In the Hobby Lobby decision, the Supreme Court ruled that the government failed to make that case.

With misinformation now swirling, it's important to understand what the court's decision doesn't mean.

The court's majority opinion explicitly states that the ruling does not ''provide a shield for employers who might cloak illegal discrimination as a religious practice.'' Additionally, the court said that ''our decision should not be understood to hold that an insurance-coverage mandate must necessarily fall if it conflicts with an employer's religious beliefs''—meaning, you must show a legitimate religious objection.

While some Americans may disagree with the Green family's views, nearly all Americans believe that religious freedom is a fundamental right that must not be abridged. When President Clinton signed the Religious Freedom Restoration Act, he said: ''Our laws and institutions should not impede or hinder, but rather should protect and preserve fundamental religious liberties.''

Congressional Democrats used to share that view. What's changed? We can preserve access to contraceptives without trampling on Americans' religious freedom.

Mr. ALEXANDER. Mr. President, I yield the floor.

Mr. DURBIN. Madam President, I rise to speak in support of the nomination of Ronnie White to serve on the U.S. District Court for the Eastern District of Missouri. I was proud to chair Justice White's nomination hearing before the Judiciary Committee in May.

Justice White has the experience, the integrity, and the qualifications to be an outstanding district court judge.

He came from humble beginnings. He was born in St. Louis to teenage parents and grew up poor in a segregated neighborhood. He has worked since age 11 to help make ends meet and to put himself through college at St. Louis University and law school at the University of Missouri-Kansas City.

Justice White went on to accomplish great things in his legal career—most notably, becoming the first African-American Supreme Court Justice and Chief Justice in Missouri's history. It was a powerful moment when Justice White was sworn in to the Missouri Supreme Court. The ceremony took place at a courthouse where slaves were once sold on the steps.

I am pleased that the Senate is voting today on Justice White's nomination to the Federal bench.

It is not often that the Senate gets the chance to correct a historic mistake, But by confirming Ronnie White to the Federal bench, we will be able to do so.

Justice White's previous nomination to the district court was defeated on the Senate floor in 1999 on a partyline vote. At the time, the claim was made that Justice White was ''pro-criminal.'' This was a grossly inaccurate claim, both then and now.

Over his long career as an attorney and a judge, Justice White has been widely recognized as fair, unbiased, and committed to the rule of law. Just read the letter from the Missouri State Lodge of the Fraternal Order of Police in support of Justice White's nomination. The Missouri FOP said:

> As front line law enforcement officers, we recognize the important need to have jurists such as Ronnie White, who have shown themselves to be tough on crime, yet fair and impartial. As a former justice on the Missouri Court of Appeals and as the Chief Justice of the Missouri Supreme Court, Ronnie White has proven that he has the experience and requisite attributes to be a quality addition to the U.S. District Court. We can think of no finer or more worthy nominee.

This is a compelling endorsement from the Missouri FOP.

In 2001 I had the opportunity to ask Justice White in a hearing before the Judiciary Committee about the allegation that he was somehow hostile to law enforcement. Here was his response. He said:

> That is not true that I was opposed to law enforcement. Senator Durbin, I have a brother-in-law who is a police officer in St. Louis. I have a cousin who is a police officer in St. Louis. I have served on boards and commissions with police officers in the St. Louis community, and I also, when I was city counselor for the city of St. Louis, was the lawyer for the St. Louis City Police Department and we defended police officers. As a judge, all I have tried to do is to apply the law as best I could and the way I saw it.

Overall, Justice White's track record shows that his judicial decisions were well within the legal mainstream and were supported by precedent and legal authority. His decisions showed respect for the rule of law, even in hard cases that involved difficult or emotional facts.

The bottom line is that Justice White is a man with integrity, a wealth of judicial experience, and a real respect for the law. He is going to be an outstanding Federal judge.

I urge my colleagues to support this nomination and to put this good man on the Federal bench.

Mrs. FEINSTEIN. Mr. President, I rise in support of the nomination of Ronnie White to serve as a United States District Judge for the Eastern District of Missouri.

In the Senate, as in life, there rarely is a chance for a do-over—to get something right that went wrong a long time ago.

For me, Ronnie White's nomination is a chance to do that. This year should have been his fifteenth as a district court judge—he would be close to senior status today had his nomination by President Clinton been confirmed in 1999.

I was very pleased this year to see him appear once again before the Judiciary Committee, and I believe he will distinguish himself as a Federal district judge.

Let me simply quote from a letter from the Missouri State Lodge of the Fraternal Order of Police, which wrote a letter on May 13, 2014 in support of Judge White's nomination:

> As a former justice on the Missouri Court of Appeals and as the Chief Justice of the Missouri Supreme Court, Ronnie White has proven that he has the experience and requisite attributes to be a quality addition to the U.S. District Court. We can think of no finer or more worthy nominee.

Ronnie White's confirmation is long past due, and I really am pleased it is likely to come to pass. I just wanted to say that, and to urge my colleagues to support him.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the confirmation of the nomination of Ronnie L. White, of Missouri, to be United States District Court Judge for the Eastern District of Missouri?

Mr. PAUL. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Maryland (Mr. CARDIN), the Senator from Maryland (Ms. MIKULSKI), and the Senator from Hawaii (Mr. SCHATZ) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 53, nays 44, as follows:

[Rollcall Vote No. 227 Ex.]

YEAS—53

Baldwin	Harkin	Nelson
Begich	Heinrich	Pryor
Bennet	Heitkamp	Reed
Blumenthal	Hirono	Reid
Booker	Johnson (SD)	Rockefeller
Boxer	Kaine	Sanders
Brown	King	Schumer
Cantwell	Klobuchar	Shaheen
Carper	Landrieu	Stabenow
Casey	Leahy	Tester
Collins	Levin	Udall (CO)
Coons	Manchin	Udall (NM)
Donnelly	Markey	Walsh
Durbin	McCaskill	Warner
Feinstein	Menendez	Warren
Franken	Merkley	Whitehouse
Gillibrand	Murphy	Wyden
Hagan	Murray	

NAYS—44

Alexander	Fischer	Moran
Ayotte	Flake	Murkowski
Barrasso	Graham	Paul
Blunt	Grassley	Portman
Boozman	Hatch	Risch
Burr	Heller	Roberts
Chambliss	Hoeven	Rubio
Coats	Inhofe	Scott
Coburn	Isakson	Sessions
Cochran	Johanns	Shelby
Corker	Johnson (WI)	Thune
Cornyn	Kirk	Toomey
Crapo	Lee	Vitter
Cruz	McCain	Wicker
Enzi	McConnell	

NOT VOTING—3

Cardin	Mikulski	Schatz

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table.

The President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session.

PROTECT WOMEN'S HEALTH FROM CORPORATE INTERFERENCE ACT OF 2014—MOTION TO PROCEED—Continued

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the motion to proceed to S. 2578.

Under the previous order, the time until 2 p.m. will be equally divided and controlled between the two leaders or their designees.

Who yields time? Does any Senator yield time?

If no one yields time, the time will be charged equally to both sides.

The Senator from Utah.

Mr. LEE. Mr. President, the most extraordinary feature of the bill before us today is the incongruity between the bill's title and its content. The title, the ''Protect Women's Health from Corporate Interference Act,'' is clear and straightforward. It suggests the bill is aimed at the important and worthy goal of protecting women's health. But the text of the bill plainly demonstrates that the bill's true objective is to circumscribe Americans' religious freedoms—the religious liberties of individual Americans—within the narrow confines of the Democratic Party's partisan agenda and the whims of politicians and bureaucrats.

While maintaining the appearance of preserving all of the current legal protections of religious freedom in America today, this proposal quietly adds to them a subtle yet deeply problematic and inappropriate qualification. The Federal Government will not prohibit the free exercise of religion until the Federal Government decides that it wants to do so. Under this bill, your religious liberties stop at the doorstep of the Democratic National Committee.

So I rise today in opposition to this bill because it doesn't do anything to protect women's health and it does much to undermine the bulwarks of religious liberty enshrined in our Constitution that have made America the most religiously diverse and tolerant Nation in human history.

Although this proposal is only the latest maneuver attempted by my Democratic colleagues to assert their power and restrict religious freedom in America, it also represents the culmination, at least for now, of their opposition to the Supreme Court's recent ruling in Burwell v. Hobby Lobby.

On June 30 of this year, the Supreme Court ruled that the Federal Government may not force closely held businesses to violate their sincerely held religious beliefs in order to comply with the contraceptive mandate issued by the U.S. Department of Health and Human Services under the Patient Protection and Affordable Care Act. This decision has received a great deal of attention, but it has received this attention for all the wrong reasons.

Contrary to what many critics have suggested, the Hobby Lobby decision did not promulgate national health care policy nor did it render any opinion on the virtues of contraception and religious faith. No, the issue in Hobby Lobby involved not a dispute of competing rights but a straightforward application of plainly written law.

As the Constitution states in Article III, Section 2, the role of the Supreme Court is to adjudicate legal disputes by hearing ''cases and controversies'' that arise when two laws or two parties come into conflict.

In Hobby Lobby, the two laws in dispute were the Religious Freedom Restoration Act, passed by an overwhelming bipartisan majority of Congress and signed into law by President Clinton in 1993, and a Federal mandate issued by the Department of Health and Human Services, acting under the powers delegated to it by the Affordable Care Act.

The Religious Freedom Restoration Act, or RFRA as it is sometimes called, reaffirmed Americans' commitment to the fundamental religious liberty already protected by our Constitution.

With RFRA, a Democratic Congress and a Democratic President, in cooperation with Republican minorities in both Houses, declared that when the Federal Government seeks to infringe on Americans' religious liberty, it must clear two thresholds. First, it must show that the law in question serves a compelling State interest. Secondly, if it does, the law must do so by the least restrictive means possible.

Given that the government openly acknowledged that there was a significant number of far less intrusive means to ensure affordable access to the drugs at issue, the Supreme Court rightly ruled that the contraception mandate violated RFRA.

However unwarranted, the overheated response to the Hobby Lobby decision among some ideological extremists on the left has led some of my colleagues to introduce a bill that would not simply overturn that modest and narrow decision but fundamentally rewrite America's social contract as it pertains to matters of personal conscience.

Whereas, the Court's ruling was limited to ''closely held'' for-profit companies such as Hobby Lobby, this bill would empower the Federal Government to coerce employers of all faiths and of no faith into violating their deepest personal convictions. It would deny any employer—devout or secular, individual or corporate, for-profit or nonprofit—conscience protection under RFRA against all present and future government mandates.

Perhaps most troubling is the warped theory of rights underlying the text of this bill. This theory holds that the American people possess constitutional and legal rights only when acting alone but not when acting in a group. These rights, along with any duties one may hold as a person of faith, must be forfeited whenever acting in association with others, on penalty of fines to be paid to the Federal Government.

This view of religious liberty might be summarized as an amendment to Matthew, chapter 18, verse 20: For where two or three are gathered together in My Name, there is the IRS in the midst of them.

This view is extreme. It is out of touch with the Constitution, with commonsense, and with America's heroic history of religious tolerance.

From our earliest days as a country, one of the sources of our strength as a people and one of the reasons for our success as a nation has been our robust understanding of religious liberty. The breadth and depth of that conception has allowed and encouraged people of all faiths and all traditions to live here in friendship and in cooperation with one another.

As two members of the U.S. Commission on International Religious Freedom put it:

> . . . respect for the flourishing of people requires respect for their freedom—as individuals and together with others in community—to address the deepest questions of human existence and meaning. This allows them to lead lives of authenticity and integrity by fulfilling what they conscientiously believe to be their religious and moral duties. . . . It also includes the right to witness to one's beliefs in public as well as private, and to act—while respecting the equal right of others to do the same—on one's religiously inspired convictions in carrying out the duties of citizenship.

Expanding as wide as possible the space in which all people can witness their faith alongside one another has for two centuries elevated, enriched, and united American society. This robust conception of religious liberty was so essential to American unity that not only did the Founding generation reinforce its protection in a Bill of Rights—which many Framers actually thought was redundant—but it was the first freedom articulated in the First Amendment.

They understood, as most Americans still do, that the proper role of government is not to define people's happiness but to protect all individuals' equal rights, to pursue happiness according to their own hopes and values and conscience.

Yet for all its legal and constitutional protections, America's exceptional tradition of religious toleration rests ultimately on the uniquely American principle of equal dignity and respect for all women and all men, not simply as ''fellow passengers en route to the grave'' but as fellow pilgrims in search of their own promised land.

The authors of this bill know all of this. They know the American people reject their intolerance of diversity and indifference to the First Amendment. We know their bill cannot become law. Indeed, we know this for a fact because if the regulations they support were actually written in the law, ObamaCare itself would never have passed. It was slipped in after the fact by bureaucrats who are not subject to public accountability and never stand for election.

This legislation is more than an insult to the people it would target; it is