

Rather than confront the looming crisis in 2009, President Obama, Vice President Biden, and Washington Democrats raided more than \$700 billion from the Medicare Program. They didn't do it to save Medicare; they cut money from a financially strapped Medicare Program and then spent that money on a brandnew entitlement program called ObamaCare. It was the Democrats who pushed ObamaCare through Congress without a single Republican vote.

And what do Democrats want to do if they find their way back into power? They want to enact something called Medicare for All. Moving the 180 million Americans with private, employer-based insurance to the Medicare rolls would cause Federal spending to balloon to unthinkable levels.

An analysis conducted by the Mercatus Center in 2018 found that Medicare for All would increase Federal spending by \$32 trillion over the next 10-year period. This Democratic plan would also give the Federal Government more control over healthcare, impose massive tax increases on the middle class, and disrupt access to services. That is why Democrats would rather mischaracterize the unavoidable impact of COVID and demonize Medicare budget proposals that are often bipartisan in nature.

Democrats used the very same dirty tricks related to Social Security, as I just talked about with Medicare. Some across the aisle recently concocted a hypothetical proposal that eliminates the funding source for Social Security and asked the program's Chief Actuary to assess its impact.

This was an obvious attempt to alarm seniors and disabled Americans with the ultimate intent of smearing Republicans and feeding false talking points to a Democratic candidate for President. Even when their schemes and false talking points earned four Pinocchios from even the Washington Post, Democrats still proceed full speed ahead with their misinformation campaign. And even though Ways and Means Committee Ranking Member BRADY and I got the Social Security Actuary to affirm the Democrat's recent scheme was just a bunch of malarkey, the Democrats and Candidate Biden continue with this misinformation.

Again, Democrats use scare tactics in the runup to an election. While they accuse Republicans of wanting to destroy Social Security, Senate Democrats do little or nothing to work in a bipartisan way to help this program. Remember, in 2015, when the disability insurance trust fund was going to run dry, Senate Democrats demanded that the only thing that you could possibly do was to take from the retirement trust fund and then just simply kick the can down the road.

Senate Democrats had no interest in working with us to at least try to make the disability insurance program better for beneficiaries. Instead, Sen-

ate Republicans worked with the House and Obama administration to prevent disability security trust fund exhaustion and even to improve the program.

There was no privatization of anything, and the only thing that could be construed as a benefit cut came directly from President Obama.

You will not hear anything about that from these Senate Democrats. Instead, they just bring out their stale talking points and, of course, scare tactics about Republicans trying to destroy the program. Now they are applying the same wornout, baseless scare tactics to this Supreme Court confirmation process.

Democrats want to make the President's nomination to fill the vacancy all about ObamaCare and the case the Court will consider this fall.

Going to the minority leader's own words when it comes to Judge Barrett's confirmation hearing, he said: "We must focus like a laser on health care." The left is misrepresenting an article by then-Professor Barrett in hopes of finding something—almost anything—to gum up this confirmation process. It seems to me they are just frustrated this nominee had the audacity to suggest judges interpret law as written.

There is an old saying in the legal profession: If the law isn't on your side, pound the facts. If the facts aren't on your side, pound the law. If neither fact or law is on your side, just pound the table.

That is what we see yet again from our Democratic colleagues. It is ludicrous to pick one pending case and predict how every member of the Court, including one just starting the confirmation process, would vote on that case, especially when entirely different legal issues are at stake. Frankly, it is a disservice to the American people.

The Democrats know this, but that will not stop them. It will not stop them from trying to mislead hard-working Americans into believing that their healthcare coverage could disappear tomorrow.

It is also just the latest example of how many Democrats in Congress view the Supreme Court—just somehow another policy end that they can't accomplish through this branch of government, where we are now. That is not the role of the Court. I am sure Judge Barrett will reiterate that point before the Judiciary Committee.

The Supreme Court will hear oral arguments in the case mid-November, and there are countless scenarios on a potential outcome. So is it useless, then, to speculate. But that will not stop the Democrats from speculating during this process of Judge Barrett's nomination.

The bottom line is, no matter the decision, no one will lose healthcare coverage on the day the Supreme Court issues its ruling.

In the meantime, Republicans will continue to protect individuals with preexisting conditions and fight to give Americans more affordable healthcare options.

The President reaffirmed that very thing in his commitment in an Executive order that he signed last week. That Executive order states that it has been, and will continue to be, the policy of the United States to assure that Americans with preexisting conditions can obtain insurance of their choice at an affordable price.

The Democrats don't want to stop at ObamaCare. What they really want to do is impose their government-run Medicare for All Program and take away people's private insurance plans that they like—because 160 million people have it.

As I mentioned earlier, this one-size-fits-all approach would take away people's private insurance, result in worse care, and bankrupt the country.

Republicans want to strengthen Medicare, preserve Social Security, and ensure affordable private coverage options now as well as in the future. Democrats want to mislead now in hopes of future political gains.

Americans deserve better. We can do better.

Vice President Biden and his party should stop their shameful election-year scare tactics. They should end the malarkey.

It is time to have the courage to engage in an honest, civil conversation about bipartisan ideas to improve these health and security programs for millions of people who depend on them.

## RECESS

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the Senate stand in recess until 2:15 p.m.

The PRESIDING OFFICER (Mr. TOOMEY). Is there objection?

There being no objection, the Senate, at 1:36 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. PERDUE).

## CONTINUING APPROPRIATIONS ACT, 2020 AND OTHER EXTENSIONS ACT—Continued

The PRESIDING OFFICER. The Senator from Oklahoma.

### NOMINATION OF AMY CONEY BARRETT

Mr. LANKFORD. Mr. President, we are once again in a conversation about freedom of religion and the free exercise of religion and what that means. Very simply, I would argue that it means the ability to have any faith, to have no faith at all, to change your faith, and to be able to live it out.

The ability to have a faith is a part of who we are. It is our most precious possession within us. If it is not that, if it is something less than that, if the free exercise of religion has limitations on it, then it is simply the freedom to worship or to have a named faith around you but not to actually live your faith.

That is not what we have in this country, thankfully. We have a constitutionally protected right to the

free exercise of religion. We have more than the freedom of worship at the place of our choosing; we have the ability to live our faith freely, 7 days a week, in all aspects of our lives.

The question has become, though, are there certain positions in public life where you cannot have the free exercise of religion; where, literally, if you are elected or appointed into certain offices, you lose your constitutional right.

The U.S. Constitution makes that very, very clear. Article VI of the Constitution says that “no religious Test shall ever be required as a Qualification for any Office or public Trust under the United States.” It should be pretty straightforward and clear.

In our last confirmation hearing, then-Professor Amy Coney Barrett said, when asked a question about her faith:

Senator, I see no conflict between having a sincerely held faith and duties as a judge. In fact, we have many judges, both State and Federal, across the country who have sincerely held religious views and still impartially and honestly discharge their obligations as a judge. And were I confirmed as a judge, I would decide cases according to rule of law, beginning to end, and in the rare circumstances that might ever arise—I can’t imagine one sitting here now—where I felt I had some conscientious objection to the law, I would recuse.

Three years ago, like today, Judge Barrett’s faith—not her judicial philosophy or her temperament—seemed to be front and center. Three years ago, my colleague from California, Senator DIANNE FEINSTEIN, said this during Amy Coney Barrett’s confirmation hearing:

Why is it that so many of us on this side have this very uncomfortable feeling that, you know, dogma and law are two different things, and I think whatever religion is, it has its own dogma. The law is totally different. And I think in your case, Professor, when you read your speeches, the conclusion one draws is that the dogma lives loudly within you.

Senator DURBIN from Illinois just asked her a very straightforward question: “Do you consider yourself an orthodox Catholic?”

A question like that about the defining of faith and how much of a Catholic are you or how much dogma lives in you is really a question of, how much faith do you really practice, do you have a name on you, or do you practice a little too much faith for my comfort level?

See, the free exercise of religion pertains to an individual’s sincerely held religious beliefs. It is not about the acceptance of that belief by others. If it were, the free exercise of religion would be dictated by what others believe rather than what you believe. But in America—at least the America that I know—individuals are allowed to have a faith, live their faith, have no faith, or change their faith.

For whatever reason, Judge Amy Coney Barrett is being criticized because she is Catholic.

There is an AP article that came out just this week that did an in-depth

view—it was sent all over the country—about, she is not just Catholic; she is one of those Catholics. It went into great detail about how she attends Bible studies and is on a board of a school and helps educate children and seems to believe that there is a personal relationship with Jesus, as they quoted in the article, as if that were some sort of criminal thing and needs to have some suspicion.

It is about her faith that she is being challenged, this undercurrent. However, Justice Ginsburg was not shy about the fact that she was Jewish—nor should she have been. We have heard a lot about the fact that she was the longest serving Jewish Justice and the first Jewish person to lie in state in the Capitol. Why is it OK for Justice Ginsburg to talk about her faith and not Judge Barrett? Why is Justice Ginsburg’s faith celebrated and Judge Barrett’s faith currently being demonized? It is because those on the left believe their faith is OK, but for people on the right, it is suspicious.

Even last night, Vice President Biden introduced himself as an Irish Catholic. That is celebrated on the left. But for Judge Barrett to identify herself as a Catholic, she is asked questioningly: Yeah, but are you one of those orthodox Catholics?

One of the most remembered things about Justice Ginsburg—of many—was her storied friendship with Justice Scalia. On paper, they would be the unlikeliest of friends. She was a Jewish liberal. He was a Catholic conservative. Their differences didn’t divide them or offend each other.

Of their friendship, Judge Barrett said:

Particularly poignant to me was her long—

The “her” being Justice Ginsburg—and deep friendship with Justice Antonin Scalia, my own mentor. Justices Scalia and Ginsburg disagreed fiercely in print without rancor in person. Their ability to maintain a warm and rich friendship despite their differences even inspired an opera. These two great Americans demonstrated that arguments, even about matters of great consequence, need not destroy affection.

There is no question that Justice Ginsburg did a lot for the advancement of women in this country. Doesn’t Judge Barrett also exemplify that? She is a circuit court judge. She graduated summa cum laude from Notre Dame Law School, first in her class. She has been a professor for 15 years at Notre Dame, has clerked for a Supreme Court Justice, is the mother of seven children, and was three times voted as the top law professor at Notre Dame.

Thirty-four Supreme Court clerks who worked alongside Barrett—of all parties—wrote this:

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.

All 49 full-time faculty members of Notre Dame Law School—all 49 of them—signed a letter stating:

[Barrett] possesses in abundance all of the other qualities that shape extraordinary jurists: discipline, intellect, wisdom, impeccable temperament, and above all, fundamental decency and humanity.

Seventy-three law professors across the country, including former Obama administration Solicitor General Neal Katyal, stated this:

Although we have differing perspectives on the methods and conclusions in her work, we all agree that Professor Barrett’s contributions to legal scholarship are rigorous, fair-minded, respectful, and constructive.

So she is criticized tenaciously because of her faith. She is criticized because she is not woman enough, whatever that may mean. She has even been criticized this past week and called a “White colonizer.” Two of her seven children were adopted from Haiti. She has been accused of using her children as props. How low can this go?

This is what Judge Barrett had to say about her family:

The president has asked me to become the ninth justice, and as it happens I am used to being in a group of nine—my family. Our family includes me; my husband, Jesse; Emma; Vivian; Tess; John Peter; Liam; Juliet; and Benjamin. Vivian and John Peter, as the president said, were born in Haiti, and they came to us five years apart when they were very young. And the most revealing fact about Benjamin, our youngest, is that his brothers and sisters unreservedly identify him as their favorite sibling.

Our children obviously make our life very full. While I am a judge, I’m better known back home as a [room] parent, carpool driver, and birthday party planner. When schools went remote last spring, I tried on another hat. Jesse—

That is, her husband—

and I became co-principals of the Barrett e-learning academy. And yes, the list of enrolled students was a very long one. Our children are my greatest joy, even though they deprive me of any reasonable amount of sleep.

Judge Barrett has even been criticized in her faith and been criticized in her relationship in her family.

Judge Barrett said this about her husband and her family:

I could not manage this very full life without the unwavering support of my husband, Jesse. At the start of our marriage, I imagined that we would run our household as partners. As it has turned out, Jesse does far more than his share of the work. To my chagrin, I learned at dinner recently that my children consider him to be the better cook.

For 21 years, Jesse has asked me every single morning what he can do for me that day. And though I almost always say “Nothing,” he still finds ways to take things off my plate. And that’s not because he has a lot of free time. He has a busy law practice. It is because he is a superb and generous husband, and I am very fortunate.

Faith, her family—why are we doing personal attacks on a qualified candidate for the Supreme Court of the United States? First in her class, recognized by the faculty as superior, recognized by judges and leaders across the country as qualified—why are we into this conversation?

On September 29, an article from NPR was entitled "Amy Coney Barrett's Catholicism Is Controversial But May Not Be Confirmation Issue." The article said:

Never before has the Court been so dominated by one religious denomination. . . .

That is, Catholics.

"It's legitimate for senators to be concerned about whether the court is reflecting the diversity of faith in the United States."

Wow. Now it is maybe we have too many Catholics. Maybe this is one too many, and Senators should consider the greater diversity. As odd as it sounds, the article didn't identify the fact that Amy Coney Barrett would be the only Justice not to have graduated from Harvard or Yale. There doesn't seem to be a desire to have a diversity of opinion or background in that. It is just about this one area—her faith.

Imposing a religious test on a Supreme Court Justice is not only antithetical to the Constitution; it is a very slippery slope, and it is one we have been down before and I thought we had cleared.

In 1960—1960—then-Candidate John F. Kennedy stood in front of a group of ministers in Houston, TX, who were concerned about having a Catholic President because we, as a country, had never had a Catholic President, and there were all these rumors and innuendoes out there that the President would work for the Pope. So in 1960 JFK stood in Houston, TX, and spoke to a group of ministers and made this statement. He said:

I believe in an America . . . where no religious body seeks to impose its will directly or indirectly upon the general populace or the public acts of its officials; and where religious liberty is so indivisible that an act against one church is treated as an act against all.

For while this year it may be a Catholic against whom the finger of suspicion is pointed, in other years it has been, and may someday be again, a Jew—or a Quaker or a Unitarian or a Baptist. It was Virginia's harassment of Baptist preachers, for example, that helped lead to Jefferson's statute of religious freedom.

Today I may be the victim, but tomorrow it may be you—until the whole fabric of our harmonious society is ripped at a time of great national peril.

JFK said this:

Finally, I believe in an America where religious intolerance will someday end; where all men and all churches are treated as equal; where every man has the same right to attend or not attend the church of his choice; where there is no Catholic vote, no anti-Catholic vote, no bloc voting of any kind; and where Catholics, Protestants, and Jews, at both the lay and pastoral level, will refrain from those attitudes of disdain and division which have so often marred their works in the past, and promote instead the American ideal of brotherhood.

[This] is the kind of America . . . I believe [in]. And it represents the kind of presidency in which I believe—a great office that must neither be humbled by making it the instrument of any one religious group, nor tarnished by arbitrarily withholding its occupancy from the members of any one religious group. I believe in a president whose reli-

gious views are his own private affair, neither imposed by him upon the nation, or imposed by the nation upon him as a condition of holding that office.

I would not look with favor upon a president—

Or in this case, I would say a judge—working to subvert the First Amendment's guarantees of religious liberty. Nor would our system of checks and balances permit him to do so. And neither do I look with favor upon those who would work to subvert Article VI of the Constitution by requiring a religious test—even by indirection—for it. If they disagree with that safeguard, they should be out openly working to repeal it.

We are a nation that celebrates faith and recognizes faith as a unifying factor, even in diversity of faith. I have had the privilege—many of us have—to be able to pray with each other. We are Senators of different faiths, different backgrounds, different places. We work to treat each other with respect.

Faith is not something that Americans should demand—nor the Senate should demand—that people have to take off to be able to serve the American people. We don't take our faith off. It is not a jersey that we wear on the outside; it is the core of who we are on the inside. That is not something that I just take off to put on public service. You put on public service, but your core faith should not be challenged to be removed from your soul to be a viable person to be able to serve the Court.

Let's work on our concept of religious liberty. Whether you are a Christian, whether you are a Muslim, whether you are a Buddhist or a Hindu, you can be a great American and you can serve this great country in any location that you choose because we are a nation that honors and protects the right of free exercise of religion.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

UNANIMOUS CONSENT REQUEST—S. 4117

Mr. CRAMER. Mr. President, 6 months ago, our Nation's small businesses faced an existential crisis and unprecedented threat. Like the rest of us, they didn't truly know what this virus was, how hard it would hit us, how long it would last, or what the future would hold. But they did know that their businesses were preparing to close, that employees were being told to stay home, and they needed help, which is why I and every other colleague in this Chamber passed the CARES Act and created the Paycheck Protection Program.

We gave money to the administration, which, in turn, gave that money to lenders, and those lenders, in turn, loaned that money to small businesses to use for employee retention. If they followed the rules, they were told they wouldn't have to return the money. That was the commitment we made to them while we strongly encouraged them—I emphasize "strongly encouraged them"—to use the program, and it worked.

We had nearly 5 million PPP loans worth \$571 billion out the door and into

the hands of our businesses that put it into the hands of their employees, which kept tens of millions of people, by some counts, on the payrolls instead of on the unemployment rolls.

History will be the judge of the long-term success of the program, for sure, but it is unquestionable that in the short term, this program succeeded. It is time for us now to uphold our commitment.

America's lenders and borrowers are ready to take that next step, proving that they have complied with the rules so they can receive forgiveness for these loans.

Sadly for them, but not surprising to me, the forgiveness process designed by the agency is burdensome, complex, and already in need of reform. That is not just my opinion; that is the opinion of the Government Accountability Office. They said: "Applying for loan forgiveness is more time consuming than applying for the PPP loan itself and requires more lender review."

You see the trap that we have laid for borrowers and lenders. We, the Federal Government, spent weeks—months—telling our hurting, fragile small businesses: Take this money. Take this money. Just use it correctly, and it will be forgiven.

Well, here we are. Our businesses are still struggling, still facing uncertainty, and the agency-prescribed solution appears to be creating a system more intense than any they have experienced during this pandemic just so they can prove to the right people that they didn't use their money incorrectly. That is a problem.

We have known it was going to be a problem for a long time. That is why we have been working for months on bipartisan solutions to the problems in this bipartisan program. Over the summer, Senator MENENDEZ and I brought together a bipartisan coalition and introduced the Paycheck Protection Small Business Forgiveness Act. Here is what it does. Of those 5 million PPP recipients, 4.2 million had loans of \$150,000 or less. Remember, they could borrow up to \$10 million. They account for around \$132 billion of the PPP funds that we have spent. Think about that: 4.2 million of the 5 million—so 86 percent of the borrowers—account for \$132 billion of the \$571 billion that we have spent. That is only 27 percent. So what we did was separate the 86 percent of the loans, which account for 27 percent of the money, and said that if borrowers—small businesses—complete a simple, one-page forgiveness document to the lender—our banks, our credit unions—the loan will be forgiven. It is that simple.

It eliminates the anxiety being felt by our businesses. It puts accountability on the borrowers and frees up enforcement efforts to focus on the 14 percent of the PPP recipients who took 73 percent of the funds. If this seems to be obvious common sense, it is because it is.

Congress isn't known for working well together; I know that. But, here, a

Republican from North Dakota has teamed up with a Democrat from New Jersey to find a plan that works for Members from Arizona to Alabama, from North Carolina to Nebraska. Nearly one-third of the Senate—with Members from both parties—has signed onto our bill.

What has happened since? The Presiding Officer knows as well as anybody that our friends blocked us from considering a new relief package just a couple of weeks ago. Many of the provisions of our bipartisan bill were in that package. Many bipartisan plans from all Senators were in it, but politics prevailed, and we came up short. That happens around here.

Just because our total package was blocked doesn't mean our small businesses and lenders who gave them PPP funds don't still need relief. That is what we have heard from our communities and hundreds of association leaders from all across the country. On their behalf—on behalf of the small businesses that need help and the lenders we encouraged to help them—I am going to ask for unanimous consent to pass S. 4117.

Mr. President, I ask unanimous consent that the Committee on Small Business be discharged from further consideration of S. 4117 and the Senate proceed to its immediate consideration; further, that the Johnson amendment at the desk be considered and agreed to, the bill, as amended, be considered read a third time and passed, and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from Maryland.

Mr. CARDIN. Reserving the right to object, I want to thank my friend Senator CRAMER for bringing attention to this issue. I think he knows that the PPP program was included in the CARES Act. I take great pride in working with Senator RUBIO—Republican and Democrat—and other members of our committee.

We were the architects of the PPP program. It was bipartisan. It was included in the CARES Act, and it was enacted in March. It is very interesting that if we would have gone with the original bill that came out of the Republicans, it would not have been a bipartisan bill, and much of the help for small businesses would not have been there in the CARES Act. It is only through bipartisan legislation that we were able to advance the types of tools that are necessary to help America's small businesses.

I must tell you, the No. 1 priority today for small businesses is to safely be able to resume full operations. They need it to be safe for parents and their children to be able to get back to school. They need us to get this virus under control, so businesses that depend on large gatherings—such as food service, hospitality, events, travel, and tourism—can literally survive.

The House took its action to help accomplish these goals last May when they passed the Heroes Act. To this date, the Republican leader, Senator MCCONNELL, has not allowed us to take up the comprehensive legislation that will help our country, help deal with the virus, help our economy, and help small businesses.

Just today, Speaker PELOSI has updated the Heroes Act because it has been over 4 months since it was passed so that we now have a Heroes Act that is within the range between what the Republican Senators originally suggested and the Democrats originally suggested. That is moving toward a bipartisan bill. That is what we need.

In the Heroes Act, there are so many provisions that are desperately needed for small business that are not in this unanimous consent request. Let me point out a few.

We need a second round of PPP. Businesses have suffered significant revenue losses. The hardest hit, the smaller of the small businesses need more help. The PPP program is designed for an 8-week pandemic. This pandemic has gone long beyond 8 weeks.

The House legislation includes resources for mission lenders, such as CDFIs and depository institutions. I mention that because we have found that when you rely on the 7(a) commercial loans in order to get forgivable loans, those who are traditionally underserved are not able to get the same type of attention—minority businesses, women-owned businesses, businesses in rural areas. We need to pay special attention to providing additional resources and allocations to mission lenders. That is not included in the unanimous consent request.

We need to expand PPP eligibility. We have heard from our nonprofits that were left out of the first round. They need to be included. Local newspapers were not included. Previously incarcerated individuals were denied certain help. The House legislation—the Heroes Act—makes those changes so that all eligible small businesses would be able to qualify for these loans.

The Economic Injury Disaster Loan Program, EIDL, is desperately in need of congressional attention. We have bipartisan support for significantly increasing the resources going into the EIDL Program—Senator CORNYN, Senator ROSEN—so that we could replenish the grants and provide the grants that are desperately needed for small businesses.

We can eliminate that \$150,000 arbitrary cap that was put on by the Small Business Administration, which is contrary to law. We need to make it clear that the loans could be made up to \$2 million under the EIDL Program.

We need to help State and local governments. That is in the Heroes Act. It is not in the unanimous consent that is being suggested. We have to help State and local governments because their services are critically important for

small businesses to be able to operate effectively. The House bill provides a separate amount of funds so that the local governments can directly help small businesses. That is not included in the unanimous consent request.

We can approve the 7(a) Loan Program, 504 Loan Program, and Microloan Program. They are in the House bill, not in the unanimous consent request.

We have all heard from our live venue operators. They need help. They are going to close if we don't do something to help them. It is our responsibility to do that. It is in the Heroes Act. It is not in the unanimous consent request.

We need to expand the employee retention tax credit, which allows workers to be retained by small businesses. This was expanded in the Heroes Act, but it is not in the unanimous consent request.

I could go on and on about all of the provisions that we need to take up now that are necessary to help small businesses. If we wait until after the elections, more small businesses will be shuttered forever. That is the No. 1 priority of small businesses.

We also find that we need to help in regard to streamlining the process of loan forgiveness. I agree with my colleague. I agree that we need to simplify that process. I have had my arguments with the Small Business Administration and so have those who have oversight in the executive branch. We know what they did to the EIDL Program. They didn't administer it the way we said—3 days to process grants. They didn't do that. They didn't give us the data we needed so we could understand the program. So why do we have confidence that, under the Senator's unanimous consent request, he will do the right form? You give them the authority to issue the form, and I am not exactly sure that will work.

Here is the good news. We want to do something in this area because the Senator is right in that we need to streamline the process. The SBA is not doing it the way we intended it to be done. The House took action, but the House's action is a little bit different. The House has said: Look, for those loans under \$50,000, why don't we do it without any paper. Let them retain the records, but let's eliminate any possibility of the SBA's delaying the loan forgiveness. I think that is one we should look at, but we can't do that if we are to let this unanimous consent go forward.

Lastly, this consent also deals with safe harbor for the PPP lenders. It would provide safe harbor from claims under the Small Business Act, the False Claims Act, the Financial Institutions Reform, Recovery, and Enforcement Act, the Federal Deposit Insurance Act, and the Bank Secrecy Act, or any other Federal, State or criminal or civil law regulations. I think we should look at that before we just, all of a sudden, agree that we

should give that type of blanket safe harbor.

Small businesses need help now. My colleague is correct. They need help now, but they need help far broader—far broader—than this unanimous consent takes us. There is also a need for negotiations in regard to the provisions that the Senator has brought to the floor. I can assure him that I will continue to work with Senator RUBIO in a bipartisan manner once we get the numbers from the powers that be—they being the Speaker of the House, the Secretary of the Treasury, the administration, and our leaders.

As we did under the CARES Act, we will put together a comprehensive program to help all small businesses, not just those that are struggling right now with this form but those that can't even get the loan because they were not eligible but should have been eligible or those that need additional help or those that need the EIDL Program to work well or a microloan. We want to provide that comprehensive help now—this week—for small businesses, but this unanimous consent just does not get us there.

The commitment to my colleague is that we are going to work with him and our other colleagues, as we always do, and that we are going to include the provision to make it easier for small businesses to get loan forgiveness because we agree that the SBA has not interpreted our law the way we wanted it to.

For all of those reasons, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from North Dakota.

Mr. CRAMER. Mr. President, I appreciate Senator CARDIN's commitment to work together. We are all committed to that as well.

I do struggle a little bit when the reasons to oppose something are all of the things that aren't in it. Sure, there is not support for State or local governments. There is not a new EIDL Program or a reformed PPP program or a microloan program or tax credits. Of course, tax credits are under a whole different jurisdiction. There is not nuclear modernization, and there is not unemployment insurance. There are lots of things that aren't in it. Yet politics is the art of the possible, and around here, big packages become very difficult, and politics gets in the way.

I was hoping we could find an increment to help small businesses in a significant way that, frankly, wouldn't cost the government anything but, in fact, might save it some money in its just not hiring another large bureaucracy.

I look forward to working with the Senator. I appreciate his work on the CARES Act and the PPP and his work with Chairman RUBIO and SUSAN COLLINS in creating this program. I am just disappointed that we couldn't get it across the finish line today, but I hope we can soon.

I yield the floor as I know that a couple of my colleagues want to speak on the same topic.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. TILLIS. Mr. President, I thank Senator CRAMER and my colleague Senator ROUNDS from North Dakota.

North Carolina's businesses are struggling. I heard Senator CARDIN and am sympathetic to most of what he said. Yet, as I have traveled across the State—and I have had 65 telephone townhalls since COVID started and have talked with citizens in North Carolina for an hour, spending 55 minutes hearing from them and answering their questions—I know we have a very difficult problem in North Carolina and across the country. I just talked with a hotel and lodging association and a restaurant association a few weeks ago. They said we have 18,000 restaurants in North Carolina, and 9,000 of them are at risk of closing permanently.

When we passed the CARES Act, we knew we had to do something big, bold, and fast, and I think everyone at the Small Business Administration and in the banking industry mobilized to do something that was unprecedented. They got that money out and into the hands of businesses.

The program is called the Paycheck Protection Program for a reason. We were doing everything we could to make sure that those businesses that were willing could make payroll—could keep people on their benefits, could keep people on their healthcare—and could weather the storm while closures were going on all across this country. They were closing down businesses or, certainly, dramatically reducing their business.

Thank goodness for the brave businesses that stepped up and applied for Paycheck Protection Program loans, and thank goodness for the banks that were willing to underwrite them while we were still, really, working the rules out—literally building the cars as they were rolling down the road. They should be commended for what they have done.

This measure is a simple measure. We know that more than 85 percent of all of the loans that were underwritten under the Paycheck Protection Program were under \$150,000, and we know that they were small businesses. Yet we have a lot of paperwork that these businesses are going to have to do, and small businesses interacting with the Federal Government on four or five occasions before the loan is forgiven is a daunting task when you are still trying to figure out how you can make payroll and how you can keep your business going.

Then you have the banking industry that we rely on for moving all of this capital out there and making sure that payrolls can be met and want to be prepared for the next tranche of CARES Act Paycheck Protection Program loans. Yet we are going to tie them up over paperwork with these small business loans that we can forgive? It is not like we are turning a blind eye to compliance. We will look at that loan

portfolio with the same sort of sampling that the IRS does to make sure there is not any fraud or abuse and to make sure people are held accountable.

If Senator CARDIN really wants to get to the work of the next Paycheck Protection Program, let's lay the groundwork and clear the plumbing so we may call on the Small Business Administration, which is in the process of hiring 1,200 people just to deal with loan forgiveness. The banks that want to provide more loans need to clear their backlogs so they will have the capacity to do it as fast as possible.

Senator CARDIN is right in that we have a lot more to do. This is a step in a long journey. Yet, in doing this forgiveness program—the measure that Senator CARDIN objected to—we would have the opportunity to take a straw off the camel's back. We have to do something. We continue following up on the CARES Act, but I am very disappointed that we have gotten where we are in this Chamber when everybody knows this is good legislation.

We should do it, but they are turning their backs on businesses. Unfortunately, I think it is going to result in more people being on unemployment and more businesses closing. I will work as hard as I can with Senator CRAMER and Senator ROUNDS and other Members to get this done.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. ROUNDS. Mr. President, first of all, let me thank my colleague from North Dakota for making this presentation to begin with and my colleague from North Carolina for supporting him in this action. We appreciate the comments the Senator from Maryland has made, but we, most certainly, disagree with the approach he is suggesting.

Senator CRAMER has suggested that we have a very serious problem here that has to be addressed. This is something that does not affect just Republican businesses. It affects all businesses. You are talking about 4.2 million small businesses across the United States that are being impacted by this that have borrowed money in good faith and that have kept their businesses open. Now, surprisingly, when it comes time for the forgiveness portion of this to occur, we have a very challenging process put in place—a burdensome process—that could only have been done with the common sense found in Washington, DC, not in the rest of the country. To make the application more difficult for one to get forgiveness than the actual application to participate in the program in the first place is simply absurd.

Let me share with you a message from one of our bank executives in South Dakota. He is a rather prominent CEO in South Dakota. I share with you that I have cleaned this up a little bit and will paraphrase his quote to us after we asked him for information concerning how the banks will try to handle this.

Remember, the banks didn't have to participate in this, but they did so, in a way, to literally get money out in a very short period of time to the businesses that desperately needed the money in order to survive.

First of all, they had open lines of communication with the SBA literally 24/7 for more than a week in their trying to get approval for individual applications. They helped small businesses actually fill out the applications in the first place. Second of all, these banks will become responsible for these loans, and unless they are forgiven, they will stay with the banks.

If we are successful in coming to an agreement on additional loans being made in the future, how in the world can we expect these banks to get back in if we can't even follow up on our agreement that we would make this a simple process to get the loans forgiven in the first tranche that we have completed?

Let me share with you what this CEO writes. This has to do with his version of what is going on. We have literally received dozens of these types of comments from bank loan officers in the Upper Midwest, particularly in South Dakota. I will paraphrase because, as I say, we had to clean this up a little bit.

The forgiveness piece of the PPP is a disaster. I have 750 loans out of 1,381 that are under \$20,000 and 50 that are under \$2,000. They have, basically, the same forgiveness process as the loans of my largest borrower, which is for over \$4 million. So we are asking them to fill out the same paperwork as we do a large loan recipient.

He goes on to write:

The simplified version of the PPP loan forgiveness application program is not that simple. The Government Accountability Office has studied it and has said that it takes a borrower 15 hours to complete and the lender 75 hours to process.

Let me say that again. It takes 15 hours for the loan borrower to actually do the paperwork and 75 hours to process it.

Our borrowers are not happy nor are we as bankers. This is not what we signed up for in order to get disaster payments to our customers. We are trying to hold off the small businesses that borrowed under \$150,000, but they are getting anxious. We as lenders busted our tails to get this money out, and we are getting absolutely hosed by this process.

I might add that this is not the word he used.

Lenders feel as though they have really been let down. There is more than a little fatigue with the entire PPP loan forgiveness process.

If we used any kind of common sense like they have in the Upper Midwest, we would have fixed this thing already. Unfortunately, it is in the middle of a political process in Washington, DC, and 4.2 million small businesses hang in the balance. Their ability to take care of a loan—that we had committed would be forgiven if they were to follow through—is now in jeopardy. Time is running out.

I appreciate the opportunity, once again, to support the legislation that

Senator CRAMER from North Dakota has proposed. I hope that our colleagues on both sides of the aisle will come back and start using some of that common sense that seems to prevail in the rest of the United States even though it is not always evident here in Washington, DC.

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

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

#### NOMINATION OF AMY CONEY BARRETT

Mr. BARRASSO. Mr. President, I come to the floor today to discuss the President's historic choice for the U.S. Supreme Court. The President has nominated Judge Amy Coney Barrett of the Seventh Circuit Court of Appeals. She would fill the vacancy left by the passing of Ruth Bader Ginsburg.

This is a powerful and positive appointment by President Trump. Judge Barrett is a brilliant jurist. She has a stellar record, and she has a solid character. She will serve as a role model for an entire generation in the legal profession.

She has already been vetted by the Senate. She was vetted and received bipartisan support when she was confirmed 3 years ago to her current court position. Well, that is the definition of "highly qualified."

She embodies the qualities the American people want in a Justice. Now, the American people want fair Justices. They want Justices who know that their job is to apply the law, not legislate from the bench.

That is what people in my home State of Wyoming talked about this past weekend, when I was visiting at home with the people of Wyoming. They want Judge Barrett, and she is committed, through her time in the legal profession and on the bench, to these very values.

So here in the Senate, in this body, we have a job to do, and it is to offer advice and consent.

We will hold fair hearings, and we will hold a timely floor vote on Judge Barrett's nomination.

My colleagues on the other side of the aisle don't seem to feel the same way about this process. In fact, they have already announced their opposition to the nominee—regardless of how qualified this nominee is who is before us, regardless of the vacancy that exists on the Court, regardless of the spectacle that the American people saw 2 years ago with the confirmation of Judge Kavanaugh.

The Senate minority leader has made his position clear. He appears to be so disturbed by the prospect of a constitutional jurist on the bench that he is willing to upend the core institutions of our Nation.

The Democratic Senators are calling on their colleagues to pack the Court—to add two more liberal, activist Justices to the Supreme Court.

One Senator tweeted about it this weekend. That is, of course, what they plan to do if they win the White House, the House, and the Senate in the November elections. Now, this would deliver partisan decisions that make law but don't apply the law.

Now, for Vice President Biden in the Presidential debate last night, he refused to answer a specific, direct question about this very topic. He refused to reject a position that Democrats are holding that is highly unpopular and highly divisive.

And now adding members to the Supreme Court—you know who said that was a bad idea? Well, it was Ruth Bader Ginsburg. She said nine members is the right number; that it works. People shouldn't try to add to that. It would be seen as partisan, political. And, of course, that number has been in place since 1869.

Last year, in an interview, she said that nine was the right number. So this isn't something she said a long time ago. It was just last year in an interview with National Public Radio.

Democrats aren't going to listen to her. Senior Democrats appear determined to remake the Senate and destroy the Supreme Court in the process.

The radical left sees Judge Barrett simply as collateral damage. She is an obstacle to be overcome, no matter the cost. That is why she is being attacked for her faith—for being an active member of her church, for participating fully.

She is being attacked as a mother, being attacked for her religious beliefs. The far left, in their haste to attack the judge, never mention that she has seven children. Now, two of those seven children were adopted from Haiti. One of her children has special needs. Judge Barrett is a full-time caregiver, as well as a public servant. She understands the importance of healthcare. She understands how precious life is. She is an outstanding nominee.

Two years ago, we considered another nominee for the Supreme Court. Democrats dragged him through the mud. We witnessed a gangland character assassination. I wouldn't be surprised if we see the same thing happen again, and the far left is already demanding it.

They are demanding that mud continue to be thrown at this nominee until it sticks—something, anything to undermine her character and to undermine her credibility.

Now, I might remind my friends what the outcome of that seek-and-destroy mission was the last time. Justice Kavanaugh's family was put through the meat grinder, and Republicans stood by him. He was confirmed by the Senate and sits on the Supreme Court.

The Senate and the American people will not stand for more political gains.



We will not accept the dirty tricks that the far left is going to continue to try to pull.

Chairman LINDSEY GRAHAM has promised a fair process in the Judiciary Committee. The majority leader has indicated full and fair consideration on the Senate floor. We will not yield an inch to the mob.

Let me be even clearer. If Democrats continue to smear this outstanding nominee, this mother of seven, this woman of faith, it is going to backfire on them again. They continue such stunts at their own peril.

After the Kavanaugh confirmation devolved into a circus, Democrats lost seats in the Senate, and they lost credibility with the public.

The American people expect fairness. They demand it for the highest Court in the land, and Senate Republicans will ensure it. We will ensure Judge Barrett is fairly treated. She deserves dignity and respect, and we will ensure that she is heard.

Amy Coney Barrett appears to have all the qualities I look for in a Supreme Court Justice. She is a model of integrity, intelligence, and of judicial independence. She is highly qualified for the role to which she is nominated, and she will receive a fair vote in the U.S. Senate.

I yield the floor.

The PRESIDING OFFICER (Mr. COTTON). The Senator from Minnesota.

#### HEALTHCARE

Ms. KLOBUCHAR. Mr. President, I am here today to make clear what is at stake if the Supreme Court overturns the Affordable Care Act in the middle of this global pandemic.

This is something the Trump administration has been trying for, for years. It came out of a case in Texas, and they brought it all the way now to the U.S. Supreme Court.

It has been over 9 months since the United States had its first confirmed case of the coronavirus. Now we have over 7 million cases and, tragically, over 200,000 people have died.

It has been 9 months but still we do not have a national testing strategy in place—something that would not only save lives but also would be a great help in having the ability to open our economy again.

We don't have sufficient contact tracing or clear guidance to schools and businesses of how to keep their students, employees, and customers safe.

Nearly 30 million people are out of work, and today many are still struggling to pay their rent and put food on the table for their families.

Millions of kids are sometimes going to school in hybrid models—in for a few days, out of a few days. They are learning to use Zoom. First graders—one of my staff members in Minnesota, her first grade daughter is learning the mute and unmute button.

But instead of being honest with the American people about how serious this was, we have had a President who

hid the truth about how deadly the virus is and how it spreads.

This is personal to me. When the President was telling the American people that this was all going to go away; that it was going to go away by Easter, at the same time that he knew, we now know, that it was deadly; that he knew that it was airborne, when my family was just trying to wash off all of the counters and wash your hands, which is still a good idea, but we thought that would be the way to keep ourselves safe, this President didn't share that information.

And my husband, early on, got very, very sick from the virus. He ended up in the hospital with severe pneumonia and on oxygen. So, for me, it is personal. But guess what. It is personal to nearly everyone in America because they know someone—a friend, a family member who has died or who has gotten sick.

Now, in my husband's case, thanks to the brave frontline workers and the nurses and the hospital and the doctors, and thanks to the fluke—it is just serendipity if people are able to survive this or not, depending on how hard-hit they are. Our story isn't unique, and many other people who went to the hospital didn't come home, and we now know this has inordinately hit frontline workers and inordinately hit people of color.

So here we are, so many months later and well over 100 days after the House first passed the Heroes Act—legislation to provide true funding for testing, help State and local governments go through this time, to make sure our elections are safe during this pandemic—and still we wait.

And while I am encouraged that Speaker PELOSI is, once again, negotiating after she and Senator SCHUMER had met with the White House, met with the majority leader of this Senate, offered to go halfway, that was rejected, and still people kept dying. I think something like 800 businesses closed a day. Hundreds of people are dying a day.

So now they are at it again. Speaker PELOSI is coming up with a new plan that is significantly less funding but one that we hope has a glimmer of hope. But this has not been a priority in this place.

Instead, the plan is to spend the next few weeks jamming through a nominee to the Supreme Court. What is the rush? Why not focus on working together to help the American people get through this pandemic? Why not focus on getting a bunch of the bills done that have been sitting on the majority leader's desk, like the Violence Against Women Act? That is sitting there. Why not take some action on climate change? That is sitting there as the fires are blazing on the west coast. Why not do something about pharmaceutical prices—something the President has claimed to be trying to do something about in the last month of his administration.

Well, another challenge to the Affordable Care Act is going to be back up before the Supreme Court just 1 week after the election on November 10. Do you think that has anything to do with this rush to a Justice? Is that what it is? Because it is right after the election.

Otherwise, why wouldn't you wait? See who wins the election. That is what Abraham Lincoln did—the only time in history a Justice died this close to an election. He waited to see who won.

But, no, we are told this has to happen now, despite the fact that only a few years ago a completely different precedent was set by the majority of people who are serving in this Senate right now on the Republican side of the aisle.

But what is coming up November 10? The case. The Affordable Care Act or, as they like to call it, ObamaCare. I always love that President Obama was more than happy to adopt the name for the bill, given that the bill has become more and more popular, given that it has helped hundreds of thousands of people to get insurance, given that it has helped, more than that, millions of people to not be kicked off their insurance.

You don't have to be in one of those exchanges to be protected by the Affordable Care Act, which basically says that if you have a preexisting condition, whether it is diabetes, Alzheimer's, or cancer, that you cannot be kicked off of your health insurance. That applies to everyone in America, with that bill.

There are people in the Senate, right here, who have been trying to repeal the Affordable Care Act—trying to do it for years. They had a big debate over it. That didn't work. That didn't work because John McCain walked in. I can still picture him right now walking in that door and saying no. All he would say was that he wasn't going to deny healthcare coverage to people because he had it himself.

So then they tried again—went down to Texas and found a court down there maybe that they thought would be helpful. And guess what. Then it gets struck down there—not just a part of it. They said no, no, no. They made it the whole thing. That is what is coming up to the Supreme Court on November 10. So if you can't get your way one way, the administration decided they were going to try it in court. It is their lawyers—their lawyers—who argued this, Donald Trump's lawyers.

They have been trying to get rid of the Affordable Care Act and the protections it provides for people with pre-existing conditions for years, but have we seen an alternative plan from this President? No, we have not.

That last time, when we saw that effort by my colleagues to repeal the healthcare law, it would have kicked 11 million people off of Medicaid, it would have let insurance companies charge

people more if they got sick, and it included an age tax, where an older person could have been charged five times more than a younger person.

That was the plan we saw before. That plan was opposed by every major group you trust when it comes to your healthcare, the largest groups of doctors, nurses, seniors, hospitals, people with cancer, Alzheimer's, lung disease, heart disease, diabetes. They said it was the worst bill for the people of this country.

There was never even a vote on that bill because it was so unpopular. That was, of course, just months after that previous effort I just described where John McCain walked into the Chamber and gave the repeal of the Affordable Care Act, which would have taken healthcare away from so many Americans, a big no.

Senator McCain believed that courage is not just standing by yourself, giving a speech to an empty Chamber, like I happen to be doing right now, so thank you, the 10 people who are here. It is not just that. It is whether you are willing to stand next to someone whom you don't always agree with for the betterment of this country.

But that is not what we are seeing here. Indeed, my colleagues have not been able to succeed in repealing the healthcare law using the legislative process. The administration has turned to the courts.

Let's look at the track record. I like looking at evidence, as a former prosecutor. Even before he was elected, the President promised that his judicial appointment "will do the right thing" and overturn the Affordable Care Act. He has criticized the sitting Chief Justice, Justice Roberts, for upholding the law when it was last before the Court. Just days ago he said on Twitter that it would be a "big win" if the Supreme Court strikes down the health law.

Now, with Americans already voting, the President is trying to jam through a nominee who has already voiced serious opposition to upholding the Affordable Care Act. The same year that this nominee became a judge—that would be in 2017; she was confirmed in October—she published an article with the University of Minnesota Law School Journal—a pretty good journal—writing that she believed Chief Justice Roberts—this was her criticism of the Chief Justice—"pushed the Affordable Care Act beyond its plausible meaning to save the statute."

If President Trump's nominee is confirmed before oral arguments on November 10, yes, she could easily cast the deciding vote to strike down the law in its entirety. The American people know what that will mean to them. To start, protection for people with preexisting conditions like diabetes or asthma would be gone. More than 100 million Americans have a preexisting condition, and the Affordable Care Act makes sure they cannot be denied insurance coverage or charged significantly higher premiums.

Before the ACA—and I remember this because we debated it in this very Chamber—43 States allowed insurers to charge higher premiums to people with preexisting conditions. We can't go back to that.

Without the Affordable Care Act, health insurance exchanges, and the support for States to expand Medicaid, it is estimated that 20 million Americans would lose their insurance.

The ability to keep your kid on your insurance plan until they are 26 years old would be gone. How many parents are using this right now in the middle of this pandemic? I don't know the number, but I know it is a lot.

The work we have done to close the Medicare doughnut hole coverage gap for prescription drugs would be gone.

The provisions that would help people buy insurance on the healthcare exchanges would be gone in the middle of a global pandemic.

Over 7 million Americans have been infected by the coronavirus, and the cases are rising. That is 7 million people who, without the Affordable Care Act, could be found to have another preexisting condition, and that is 7 million people who may have recovered from the virus, but, as Dr. Fauci has warned, they continue to struggle with a range of long-term effects that require comprehensive healthcare coverage.

So why? Why ram this through in 2 weeks? Is it because that case is coming up—if you read the President's tweets, it makes you think it has a lot to do with it—or is it because of the alternative theory he has put out there that he wants to make sure the Supreme Court is in place in order to decide the election result? Neither of those theories is a reason to jam through a nominee, and my colleagues know it.

I know that the people of this country see through this raw use of political power. They know their healthcare is on the line. They know it is on the line. They know our environment is on the line. That is why they are voting. They are voting in droves. They are voting as we speak. They are casting ballots with each and every second we stand here in this Chamber.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. MURPHY. Mr. President, Wendy is a constituent of mine from Stanford, CT, and she tells a story that is going to sound incredibly familiar to folks who have been part of this healthcare debate over the last 10 years in this Chamber. She said:

When my daughter was 15, she was diagnosed with a type of bone cancer and underwent a year of treatment. We were hopeful that she was cured, but exactly 1 year ago—it was 2 months after she graduated from college and was about to move across the country to begin her career when she underwent a routine checkup and found out that the cancer had returned. The past year has included more chemo, surgery, and immunotherapy.

My daughter is now 23 years old, and she is the definition of a preexisting condition. She is still on our health plan, but we are already looking at the time in about 2 years when that will no longer be possible. Although she is at least feeling well enough to begin the job search again, there is no security for any of us without the existence of the Affordable Care Act as an option should she not have employer-based healthcare. She is a young woman who has already gone through so much in these short years. There are enough unknowns. Please continue—

This is her writing to me—

to protect the Affordable Care Act so she knows she has healthcare.

President Trump last night contested the idea that 100 million Americans have preexisting conditions. Well, maybe he is right because most data suggests that the number is 130 million Americans who have some form of preexisting condition that, if insurance companies were allowed to, would either result in rate hikes for them because of their diagnosis, or insurance would be made unavailable to them entirely.

Now, it has almost been 10 years since we lived in a world where insurance companies could deny you healthcare because of a preexisting condition or could raise your rate simply because you are a woman. So for many Americans, it is even hard to remember those days in which you could be discriminated against just because of a childhood cancer. But those days are about to come back. We are literally months away, if President Trump is successful in ramming through this Supreme Court nominee, from insurance companies once again being able to deny coverage to anybody they want based upon their gender, based upon their medical history, based upon their prior diagnosis.

This isn't hyperbole because I have been in the Congress long enough to know two things. One, Republicans will stop at nothing in order to repeal the Affordable Care Act, and we will talk this afternoon about what that means beyond the 130 million Americans who will have their rates increased. But I know something else as well, which is that there is no replacement. There is nothing coming from the Republican majority in the Senate or from this administration to replace the Affordable Care Act. Do you know why I know that? Because I have been waiting for the replacement for a decade, and it has never shown up because it never will.

Republicans tried to repeal the Affordable Care Act here the first year of the President's term. A lot of people said it was a foregone conclusion—of course, after having pledged to repeal the Affordable Care Act for 5 years, Republicans now, with control of the Senate and the House and the White House, will of course make good on their promise. Of course, we know how that turned out. They couldn't because the American people rose up. Phone lines lit up, townhall meetings exploded, and Republicans in the end



could not find the votes, even with majorities in both Houses and control of the White House, to repeal the Affordable Care Act.

Well, then, Republicans said, let's find another way. If we can't use the most democratic process—legislation—in order to repeal the Affordable Care Act, then let's go to the courts.

So Republican attorneys general filed a lawsuit seeking to overturn the entirety of the Affordable Care Act on a legal premise that most mainstream scholars thought had no shot, but they weren't counting on this President being able to pack the Court with enough extreme, rightwing jurists to accept the flawed argument. So the President started by putting Neil Gorsuch on the Court. He continued with Brett Kavanaugh. Now, one vote away from being able to overturn the Affordable Care Act, he now has a chance, with the nomination of Amy Coney Barrett, to finally get what he couldn't get done in the elected branch of American government—the full repeal and elimination of the Affordable Care Act with nothing to replace it.

It is not hyperbole because there is literally that case that I described getting ready for argument before the Supreme Court a week after election day. So guess why it is so important that we confirm a Justice before election day—because they need the votes to invalidate the Affordable Care Act shortly after the election occurs, and it becomes a little bit harder if that Justice is not there to hear the arguments in mid-November.

Take Republicans at their word: They want the Affordable Care Act gone. Take Republicans at their word: They don't have a replacement.

It will be a humanitarian catastrophe in this country, in the middle of a pandemic—a pandemic that is killing 1,000 people a day; 44,000 new infections that we know of on a daily basis—if 23 million Americans lose access to insurance.

Remember, this lawsuit doesn't ask for the Affordable Care Act to be eliminated in pieces or over time; the remedy it seeks is the Affordable Care Act gone, all of it, overnight. There are 23 million Americans who rely on that and 260,000 in my State—the equivalent of 62 different towns in my State alone losing their health insurance.

Don't think that States are going to be able to pick up the pieces here. A lot of these folks are on Medicaid. Theoretically, States could decide to pick up the bill themselves, but they can't because the President has forced States to foot the lion's share of the bill for fighting COVID because of the failure to stand up a national response. So States have no money lying around in order to make up for all the people who are going to lose Medicaid access. There are 23 million people who can lose their insurance, potentially by the end of the year or early next year, if this Justice gets confirmed to the Court.

But then, all those people with pre-existing conditions—and, remember, we now have a new preexisting condition. That is COVID. What we are learning about COVID-19 is very, very worrying. Researchers have observed changes to the heart, the vascular system, the lungs, the brain, the kidneys in those who have gotten sick, and even in many people who are asymptomatic. In fact, there is a study out there right now that Dr. Fauci noted before the HELP Committee recently that shows 70 to 80 percent of people who have had COVID have some lasting damage to their heart. COVID is a pre-existing condition.

Now, you may think, I haven't had COVID, so I am not at risk of that pre-existing condition causing my rates to go up if Amy Coney Barrett gets confirmed to the Court. Well, you don't know if you have had COVID or not, and let me tell you that insurance companies are not going to play dumb. If they are allowed to discriminate against you because you have COVID, then they are going to require you to prove that you haven't had it before you get a policy. Millions and millions of Americans are going to have their rates increased or be denied healthcare at all because they had COVID, whether they were asymptomatic or symptomatic. That, in and of itself, is a healthcare crisis in this country.

So the stakes of this debate over the nomination of this new Supreme Court Justice couldn't be higher. Senator KLOBUCHAR talked about the fact that this Supreme Court may decide the outcome of this election, and that is a subject that we should explore at a different time. But 1 week after the election, the Court will hear a case asking for the invalidation of the entire Affordable Care Act. Republicans in the Senate and the White House have no plan to replace it, and if that case is successful, 23 million people are at risk of losing their health insurance: 11 million who are on the exchanges; 12 million who are covered by Medicaid; 133 million Americans, roughly half of America's population under the age of 65, could have their rates increase because of preexisting conditions; 2 million young people under the age of 26 could be kicked off their parents' health insurance; and 9 million people who receive Federal subsidies, tax credits, to buy private insurance would lose that coverage.

In the midst of a global pandemic, a COVID diagnosis would possibly render you ineligible for insurance. That is a nightmare—a nightmare on top of the pandemic nightmare that we are living through currently.

So we are on the floor today to make sure that our Senate Republican colleagues don't distract the American public, don't try to create controversies around this nomination that don't exist, and don't try to put words in Democrats' mouths. Listen to what we are saying. What we are saying is that this nomination is about the future of

the American healthcare system, and every single Senator who votes to confirm Amy Coney Barrett to the Supreme Court, I believe, is voting to take insurance away from over 20 million Americans, voting to render COVID a preexisting condition that requires you to pay more for healthcare for the rest of your life, and going back to the days in which any preexisting condition could cause you to lose your health insurance and then lose everything that you have saved up over decades and decades.

Betty Burger is one of those people, and I will finish with her story. Betty Burger had good insurance through her husband her entire life. He changed jobs, and he had about a week's period of time in which he didn't have a job in between those two jobs and did not have healthcare. During that week, one of their kids was diagnosed with cancer, and it became a preexisting condition, such that the husband's employer's healthcare plan wouldn't cover it, and the Burgers lost everything—everything. They went bankrupt. They went through their savings. They went through the college fund. They lost their house. They lost everything.

It has been a decade since any American has had to face that kind of financial ruin because of a diagnosis for them or their child. It is hard for us to remember those days, but they are coming back. They are coming back—I tell you this now—if this Supreme Court Justice is rammed through over the course of the next month.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mrs. SHAHEEN. Mr. President, I join my colleague in coming to the floor to talk about what is at stake as the Senate considers who will fill the Supreme Court vacancy left by the passing of Justice Ginsburg.

Justice Ginsburg was not only an extraordinary legal mind, but she was an unwavering advocate for equality under the law. I believe she epitomized what we should seek in any Supreme Court Justice: a respect for the rule of law coupled with an understanding that our Constitution was designed to protect the rights of the many, not just the few.

Unfortunately, President Trump and my colleagues across the aisle are doing a disservice to Justice Ginsburg's legacy by attempting to rush through a nominee when the election is already underway. And that is not being dramatic. The fact is, we have 31 States, including my home State of New Hampshire, that have already begun distributing their absentee ballots. In fact, I was at a UPS distribution center in the city of Dover yesterday—actually it was on Monday—and I talked to several people there who showed me their absentee ballots because they had filled them out, and they were getting ready to mail them.

So voting is already underway, and this is no ordinary election. It comes

during a global pandemic, when cities and towns are struggling to stay afloat and Americans are trying to figure out how they are going to continue to pay the rent and put food on the table. With more than 200,000 Americans, including 439 Granite Staters who have died from COVID-19, we are still experiencing as many as 40,000 new cases each day in this country.

Our economy is struggling to get back on its feet. There are still 11.5 million fewer workers employed since the pandemic began, and many are unable to go back to work because the majority of our childcare centers remain closed out of safety concerns. We still have so many schools, at least in New Hampshire, where the students are working from home. If they are lucky, they are going to school part time and working from home part time, but most of them are not back in school full time.

Treatment and recovery centers are reporting that the overdose crisis has worsened because of the pandemic. In New Hampshire, where we saw in 2019 for the first time in a number of years the overdose death rate began to fall, we are now seeing an increase again. We are also facing a looming eviction crisis and housing shortage that has been exacerbated by COVID-19.

Yet, given this reality, what we are seeing in the Senate is not an effort to pass a bipartisan COVID-19 relief package that is actually going to help the millions who have been impacted by this pandemic. Instead, what we are seeing from the Republican leadership here is a focus on quickly ramming through a nominee to serve on the Supreme Court in just a few short weeks.

While that is going on, we have seen Republican leadership in the Senate blocking bipartisan negotiations on a COVID-19 relief bill. That has been going on since May, when we received the House bill called the Heroes Act. During those last 4 months, businesses have been shuttered in New Hampshire and across this country; families have been evicted; hospitals have laid off staff. All of this is going on while the pandemic continues—more than 40,000 new cases a day.

Yesterday, I was in Nashua, the second largest city in New Hampshire, and I met with leadership from St. Joseph Hospital there. It is one of two hospitals in Nashua, and it is one of the four hospitals that has treated the most COVID cases of any of the hospitals in New Hampshire. Nashua is one of the communities in New Hampshire that has been hardest hit by the coronavirus.

What I heard at the hospital was that COVID-19 has had a huge impact on their facility. Despite the very much needed injection of funds from the CARES Act and assistance from the Medicare advance payments loan program, they are still forecasting significant losses. They have had to furlough employees, many of whom rely on their jobs at St. Joseph not just for their

healthcare but also for their childcare benefits.

They shared that they have concerns with the lack of availability of testing capability. They have had orders that never arrived at their facility, despite commitments from the companies who are selling the tests.

But the leadership and the staff at St. Joseph remain committed to serving their community, as do all of the hospitals across New Hampshire, so many of whom are facing similar financial difficulties and need additional help from the Federal Government.

I am hearing from people across my State who urgently need Federal help. I have had letters from people all across New Hampshire, representing different industries in the State and different segments of our communities. I want to read an excerpt from a letter that I received from Pamela Keilig, who works with the New Hampshire Coalition Against Domestic Violence. She says:

The pandemic has had grave consequences on the health and safety of survivors as they encounter ongoing barriers to accessing the support they need. . . . Overall, the statewide hotlines have seen a 7 percent increase in call volume compared to this time last year.

Pamela's letter goes on to highlight what is at stake if Congress refuses to act. She says:

[P]rolonged inaction in providing additional funding places survivors and their families in increased jeopardy. . . . [T]he time to intervene is now.

They need help now.

I also want to read a letter from Chris Coates, who is the county administrator for Cheshire County in New Hampshire over in the western part of our State that borders Vermont. Chris's letter describes the important role local governments are playing in mitigating the spread of COVID-19. He says:

We are providing essential support and guidance to small businesses, record numbers of unemployed individuals, and those suffering from mental illness and substance abuse disorders.

State and local leaders like Chris are facing severe budgetary shortfalls. They desperately need help from Congress. The State of New Hampshire alone expects to experience a budget shortfall of nearly \$540 million if Congress doesn't provide additional support.

In his letter Chris Coates goes on to say:

Cheshire County is not looking for a special handout. My request reflects the simple reality that county governments, along with our state and local partners, are dealing with immense challenges at the community level.

Then I also heard from the Seacoast Chamber Alliance, which represents chambers of commerce in the communities of Hampton, Exeter, Portsmouth, Dover, Somersworth, and Rochester. The Chamber Alliance says:

The Seacoast Chamber Alliance respectfully requests you and your colleagues in the Senate work together in a bipartisan effort

to approve a comprehensive funding relief package to support our businesses.

They go on to say:

Although we—and our members—are grateful for the support already allocated through previous CARES Act funding relief packages, we know this economic crisis caused by COVID-19 is far from over. And for many, the worst is yet to come.

They finally conclude by saying:

It is clear that without another round of assistance, many businesses will not survive into 2021.

I ask unanimous consent that these letters, including the ones I just quoted from, be printed in the RECORD.

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

NEW HAMPSHIRE COALITION AGAINST  
DOMESTIC & SEXUAL VIOLENCE,  
September 18, 2020.

Hon. JEANNE SHAHEEN,  
U.S. Senate,  
Washington, DC.

DEAR SENATOR SHAHEEN: On behalf of the New Hampshire Coalition Against Domestic and Sexual Violence and our 13 member programs, we are writing with the urgent request for additional COVID-19 relief funding to meet the continued and escalated needs of survivors of domestic and sexual violence in our state. Such funding is imperative to further the life-saving work of our crisis centers, keep the lights on in our shelters, and help prevent violence in our communities.

Over the last 6 months we have witnessed the full impact and extent of the pandemic unfold before us, and it is increasingly evident that we have transitioned into a sustained crisis in New Hampshire, where every intersection of our work has been interrupted. Annually, our member programs serve more than 15,000 survivors through prevention education, court and hospital accompaniment, crisis counseling, and housing support. Crisis centers have worked tirelessly to adapt service delivery and transform their advocacy efforts under incredible circumstances. Despite the resilience and innovation of crisis centers, long-term support is needed to maintain the work and respond effectively to the needs of survivors and their families.

The pandemic has had grave consequences on the health and safety of survivors as they encounter ongoing barriers to accessing the support they need, while simultaneously experiencing more severe and lethal cases of violence and abuse. Crisis centers remain inundated with service demands as abusers continue to utilize new ways to leverage power and control, noting an increase in calls from Child Advocacy Centers, male survivors of domestic violence, and individuals experiencing mental health crises. Overall, the statewide hotlines have seen a 7 percent increase in call volume compared to last year. Moreover, victims of domestic violence and sexual assault have a higher vulnerability to homelessness, substance abuse, and poverty compared to the general population, requiring a greater number of interventions.

New Hampshire's housing crisis has made it increasingly difficult to place survivors in transitional or permanent housing, and this has been exacerbated since March. In 2019, well before a global pandemic was on our radar, crisis centers provided shelter for over 400 survivors, accounting for more than 40,000 bed nights, and even then, had to turn away more than 3,000 adult and child survivors due to the lack of available services.

Advocates have reported an increased need for housing support, as survivors experience

job loss and threat of homelessness due to violence at home. Most shelters across the state have remained at capacity since the start of the pandemic, utilizing hotels to house additional victims, often for extended stays lasting several weeks at a time. Crisis centers remain deeply concerned about the consequences of not having enough housing support, especially as we move into winter.

Despite added efforts to help domestic violence and stalking victims access the legal system, there has been a severe decrease in the number of protective orders filed compared to last year. In a state where over 50 percent of Lethality Assessment screenings represent high risk of fatality, and where domestic violence is a factor in nearly half of all homicides, there is an essential need to ensure that survivors are able to access every resource available to them, and receive the support needed to navigate the legal system during a public health crisis.

The continued challenges that survivors face in accessing vital services cannot be overstated; prolonged inaction in providing additional funding places survivors and their families in increased jeopardy. At the onset of the pandemic, crisis centers quickly identified the immediate loss of funding due to COVID-19 as annual fundraisers had to be cancelled. It is projected that the total loss of revenue for all 13 member programs will be over one million dollars. This has required member programs to tap into unrestricted funding in order to meet the increased service demands and needs of survivors, leaving crisis centers with limited funding to cover basic operating costs. Crisis center staff have been running an endless marathon over the last six months and are in great need for Congress to rally behind them.

As we continue to acknowledge the full impact of COVID-19 on our field, we would be exceedingly grateful for further federal funding to help us weather this storm. Centering the needs and experiences of survivors in future relief packages would be instrumental to the individuals that crisis centers serve throughout the country. Survivors will feel the impact of this pandemic on their lives for months to come; the time to intervene is now.

Thank you for your continued dedication to supporting survivors in New Hampshire, and throughout the United States.

Sincerely,

PAMELA KEILIG,  
*Public Policy Specialist.*

SEPTEMBER 22, 2020.

Senator JEANNE SHAHEEN,  
*U.S. Senate,  
Washington, DC.*

DEAR SENATOR SHAHEEN: The Seacoast Chamber Alliance respectfully requests that you and your colleagues in the Senate work together in a bipartisan effort to approve a comprehensive funding relief package to support our businesses.

Although we—and our members—are grateful for the support already allocated through previous CARES Act funding relief packages, we know this economic crisis caused by COVID-19 is far from over. And for many, the worst is yet to come.

As we head into the winter months, many are seeing continued declines in business over concerns about a surge in coronavirus cases during what is typically the season for flu and other illnesses.

Our restaurants and hospitality industry in particular are seeing a lack of consumer confidence in dining indoors. Restaurants are often 'destination businesses' that attract patrons not just to their own business but serve as an attraction for other businesses located nearby. Downtown business districts rely heavily on restaurants to bring

customers to the area and help to support numerous other businesses such as retailers and service-oriented businesses. The loss of restaurants will create a ripple effect that will be catastrophic to downtown business districts resulting in the closing of many other small businesses, loss of jobs and empty buildings.

Although hospitality businesses are facing an urgent need due to the change of season, many other businesses are still in need of assistance as well. Supply chain delays, slower mail and shipping services and lower customer spending are resulting in businesses seeing lower revenues and higher costs for materials across all sectors. A great many of our businesses are not able to operate at full capacity and are furloughing employees as a result.

Feedback from some of our members is below. It is clear that without another round of assistance, many businesses will not survive into 2021. Please urge the Senate to vote on a bipartisan bill and send the relief needed to ensure our business community's survival.

Thank you for your consideration.

JOHN NYHAN,  
*President, Hampton  
Area Chamber of  
Commerce.*

JENNIFER WHEELER,  
*President, Exeter Area  
Chamber of Com-  
merce.*

VALERIE ROCHON,  
*Chief Collaborator,  
Chamber Collaborative of Greater  
Portsmouth.*

MARGARET JOYCE,  
*President, Greater  
Dover Chamber of  
Commerce.*

ALLISON ST. LAURENT,  
*Executive Director,  
The Falls Chamber  
of Commerce.*

LAURA RING,  
*President, Greater  
Rochester Chamber  
of Commerce.*

#### FEEDBACK FROM MEMBERS

From a small independent restaurant: Most people are getting to a point that even if congress needs to piecemeal a deal, we need to get some funding. Those parts of the package that everyone agrees upon should be funded, leaving aside that which is contentious. MUST be funded now. To hold up the funding to small business, while the other funding is being debated, isn't helping anyone at all. Could help many small businesses by getting the funding out as quickly as possible. At the end of the day, stop holding out for everything, agree on common ground, get it done, and get the funds out to those who desperately need it.

From a downtown Retail & Commercial Real Estate: I'm concerned that the level of additional funding that Sen. Shaheen is supporting may be more than necessary for most circumstances and, more importantly, will certainly add even more to the huge debt that we are already leaving on the shoulders of the younger generations. I suggest that they stop holding out to get everything, but get SOMETHING—those things they agree upon now—so our businesses can stay in business. They can argue about the contentious items later, which may or may not happen.

From a Historic Museum: By our interactions, based here at the historic museum, on common interests in our past and our cultural heritage, we have played a significant part in creating and maintaining a vibrant

economy. With our physical distance, though, our places in the economy have evaporated. In the absence of the PPP loan program, it seems doubtful that our organization would have been able to cover our payroll costs this summer, and our prospects are looking increasingly dim if the federal government does not provide additional funding to ensure the sustainability of essential community organizations like ours. Cultural and historic nonprofits are key to the local tourism economy, and to the economy of the region. We urge New Hampshire's legislators to support additional federal support for our community, and our economy.

From a Catering Company: Our challenges lie in people not being able to gather. Limits on indoor get-togethers and events are our main difficulty. Our corporate catering accounts have all but dried up due to people working remotely and not going into their offices. Our wedding business is about half of what it was last year and that will all end in early November. Previous events that we had scheduled, like being an in house caterer for a private club in Portsmouth, will not be gathering and thus a loss of over \$45,000 for the winter season. We have come up with some creative ways to bring in revenue but we will likely fall far short of the \$20,000 we need monthly for occupancy and to pay our full-time staff. When we discuss our outlook for the next 6 months, it's looking for ways to survive that next 6 months. It will be very challenging and will likely cause us to go further into debt to maintain everything. catering service and function hall.

From a History Museum/Attraction: The museum's fiscal year ends on March 31st—we project a \$180,000 operating deficit. Up to this point we have been able to keep year-round staff [27] fully employed and a reasonable amount of programming, mostly focused on serving the schools. To reduce costs we hired far fewer seasonal employees [last year we had about 65 part-time seasonal staff, this year a dozen.] Looking to 2021—I anticipate that we will continue to run a significant deficit. This may result in some furloughing of some staff and reduction in programs, especially special events that draw such large crowds to the city. No matter if the pandemic is under control with a vaccine or better treatments, tourism will be down and philanthropy will be depleted for the most part because of donor fatigue and significantly reduced funds. I think 2021 will be much harder for tourist-based businesses and cultural organizations. Unless there is a significant change, older and middle age people [a major part of our audience] will not travel in great numbers because of reduced funds or their reluctance to spend because of the fluctuating economy.

From a 501(c)(6) Membership Art Association: As a non-profit organization, we really need all the help we can get to stay in existence. As an art oriented organization, we are finding it extremely challenging to get grants and do other fund raising because much of the money available in grants, (other than the governor's main street funds), and from individuals, seems to be prioritized to more social oriented non-profits—such as food banks, homeless shelters, etc. We certainly realize these are very important at this time, but we also have to have the ability for other nonprofits to get funding assistance. We have had to reinvent the way we do business by moving more of it online, which has meant increased staff costs, and software expenditures so things remain a challenge for us.

From an Amusement Attraction: Thank you for spearheading this. I have to tell you, this may be the most important battle we have had to wage collectively. This is the first time I've stopped and put what we are

dealing with and what it could very well mean for my family and our business into words. The result? I cried for an hour. Please fight for us.

From a Cultural/Tourist destination: We were closed for our 2020 season (this weekend would have been our closing weekend!). This resulted in the loss of over \$3 million in income, and while we were able to reduce our expenses by \$1.7 million, we still face a massive challenge this year, and uncertainty about the status of our 2021 season. We did receive both a PPP loan (which we anticipate will be fully forgiven) and a NERF grant, which made a big difference for us—but even this amazing support (totaling over \$800K!) didn't cover our losses for this fiscal year. However, nobody knows what is going to happen next year. We are in the process of considering benefit reductions, furloughs, and possibly even layoffs for early 2021, depending on what happens. If an effective vaccine is widely available and administered by May or June (which is seeming less and less likely, we will be able to open safely. Having said that, we can't wait till June to make tough decisions—so even if we can open, we need additional support in the winter months. And if we can't open, we need even more support. I can't imagine where we would be without the PPP loan and NERF grant this year. If a vaccine isn't forthcoming, we could be in the exact same position next year, and would be looking for a similar amount of funding. Star is open to the public and welcomes nearly 20,000 people a year. We consider ourselves stewards of this NH treasure, we are grateful with the funding we received in 2020, and we know that without continued support, our ability to continue to welcome guests and protect this important NH resource would be in jeopardy. Senator Shaheen has been an effective advocate for our nonprofit organization (and many others), and I am happy she is continuing this fight.

COUNTY OF CHESHIRE,  
September 25, 2020.

Hon. JEANNE SHAHEEN,  
U.S. Senate,  
Washington, DC.

DEAR SENATOR SHAHEEN: I write to you today in my position as County Administrator for Cheshire County to first and foremost thank you for your leadership, guidance and advocacy on this seemingly never-ending COVID-19 journey.

In the early days of COVID-19 your voice of calm reassurance allowed us to know that we had a friend in Washington and you and your staff provided us valuable guidance in the early days of this virus. That guidance helped us deal with this tsunami of a pandemic that came down upon our communities and up-ended our lives.

Your leadership in Washington has helped Cheshire County receive funding for PPE, stipends for our nursing home, sheriff's deputies and Department of Corrections. We have received funding to cover for lost revenues at our nursing home and unemployment benefits for those in-need living in Cheshire County. This is just a short list of the work you have done on behalf of the citizens of Cheshire County and I thank-you.

When Cheshire County needed you, you were there, and continue to be today. As the impact of the pandemic endures, the residents of Cheshire County continue to feel the devastating impact on our health and economic structures. The Delivering Immediate Relief to America's Families, Schools and Small Businesses Act which was voted down yesterday, fell short in many areas but especially for counties due to the lack of providing direct flexible relief to counties, cities and towns of all sizes.

At a time when so many Cheshire County citizens are serving on the front lines of the

COVID-19 pandemic, and as we move closer to 2021 with so many unknown fiscal realities, I was extremely disappointed that the new supplemental aid package being considered in the U.S. Senate left out new fiscal relief or flexibility for county governments.

As you look to the next stimulus or CARES Act funding, I urge you to work with the White House and leaders of both parties in the House and Senate to resume negotiations on a bipartisan relief package that provides this missing direct, flexible aid to counties, cities and towns. With national numbers showing that last week that 1.7 million Americans filed new jobless and unemployment claims, we now stand with 30 million Americans out of work.

If a new stimulus agreement is not reached prior to the seating of the new congress the fiscal ramification could be devastating. Counties could be looking at tax payments from towns and cities that may be substantial short of normal revenues and services that are dictated by state statute may need to be immediately reduced. A stimulus package that allows municipalities to utilize federal funding to offset lost revenue could avert what may be a pending catastrophe for not just Cheshire County but the country.

Cheshire County is not looking for a special handout. My request reflects the simple reality that county governments, along with our state and local partners, are dealing with immense challenges at the community level.

Local governmental bodies are playing a significant role in mitigating the spread of the COVID-19 virus. We are providing essential support and guidance to small businesses, record numbers of unemployed individuals, and those suffering from mental illnesses and substance use disorders. We remain steadfast in our focus to protect our most vulnerable residents such as at-risk children and seniors.

We understand the need for appropriate public accountability standards, and the oversight guardrails that are in place for the existing and proposed legislation, and we will meet those expectations.

Our goal is to always ensure that all federal resources are utilized wisely and responsibly at the local level to address the immediate and far-reaching impacts of the current pandemic, and to make our nation more resilient and safer at the individual community level.

I therefore request, with the utmost respect and gratitude for your tireless and steadfast work during this pandemic, that you continue to fight and advocate to your colleagues on both sides of the aisle.

The urgency to agree upon a stimulus bill prior to the new year that will address the needs of the counties, cities and towns in the State of New Hampshire cannot be stressed strongly enough. The ability to access flexible funding that allows municipal bodies to address revenue shortfalls will strengthen all of our communities, but especially Cheshire County.

Again, thank you for your voice in Washington, you make a difference.

CHRISTOPHER C. COATES,  
County Administrator.

Mrs. SHAHEEN. So in the middle of this pandemic, the likes of which we haven't seen in more than 100 years, what we see here in the Senate is that Majority Leader McCONNELL has prioritized moving a nominee who would enable the Court to strip away critical health protections that keep Americans safe.

Instead of providing more resources for the businesses, the hospitals, the healthcare providers, and the people

who have lost their jobs—instead of providing more resources for them, the majority is hoping to confirm a nominee who would strike down healthcare coverage for people, including those with preexisting conditions.

My colleague from Connecticut, Senator MURPHY, was very eloquent in talking about what the impact of striking down the Affordable Care Act will be. But the fundamental concern is that, instead of working together here to help Americans who are struggling with this pandemic, what the majority has chosen to do, what the Republicans in this Chamber have chosen to do, is to ram through a nominee who threatens to erode these fundamental rights while in the Court.

Right now, Granite Staters and all Americans need the Senate to work for them, not for a partisan agenda to radicalize the Supreme Court.

I urge my colleagues on the other side of the aisle to set aside this effort and to work together for the American people to get people the help they so desperately need.

Thank you.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nevada.

#### PRESIDENTIAL DEBATE

Ms. ROSEN. Mr. President, I rise today to condemn President Trump's refusal to denounce White supremacy during last night's Presidential debate.

At a time when this Nation is having a profound discussion about race—with anti-Semitism rearing its ugly head here in the United States and around the globe and the Nation being torn apart over political differences—our leaders, particularly our President, must call out hate in all its forms.

Last night, the President failed to rise to the occasion, and he failed the American people in doing so. On the global stage in the year 2020, the leader of the free world gave an unequivocal wink and nod to White supremacists, racists, and neo-Nazis, all while the Nation and the world looked on in absolute horror.

Not only did the President of our United States not condemn the White supremacist violence that he has incited during his tenure, he implicitly gave them marching orders.

When asked to condemn the hate group, the Proud Boys, the President of the United States said that they should "stand back and stand by." Let me repeat. He gave the order for them to "stand back and stand by."

There is no justification for his words or for his refusal to give a clear, direct, and swift condemnation of White supremacy.

The President's emboldening of violent extremists comes just as the FBI and Department of Homeland Security named White supremacist extremists as the most significant terrorism-related threat right here in the United States.

As a member of the Homeland Security and Governmental Affairs Committee, I heard the FBI Director testify

to this very point just last week. The message was clear: White supremacists pose a dangerous and violent threat to our homeland.

Against this backdrop, the President's shocking remarks last night were, in fact, a continuation of deeply disturbing patterns of racist and anti-Semitic behavior that this President has allowed to take place on his watch.

Three years ago in Charlottesville, violent chaos and hatred were on full display for the world to see. As neo-Nazis openly marched in the streets, they chanted: "Jews will not replace us" and "blood and soil."

President Trump not only didn't denounce this anti-Semitic and racist rhetoric, he did something much worse. He did something much worse. He praised the White nationalists. He praised them as "very fine people." These were not very fine people.

Just last month, a teen vigilante asked his mother to drive him across State lines to the protests in Kenosha with a rifle. He went there to use it, and, in fact, he did. He took the life of two people and shot a third. He has been charged with homicide and rightly so. Instead of condemning this act of hatred, President Trump has hailed this murderer as a "hero."

But this is the norm for President Trump. The President's use of dog whistles and charged language gives a voice to White supremacy and empowers vigilantes. It is inexcusable, and it is indefensible.

This rise in hatred that the President fails to condemn is one of the reasons why, last year, I cofounded the Senate Bipartisan Task Force for Combating Anti-Semitism. The goal of this bipartisan, nonpartisan endeavor is to help stop hate before it starts, to call out bigotry and anti-Semitism wherever we see it—left, right, or center. I am proud of the work that we have done so far to push back on anti-Semitism right here in the United States, in Europe, in the Middle East, and around the world.

But the President's silence and his disturbing call to arms to White supremacist groups like the Proud Boys make our work that much harder.

Some of the President's defenders often write off his most troubling statements, claiming the President misspoke or that we just don't understand what he is trying to say or that is his speaking style or that he is just joking.

Let me be clear. He didn't misspeak last night. He didn't make a joke last night. And regardless of what others say, words matter. His words matter. He is the President of the United States.

Let me say today, as the President should have said last night—and I invite all of my colleagues here in this Chamber to join me in repeating this statement: I condemn White nationalism; I condemn racism; I condemn anti-Semitism; and I condemn and denounce the groups that promote these vile ideologies, the Proud Boys among them.

We must speak out, and we must take action. I urge my colleagues, again, on both sides of the aisle, not to be complicit in their silence. I want them all to join me. I want you all to join me in denouncing White supremacy, as President Trump failed to do, clearly and explicitly, in last night's debate.

This is not a partisan issue. It never will be a partisan issue.

I hope all my colleagues join me in denouncing hatred in all forms.

I yield back.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

#### INTERCOUNTRY ADOPTION INFORMATION ACT OF 2019

Mr. BURR. Mr. President, I rise to, in a minute, ask unanimous consent to call up and pass the Inter-country Adoption Information Act of 2019, but first let me say that this is a strong bipartisan bill that was first introduced in March of 2019, with Senators CARDIN, BLUNT, KLOBUCHAR, TILLIS, BROWN, and WICKER as original cosponsors. When the House considered its version of the bill last year, it passed 397 to 0. Let repeat that, 397 to 0. No House Member objected to it.

Our country is divided on many issues right now, but one thing that unites most of us is the belief that all children deserve to grow up in a permanent, loving home. This is a matter of justice and recognizing the intrinsic dignity in every human being. Many, many Americans have done more than just hold this belief; they have acted on it, adopting children both domestically and internationally.

According to the most recent available statistics, however, intercountry adoption has dramatically declined in recent years. Last year, fewer than 3,000 children were adopted in the United States—down from nearly 23,000 in 2004. There are numerous reasons for this decline, many of which warrant continued efforts to ensure that orphan children are given the chance to grow up in a loving home, whether in their own country or here in the United States.

We must address any barriers by examining our own policies and how they are implemented and by working internationally to help more children grow up in families.

Each year, the State Department releases its annual report on intercountry adoptions—a key document that keeps families, adoption agencies, and policymakers informed about the state of adoption. The report is publicly available, and it includes, among other things, the number of inter-

country adoptions involving immigration to the United States and the country from which each child emigrates, the time required for completion of the adoption, and the information on the adoption agencies, their fees, and their work.

But to better tackle this issue, we need to provide more transparency and accountability about some of the critical factors affecting intercountry adoption. The Inter-country Adoption Information Act adds additional key elements to this report by requiring the State Department to provide information on, one, countries that have enacted policies to prevent adoptions from the United States; two, actions the State Department has taken which have prevented adoptions to the United States; and, three, for each of these, how the State Department has worked to encourage the resumption of intercountry adoptions.

There are children around the world whose only chance to grow up in a family is through the Inter-country Adoption Program. There are families in the United States who are eager to open their arms, their homes, their hearts to these children.

I ask unanimous consent, at this time, to call up and pass H.R. 1952, to further transparency accountability and to ensure we are working toward the goal of enabling all children to have families which love them. I ask unanimous consent that the Committee on Foreign Relations be discharged from further consideration of H.R. 1952 and the House proceed to its immediate consideration.

The PRESIDING OFFICER. The clerk will report the bill by title.

The bill clerk read as follows:

A bill (H.R. 1952) to amend the Inter-country Adoption Act of 2000 to require the Secretary of State to report on intercountry adoptions from countries which have significantly reduced adoption rates involving immigration to the United States, and for other purposes.

There being no objection, the committee was discharged, and the Senate proceeded to consider the bill.

Mr. BURR. Mr. President, I ask unanimous consent that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

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

The bill (H.R. 1952) was ordered to a third reading, was read the third time, and passed.

#### SENATOR KAY HAGAN AIRPORT TRAFFIC CONTROL TOWER

Mr. BURR. Mr. President, I now would like to talk about a special project in North Carolina which involves my former partner from North Carolina, Senator Kay Hagan.

We are currently in the process of building a brand-new FAA tower at the Piedmont Triad International Airport in Greensboro, NC. The bill before us