

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

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RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

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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, re-

joicing 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.”

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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.

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RESERVATION OF LEADER TIME

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

## LEGISLATIVE SESSION

## CONTINUING APPROPRIATIONS ACT, 2021 AND OTHER EXTENSIONS ACT—Continued

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

The senior assistant 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 South Dakota.

## NOMINATION OF AMY CONEY BARRETT

**MR. THUNE.** Mr. President, on Saturday the President announced his nominee to fill the Supreme Court seat left vacant by Justice Ginsburg. As the Nation mourns the death of this trailblazing Justice, it is fitting that the President chose an outstanding woman to replace her.

I had the pleasure of sitting down with Judge Amy Coney Barrett yesterday, and I can say with confidence that she is everything you would want in a Supreme Court Justice.

She is supremely qualified. Like Justice Ginsburg, Judge Barrett was first in her class in law school—in this case, at Notre Dame. She was a clerk for DC Circuit Judge Laurence H. Silberman and then for Supreme Court Justice Antonin Scalia.

She worked at a prestigious law firm and served as a visiting professor at the George Washington University Law School before accepting a position at the University of Notre Dame Law School, where she went on to teach for 15 years.

During her time at Notre Dame, Judge Barrett built a distinguished record. She was published repeatedly in prominent law journals and was chosen by Chief Justice John Roberts to serve on the Advisory Committee for the Federal Rules of Appellate Procedure. She was elected Distinguished Professor of the Year by the law school's graduating class three times.

She also served as a visiting associate professor at another prominent law school, the University of Virginia School of Law.

In 2017, she moved to the U.S. Court of Appeals for the Seventh Circuit, winning Senate confirmation in a bipartisan vote. During her confirmation to the Seventh Circuit, support for Judge Barrett poured forth from her students, colleagues, and peers from both sides of the aisle.

Every one of the Supreme Court clerks who had served with Judge Barrett during her clerkship with Justice Scalia wrote a letter to the then-chairman and ranking member of the Judi-

cary Committee expressing their support for her confirmation. This included Justice Ginsburg's clerks and other clerks from the liberal wing of the Court.

Here is what they had to say:

We are Democrats, Republicans, and independents, and we have diverse points of view on politics, judicial philosophy, and much else. Yet we all write to support the nomination of Professor Barrett to be a Circuit Judge on the United States Court of Appeals for the Seventh Circuit. Professor Barrett is a woman of remarkable intellect and character. She is eminently qualified for the job.

Judge Barrett's colleagues from Notre Dame sent a similar letter. They said:

Amy Coney Barrett will be an exceptional federal judge. . . . As a scholarly community, we have a wide range of political views, as well as commitments to different approaches to judicial methodology and judicial craft. We are united, however, in our judgment about Amy. She is a brilliant teacher and scholar, and a warm and generous colleague. She possesses in abundance all of the other qualities that shape extraordinary jurists: discipline, intellect, wisdom, impeccable temperament, and above all, fundamental decency and humanity.

That letter was signed by every full-time member of the Notre Dame Law School faculty—every full-time member.

Four hundred seventy Notre Dame Law graduates, former students of Judge Barrett, sent a letter as well. Here is what they said:

Our backgrounds and life experiences are varied and diverse. Our legal practices are as varied as the profession itself. . . . Our religious, cultural, and political views span a wide spectrum. Despite the many and genuine differences among us, we are united in our conviction that Professor Barrett would make an exceptional federal judge.

They went on:

We are convinced that Professor Barrett would bring to the federal bench the same intelligence, fairness, decency, generosity, and hard work she has demonstrated at Notre Dame Law School. She will treat each litigant with respect and care, conscious of the reality that judicial decisions greatly affect the lives of those before the court. And she will apply the law faithfully and impartially.

I could go on for a while here. There are a lot of tributes to Amy Coney Barrett out there, like the one in support of her circuit court nomination that was joined by former Obama Solicitor General Neal Katyal, which praised her “first-rate” qualifications and stated that she was “exceptionally well qualified” or the recent tribute from Harvard law professor Noah Feldman, one of the House Democrats’ star impeachment witnesses, who stated: “Barrett is highly qualified to serve on the Supreme Court.” But I will stop here because I think it is abundantly obvious to everyone—my colleagues across the aisle included—that Judge Barrett is supremely qualified to be a Supreme Court Justice, which is why Democrats have resorted to scare tactics to try to sink her nomination.

Democrats realize that it is pretty hard to oppose Judge Barrett on the merits, and they seem at least some-

what wary of attacking her religion, as they did during her confirmation hearing to the Seventh Circuit, when multiple Democrats suggested that Judge Barrett was unqualified because she happened to be a practicing Catholic. I think Democrats may be realizing that their bias against religious people doesn’t play well with the millions of Americans who take their faith seriously.

They may also be remembering that the Constitution explicitly forbids—forbids—religious tests for public office, although I will note that that didn’t stop one of the Democratic Presidential candidate’s advisers from saying just this week that she doesn’t think that orthodox Catholics, Muslims, or Jews should sit on the Supreme Court. That is right—in this Biden adviser’s world, taking your religious faith seriously should disqualify you from sitting on the Supreme Court.

Apparently Democrats still don’t think that people of faith are capable of upholding the Constitution or discharging the duties of their office. But, again, it seems the Democrats realize that offending millions of religious Americans may not be their best strategy, so they have turned to healthcare scare tactics.

Judge Barrett, Democrats say, will take away Americans’ healthcare if she is confirmed to the Supreme Court. It is actually a very old Democratic line—something that they always use in their playbook.

It was deployed, if you can believe this, against Justice Kennedy when he was a Supreme Court nominee back in 1986.

It was deployed against Justice Souter, a Republican nominee, who became known for siding with the liberal wing of the Court. There were lots of posters at the time that said things like “Stop Souter or women will die.” “He will jeopardize the health and lives of Americans,” it was said by the left at the time.

It was deployed against Justice Roberts—the very same man who cast the deciding vote upholding the Affordable Care Act—when he was Chief Justice on the Supreme Court. They said at the time that there would literally be millions of American consumers and families at risk of losing their coverage. That statement was made by a Member of the current leadership here in the U.S. Senate about Chief Justice Roberts.

Now it is being deployed against Judge Barrett in an attempt to derail her nomination, while promulgating one of the liberals’ favorite myths—that Republicans are eagerly waiting to rip away Americans’ healthcare.

Democrats are particularly focused on suggesting that Republicans would like to take away protections for pre-existing conditions, despite the fact, I might add, that every single Senate Republican supports protecting people with preexisting conditions—every single Senate Republican. In fact, just a