when they have assured the committee, as she did over and over again, that they strongly believe in following binding Supreme Court precedent. If that is the case—if the minority is enforcing a religious litmus test on our nominees—this is an unfortunate day for the Senate and for the country.

Others have spoken on the issue of a religious test, but I will remind my colleagues that the Constitution specifically provides that ''no religious test shall ever be required as a qualification to any office under the United States.'' It is one of the most important founding principles. I do not think an evaluation of how religious a person is or how religious she might not be should ever be a part of that evaluation.

We have received many letters on this topic, including one from Princeton University's president, who is a former law clerk to Justice Stevens and happens to be a constitutional scholar. He writes that the questions the Democrats posed to Professor Barrett about her faith were ''not consistent with the principle set forth in the Constitution's 'no religious test' clause'' and that the views expressed in her law review article on Catholic judges are ''fully consistent with a judge's obligation to uphold the law and the Constitution.''

Finally, this morning, my friend from Illinois justified the Democrats' questions to Professor Barrett in committee by noting that I also asked questions in the committee about her article, but there is a difference in simply asking a nominee if her religious views will influence her judicial decision making and trying to ascertain just how religious a nominee is by asking, ''Do you consider yourself an orthodox Catholic?'' or by saying, ''The dogma lives within you.''

My questions gave Professor Barrett a chance to explain her law review article, which was an article I knew the Democrats would question her over. The other side's questions and comments went to figure out just how strongly she would hold to her faith, which was the inappropriate line of questioning.

I will make one more related comment. I mentioned this in the Judiciary Committee, but I think that it bears repeating on the floor because the issue will continue to come up.

Professor Barrett and a few other nominees have a relationship with or ties to the Alliance Defending Freedom group, which, as several Senators have recently pointed out, has been labeled as a hate group by the Southern Poverty Law Center. When the nominees have been asked about this, they have pointed out that the Southern Poverty Law Center's designation is, in itself, highly controversial. I would say that it is completely unfounded. The ADF, Alliance Defending Freedom, is an advocacy organization that litigates religious liberty cases. It has won six cases in front of the Supreme Court in the past 6 years, including cases that are related to free speech and children's playgrounds. They are not outside the mainstream.

Any difference in viewpoint that folks may have with them boils down to, simply, policy differences, but dissent and a difference of opinion do not equal hate, and it is wrong to compare an organization like the ADF to that of the Ku Klux Klan or the Nazi Party and, by extension, imply that the nominees before us sympathize with such actual hate groups.

Finally, I would note that the Southern Poverty Law Center designates the American College of Pediatricians and the Jewish Defense League as hate groups. So some of the Southern Poverty Law Center's designations appear to be discriminatory in and of themselves.

Professor Barrett is a very accomplished, impressive nominee, and we know that her personal story is compelling. She has seven children, several who were adopted from Haiti and one who has special needs. She is an accomplished attorney and a well-respected law professor. I will be strongly supporting her nomination today, and I urge every one of my colleagues to do the same.

I yield the floor.

Ms. KLOBUCHAR. Mr. President, I wish to explain my vote today in opposition to the nomination of Amy Coney Barrett to serve as a U.S. Circuit Judge for the Seventh Circuit. In Professor Barrett's hearing before the Judiciary Committee, I focused my questions on Professor Barrett's views and previous writings on the circumstances under which judges must adhere to precedent and on the doctrine of originalism. It was on the basis of her responses to those questions that I have concluded that I am unable to support her nomination.

The PRESIDING OFFICER. The Senator from New York.

PUERTO RICO AND U.S. VIRGIN ISLANDS RECOVERY EFFORT

Mrs. GILLIBRAND. Mr. President, I rise to speak about the disaster supplemental that the Trump administration is expected to send to Congress as early as tomorrow. While Congress has passed two supplemental aid bills since this year's hurricanes, I want to make it very clear that what we have already passed is not even close to what we will need to help Puerto Rico and the U.S. Virgin Islands fully recover and rebuild.

Hurricane Maria destroyed their power grids and has significantly damaged their water infrastructure so as to make clean drinking water dangerously scarce. Three of Puerto Rico's biggest industries—manufacturing, finance, and tourism, which drive their already struggling economy—remain severely damaged because the hurricane wiped out so many factories, buildings, and hotels. Many Puerto Ricans who had jobs the day before Maria struck no longer have anywhere to go to work. In other words, in Puerto Rico and the U.S. Virgin Islands, this is not just a natural disaster; it is also an economic disaster that these local governments cannot dig out of on their own. Our fellow citizens desperately need our help.

Listen to what one New Yorker told me about how dangerous things are right now, especially for the sick and elderly.

My constituent was trying to help someone in Puerto Rico who was autistic and bedridden and under the care of his 93-year-old father. He needed surgery. He was taken to at least three separate medical facilities, and he spent countless hours in an ambulance with his elderly father. He was transported from one location to the next, but the medical facilities were finding it extremely difficult to communicate with each other. After all of that, his doctor could not find any facility on the island that would accept him into its care. He was finally able to get his treatment, but how many more people are still waiting for help?

Another of my constituents is struggling to help her father, who is in a rural area of Puerto Rico. She has only been able to speak to him briefly and exchange limited text messages. Her father suffers from heart issues and glaucoma, and he may need a prescription refill very soon if not right now. There are countless more stories just like these throughout my State and, no doubt, in many of my colleagues' States as well.

The $36 billion that is for all of Texas, Florida, Puerto Rico, and the U.S. Virgin Islands is just not enough. After Hurricanes Katrina and Rita, it cost the Federal Government $120 billion to rebuild the Gulf Coast. That is the amount of funding that we need to be thinking about for Puerto Rico and the U.S. Virgin Islands right now.

It will take at least $5 billion just to rebuild Puerto Rico's power grid, and that will not even cover improvements to make the system more resilient and more efficient than it was before the storm. Right now, two-thirds of Puerto Rico still does not have power. That means no refrigeration so that people can have food to eat or can keep medicine from spoiling. It means no electricity for oxygen tanks in nursing homes and no lights at night to keep people safe. It will take additional funding to restore roads so that whatever supplies do make it to Puerto Rico can actually be delivered, and people can get to their loved ones in need.

The Small Business Administration will need billions of dollars to help people rebuild their businesses, which are vital to their basic economic recovery. The Army Corps of Engineers will need funding and the authority to rebuild the dams and the ports that were damaged so that commerce can actually go on, and FEMA will likely need $8 billion more just to respond to all of the households that have requested assistance to repair and rebuild their homes through its Individual Assistance Program.

In other words, the recovery effort must be massive. There is no way around it, because we can never turn our backs on fellow citizens, whether they are in New York or Texas or Florida or the U.S. Virgin Islands or Puerto Rico. What we need right now is a Marshall Plan. That is the only way that Puerto Rico and the U.S. Virgin Islands are ever going to really fully recover. A new Marshall Plan would help Puerto Rico greatly reduce its crushing debt owned by hedge funds, and a new Marshall plan would also completely modernize infrastructure in Puerto Rico and the U.S. Virgin Islands, by rebuilding their energy grid, hospitals, roads and bridges, reservoirs, schools, dams, and the thousands of buildings and homes that were destroyed by these hurricanes.

I urge all of my colleagues to join me in this effort. We must never stop fighting for Puerto Rico and the U.S. Virgin Islands to get the funding they need to fully recover and fully rebuild.

I yield the floor.

The PRESIDING OFFICER. The President pro tempore, the Senator from Utah.

Mr. HATCH. Mr. President, I ask unanimous consent that I be permitted to finish my full speech.

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

Mr. HATCH. Mr. President, the Senate will consider this week four nominations for the U.S. courts of appeals. Two are well regarded professors at prestigious law schools, and two are highly respected State supreme court justices. Each of them has received the highest rating from the American Bar Association, ''well qualified,'' which my Democratic colleagues have said is the gold standard for evaluating nominees.

I applaud the majority leader for committing to do what it takes to confirm these nominees, including, if necessary, working through the weekend to get it done.

I want to address the state of the confirmation process by focusing on one of these nominees, as well as attempts to change the process itself.

Later today we will confirm Amy Coney Barrett to the Seventh Circuit. She has taught at the Notre Dame Law School for 15 years in fields that are especially relevant to the work of a Federal appellate judge. A distinguished and diverse group of more than 70 law professors at schools from Massachusetts to California and from Minnesota to Florida wrote that her scholarship is ''rigorous, fair-minded, respectful and constructive.''

I ask unanimous consent to have printed in the RECORD that letter.

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

MAY 19, 2017.

Re Nomination of Amy Coney Barrett to the United States Court of Appeals for the Seventh Circuit.

Hon. CHARLES GRASSLEY,
Chairman, Committee on the Judiciary, U.S. Senate, Washington, DC.
Hon. DIANNE FEINSTEIN,
Ranking Member, Committee on the Judiciary, U.S. Senate, Washington, DC.

DEAR CHAIRMAN GRASSLEY AND RANKING MEMBER FEINSTEIN: We are writing to express our strong support for the nomination of Professor Amy Coney Barrett to the U.S. Court of Appeals for the Seventh Circuit. We are a diverse group of law professors who represent a broad range of fields and perspectives. We share the belief, however, that Professor Barrett is exceptionally well qualified to serve on the U.S. Court of Appeals, and we urge the Senate to confirm her as a judge of that court.

Professor Barrett has stellar credentials for this position. She received her undergraduate degree magna cum laude from Rhodes College and her law degree summa cum laude from the University of Notre Dame, where she finished first in her law school class. She served as a law clerk to Judge Laurence H. Silberman of the U.S. Court of Appeals for the D.C. Circuit and to Justice Antonin Scalia of the Supreme Court. After her clerkships, she practiced law in both trial and appellate litigation in Washington, D.C. at Miller, Cassidy, Larroca, & Lewin, and at Baker Botts. She has served as a law professor at the University of Notre Dame since 2002.

As a law professor, Professor Barrett has distinguished herself as an expert in procedure, interpretation, federal courts, and constitutional law. She has published several important and influential law review articles on these topics in leading journals. 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. Her work demonstrates a thorough understanding of the issues and challenges that federal courts confront in their daily work. In addition, we admire Professor Barrett's strong commitment to public service, including her work as a member of the Advisory Committee on the Federal Rules of Appellate Procedure from 2010–2016.

In short, Professor Barrett's qualifications for a seat on the U.S. Court of Appeals for the Seventh Circuit are first-rate. She is a distinguished scholar in areas of law that matter most for federal courts, and she enjoys wide respect for her careful work, fair-minded disposition, and personal integrity. We strongly urge her confirmation by the Senate.

Sincerely,

Jonathan H. Adler, Case Western Reserve University School of Law, Johan Verheij Memorial Professor of Law; Richard Albert, Boston College Law School, Professor of Law; William Baude, University of Chicago Law School, Neubauer Family Assistant Professor; Anthony J. Bellia Jr., Notre Dame Law School, O'Toole Professor of Constitutional Law; Patricia L. Bellia, Notre Dame Law School, William J. and Dorothy K. O'Neill Professor of Law; Mitchell Berman, University of Pennsylvania Law School, Leon Meltzer Professor of Law and Professor of Philosophy; Samuel L. Bray, UCLA School of Law, Professor of Law; Steven G. Calabresi, Northwestern University Pritzker School of Law, Clayton J. and Henry R. Barber Professor of Law; Nathan Chapman, University of Georgia School of Law, Assistant Professor of Law; Guy-Uriel Charles, Duke Law School, Charles S. Rhyne Professor of Law; Donald Earl Childress III, Pepperdine School of Law, Professor of Law; G. Marcus Cole, Stanford Law School, William F. Baxter-Visa International Professor of Law; Barry Cushman, Notre Dame Law School, John P. Murphy Foundation Professor of Law; Nestor M. Davidson, Fordham Law School, Professor of Law; Marc O. DeGirolami, St. John's University School of Law, Professor of Law; Erin F. Delaney, Northwestern University Pritzker School of Law, Associate Professor of Law and Political Science; John F. Duffy, University of Virginia School of Law, Samuel H. McCoy II Professor of Law; Brian T. Fitzpatrick, Vanderbilt Law School, Professor of Law; Nicole Stelle Garnett, Notre Dame Law School, John P. Murphy Foundation Professor of Law; Richard W. Garnett, Notre Dame Law School, Paul J. Schierl/Fort Howard Corporation Professor of Law; Mary Ann Glendon, Harvard Law School, Learned Hand Professor of Law; Michael Heise, Cornell Law School, Professor of Law; F. Andrew Hessick, University of North Carolina School of Law, Professor of Law; Kristin Hickman, University of Minnesota Law School, Distinguished McKnight University Professor, Harlan Albert Rogers Professor in Law; Roderick M. Hills, NYU Law School, William T. Comfort, III Professor of Law; Clare Huntington, Fordham Law School, Professor of Law; John Inazu, Washington University Law School, Sally D. Danforth Distinguished Professor of Law & Religion; Neal Kumar Katyal, Georgetown University Law Center, Paul Saunders Professor; William K. Kelley, Notre Dame Law School, Associate Professor of Law; Daniel B. Kelly, Notre Dame Law School, Professor of Law; Cecelia M. Klingele, University of Wisconsin Law School, Assistant Professor of Law; Randy J. Kozel, Notre Dame Law School, Professor of Law; Kurt T. Lash, University of Illinois College of Law, Guy Raymond Jones Chair in Law; Renée Lettow Lerner, George Washington University Law School, Professor of Law; Gregory E. Maggs, George Washington University Law School, Professor of Law; Jenny S. Martinez, Stanford Law School, Professor of Law & Warren Christopher Professor in the Practice of International Law and Diplomacy; Michael W. McConnell, Stanford Law School, Richard and Frances Mallery Professor of Law; Alan J. Meese, William and Mary Law School, Ball Professor of Law and Tazewell Taylor Research Professor of Law; Thomas Merrill, Columbia Law School, Charles Evan Hughes Professor of Law; Robert A. Mikos, Vanderbilt University Law School, Professor of Law.

David H. Moore, BYU Law School, Wayne M. and Connie C. Hancock Professor of Law; Michael P. Moreland, Villanova Law School, University Professor of Law and Religion; Derek T. Muller, Pepperdine University School of Law, Associate Professor of Law; John Copeland Nagle, Notre Dame Law School, John N. Matthews Professor of Law, Caleb E. Nelson, University of Virginia School of Law; Emerson G. Spies Distinguished Professor of Law; Grant S. Nelson, William H. Rehnquist Professor of Law, Pepperdine University, Professor of Law Emeritus, University of California, Los Angeles; Nell Jessup Newton, Notre Dame Law School, Joseph A. Matson Dean and Professor of Law; Michael Stokes Paulsen, University of St. Thomas, Minnesota, School of Law, Distinguished University Chair and Professor; James E. Pfander, Northwestern University Pritzker School of Law, Owen L. Coon Professor of Law; Jeffrey A. Pojanowski, Notre Dame Law School, Professor of Law; Saikrishna Bangalore Prakash, University of Virginia School of Law, James Monroe Distinguished Professor

of Law; Robert J. Pushaw, Pepperdine University School of Law, James Wilson Endowed Professor of Law; Michael D. Ramsey, University of San Diego School of Law, Hugh and Hazel Darling Foundation Professor of Law; Richard M. Re, UCLA School of Law, Assistant Professor of Law; Cassandra Burke Robertson, Case Western Reserve Law School, Professor of Law and Laura B. Chisolm Distinguished Research Scholar; Nicholas Quinn Rosenkranz, Georgetown University Law Center, Professor of Law; Stephen E. Sachs, Duke Law School, Professor of Law; Sean B. Seymore, Vanderbilt Law School, Professor of Law; David Arthur Skeel, University of Pennsylvania Professor of Law, S. Samuel Arsht Professor of Corporate Law; Steven D. Smith, University of San Diego School of Law, Warren Distinguished Professor of Law; Lawrence Solan, Brooklyn Law School, Don Forchelli Professor of Law; Kevin M. Stack, Vanderbilt Law School, Professor of Law; John F. Stinneford, University of Florida Levin College of Law, University Term Professor; Kate Stith, Yale Law School, Lafayette S. Foster Professor of Law; Catherine T. Struve, University of Pennsylvania Law School, Professor of Law; Lisa Grow Sun, BYU Law School, Associate Professor of Law; Jay Tidmarsh, Notre Dame Law School, Judge James J. Clynes, Jr., Professor of Law; Amanda Tyler, University of California, Berkeley School of Law, Professor of Law; Adrian Vermeule, Harvard Law School, Ralph S. Tyler, Jr. Professor of Constitutional Law; Christopher J. Walker, Ohio State University Moritz College of Law, Associate Professor of Law; Kevin C. Walsh, University of Richmond School of Law, Professor of Law; Jay D. Wexler, Boston University, Professor of Law; Ernest A. Young, Duke Law School, Alston & Bird Professor of Law.

Mr. HATCH. Mr. President, the criticisms of Professor Barrett are laughable and ridiculous. One leftwing group, for example, objects because she has no judicial experience. I don't recall this group being concerned about the nearly 60 appeals court judges appointed by recent Democratic Presidents who had no prior judicial experience. In fact, President Clinton appointed a judge with a profile strikingly similar to Professor Barrett's—a woman who clerked on both the U.S. court of appeals and the U.S. Supreme Court and who, after a few years in private practice, taught at a well-known Midwestern law school for 15 years and then received the ABA's highest rating to serve on this very same court. Leftwing groups supported the Democratic President's nominee but opposed the Republican President's nominee.

It appears that Professor Barrett has one big strike against her, and that is her religious faith—an important part of her life, by the way. That is all it takes for her critics to say that she has no place on the Federal bench, that women or men with such personal religious faith cannot be impartial judges who respect the rule of law. That is bunk. It is ridiculous, it is despicable, it is stupid, and it is beneath the dignity of this body. I strongly reject that view. I find it appalling.

These critics apparently believe that judges decide cases based on their personal beliefs. They may believe that, but Professor Barrett certainly does not. In her hearings she pledged to unflinchingly follow all Supreme Court precedents. She said: ''It is never appropriate for a judge to apply their personal convictions whether derived from faith or personal conviction.'' This has been her view for nearly two decades.

In a 1998 law journal article she coauthored, she explored the real-world situation of how a judge should approach the death penalty when her religious beliefs counsel against capital punishment. Professor Barrett wrote that ''judges cannot, nor should they, try to align our legal system with the church's moral teaching whenever the two diverge.''

In her hearing, I asked Professor Barrett about this article and about what should happen when a judge faces a conflict between her personal views and the law. I wanted the record to be crystal clear so that her views would not be distorted or misrepresented. Here is what she said, as shown on this chart:

> I believe that the law wins . . . if a judge ever felt that for any reason she could not apply the law, her obligation is to recuse. I totally reject and I have rejected throughout my entire career the proposition that a judge should decide cases based on a desire to reach a certain outcome.

Her critics appear, to put it most charitably, to have read a different article by a different Professor Barrett. My Democratic colleagues observed that religious dogma and the law are different—so far, so good, as far as I am concerned. But then there is this: ''The dogma lives loudly within you, and that is of concern.'' Can you imagine, in this day and age, one of our colleagues asking a question like that?

Professor Barrett, as I described, has consistently argued for nearly 20 years that judges may not decide cases based on their personal religious beliefs. So what is the problem? It appears that the problem for some critics is not Professor Barrett's religious faith in general but the particular religious faith she has. Now this sounds disturbingly like a religious test for public office. In fact, it is a religious test by some of our colleagues, who ought to be ashamed of themselves.

I thought America's Founders put that to rest when they wrote article VI of the U.S. Constitution, prohibiting a religious test for public office. I thought we had grown past periods in our history when suspicion was leveled against someone running for public office simply because of the church to which he or she belonged. I thought the free exercise of religion protected by the First Amendment included being free from that kind of suspicion and prejudice.

Earlier today, the assistant Democratic leader tried to distract attention from the clearly inappropriate examination of Professor Barrett's religious beliefs. He suggested that by asking Professor Barrett whether a judge's personal beliefs should take precedence over the law is no different than expressing concern that ''the dogma lives loudly within you.''

Let me be clear. Inquiring whether a nominee will have her judicial priorities straight regarding the law and her personal views is one thing. Inquiring about her religious beliefs themselves is something very different, and I believe it should be off limits.

I enthusiastically support Professor Barrett's nomination precisely because she knows the difference between her personal beliefs and the law and she is completely committed to maintaining that distinction when she becomes a judge.

Let me now take a step back from this nominee and focus on the confirmation process itself.

The Constitution gives the power to nominate and appoint judges to the President and it gives the power of advice and consent to the Senate as a check on the President. The latest dispute about the Senate's part in this process concerns a practice used in the Judiciary Committee to highlight the views of Senators regarding judicial nominees who would serve in their States. Judiciary Committee chairmen have come to use a blue piece of paper to inquire about a home State Senator's views on a particular nominee. We call it the blue slip.

Today Democrats and their grassroots and media allies are demanding that the blue-slip process be used as a single-Senator veto, even though the vote is for a court of appeals judge who will represent a wide variety of States if not the whole country. They demand that a single home-State Senator be able, at any time and for any reason, to stop a nomination dead in its tracks without any Judiciary Committee consideration at all. That is ridiculous.

I can understand why they want to weaponize the blue slip like this. After all, they once used the filibuster to prevent confirmation of Republican judges but then abolished nomination filibusters so that no one else could use them. Today, Democrats are trying to turn the blue-slip process into a de facto filibuster. They want a single Senator to be able to do in the Judiciary Committee what it once took 41 Senators to do on the Senate floor.

Shortly after Democrats abolished nomination filibusters, Judiciary Committee Chairman PATRICK LEAHY warned: ''As long as the blue-slip process is not being abused by home-state Senators, then I will see no reason to change that tradition.'' He was right. The key is to know when that line has been crossed, and Senator LEAHY made that point.

I have served on the Judiciary Committee for more than 40 years. That experience leads me to suggest two things that can help us prevent abuse of this part of the confirmation process. The first thing to keep in mind is the history of the blue-slip process.

Now, 19 Senators have chaired the Judiciary Committee, including me, since this practice began in 1917—10

Democrats and 9 Republicans. Only 2 of those 19 chairmen have treated the blue slip as a single-Senator veto. According to the Congressional Research Service, until the 1950s, no Judiciary Committee chairman treated a negative blue slip as a single-Senator veto. Home-State Senators could express their objections in confirmation hearings, and the Judiciary Committee might report a nomination to the Senate with a negative recommendation, but in each case the process moved forward.

Senator James Eastland, who was chairman when I first joined the Judiciary Committee—a Democrat—was the first chairman to treat a negative blue slip more like a veto. Since then, according to CRS, the blue-slip policy has been modified to ''prevent a home-state Senator from having such absolute power over the fate of a nominee from their state.''

Under Chairman Ted Kennedy, for example, a negative blue slip did not stop consideration of a nominee. Chairman Joe Biden actually put his policy in writing in a letter to President George H.W. Bush in early 1989. A negative blue slip, wrote Chairman Biden, would not be a veto if the administration had consulted with home-State Senators. When I became chairman of the Judiciary Committee in 1995 and again in 1997, I wrote the White House Counsel that I would continue the Biden policy.

The second thing to remember is the purpose of the blue-slip process. As I wrote in both 1995 and 1997, it is ''a courtesy the Committee has established to ensure that the prerogative of home state Senators to advise the committee of their views is protected.'' Nearly two decades later, in the 2014 op-ed I wrote for The Hill, I said the same thing—that highlighting the views of home-State Senators encourages genuine consultation with the Senate when the President chooses judicial nominees.

The history and purpose of the blue-slip process will help identify when it is being used properly and when it is being abused, and, believe me, confirmation abuses have occurred. Before 2001, for instance, only 1 percent of judicial nominees with no opposition were confirmed by a time-consuming rollcall vote. Under President George W. Bush that figure jumped to 56 percent.

Before 2001, there had been four filibusters of judicial nominees and no majority-supported judicial nominee had ever been defeated by a filibuster. Under President George W. Bush, Democrats conducted 20 filibusters and ultimately kept multiple appeals court nominees from being confirmed.

In July, we held another unnecessary cloture vote on a district court nominee.

After voting 97 to 0 to end the debate that no one apparently wanted in the first place, Democrats forced us to delay the confirmation vote by 2 more days. This was the first time in history that a unanimous cloture vote was not followed immediately by a confirmation vote.

What is going on here? What is wrong with our colleagues on the other side? Why are they doing this? They could have taken a few hours but instead took 2 weeks from the filing of the cloture motion to the final unanimous confirmation vote that took place here.

Now, this is not the only time Democrats forced cloture votes to slow consideration of nominees they end up supporting. What was the point of all that? It is simple. Democrats want to make confirming President Trump's judicial nominees as cumbersome and time-consuming as possible.

At this point in President Obama's first year, when Republicans were in the minority, the Senate took cloture votes on less than 1 percent of the executive and judicial branches—1 percent of all the nominees that we confirmed. This year, with Democrats in the minority playing confirmation spoiler, the Senate has been forced to take cloture votes on more than 27 percent of the nominees we confirmed. In fact, including those we take this week, Democrats have forced us to take 51 cloture votes on President Trump's nominees so far this year. That is seven times as many as during the combined first years of all nine Presidents since the cloture rule has applied to nominations.

These were the nominations under Obama and this is President Trump. What is going on here? That is seven times as many as during the combined first years of all nine Presidents since the cloture rule applied to nominations.

In 2013, Democrats abolished the ability of 41 Senators to prevent confirmation. Today, they are demanding the ability of just one Senator to prevent confirmation. If that is not an abuse of the confirmation ground rules, I don't know what is.

It would be a mistake to do to the blue-slip process what has been done to other elements of the Senate's advice and consent role. This can be prevented by following the less partisan guidance of history and purpose to chart our way forward.

The blue-slip process exists to highlight the views of home State Senators and of course to encourage the executive branch in this country—whoever is the President—to be open to the feelings of the home State Senators and to consult with them when choosing judicial nominees. If it is serving those purposes, the blue-slip process should not become yet another tactic for hijacking the President's power to appoint judges.

What we have going on here today with President Trump's nominees is hypocritical, and it is wrong. It is debilitating to the courts, and it is unconstitutional. It bothers me that my colleagues on the other side are doing this when they, themselves, were treated much more fairly by our side—not just much more fairly but absolutely more fairly. This is really pathetic. I hope we can somehow or other bring ourselves to treat each other on both sides better.

With regard to judges, whoever is President ought to be given great consideration for the choices. That is what we do when we elect a President. I know it is tough on the other side that President Trump is the President, but he is the President, and he is picking really excellent people for these judicial nominations. I hope we start changing this process and get it back to being a reasonable, effective, honest, and good process.

With that, I yield the floor.

The PRESIDING OFFICER. The majority leader.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that notwithstanding rule XXII, that at 3:30 p.m. today, there be 30 minutes of postcloture time remaining on the Barrett nomination, equally divided between the leaders or their designees; that following the use or yielding back of that time, the Senate vote on the confirmation of the Barrett nomination; and that if confirmed, the motion to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action.

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

The Senator from Arizona.

Mr. FLAKE. Mr. President, I rise to discuss a matter of religious liberty. In particular, I urge this body to respect our constitutional values and avoid any hint of applying religious tests to those who heed the call of government service.

Freedom of religion is as foundational a principle as we have in this country. Yet some in this Chamber want to take a cabined view of it. If you are a judicial nominee, it is fine to attend the occasional worship service, but don't let on that you take it too seriously. That seems to be unacceptable.

From the inception of our Republic, religious believers have chosen to serve the country in countless ways. Whether through the Armed Forces, holding elected office, or sitting on the courts, Americans of faith always answered the call. We should welcome this service, and we should not sit idly by while others question the propriety of their service by suggesting a de facto religious test.

The Framers of the Constitution were fearful of this very thinking. They understood the importance of religious participation and foresaw the benefits religious believers of all backgrounds would contribute to the common good. They also knew, from centuries of war and suffering in Europe, the high cost of religious intolerance.

That is why they made it clear in article VI of the Constitution that no public officers could be subject to a religious test. This edict was entirely unambiguous in its language and its intent. This country is to be served by

people of all faiths, committed to the Constitution and the common good. It is up to us to question the qualifications and jurisprudence of nominees, not their religious views.

Unfortunately, that is not what is happening to Professor Barrett. I was at the confirmation hearing, where she faced inappropriate questions and objections based on her religious views. I witnessed a citizen heeding the call to serve her country, only to face inquiries into her religious beliefs that bordered on ridicule. My friends on the other side of the aisle defended their questions and their conduct, and I don't doubt their sincerity, but there is little comfort in the defense that it doesn't matter that Professor Barrett is a Catholic, but somehow it matters what sort of Catholic she is. These are unconstitutional distinctions without differences.

In addition, otherwise respectable news outlets have provided sensational reports of Professor Barrett's personal charismatic religious practices. As a Member of the Senate, I find this troubling, as a person of faith, I find this objectionable, and above all, as an American, I find this abhorrent.

It is religious liberty—enshrined in constitutional provisions like article VI and the First Amendment—that has allowed my faith and so many others to flourish in the United States. It is also religious liberty that is threatened when we seek to evaluate the fitness of nominees for high office based on religious orthodoxy.

I have endeavored to be consistent on this issue during my time in public service. When the Presidential nominee of my party—the party of Lincoln—called for a Muslim ban, it was wrong, and I said so. That is not what we stand for. When a judge expressed his personal belief that a practicing Muslim shouldn't be a Member of Congress because of his religious faith, it was wrong; that this same judge is now my party's nominee for the Senate from Alabama should concern us all. Religious tests have no place in Congress.

Standing up for people of faith—whether Muslim or Catholic—who are facing unfair prejudice should be an act of basic conscience. It should be expected of all of us, regardless of party. It is no better for Democrats to evaluate the judicial nominee based on how many books are in the Bible on which she swears her oath, than it is for Republicans to judge a Congressman who swears his oath on the Koran.

To suggest that somehow a Roman Catholic judge would discard the Constitution in favor of Church doctrine—which she has emphatically and repeatedly said she would not—is as wrong as suggesting that a Muslim judge would be somehow forced to follow sharia law over the Constitution.

Religious liberty must not depend on the religion in question. So I ask, in light of these circumstances, who will stand today against all cases of religious bigotry? Are there true liberals who will stand up for the liberal values of religious tolerance? Some have, like Professors Larry Tribe, Noah Feldman, and Chris Eisgruber. They have said: Enough. Who here will join them?

This very body is made up of individuals from around 15 different faiths. Each of us has sworn an oath to uphold the Constitution. Each of us here feels we can competently carry out our duties, as do those in the judicial branch who swear a similar oath to uphold the Constitution.

Let us stand together today without equivocation and say no to religious intolerance in all its forms by examining the jurisprudential views and professional qualifications of judicial nominees, not their relationship with the Almighty.

I yield back.

The PRESIDING OFFICER (Mr. HOEVEN). The assistant majority leader.

Mr. CORNYN. Mr. President, last night we held a cloture vote on the nomination of Amy Coney Barrett, who has been nominated to the U.S. Court of Appeals for the Seventh Circuit.

Thanks to a unanimous consent request by the majority leader just moments ago, we will be voting on that nomination at around 4 p.m. That appeals court covers cases from Indiana, Illinois, and Wisconsin.

By all accounts, Professor Barrett is a devoted wife and the mother of seven children. She is also an exemplary scholar whose research focuses on Federal courts, constitutional law, and statutory interpretation. By all accounts, she is a consummate professional, a beloved teacher, a gifted writer, and a generous person. There is no doubt in my mind she would make an excellent addition to one of our Nation's highest courts.

We know, based on what we have observed in the Senate since President Trump was sworn in on January 20—and some of the comments made by the distinguished former chairman of the Senate Judiciary Committee from Utah, Senator HATCH—we know that our Democratic colleagues are deliberately slow-walking judicial and other nominations, but it makes absolutely no sense to slow-walk the nomination of Professor Barrett.

They should remember some of their own previous statements. For example, the senior Senator from Vermont said in 2013: ''We need more women in our Federal courts,'' emphasizing that ''women are grossly underrepresented'' there. Well, Professor Barrett would help solve what the Senator from Vermont claimed he saw as a problem.

The junior Senator from Washington that same year said that having more females on the court is ''incredibly important.'' I agree. That is all the more reason for this body to expedite Professor Barrett's confirmation instead of dragging our heels because, as I said yesterday, thanks to the former Democratic majority leader, Harry Reid, the Democratic's delay tactics will not change the outcome.

In the Judiciary Committee, some Democrats attempted to argue against Professor Barrett's nomination because of the Law Review article she coauthored almost 20 years ago. I don't have time to discuss the article in depth, but suffice it to say that Professor Barrett has been attacked for, in effect, professing her Catholic faith.

Her article, however, makes clear that any line of criticism that she would somehow subjugate the rule of law and the Constitution to her religious views is baseless. That same Law Review article said: ''Judges cannot—nor should they try to—align our legal system with the Church's moral teaching whenever the two diverge.'' In other words, Professor Barrett is a strong proponent of upholding the rule of law over privately held desires for what it should say, whether they are based on one's religious convictions or some other reason.

Former Chief Justice William Rehnquist once said that no judicial nominee is a tabula rasa—a blank slate. That is also true of Ms. Barrett. She is a person of faith who doesn't hide it, and she certainly need not apologize for it either, nor is it a disqualification for her serving as a judge on the circuit court of appeals.

The article she coauthored 20 years ago stated that judges should not shy away from honoring and upholding core tenets of their religious faith and recusing or disqualifying themselves when—in very rare cases—judicial decision making may constitute cooperation with evil. In other words, if there were a conflict between her religious beliefs and the law in a way that she could not reconcile, clearly she would make that choice, in an individual and rare case, by recusing herself from deciding that case rather than imposing her religious views or other deeply held personal views in place of the Constitution and the law. That is commendable. It is not controversial—or it shouldn't be. To attempt to faithfully honor both the law and one's deeply held moral convictions is what we all do every day. It is not an either/or situation.

Some liberal interest groups have engaged in smear tactics against Professor Barrett. They are trying to discredit her by making spurious claims about organizations that she has given presentations to and by distorting the text of the very article I just mentioned. We all remember, for example, questions during the Judiciary Committee hearing about ''orthodox Catholics.'' One of my colleagues admitted to having an ''uncomfortable feeling'' about the nominee and stated with mild disdain that ''the dogma lives loudly within'' Professor Barrett—whatever that means. This sort of backhanded way of painting the professor as somehow radical or out of the mainstream, insinuating that because her moral views may be unfashionable in some of the circles in which some of the Senators operate—the idea that they are somehow disqualifying should

be completely out of bounds in the United States of America because our Constitution prohibits religious tests for public service.

In the strongest of terms, I reject this line of questioning or the insinuation that follows from it. If we tolerate this sort of commentary and these religious tests, I fear that even worse, more openly hostile religious discrimination will result down the road. We should not start down this path.

I join my colleague, the senior Senator from Utah, who questioned quite legitimately whether certain of our colleagues were beginning to impose an inappropriate, unconstitutional, and highly disconcerting religious litmus test for public office. Of course, there should never be such a test, not in the United States of America under this Constitution.

In Professor Barrett's case, she passes with flying colors the only tests that are appropriate. Let's talk for a moment about her impeccable credentials, which show not only that she is highly intelligent but also that she is widely respected by a diverse array of students, scholars, and practitioners.

She received her undergraduate degree magna cum laude from Rhodes College and her law degree summa cum laude from the University of Notre Dame, where she finished first in her law school class. She has been twice selected as the Distinguished Professor of the Year at Notre Dame, where she has taught since the year 2002.

It is clear that her students love her. They seek out her classes and are inspired by her formidable presence and her piercing analysis. All of her fellow faculty members have endorsed her. Every full-time member of the Notre Dame law faculty has supported her nomination. As on any law school faculty, that presumably includes scholars who self-identify as liberal.

In a separate letter, 70 law professors from across the country, representing a broad range of political perspectives and areas of expertise, called the professor's qualifications ''first-rate.'' They strongly urged her confirmation by the Senate and explained that Ms. Barrett ''enjoys wide respect for her careful work, her fair-minded disposition, and her personal integrity.'' That is exactly the type of person we need on the Federal bench.

Finally, Professor Barrett's legal experience is not just as an academic; she clerked for two highly respected judges—Judge Laurence Silberman of the DC Circuit and the late Justice Antonin Scalia of the U.S. Supreme Court. She followed those clerkships by practicing appellate law at the prestigious Houston-based law firm of Baker Botts. These and other qualifications show that Professor Barrett would serve the cause of justice skillfully and impartially.

I will close by saying to my colleagues, let's send Amy Barrett to the Seventh Circuit, where she belongs.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

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

Mr. YOUNG. Mr. President, I rise today to speak in support of a fellow Hoosier, Amy Coney Barrett, who has been nominated by President Trump to serve on the U.S. Circuit Court of Appeals for the Seventh Circuit.

Professor Barrett's credentials are well known. She is a mother of seven children, a distinguished legal scholar at the University of Notre Dame Law School, where she herself graduated with high honors and served as editor of the Notre Dame Law Review. She clerked for Justice Antonin Scalia on the Supreme Court of the United States and Judge Silberman on the Circuit Court for the District of Columbia, and she is an expert on the Federal courts.

Unfortunately, some of my colleagues on the left have made an issue of Professor Barrett's Catholic faith. Echoing what Leader MCCONNELL has said, we do not have religious tests for office in the United States of America, period.

I applaud all of those who have spoken up as the Senate weighs Professor Barrett's confirmation. That includes Notre Dame president, Rev. John Jenkins. He expressed deep concern at the questioning of Professor Barrett's faith. Following Professor Barrett's hearing in the Senate Judiciary Committee, Reverend Jenkins wrote: ''It is chilling to hear from the United States Senator that this might now disqualify someone from service as a federal judge.''

The president of Princeton University has also asked the Senate to avoid a religious test in judicial appointments. In a letter to the Senate Judiciary Committee, President Eisgruber wrote that Professor Barrett and all nominees ''should be evaluated on the basis of their professional ability and jurisprudential philosophy, not their religion.'' He wrote: ''Every Senator and every American should cherish and safeguard vigorously the freedom guaranteed by the inspiring principle set forth in Article VI of the United States Constitution.''

Despite the rhetoric surrounding Professor Barrett's nomination, I have yet to hear any significant doubts about her legal qualifications.

Professor Barrett has made clear that her personal views will have no bearing on her rulings as a judge. She brings the skill set and the temperament needed for the job. She will rule according to the law and according to controlling precedents, and she will be faithful to the Constitution. There is no question that Professor Barrett will make an outstanding appellate judge.

Also, 450 former students signed a letter to the Judiciary Committee in support of Professor Barrett's nomination. They wrote: ''Our support is driven not by politics but by a belief that Professor Barrett is supremely qualified.''

All 49 of her fellow faculty members at Notre Dame Law School did the same. They said:

> We have a wide range of political views, as well as commitments to different approaches to judicial methodology and judicial craft. We are united, however, in our judgment about Amy.

Their endorsement comes as no surprise since Professor Barrett has served on committees dedicated to bettering the lives of students, faculty, and employees of the University of Notre Dame.

In particular, she has dedicated her time to the professional development of women. She serves on the University of Notre Dame's Committee on Women Faculty and Students. As the faculty adviser for Notre Dame Law School's Women's Legal Forum, she has twice been recognized by her students with the Distinguished Teaching Award, which is selected by the graduating class to honor a faculty member. She was selected twice to receive that award.

One former student, Conor Dugan, shared his story about her willingness to help him navigate the next steps of his career right after law school. He said that despite not having Professor Barrett for a big class, she wrote him back right away and took time out of her busy schedule to help someone who was no longer at the school.

Conor says Professor Barrett has always been very responsive and a generous mentor over the years. Most importantly, he said, she tries to help people keep their perspective about the most important things in life.

Judge Silberman, for whom Professor Barrett clerked on the Circuit Court for the District of Columbia, had the following to say about why she will make an outstanding Federal judge:

> She is an honorable and straight as an arrow woman. She looks at the law without preconceived notions, and she's brilliant. She is the only law clerk I ever had from Notre Dame, and she is as smart as any law clerk I have ever had. She is compassionate, and she has a lively sense of rumor.

Judges, former law students, fellow law professors, and even the American Bar Association, who rates Professor Barrett as ''well qualified,'' all seem to agree that she is well suited for the job.

Now, being nominated to serve in a lifetime appointment for a U.S. circuit court of appeals is a privilege few in the legal profession will ever attain. This is a historic opportunity, as Professor Barrett would be the first Hoosier woman to have a seat on the Seventh Circuit Court.

I offer my strong support for Professor Barrett's nomination, and I look forward to the Senate's confirming her today.

Thank you, Mr. President.

I yield the floor.

The PRESIDING OFFICER. Under the previous order, there are now 30 minutes of postcloture time remaining, equally divided between the two leaders or their designees, prior to a vote on the confirmation of the Barrett nomination.

The Senator from Missouri.

Mr. BLUNT. Mr. President, I am here today to join my colleague from Indiana in support of the nomination of Amy Coney Barrett to be on the U.S. Court of Appeals for the Seventh Circuit. As we all know, that is the highest court you can serve on, except for the Supreme Court. The circuit court is the court that often makes the final determination of what the law says if the Supreme Court chooses not to act or isn't asked to act. These are important jobs to be filled and carry great responsibility.

This week, Amy Coney Barrett, two other women, and one man will come before this Senate to be confirmed to various circuit courts around the country. As others have come to the floor to point out, she is extremely qualified. She should be confirmed by the Senate this week.

In letters to the Senate Judiciary Committee, 73 law professors agreed that ''Professor Barrett's qualifications for a seat on the U.S. Court of Appeals for the Seventh Circuit are first rate.''

Her former law school students wrote that they would like to see her on the court.

She is a distinguished scholar in areas of law that matter most to the Federal courts. She respects the Constitution. She understands that the job of a judge is to see what the Constitution and the law say, rather than what she thinks they should say. She is known for her careful work, for her fairminded disposition, and for her personal integrity.

Similar things have been noted by people who served with her as Supreme Court law clerks. Law clerks, her former students, and lots of other groups that have had reason to know her and evaluate her work over the years have been universal in one thing; that is, that she would be a great addition to a circuit court in the United States and particularly to this court.

It is discouraging that during her confirmation hearings, several of my colleagues felt it appropriate to question Professor Barrett's faith. She is not the only one of President Trump's nominees who have been subject to this line of questioning. In fact, in June, one Senator held out the idea that a person who was going to be in the Office of Management and Budget might not be well suited or able to serve in that job not because he didn't have the background, not because he didn't have the preparation, not because he didn't know what the job was all about but because of his answers to questions about his personal view of faith.

Even when the United States, in its earlier times, may have quietly discriminated against people of faith, it was never publicly stated. Sometimes it took a long time for the first Jew to serve on the Court and a little time for the first Catholic to serve on the Supreme Court, but there was never a stated question like there has been in this Senate about those topics. It is shocking, in many ways, that it would be something we would be talking about in the United States of America today.

The idea that a qualification for public office would require a religious test, in fact, was specifically prohibited not just in the Bill of Rights, in the protections for religion there, but in the Constitution itself. The people who wrote the Constitution did so at a time when a religious test was often the test for service and of fealty to a specific religion or the tradition of fealty to the monarch, who was the head of the church in that country. Many countries had a church where the monarch was clearly understood to be the principal representative of the church in that country. Even in a time when that was still the case and fresh in their minds and when there may have been religious tests in some of the colonies—even then—in the Constitution, article VI says: ''No religious Test shall ever be required as a Qualification to any Office or public Trust under the United States.''

So is it even appropriate to ask a religious question? Most questions in America you are free to ask, but are you free to ask that under the determination of the Constitution, as if it matters? In response to this line of questioning, some members of the Senate Judiciary Committee made it clear that it is never appropriate for those questions to be asked, while others asked them. But Professor Barrett, in her own writings, has said that if a person's religious faith or their faith principles ever become an obstacle to determining what the law says, then they should step back and not be a part of that case. They should not, according to her, impose their personal convictions on the law but read what the law says. If they can't do that, they should make way for a judge who can. I think, maybe, that is one of the differences in a judicial nominee who believes that their job is to determine what the law says as opposed to determining what the law should say.

So we have somebody here who is well prepared, well written, and who has clearly made the case that her job as a judge—or any judge's job—would not be to determine what the law should say based on their view of faith or their view in the world but to look at the law and say: What does the law say?

The Constitution guides the Congress. The Congress passes the law. As long as that law meets constitutional principles based on what the Constitution says—not what it should say, but what it says—then, the judge looks at what the law says—not what it should say, in his or her opinion, but what the law does say. So there is no real room for a faith determination there. The only job of the judge is to decide what the law says. The second job, if there is a second job, would be to ensure that it also conforms to what the Constitution says the Congress and the President are allowed to do.

One thing the Congress and the Constitution are not allowed to do is to establish a religious test for public office. Whether Americans have any faith or no faith at all, they should be concerned if we begin to talk about this differently. Even though it was already in the Constitution, the Founders listed freedom of religion as the first freedom in the First Amendment. No other country has ever set out as one of its foundational principles freedom of religion.

President Jefferson—not known to be the most religious of all of our Presidents and maybe to be the most questioning of religion generally—said in a letter in the last year of his Presidency that of all of the rights that we have, the one we should hold most dear is what we called the right of conscience—the right to believe what your conscience leads you to believe is the right thing to believe. Jefferson said that is the right we should hold most dear. Whether you are Muslim or Jewish or Catholic or Buddhist or any other faith or no faith at all, there is no religious test. For any individual and for all individuals of any faith or all faiths or no faith, religious freedom includes the right of an individual to live, to work, to associate, and, if they choose, to worship in accordance with their beliefs.

The belief that a person's religion would in some way disqualify that person from public service has to be strongly and fully rejected.

There is no other legitimate question raised about this nominee today. So certainly I am pleased to see many of my colleagues come to the floor to talk about this topic. Professor Barrett did receive some bipartisan support on the cloture vote yesterday. One way to demonstrate that there is clearly no objection to a person of faith, who says that faith should never get in the way of the job they do as a judge, is simply to vote for the judge.

I intend to do that today. I urge my colleagues to do that as well. A lifetime appointment to the circuit court of the United States of America is no small obligation. It is no small trust in an individual's capacity to do the job that you ask them to do. All of the nominees—the four circuit nominees whom we will have before us this week—are prepared for these jobs. I wish them happy service and a long and healthy life as they set out on the task that they have agreed to accept, if and when they are confirmed, and this week the Senate will confirm them to these jobs.

I yield the floor.

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

The PRESIDING OFFICER (Mr. STRANGE). Without objection, it is so ordered.

VOTE ON BARRETT NOMINATION

The question is, Will the Senate advise and consent to the Barrett nomination?

Mr. INHOFE. 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 Missouri (Mrs. MCCASKILL) and the Senator from New Jersey (Mr. MENENDEZ) are necessarily absent.

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

The result was announced—yeas 55, nays 43, as follows:

[Rollcall Vote No. 255 Ex.]

YEAS—55

Alexander	Flake	Paul
Barrasso	Gardner	Perdue
Blunt	Graham	Portman
Boozman	Grassley	Risch
Burr	Hatch	Roberts
Capito	Heller	Rounds
Cassidy	Hoeven	Rubio
Cochran	Inhofe	Sasse
Collins	Isakson	Scott
Corker	Johnson	Shelby
Cornyn	Kaine	Strange
Cotton	Kennedy	Sullivan
Crapo	Lankford	Thune
Cruz	Lee	Tillis
Daines	Manchin	Toomey
Donnelly	McCain	Wicker
Enzi	McConnell	Young
Ernst	Moran	
Fischer	Murkowski	

NAYS—43

Baldwin	Gillibrand	Reed
Bennet	Harris	Sanders
Blumenthal	Hassan	Schatz
Booker	Heinrich	Schumer
Brown	Heitkamp	Shaheen
Cantwell	Hirono	Stabenow
Cardin	King	Tester
Carper	Klobuchar	Udall
Casey	Leahy	Van Hollen
Coons	Markey	Warner
Cortez Masto	Merkley	Warren
Duckworth	Murphy	Whitehouse
Durbin	Murray	Wyden
Feinstein	Nelson	
Franken	Peters	

NOT VOTING—2

McCaskill	Menendez

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table and the President will be immediately be notified of the Senate's action.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Joan Louise Larsen, of Michigan, to be United States Circuit Judge for the Sixth Circuit.

Mitch McConnell, Steve Daines, Tom Cotton, Pat Roberts, John Boozman, Mike Rounds, Patrick J. Toomey, John Barrasso, Cory Gardner, Richard Burr, Thom Tillis, Roger F. Wicker, James E. Risch, John Cornyn, Lamar Alexander, Dan Sullivan, Chuck Grassley.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Joan Louise Larsen, of Michigan, to be United States Circuit Judge for the Sixth Circuit, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Missouri (Mrs. MCCASKILL) and the Senator from New Jersey (Mr. MENENDEZ) are necessarily absent.

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

The yeas and nays resulted—yeas 60, nays 38, as follows:

[Rollcall Vote No. 256 Ex.]

YEAS—60

Alexander	Flake	Paul
Barrasso	Gardner	Perdue
Blunt	Graham	Peters
Boozman	Grassley	Portman
Burr	Hatch	Risch
Capito	Heitkamp	Roberts
Carper	Heller	Rounds
Cassidy	Hoeven	Rubio
Cochran	Inhofe	Sasse
Collins	Isakson	Scott
Corker	Johnson	Shelby
Cornyn	Kennedy	Stabenow
Cotton	Lankford	Strange
Crapo	Lee	Sullivan
Cruz	Manchin	Thune
Daines	McCain	Tillis
Donnelly	McConnell	Toomey
Enzi	Moran	Warner
Ernst	Murkowski	Wicker
Fischer	Nelson	Young

NAYS—38

Baldwin	Franken	Murray
Bennet	Gillibrand	Reed
Blumenthal	Harris	Sanders
Booker	Hassan	Schatz
Brown	Heinrich	Schumer
Cantwell	Hirono	Shaheen
Cardin	Kaine	Tester
Casey	King	Udall
Coons	Klobuchar	Van Hollen
Cortez Masto	Leahy	Warren
Duckworth	Markey	Whitehouse
Durbin	Merkley	Wyden
Feinstein	Murphy	

NOT VOTING—2

McCaskill	Menendez

The PRESIDING OFFICER. On this vote, the yeas 60, the nays 38.

The motion is agreed to.

EXECUTIVE CALENDAR

WASTEFUL GOVERNMENT SPENDING AND ECONOMIC GROWTH

Mr. PERDUE. Mr. President, since 2001, the Federal Government has exploded in constant dollars from $2.4 trillion in 2000 to last year almost $3.9 trillion in costs. Those are constant dollars. In September of this year, just a few weeks ago, our national debt surpassed $20 trillion for the first time, and no one in Washington blinked an eye. If that is not enough of a wakeup call, this debt is projected to increase over the next 10 years, according to the budget we are operating under now, by another $11 trillion. If that is not enough, over the next 30 years alone, it is projected that over $100 trillion of future unfunded liabilities—Social Security, Medicare, Medicaid, pension benefits for Federal employees, and the interest-only debt—are coming at us like a freight train. These are unfunded liabilities.

Today, with $20 trillion in debt, we are only paying about $270 billion every year in interest only. I say that because just in the last year, we have seen four increases in the Federal funds rate, which fundamentally increases our interest by 100 basis points. That 100 basis points over the next few years will grow our interest on the debt by more than $200 billion on top of the $270 billion. By the way, today that is almost 25 percent of our discretionary budget, already, just at the $270 billion. If it doubles, it will be almost half of our discretionary budget. If interest rates just go back to their 30-year norm—between 4 percent and 5 percent—we could be paying as much as $1 trillion on our Federal debt. That is almost equal to today's discretionary budget.

It is going to take a long-term fix. We can't tax our way out of this problem. We can't cut our way out of this problem, and we can't just simply grow our way out. It is going to take a multifaceted approach. There are five interwoven imperatives that are at work in solving this problem. It is one thing to call the crisis, but it is another to call out the ways to fix it, and they are all within our grasp today.

No. 1, we need to fix Washington's broken budget process.

No. 2, we need to root out all the wasteful spending in the Federal Government today.

No. 3, we have to grow the economy by repealing and pulling back on a lot of regulations that are unnecessary, by revamping our tax structure and by unleashing our energy potential.

No. 4, we have to save Social Security and Medicare, of which both trust funds go to zero in 14 short years.

Lastly, we finally have to get after the real drivers of spiraling healthcare costs.

As we are working to change our archaic tax system to become competitive with the rest of the world and to get our economy rolling again, I want to talk about two things today. One is