

rip away healthcare from millions of Americans.

God save us.

I yield the floor.

The PRESIDING OFFICER. The Democratic whip.

CORONAVIRUS

Mr. DURBIN. “Idiots.” “Idiots.” That is what the President called Dr. Anthony Fauci and the public health experts in the Federal Government.

The President said:

People are tired of COVID. I have the biggest rallies I’ve ever had. And we have COVID. People are saying: “Whatever. Just leave us alone.” They’re tired of it.

Then he added:

People are tired of hearing Fauci and these idiots, all these idiots who got it wrong.

Those are the words of the President of the United States, Donald Trump, in the midst of the worst pandemic America has seen in over a century—220,000 dead and counting.

What lies ahead with this COVID epidemic, which the President is so tired of hearing about? What have the so-called “idiots” told us about the future of COVID-19? Here is what they have told us: More than 70,450 new coronavirus cases were reported in the United States on Friday, the highest figure since July 24, according to the New York Times database. More than 900 new deaths were recorded, and over the past week, there have been an average of 56,615 cases per day—an increase of 30 percent from the average 2 weeks earlier.

Is this a political commentary, these facts? No. These are the numbers and statistics of reality—a reality which President Trump refuses to acknowledge.

How are we doing when it comes to the COVID-19 pandemic compared to the world? Well, we have five times the infection rate of the nation of Germany. What is going on here? The great United States of America has five times the infection rate of Germany?

Well, let’s get across the ocean. Let’s bring it to this side of the Atlantic. How are we doing in comparison to the nations here? Well, let’s compare the United States to Canada. The COVID death rate in the United States is 2½ times the death rate in Canada.

What does Justin Trudeau know about this epidemic that Donald Trump did not? He knew that it took leadership to deal with it. He knew that we had to step up as a nation and gather together all the people of this country in common purpose to beat back this virus, and he failed to do it—President Trump failed to do that. He said to the Governors “You are on your own. Go out and find protective equipment. Find ventilators. See what you can do on the open market” instead of using the power of the Presidency and the leadership of the Presidency to help make certain that every American had access to what they needed to stay safe.

How did he do in setting standards for dealing with this deadly virus?

First, he denied it was deadly. He argued it was going to go away. When it gets warm outside, it will go away. It is a hoax. You remember those statements. And do you remember that incredible press conference where the President went off on some tangent about disinfectant and Lysol? It was sickening to think that the leader of the free world would do that.

How about the example set by the President. To this day, to get this President to wear a mask is a rare occurrence. And there he was, just days after being helicoptered out to Walter Reed Hospital, returning to the White House, making his triumphant balcony scene, standing before the American people and ripping off his mask just to tell them how tough he was, how lucky he was. He was really telling the American people: Don’t take this mask business seriously. He can say the words, but he just mouths them. The fact that you can see his mouth is an indication that he doesn’t believe it. And here we are.

Fortunately, in the early stages of this pandemic, this Congress rose to the occasion. It was March 26. We called it the CARES Act. It was indeed a comprehensive effort to deal with the coronavirus, a comprehensive approach. We imagined all the possibilities, we saw the economy sinking under our feet, and we came together with a vote of 96 to nothing here in the U.S. Senate—a bipartisan vote of 96 to nothing—for a bill that we wrote together, Democrats and Republicans sitting together.

It was an amazing day, and I am glad we did it, but there was one clear shortcoming. We assumed when we passed the CARES Act that, come the end of July and first part of August, this crisis would be behind us. It isn’t. At the end of July, for example, the Federal supplement of unemployment insurance ran out for millions of Americans. In the first part of August, the loans to small businesses dried up as well.

What has happened since? Well, on the other side of the Rotunda, in the House of Representatives, Speaker NANCY PELOSI, 5 months ago—5 months ago—passed her Heroes Act. It was \$3 trillion—comparable to the first effort. She sent it to the Republican leader of the Senate, Senator MITCH MCCONNELL of Kentucky, for him to do his part. It is a bicameral legislature. His part would require coming up with an alternative and taking that to conference.

Did he do that? No. He refused to acknowledge it and mocked day after day after day the efforts of Speaker PELOSI, questioning whether they were enough or sincere or too political, on and on and on. Did he pass his own measure? No.

Then negotiations started between the President, his White House representatives, Speaker PELOSI, and Leader SCHUMER. They invited Senator MCCONNELL, head of the Republicans in the Senate, and KEVIN McCARTHY, head

of the Republicans in the House, to join in this bipartisan negotiation. MCCONNELL and McCARTHY declined. They would not even sit in the chairs during negotiations. In Senator MCCONNELL’s case, he simply came to the floor on a daily basis to mock every effort to respond to this COVID-19.

Well, this is not a news bulletin, but we are 2 weeks away from the election, and guess what we are going to do on the floor of the Senate today. We are going to entertain a new idea by Senator MCCONNELL of how to cope with the COVID-19 pandemic. It turns out that it is a scant list of his priorities. Not surprisingly, the first priority is an issue he has called his redline on the floor over and over again—to give immunity from liability to businesses that fail to take the necessary steps to protect their employees and their customers from the spread of this deadly virus. That is his first priority. He has said that. Even before the first issue was raised as to what would be included in this, the first thing that Senator MCCONNELL insisted on was protecting these businesses.

How do the American people feel about that? Well, they are pretty clear. They believe if you put that immunity in place, that many businesses won’t do what they need to do to protect their employees and customers. They worry that this gets them off the hook instead of putting the responsibility clearly on their shoulders.

The good news is the overwhelming majority of businesses that I know are really trying to do the right thing. The bad news is they are not sure what that is. They hear about CDC guidelines that are ignored and mocked by the President, and they hear about the possibility of other standards that will be used.

We have had hearings before the Senate Judiciary Committee when a Texas businessman with a string of convenience stores, I think, came to us and in good faith said: I don’t know where to turn for a standard of care. What am I supposed to do if I want to protect everyone coming into my store—employees and customers alike?

I thought his statement was genuine. I really believed him, and I still do. But it is no excuse for what we have failed to do here. We have failed to come up with a national standard to protect people from the spread of this virus.

Instead, Senator MCCONNELL comes to the floor and says: If you can find any standard by any level of government, it is good enough. You are off the hook. That is no way to lead in the midst of a deadly pandemic.

It is not the only issue. There are many others. Take a look at what is missing in Senator MCCONNELL’s proposal. There is no new funding when it comes to State and local governments. Remember the phrase “defund the police”? You heard it from the rightwing about the leftwing of American politics wanting to defund the police. Well, Senator MCCONNELL’s action will

defund police at State and local levels because these units of government won't have the resources to hire the policemen they need, the law enforcement officials they need, nor the fire-fighters, nor the teachers, nor the healthcare workers. But that is priority one for Senator McCONNELL: no help—no help for State and local governments for fear that you might actually send money to a Democratic mayor or a Democratic Governor. Spare me. That fire is not looking for party registration; it is looking for kindling to light the fire of infection.

Now, on housing, well, how does the McConnell proposal deal with housing? No funding—no funding for housing or rental assistance.

Now, on the stimulus checks—\$1,200 stimulus checks. I listened to talk radio back in Chicago, and people are wondering: Is it possible we are going to see a \$1,200 check? Well, you won't see it in Senator McCONNELL's proposal. There are no direct stimulus payments.

How about unemployment benefits? The Federal unemployment benefits that expired on July 31 were \$600 a week over the State amount, whatever it might be. Some people may have made more in the process than they did at work, but most were struggling to get by. If Members of the Senate had not been in touch with real America in a while, they may think that folks with these checks were binging on Netflix and eating chocolate-covered cherries night and day. That is not the case that I saw back in Illinois. People who had lost their jobs, even at the time they received these unemployment checks, were still struggling to pay for the mortgage, pay for the rent, pay for the car, keep up with the credit card bills, and put food on the table.

So what does Senator McCONNELL propose that we do? He proposes we cut in half that amount—to \$300 a week. I guess back in Kentucky it is a little bit different world, at least the way he sees it, but where I live, that means a pretty dramatic cut in survival pay—survival pay—for people who have lost their jobs.

On the healthcare side, this is the one that troubles me the most. Couldn't we all agree that we don't test enough for the COVID-19 virus in America? There are about 1 million people tested a day. Public health officials say: Well, you need at least 4 million. Others say: But if you truly want to reopen the economy and reopen the schools, you need 14 million a day. So you would guess that anything we pass would really zero in on testing to find out those who are positive, to do the contact tracing to warn those who may have been exposed, and to try to contain the virus.

So let's take a look at what Senator McCONNELL thinks about the priority of testing. There is \$16 billion for testing. How much did the Democrats—NANCY PELOSI—propose? She proposed \$75 billion. And let me add that the

McConnell bill provides no funding for hospitals or healthcare clinics and no dedicated funding for nursing homes, where we know the populations are so vulnerable. When it comes to the reality of what we are facing in this COVID-19 pandemic, the McConnell bill, which is coming before us this afternoon, is deficient in testing at a time when we are facing so many infections.

On nutrition, the McConnell bill says that there will be no SNAP benefit increases or funding for food banks and, on education, provides \$105 billion for education stabilization funds. Two-thirds of the K-12 funds will be held until schools provide a reopening plan and, of course, the voucher program.

On postal assistance, the McConnell proposal alters the language in the original legislation to change the borrowing authority. The Postal Service is doing its best, and I thank the men and women who are engaged in it. We should do more than thank them. We ought to fund them and give them a helping hand.

So what it boils down to is this: If this is a real pandemic, if we want to believe the public health experts—whom the President has called “idiots,” like Dr. Anthony Fauci, who has been my friend for 20 years—if we want to believe the public health experts, we need to address this in a serious manner as we did last March in passing the CARES Act. This is not a time for people to cover their backsides politically. It is a time to remember that the American people need our help more than ever. A halfhearted and half-inspired effort to do this will not answer the call.

We need to stand as a nation on a bipartisan basis. How does it start? It starts when Democrats and Republicans sit at the same table, which has not happened. It starts when we agree—both parties agree—on what the priorities must be, and it starts when we stop the speeches and start with real action to pass legislation like the CARES Act, which passed 96 to nothing on this floor. It is time to take this deadly virus and epidemic seriously.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

RECESS

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate recess until 2:15 p.m. today.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate, at 12:07 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mrs. CAPITO).

EXECUTIVE CALENDAR—Continued

The PRESIDING OFFICER. The Senator from South Dakota.

NOMINATION OF AMY CONEY BARRETT

Mr. THUNE. Madam President, last week, the Judiciary Committee held

its hearing on Judge Amy Coney Barrett's nomination, and it was easy to see why Judge Barrett is held in such high regard by her colleagues, students, and peers and why the American Bar Association gave her its highest rating of “well qualified.”

We knew long before the hearing that Judge Barrett possesses an extraordinary intelligence and a comprehensive command of the law. But over 3 days of testimony, Americans got to see her qualifications for themselves, and they saw why she has been described as “a jurist of formidable intellect,” a “brilliant and conscientious lawyer,” and “a staggering academic mind.” Even the Democratic ranking member on the committee, the senior Senator from California, couldn't hide the fact that she was impressed.

Most importantly, however, Americans saw that Judge Barrett understands the proper role of a judge in our system of government. As Judge Barrett made clear, she understands that the job of a judge is to interpret the law, not to make the law; to call balls and strikes, not to rewrite the rules of the game; or, as Judge Barrett said to the Democrat whip at the hearing last week: “I apply the law. I follow the law. You make policy.”

Judge Barrett has made it clear that when cases come before her on the Supreme Court, she will consider the facts, the law, and the Constitution, and nothing else—not her personal beliefs, not her political opinions, just the law and the Constitution. That is the kind of Justice that all of us—Democrat or Republican, liberal or conservative—should want.

I could spend hours highlighting all the extraordinary tributes to Judge Barrett that have poured in since her nomination, from lawyers and scholars of every background and political persuasion, but I don't want to tie up the Senate floor. So I will just mention one piece of testimony that struck me in particular.

As I mentioned, the American Bar Association released its rating of Judge Barrett last week, a rating that the Democratic leader, by the way, has called the “gold standard”—the “gold standard”—by which judicial candidates are judged. Well, the ABA gave Judge Barrett its highest possible rating—“well qualified.” And the chairman of the American Bar Association's Standing Committee on the Federal Judiciary, the ABA committee that issues these ratings, testified before the Judiciary Committee during Judge Barrett's hearing. I would like to read from the testimony that he submitted to the committee.

Lawyers and judges uniformly praised the nominee's integrity. Most remarkably, in interviews with individuals in the legal profession and the community who know Judge Barrett, whether for a few years or decades, not one person uttered a negative word about her character. Accordingly, the Standing Committee was not required to consider any negative criticisms of Judge Barrett.

His testimony went on: