

Evaluation and Research, at FDA, wrote this about the vaccine advisory committee's role on FDA's website:

The committee will hear presentations from experts in COVID-19 disease and vaccine development, as well as from career FDA scientists. Topics will include studies needed to support authorization or approval, post-marketing safety studies needed following an approval, and what would be necessary for ongoing safety monitoring following issuance of an emergency use authorization for COVID-19 vaccine.

Dr. Marks continued:

There will also be a part of the meeting during which members of the public will have an opportunity to speak and provide input, and this will be followed by a thorough discussion of the issues by the committee members. The members of this committee are external scientific and public health experts from around the country, specializing in fields such as immunology, virology, infectious diseases, pediatrics, vaccine development, and vaccine safety.

This meeting, and any other FDA advisory committee meeting, can be viewed by the public. At the Senate Health Committee hearing on September 23, where FDA Commissioner Stephen Hahn testified, I reviewed the three steps that have to happen before FDA will approve a vaccine: No. 1, independent experts overseeing clinical trials determine whether there is enough data available for the FDA to review.

No. 2, after demonstrating safety and efficacy based on clinical trials, the vaccine manufacturer submits an application to the FDA.

And No. 3, FDA experts conduct their review and make the final determination whether or not it is safe and that it works.

In other words, no one knows when the vaccine will be ready to distribute. No one knows that, even Dr. Hahn. And why does he not know it? Because there is this elaborate, independent, public process established by career scientists, with not a word changed by the White House, that will review the data and then make a decision. Because of the work of Congress and the administration, tens of millions of doses are being manufactured. So when that approval comes—whether it is November, December, or January—there will be tens of millions of doses of vaccine ready to distribute to the American people. But that approval won't come until the career scientists' rules are followed.

The FDA is considered the gold standard in the world, in part because it is one of the few regulatory agencies in the world that looks at detailed clinical trial data as part of its review, rather than summaries of clinical trial data.

The FDA Division making the decision to approve or authorize a vaccine for COVID-19 is led by experts with decades of experience, including Dr. Peter Marks, whom I mentioned, the head of the Center for Biologics Evaluation and Research. He has been at the center since 2012. Dr. Celia Witten

has been at FDA since 1996. The Vaccine Division of the Center for Biologics Evaluation and Research is led by Dr. Marion Gruber, who has over 20 years of experience in regulatory review and approval of vaccines and biologics. The Deputy Director of the Vaccine Division, Dr. Philip Krause, has 10 years of experience at FDA working on vaccines. FDA will also have the advice of independent advisory committees.

California and New York—no State will be able to assemble a scientific panel of experts with the same high level of knowledge and experience reviewing safety and efficacy information as exists at the Food and Drug Administration. Democratic Governors in those two States should not both be telling President Trump that he ought to follow the advice of scientists like Dr. Fauci, which he should do, but at the same time undermine the review and the work of similar career scientists at the Food and Drug Administration.

Vaccines save lives. We have heard testimony in our Health Committee demonstrating that. Undermining public confidence in vaccine risks not only our ability to combat COVID-19 but acceptance of other vaccines as well.

If California and New York can override the FDA on vaccines, what would prevent Republican Governors from banning RU-486, the abortion drug, in their States? If that were to happen, I am sure my Democratic colleagues would cry politics and suggest that if FDA has reviewed and approved a drug and said it is safe and effective, then, States should not be able to say that it is unsafe.

FDA is the right agency to review and approve vaccines and drugs and medical devices. I would urge the Governors of California and New York not to set up their State review panels but instead focus their time and resources on planning to distribute the vaccine and improving testing and contract tracing, using the resources that Congress has given to States, rather than second-guessing the efforts of scientists at the Food and Drug Administration.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk called the roll.

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

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

UNANIMOUS CONSENT REQUEST—H. R. 1

Mr. SCHUMER. Mr. President, well, for more than year and a half, Leader McConnell and Senate Republicans have refused to take action on the House-passed For the People Act at a time when our democracy is under siege in so many ways. The For the People Act is a bold proposal that will restore people's trust in our democratic system, a trust that is fading. It is for the people. In order to make a

more perfect Union, it would shore up our elections from threats from abroad. That is something we have just recently read more and more about. Why aren't we doing more on that?

In fact, when Senator VAN HOLLEN, a few days ago, put on the floor a UC of an act that would say Russia should have sanctions imposed on it if they interfere with our elections, the other side blocked it. I hope they are not following Donald Trump's obeisance to Russia and his view that Putin is just OK.

It would also dismantle systematic hurdles that discourage voter participation. One of the worst things the Supreme Court has done—and there are quite a few under this conservative majority—is the Shelby decision, where Justice Roberts, leading the charge, said: We can dismantle the toughest protections under the Voting Rights Act. He said: States aren't going to discriminate anymore.

And within a year, 20 States passed laws making it harder to vote. That is despicable. That is an awful case.

It would help beat back decades of loose finance rules that empowered special interests at the expense of the American people. We all know about the dark money that is cascading into our system. In fact, SHELDON WHITEHOUSE yesterday asked to make that public, to disclose those kinds of contributions when it came to the Supreme Court, where rightwing money pours in to make sure that rightwing nominees get on the Court and move to pull the American agenda so much further to the right than the American people ever would.

Well, in general, there is too much dark money, too much special interest money. This would undo it. As election interference remains an urgent threat, as efforts to disenfranchise voters—especially voters of color, young voters, and low-income voters—persist, and as powerful special interests continue to exercise outside influence in our elections, the need for this legislation couldn't be more clear.

Unfortunately, the Republican leader has other priorities. Rather than strengthen our democracy, rather than protecting our right to vote, rather than fighting big money or tackling corruption, rather than addressing any of the myriad of problems in our democracy that this country faces, Leader McConnell is undoing democracy by rushing through a lifetime appointment to the Supreme Court mere days before an election.

You couldn't find a more different set of priorities from that of everyday Americans if you tried. I urge Leader McConnell to stop this unprecedented and nakedly partisan process and instead put this important legislation on the Senate floor for a vote now. Let's discuss it. Let's debate it. Let's not just reject it at a time when we need to do so much of this.

In order to proceed to the consideration of H.R. 1, For the People Act, I

ask unanimous consent that the Senate proceed to legislative session.

The PRESIDING OFFICER. Is there objection?

The Senator from Indiana.

Mr. BRAUN. Mr. President, reserving the right to object, I want to go through just a few—and it is really more than a few; it is a lot—of what is embedded in this bill. I would call it the “Democratic Politician Protection Act.” Let’s listen to a few of these things.

The Constitution vests primary responsibility in the States to set time, place, and manner of elections. States and localities have determined how to conduct elections for a long, long time. H.R. 1, through a top-down, Federal approach, completely reverses this long-standing tradition. Rather than strengthening the election process, it paves the way for rampant, I think, fraud, abuse, and litigation that diminishes the value of a legitimate vote, by doing these rushed reforms.

Let’s look at the 2018 midterm elections. Polling showed that 92 percent of voters found their experience very easy or somewhat easy. Why fix it if it isn’t broken? It imposes a DC-style election process on the States, requiring all State agencies and Federal agencies, including colleges and universities, to automatically register voters, including those who are 16 and 17 years old. It preempts State registration deadlines and requires same-day registration without verification safeguards. It expands the number of agencies that must contribute voter records, even to those who have no experience or expertise in voter enrollment, forcing States to accept a sworn statement as proof of identity, instead of photo identification, and to record the vote as a regular ballot. It expands absentee ballot availability and requires States to provide prepaid postage for all mail-in ballots.

It does so many things that are different from what we currently have in a system that in most places is working fine. It does not include provisions that require or encourage States to remove inaccurate voter information. It reduces the integrity of voter rolls by restricting the State ability to maintain voter rolls and records that ensure voter identity accuracy.

There are no penalties for anyone who is falsely registered. It prohibits States from being able to continue routine maintenance on their own voter lists. It also creates numerous private rights of action that pave the way for trial lawyers to sue when the results of an election are not to their liking.

It makes the Federal Election Commission a partisan body. It politicizes the FEC by changing the neutral, evenly divided, six-member body into a five-member panel. It makes a new partisan FEC. It changes the latitude to determine and interpret the subjective enforcement test established by this bill. It, in essence, takes what is working and complicates it with a top-down Federal system.

We should not be rushing into something like this that is that comprehensive. We should be paying attention to the process of getting a bona fide judge across the finish line, which I think most of us intend to do.

Therefore, I object to this bill and to moving to legislative session.

The PRESIDING OFFICER (Mr. ROMNEY). Objection is heard.

The Democratic leader.

UNANIMOUS CONSENT REQUEST—H.R. 5619, H.R. 5572, H.R. 4861, AND H.R. 4585

Mr. SCHUMER. Mr. President, I have another request.

As Americans face job loss, health crises, isolation, and enormous daily stress during the pandemic, the risk of suicide has tragically gone up. The CDC found that since the pandemic began, twice as many Americans report serious consideration of suicide. The rate of suicide risk is especially high among young Americans, minorities, essential workers, and caregivers.

Unfortunately, this is hitting our Armed Forces, as well. The Army’s Chief of Staff, General McConville, stated that he sees a correlation between COVID and a rise in military suicides. My office recently received a note, a tragically sad note, from a veterans group in Rochester, NY, about a veteran in their region, 50 years of age, unemployed, and struggling during the pandemic. When he stopped receiving the \$600 unemployment assistance, he was unable to make his mortgage payments and, unfortunately and sadly, very recently committed suicide.

I have no doubt that there are more American veterans out there who are going through the same struggle. Each one is a separate and heartbreaking tragedy. These men and women who risked their lives for us are taking their own lives. It is incumbent upon us to do something about it.

Congress can implement suicide prevention initiatives. We may be able to make a difference. The House has passed a number of bills to get suicide prevention funding and new resources out to communities.

I am going to ask that we go into legislative session to consider four of those House-passed bills. This pandemic has taken so many lives, and we sometimes forget that it is not just those who contracted COVID, but those who are pushed to unimaginable stress and devastation because of what COVID has done to our economy, our friends, and our way of life. The Senate should be passing these bills and helping out those who may be hiding in the shadows but crying out for help.

There are four bills. I think I will ask for consideration on the four of them en bloc; is that permitted?

The PRESIDING OFFICER. It is by consent.

Mr. SCHUMER. In order to proceed to the consideration of H.R. 5619, Suicide Prevention Act; H.R. 5572, Family Support Services for Addiction Act of 2020; H.R. 4861, Effective Suicide Screening and Assessment in the Emer-

gency Department Act of 2020; and H.R. 4585, the Campaign to Prevent Suicide Act, I ask unanimous consent that the Senate proceed to legislative session.

The PRESIDING OFFICER. Is there objection?

The Senator from Wisconsin.

Mr. JOHNSON. Reserving the right to object, when the COVID crisis first hit, this body, all of Congress, recognized how serious the situation was, and we acted. We acted in a very bipartisan fashion. We acted in a massive fashion, as a matter of fact.

We understood that the American people, through no fault of their own—businesses were shutting down, people were unemployed—and we needed to provide a massive level of relief, and we did that in a bipartisan, almost unanimous fashion.

All the needs have not been met. Republicans completely understand that, which is why we spent the August recess in daily calls, talking amongst ourselves, trying to focus and target where the relief is best directed.

What we understood when we passed the more than \$3 trillion of COVID relief in the early parts of this pandemic was that our efforts were going to be far from perfect, but they needed relief and, again, we supported it.

One of the things we were trying to focus on, when we are already \$27 trillion in debt, was recognizing the fact that we don’t have an unlimited credit card; that we had to really take the time and hone the next relief package.

We did that over the August recess, and we came together with a very targeted, very appropriate, and still a very expensive package, over \$600 billion when you add up the plus-up for unemployment benefits, \$300 per week, a level that is sufficient but not so high that it actually provides incentive for people to stay on the sidelines and not enter the workforce.

In my State of Wisconsin, one of the biggest problems employers have is they simply don’t have the ability to track people off the sidelines when you have a \$600 plus-up. We provided additional funding for PPP, particularly for small businesses that have been devastated. Owners have seen their life savings wiped out. That additional over \$200 plus-up in relief for small businesses would be targeted, would be appropriate, and it is necessary.

There is over \$100 billion for schools, tens of billions of dollars for additional testing and vaccines, billions of dollars for childcare and agriculture. In total, on top of \$3 trillion, which is 14 percent of our GDP—by the way, a fair amount of that is still unspent and unobligated. We took a little bit of that which was unspent and unobligated and repurposed it for this new targeted package.

Fifty-two Republican Senators voted for that bill twice. Rather than take yes for an answer, rather than saying: Thank you, we will support this level of relief for the American people, our colleagues on the other side of the aisle just said no.

An analogy I have been using would be, Mr. President, if I said: Mr. President, give me \$200. The Presiding Officer would look at me in shock, but because he is a generous individual, he would say: Maybe not \$200, but I will give you \$100. But just because the Presiding Officer didn't give me the full \$200, I would go stomping off, and I don't even take the \$100. That is, in effect, what the Senators on the other side of the aisle are doing.

We are offering and we supported \$600 billion on top of \$3 trillion in relief—necessary relief, needed relief for unemployment benefits, for small businesses, for vaccines, for testing, for education, for childcare. It is there for the taking. All they have to do is say yes. Yet they say no because they would rather have an issue rather than result.

Are they serious about helping the American public or do they just want to play politics? I think the answer is quite obvious.

I object.

The PRESIDING OFFICER. Objection is heard.

The Democratic leader.

Mr. SCHUMER. The emaciated bill filled with poison pills that the Senator from Wisconsin talks about was never intended to pass. In fact, the Republican majority leader waited 5 months before doing anything while people were suffering. The bill does not contain close to what is needed.

Basically, his analogy is incorrect. The analogy would be saying: You have a series of serious illnesses; let's treat one because we don't want to pay for the others—even though we were willing to increase the deficit by close to \$2 trillion by giving a tax break to the wealthy.

So this cry about deficit, when it comes to helping middle-class people, hurting people, unemployed people, people who can't feed their kids, no, it is the deficit. When it comes to giving a big tax break to wealthy corporations and wealthy people, that is fine.

As much as I respect my colleague from Wisconsin, I don't really take his words very seriously. Our Republican friends put this emaciated bill on the floor at the last minute because they got such pressure for doing nothing. They know it can't pass the House. They know it is totally inadequate.

This is the greatest economic crisis since the Great Depression, the greatest healthcare crisis for 100 years since the Spanish pandemic flu, and our colleagues do next to nothing in terms of the crisis. This is loaded with poison pills so they know it can't pass. They know it can't pass the House, and they waited 5 months.

The American people know it. When they are asked: Who wants to solve this problem, they know that it is the Democrats in the Senate and House who want to and the Republicans have resisted. There is no question about it.

The bills I just asked for are small bills, not very expensive, that deal

with suicide. Of course, the answer is no again. It is sad and unfortunate. Fortunately, the American people will be able to have a real say, not on the Supreme Court Justice they are rushing through but on who will be the next administration and who will do more. We will see what their answer is.

Mr. BROWN. Will the Democratic leader yield?

Mr. SCHUMER. I would be happy to yield.

Mr. BROWN. I hear Senator JOHNSON talk about employers can't find workers. There are 600,000 in my State who lost their unemployment insurance just like that at the end of July. Six hundred thousand people lost \$600 a week.

I go back to March, when we passed this bill that was so important it passed unanimously. There was one amendment Republicans wanted for this \$2.5 trillion bill. It was to strip out unemployment insurance so that those workers didn't get the \$600 a week. What are they to live on? Six hundred thousand people in my State can't find work, 100,000 in Wisconsin, even more in New York, tens of thousands in Iowa and Utah. What are they to do?

We know there is going to be a wave of evictions and foreclosures as people are thrown out of their apartments and their homes.

This Congress continues to—the Senate just won't do its job. Do your job. If Senator MCCONNELL would do his job, we could do our job and get this economy back on track.

Thank you.

Mr. SCHUMER. I would add one final thing. The bill that the Senator from Wisconsin talks about was totally partisan, which they know can't pass. Then, when Leader MCCONNELL put it on the floor, he filled the tree so it couldn't even be amended.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

NOMINATION OF AMY CONEY BARRETT

Mr. GRASSLEY. Mr. President, the Senate will soon vote on the confirmation of Judge Barrett to become Associate Justice of the U.S. Supreme Court. I will be voting in favor of her nomination, and I urge my colleagues to do just the same.

As was made clear to millions of Americans who watched her hearing, Judge Barrett has the temperament, the modesty, and the humility that we should all expect in a judge. She approaches cases without bias or personal agenda. She made that very clear to almost every question asked to her by every member of the Judiciary Committee.

Most importantly, Judge Barrett understands the proper role of members of the Judiciary and our constitutional system of separated powers. That is, a judge should interpret—not make—the law. Making law is, under the Constitution, the responsibility of the Congress, not the Supreme Court. She also made that very clear in almost every ques-

tion that she was asked by members of the Judiciary Committee.

Judge Barrett has an impressive command and, of course, the respect for the law and the Constitution. Clearly, from her testimony, she respects precedent, and she practices judicial restraint. In her words: "A judge who approaches a case as an opportunity for an exercise of will has . . . betrayed her judicial duty."

She went on to explain to the committee her legal method, how she considers statutes and the Constitution and how she interprets and applies the statutes and the Constitution. Her judicial method is rigorous and exacting but fair. She testified that she would listen to both sides in every case. She said: "We want judges to approach cases thoughtfully and with an open mind."

When pressed on how she might rule in a particular case, Judge Barrett promptly applied what we all know as the Ginsburg rule, and she did it just like every other recent nominee to the Supreme Court for the last 30 years when Ginsburg first told the Judiciary Committee that there would be no hints, no previews, or forecasts, and Judge Barrett demonstrated her independence by often repeating the Justice Ginsburg rule.

I specifically asked Judge Barrett if she had made any promises or guarantees to anyone about how she might rule on a case. She responded this way to my question:

The answer is no. . . . No one ever talked about any case with me. . . . I can't make any pre-commitments to this body either. It would be inconsistent with judicial independence.

To quote further:

I'm not willing to make a deal—not with the committee, not with the president, not with anyone. I am independent.

That quote or similar words were spoken by Judge Barrett to almost every suspicious Judiciary member about whom she might have made some deal ahead of time to get on the Supreme Court.

Contrary to critics' claims about her being biased, Judge Barrett is even-handed and has ruled for both plaintiffs and defendants in all kinds of cases. She believes in justice for all, in accordance with the law and the Constitution, just like we would expect everybody to say who is a lifetime appointee to the Judiciary, but we don't see all of them following that practice.

She went on to tell the committee: "I am fully committed to equal justice under the law for all persons."

When asked if she will follow the law wherever it leads, she said: "Yes." Then she said: "I have an agenda to stick to the rule of law and decide cases as they come." Yet that wasn't good enough for our Democratic colleagues and their leftist allies.

However, throughout the hearings, the Democrats and many in the media deliberately misrepresented Judge Barrett's views on the Affordable Care