whether the Senate should consider a bill to protect Americans with preexisting conditions. With that vote, we will see just how much of a joke it is that Senate Republicans and their Supreme Court nominees want to eliminate Americans' healthcare.

I yield the floor.

RESERVATION OF LEADER TIME

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