

The White House has imposed harsh new sanctions on Russians who interfered in 2016. The Department of Justice, Department of Homeland Security, and the intelligence community have led efforts to strengthen and coordinate our defenses. Here in the Senate, the Intelligence Committee spent years studying what went wrong in 2016 and published a 1,300-plus-page report with recommendations.

In the last 2 years alone, we passed more than \$800 million to fund and support secure elections. The Iranian and Russian operations described last night are being combatted by the Federal Government in close coordination with State and local officials and the private sector. Details are being shared with Congress and the public, as appropriate.

This is precisely how the process should work. We are literally miles ahead of where we were.

Even the Washington Democrats who spent years talking up the threats to our election infrastructure are now admitting that we have made huge strides. Just a few days ago, the junior Senator for Connecticut admitted: "We are going to have a free and fair election . . . because we have spent significant money from the Federal Government, and through States, to beef up protections of our voter lists and our voting systems."

It is a separate question whether Democrats' ability to express basic patriotic confidence in our institutions should be so contingent on whether their preferred candidate seems to be up in the polls. But, regardless, that is the truth.

I will close with one point I keep making. The work of protecting our democracy is not just the job of experts and government buildings. This is also a duty that falls upon every one of us, every single citizen. At this point, it is a patriotic duty for Americans to be educated consumers of information.

Citizens who need information about voting should look to their local official sources, and all of us on all sides should take a deep breath and realize division, disinformation, and chaos are exactly what our adversaries want. We are all in this together. All of us Americans are in this together.

NOMINATION OF AMY CONEY BARRETT

Madam President, this morning, the Judiciary Committee reported the nomination of Judge Amy Coney Barrett to the floor. Their recommendation was that she be confirmed. It was actually unanimous. As one CNN journalist stated last week, "Let's be honest, in another [political] age . . . Judge Amy Coney Barrett would be getting 70 votes or more in the U.S. Senate because of her qualifications."

It is supremely ironic that our Democratic colleagues delivered through a temper tantrum what they should have delivered through a fair appraisal: a unanimous endorsement. They, of course, were not there.

All last week, the legal brilliance and judicial temperament our Nation de-

serves in a Supreme Court Justice were on full display. We saw why legal peers, fellow scholars, nonpartisan evaluators, students, and clerks from across the political spectrum have praised this nominee in the very highest terms.

In just a few days, she will receive a vote on this floor. I anticipate we will have a new Associate Justice of the Supreme Court of the United States. That is exactly what the American people want to happen. Clear majorities of Americans want Judge Barrett confirmed. Of our fellow citizens who formed an opinion, roughly two out of three want confirmation.

The Democratic leader's histrionics are proving just as unpersuasive outside the Chamber as they have proven inside it. His anger and false statements failed to persuade the Senate and failed to persuade the American people. Day after day, our colleague from New York performs the same angry speech with the same falsehoods and forces a vote on some pointless impermissible motion.

The Democratic leader is just lashing out in random ways. A few weeks ago, he torpedoed a bipartisan counterintelligence briefing for no reason. This week, he blocked a pandemic rescue package and tried repeatedly to adjourn the Senate for multiple weeks.

Today, I understand he stood outside the Senate to shout that Democrats would be boycotting the committee vote, and the committee vote had already ended.

Look, I understand that some outside pressure groups have been badgering the Democratic leader to act more angry. I am just sorry for the Senate that he obeys them. I am sorry our colleague felt the need to publicly brag that he had scolded the senior Senator from California for being too civil. Scolding somebody for being too civil, one of our colleagues? It is not a good idea to be civil?

Really, I am sorry that he feels the need to constantly say things that are false. The American people know that we disagree. They do not expect "kumbaya," but they deserve an adult discussion.

Let's review some facts. First, the timeline. The Democratic leader's claims this process has been rushed are simply false. Sixteen days passed between President Trump's announcement and the start of the hearings. In the last 60 years alone, eight Supreme Court confirmations moved faster. Only eight moved faster in the last 60 years. Then 1 week elapsed between the end of Judge Barrett's hearings and today's committee vote. Half of all the confirmations since 1916 have moved faster than that. Half of all the confirmations since 1916 have moved faster than that.

Justice John Paul Stevens was confirmed in 19 days from start to finish. Justice Sandra Day O'Connor took just over a month. Chief Justice John Marshall was confirmed in 1 week after

John Adams already lost reelection. John Adams appointed Chief Justice John Marshall after he had already lost the election. President Lincoln got someone confirmed in 1 day.

Obviously, it is completely false to say that this has been anywhere close to the fastest process ever. It is just disinformation.

Here is another nonsense claim: that Judge Barrett is somehow the most partisan or politicalized nominee ever. Really? Andrew Jackson nominated a political operative to the Court at the end of his Presidency. Lincoln put his own campaign manager on the Court. Eisenhower nominated Earl Warren after Warren had stopped competing with him in the 1952 election and campaigned for him.

But this professor from Indiana who got multiple Democratic votes for confirmation to her current job just 3 years ago is going to be the most political confirmation ever? In the previous century, they put their campaign chairman on the Supreme Court. That is pretty political. Eisenhower put the Governor of California who ran against him for the nomination on the Court. That is pretty political.

I will give you an example.

The great John Marshall Harlan, from Kentucky, had a partner who was a Cabinet member in the Grant administration—a guy named Benjamin Bristow. Bristow was sort of thought of as "Mr. Clean" in the Grant administration, which had a lot of scandal problems. The GOP convention in 1876 was going to be in Cincinnati. In those days, of course, if you wanted to be President, you couldn't admit it. You sort of had to act like you were being drafted. So John Marshall Harlan, the largely unknown partner of the better known Benjamin Bristow, went to Cincinnati, to the GOP convention, to get his law partner, Mr. Clean, the nomination—the perfect choice after 8 years of scandal in the Grant administration.

It became clear after a few rounds of voting that he wasn't going to be able to pull it off for his partner, Benjamin Bristow, so Harlan threw Bristow's votes to the Governor of Ohio, Rutherford B. Hayes. Amazingly enough, right after President Hayes was sworn in in March of 1877, it was John Marshall Harlan, not Benjamin Bristow, who ended up on the Supreme Court.

He served for 30 years with great distinction and was the sole dissenter in *Plessy v. Ferguson*. He was the one Member of the Court in 1896 who got it right with regard to desegregation and public accommodations. That actually became the majority opinion 58 years later in *Brown v. Board of Education*.

Talk about a political appointment. That was a political appointment. Amy Coney Barrett is not the most political appointment ever to the Supreme Court by any objective standard. So these are not really arguments. They are just kind of angry noises.

The Democratic leader said: "Abraham Lincoln, when [he] had the opportunity to fill a Supreme Court seat,

said it would be unfair to do it so close to an election."

That is not true. It never happened. President Lincoln never said that nor did he do that. The Washington Post already debunked this disinformation when another Democratic Senator tried to spread it.

Now the Democratic leader is claiming Chairman GRAHAM did something unprecedented in committee this morning. That would be news to Senator LEAHY, who had a Democratic majority vote multiple judges to the floor in 2014 when there were not two Republicans present. Chairmen of both parties have done the same thing multiple times.

The Democratic leader continues to misstate what the Republicans said in 2016. Let me quote verbatim from my very first floor speech after Justice Scalia passed away. Here is what I said: "The Senate has not filled a vacancy arising in an election year when there was divided government since 1888." That is what we had then, a divided government—a Republican Senate and a Democratic President. Now, my friend the Democratic leader may be emotionally invested in this idea that I said something else, but that is, in fact, what I said. Historical precedent supported no confirmation in 2016, and it supports confirming Judge Barrett now.

Look, everybody knows what is going on here. We know why the Democratic leader feels this need to keep saying things that aren't true. Our colleague is trying to invent a justification to declare war on judicial independence and pack the Supreme Court if the Democrats should win power. That is what this is all about.

Back in March, he walked across the street and threatened Justices by name if they ruled against his wishes, and now, even though this Court ended up delighting the political left with several decisions this very year, he still wants an excuse to pack the Court.

The American people know what a terrible idea this is. Polls show majority support for confirming Judge Barrett and overwhelming opposition to court-packing. The American people are glad that Franklin Roosevelt didn't get to blow up our independent judiciary in 1937, and they strongly oppose Democratic threats now.

The Democratic leader may support court-packing, and former Vice President Biden may call it a "live ball," but the American people know these threats are anathema to the rule of law.

This Senate majority will not let falsehoods drown out facts. We will not reward hostage-taking, and we will not be bullied out of doing what is right. We are going to follow history and precedent and do our job.

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

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

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

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

RENEWABLE ENERGY SOURCES

Mr. GRASSLEY. Madam President, throughout my tenure in the Senate, I have been a leader in promoting renewable energy sources, like being called the father of the wind energy tax credit. This has led to a cleaner environment and has increased America's energy independence.

It is concerning to see legislation from progressive Members of Congress that would eliminate internal combustion engine vehicles like the vast majority of us drives and depends on. In other words, we will all have to buy electric cars. This is supposed to help the environment, but, remember, most electrical generation is from fossil fuels.

There are more practical solutions available. Currently, renewable fuels can reduce greenhouse gas emissions by 43 percent, but they would be totally eliminated under this extreme bill. By adding more ethanol and biodiesel to our energy mix, we can reduce emissions while still keeping transportation costs low for working families.

I ask my colleagues across the aisle to abandon this radical scheme. If they want a cleaner environment, then they should look to renewable fuels produced in our Nation's heartland.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

NOMINATION OF AMY CONEY BARRETT

Mr. SCHUMER. Madam President, before I get into the substance of my remarks, I will briefly redress the Republican leader.

He came on the floor and, with his typical vitriol, made all kinds of accusations. The bottom line is MCCONNELL is angry. Why? Because we Democrats have exposed that he has defiled the Senate as an institution more than any person in this generation and many generations, because we Democrats have exposed the hypocrisy of holding up Merrick Garland because it was 8 months before an election and rushing through Amy Coney Barrett because it is "something we can do."

The bottom line is Leader MCCONNELL, of course, doesn't like hearing

these things, but they are the truth, and they will live on in history. The man who defiled the Senate, the man who created one of the greatest hypocritical acts in the history of the Senate, sits in that chair.

Now, the Republican majority is steering the Senate toward one of the lowest moments in its long history, and the damage it does to this Chamber may very well be irrevocable.

After thwarting the constitutional prerogative of a duly elected Democratic President to appoint a Supreme Court Justice because it was an election year, the Republican majority is rushing to confirm a Justice for a Republican President 1 week—1 week—before election day.

Four short years ago, all of our Republican friends argued that it was principle—that is the world they used, "principle"—to let the American people have a voice in the selection of a Supreme Court Justice because an election was 8 months away.

Those same Republicans are preparing to confirm a Justice with an election that is 8 days away. What a stench of hypocrisy.

In the process, the majority has trampled over every norm, rule, or standard that could possibly stand in its way. It ignored health guidelines to conduct in-person hearings in the middle of a pandemic after Republicans Members of the committee themselves had contracted COVID.

It has broken longstanding Senate precedent. Never in the history of the Senate has a Supreme Court nominee—a lifetime appointment—been considered so close to an election. The Presiding Officer of the Senate confirmed this yesterday in response to this Senator's inquiry. Never in the history of the Senate has a Supreme Court nominee been confirmed after July of an election year.

Before even we arrived at this sordid chapter, the Republican majority broke the rules of the Senate to change the rules of the Senate, lowering the number of votes required for a Supreme Court nomination so that Republicans could confirm whomever they wanted.

They changed the rules of the Senate again to limit the amount of time the Senate spends considering judicial nominations so they could pack the courts with their rightwing appointees even faster.

It is a hallmark of democracy that might does not make right, but the Republicans are blatantly ignoring this principle. Here, in Leader MCCONNELL's Senate, the majority lives by the rule of "because we can." They completely ignore the question of whether they should. Morality, principles, value, consistency are all out the window.

Here, now, we have the culmination of this Republican majority's systemic erosion of rules and norms in pursuit of raw political power: a Supreme Court nominee who will be confirmed on a party-line vote after the rules were changed to allow it, in complete contradiction to the supposed principle