

counsel representing other witnesses, creates a conflict of interest, and that the witness may only be represented during testimony before the Committee by personal counsel not from the government, corporation, or association or by personal counsel not representing other witnesses. This paragraph shall not be construed to excuse a witness from testifying in the event the witness's counsel is ejected for conducting himself or herself in such manner as to prevent, impede, disrupt, obstruct, or interfere with the orderly administration of a hearing or the taking of a deposition. This paragraph may not be construed as authorizing counsel to coach the witness or to answer for the witness. The failure of any witness to secure counsel shall not excuse the witness from complying with a subpoena.

3. RECORD.—An accurate electronic or stenographic record shall be kept of the testimony of all witnesses in executive and public hearings and depositions. If testimony given by deposition is transcribed, the individual administering the oath shall certify on the transcript that the witness was duly sworn in his or her presence and the transcriber shall certify that the transcript is a true record of the testimony. The transcript with these certifications shall be filed with the chief clerk of the Committee. The record of a witness's testimony, whether in public or executive session or in a deposition, shall be made available for inspection by the witness or the witness's counsel under Committee supervision. A copy of any testimony given in public session, or that part of the testimony given by the witness in executive session or deposition and subsequently quoted or made part of the record in a public session, shall be provided to that witness at the witness's expense if so requested. Upon inspecting the transcript, within a time limit set by the Clerk of the Committee, a witness may request changes in the transcript to correct errors of transcription and grammatical errors. The witness may also bring to the attention of the Committee errors of fact in the witness's testimony by submitting a sworn statement about those facts with a request that it be attached to the transcript. The Chairman or a member of the Committee staff designated by the Chairman shall rule on such requests.

RULE VI—BROADCASTING OF HEARINGS

Public hearings of the full Committee, or any subcommittee thereof, shall be televised or broadcast only when authorized by the Chairman and the ranking minority member of the full Committee.

RULE VII—SUBCOMMITTEES

1. HEARINGS.—Any member of the Committee may sit with any subcommittee during its hearings.

2. CHANGE OF CHAIRMANSHIP.—Subcommittees shall be considered *de novo* whenever there is a change in the chairmanship, and seniority on the particular subcommittee shall not necessarily apply.

S. RES. 19

Ms. HIRONO. Mr. President, S. Res. 19 is unnecessary because no religious test is being applied to nominees for Federal office. If my colleague, the junior Senator from Nebraska, wants to embrace the alt-right's position by offering this resolution, that is his business.

Rather than passing a resolution to address a problem that doesn't exist, we should focus on something real, like ending this totally unnecessary, unjustified shutdown that is harming millions of Americans.

I ask unanimous consent for statements supporting the separation of church and state from Catholics for Choice, People for the American Way, and several Hawaii residents.

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

CATHOLICS FOR CHOICE,
Washington, DC, January 4, 2019.

Hon. MAZIE HIRONO,
U.S. Senate Judiciary Committee,
Washington, DC.

DEAR SENATOR HIRONO: Catholics for Choice represents the majority of Catholics across the United States that believes that each woman should be free to follow her conscience in moral matters regarding reproductive health.

We were very disappointed to see your colleagues, Senators Hirono and Harris, attacked for duly questioning district court nominee Brian Buescher about his ability to keep judicial impartiality due to his membership in the hardline Catholic organization, Knights of Columbus. They had every reason to raise these questions due to the Knights' troubling record.

Today's Knights of Columbus have strayed far from their civic roots as a philanthropic organization. Our enclosed report, *The Knights of Columbus: Crusaders for Discrimination*, provides a detailed look at how they have brazenly used their 501c8 status to pour money, effort and influence into political contests and policy debates.

As our investigation showed, they have spent more than \$10 million since 2014 in direct antichoice and anti-LGBT lobbying, like their petition in Albuquerque to try to ban later abortion. The Knights' organization uses a large portion of its time and effort funding ultrasound equipment for fake health centers that actively deceive and pressure women to keep unwanted pregnancies. The insurance arm of the Knights ranks in the top one percent of the North American insurance market, yet pays no federal and nearly no state or local taxes. Make no mistake: they do not represent what the majority of Catholics believe on issues of reproductive health or the separation of church and state.

We believe this and other attacks on Senators fulfilling their obligations to question judicial nominees are just the latest tactic in shifting the conversation about religious liberty toward making special accommodations to those who wish to refuse, impede and impose rather than to protect the true religious liberty of all, no matter their beliefs. As Religious Freedom Day nears—and we usher in a historic new Congress that embodies our country's religious plurality—we must remember that our society allows for free religious exercise, but also protects against religious influence in politics.

Catholics for Choice works at the intersection of religious liberty, reproductive freedom and freedom of conscience for all. We are at your and your staff's disposal as the committee continues to protect fundamental freedoms through its work. Should you have any questions, please contact me at gnorthern@catholicsforchoice.org or 202-986-6093.

Sincerely,

GLENN NORTHERN,
Domestic Program Director.

[From Honolulu Civil Beat, Jan. 14, 2019]

LETTER TO THE EDITOR

(By Lisa H. Gibson, Ray Markey, Maya Maxym)

U.S. Sen. Mazie Hirono, Democrat of Hawaii, is under attack.

She stands for women, both as a champion of a woman's right to choose and as a defender of those who have been sexually assaulted; she fought Trump and the Republicans in defense of the Affordable Care Act, against the Muslim ban and the Kavanaugh Supreme Court nomination. She is being attacked because she has become one of the most eloquent and effective voices of the values Indivisible Hawaii cherishes.

The attack comes not only from rightwing ideologues, it now comes from Hawaii's own member of the House of Representatives, Tulsi Gabbard, a Democrat who on Friday announced her candidacy for the presidency. Her article in *The Hill* accuses Democratic Party members of the Senate Judiciary Committee of "fomenting religious bigotry" and "weaponizing religion" during their questioning of nominee Brian Buescher to the U.S. District Court in Nebraska.

This thinly veiled attack on Sen. Hirono, who sits on the Senate Judiciary Committee which is responsible for approving judicial nominees, is a ludicrous assertion and a stunning act of hypocrisy on the part of Rep. Gabbard. The assertion is that Hirono is a religious bigot because of questions designed to reveal a nominee's clear record of anti-choice activism as a barrier to his appropriateness for a judicial appointment.

This attack is not only inaccurate, it exposes Gabbard's self-serving attempt to project herself as a defender of religious freedom—a position which is inconsistent with her own actions. Rather than align herself with India's overt right-wing Hindu Nationalists or Syria's Assad, we suggest Rep. Gabbard follow Sen. Hirono as a model of both authentic patriotic behavior and defense of civil rights.

Members of Indivisible Hawaii and other groups have visited Sen. Hirono's offices, as well as those of the other members of Hawaii's Congressional delegation, dozens of times since President Donald Trump's Jan. 20, 2017, inauguration. We know firsthand that she has championed our beliefs because we have talked with her and her staff many times. We have followed her votes, watched her on television, read her Facebook Page and emails, and attended her town halls.

Sen. Hirono immigrated to Hawaii as a child and understands from personal experience the challenges faced by immigrants. She is the first Buddhist to serve in the Senate. Her years of public service establish a record which, in particular, show her to be a defender of religious tolerance as well as the values of democratic government and the rule of law upon which our country depends.

We witnessed what Gabbard did at, during, and after the Democratic Party Convention in 2016 to attack not Trump or the Republicans, but former Secretary of State Hillary Clinton and the Democratic Party. Since Trump's election Gabbard's silence in response to Trump's efforts to dismantle the institutions of our democracy has been deafening and stands in stark contrast to Sen. Hirono's forthright, clear and courageous actions to fight the racist, misogynist, and authoritarian actions of Trump and the GOP. The *Hill* article mimics her past behavior—why does she choose to do this again?

As we fight to preserve our democracy unity is more important than ever. An attack on Sen. Mazie Hirono as a champion of progressive values in the Democratic Party is an attack on all of us who want to take our country back. We must stand with Sen. Hirono and other champions of democracy to be successful.

[Jan. 8, 2019]

PEOPLE FOR THE AMERICAN WAY: CONSERVATIVES' DISHONEST USE OF 'RELIGIOUS BIGOTRY' TO DEFLECT ATTENTION FROM NOMINEE'S DISTURBING RECORDS

(By Rev. Leslie Watson Malachi)

Happy New Year! Well, for most of us it should be—unless you are fighting to protect our courts. New year, same old tactic by conservatives, who are hoping to insulate narrow-minded judicial nominees from scrutiny by smearing people who ask critical questions about their records and rhetoric.

This dishonest "religious bigotry" strategy has been around as long as the organized effort to shift the federal judiciary to conservatism and reverse decades of precedent that protect Americans' legal and constitutional rights. In the recent past, for example, these groups have charged some Catholic senators with wanting to keep Catholics off the federal bench.

The latest smear is being pushed by the notoriously right-wing editorial board of the Wall Street Journal, which has run an attack on Senators Kamala Harris and Mazie Hirono. The Journal's editorial is an over-the-top response to written questions submitted by Sens. Harris and Hirono to federal court nominee Brian Buescher about his commitment to upholding legal equality for LGBTQ Americans and American women's legal right to abortion.

In their questions, the senators noted Buescher's long-time membership in the Knights of Columbus, a Catholic fraternal organization that does much laudable charitable work, but which was also a top funder of anti-marriage-equality efforts and supports restrictions on federal family-planning funds. Before the 2016 election, the group's influential leader declared that Catholics cannot vote for candidates who support abortion rights.

Given these facts, the senators asked Buescher whether he could assure litigants that he would deal with these issues fairly and impartially as a federal judge. (Buescher's answer stated that while he had run for political office as a "pro-life candidate," as a judge he would "faithfully apply all United States Supreme Court and Eighth Circuit Court of Appeals precedent on all issues, including *Roe v. Wade*" and *Obamacare*.)

The Journal's editorial board responded to the senators' reasonable line of questioning with outrage and horror. By seeking to protect LGBTQ equality and reproductive rights, and asking questions about the Knights' public policy positions, the editorial implied, Sens. Harris and Hirono were resurrecting the kind of anti-Catholic bigotry directed at John F. Kennedy and earlier presidential candidate Al Smith. The editorial said the questions were part of a "distressing pattern" that seeks to "banish" religious people from public life—the kind of false charge Religious Right groups have often leveled to deflect criticism of their political agendas or tactics.

This is not only absurd, but an insult to American voters.

The Journal also gave space to conservative African American pastor Eugene Rivers to repeat the charge, saying that the senators' questions were "about silencing believers of any kind whose views differ from the progressive view on social issues." He unbelievably suggested that opponents of Buescher's confirmation would be voting to deny his chance to be a public servant based on his baptism in the Catholic Church.

These inflammatory charges are designed to create distraction. It is not only acceptable, but necessary for senators to explore whether a nominee for a powerful lifetime

job as a federal judge will uphold every Americans' rights. In the case of Buescher this is doubtful, given that as an unsuccessful candidate for attorney general of Nebraska, he said he did not believe LGBTQ Americans should be protected by anti-discrimination laws the way people are protected from racial or ethnic discrimination. It was also at this time that he declared that he supported the "complete reversal" of *Roe v. Wade*. Buescher has a long record as a partisan ideological warrior, an additional reason cited by the Leadership Conference on Civil Rights in opposing his confirmation.

Religious freedom is a core constitutional principle, and as the Constitution makes clear, there must be no religious test for public office. We rely on the federal courts to enforce all Americans' constitutional rights. That means judges, regardless of their religious or personal beliefs, must be counted on to uphold Americans' legal protections. Subsequently, a person's political positions or legal ideology grounded in their faith does not make those legal and political stances off-limits to questioning or criticism.

With Senate Republicans rubber-stamping even President Trump's most extreme and unqualified nominees, right-wing intimidation tactics must not prevent senators from fulfilling their constitutional obligation to ensure that lifetime federal judges are committed to protecting the rights of all Americans.

Thank you, Senators Harris and Hirono! It's a new year, and it's time to retire this old dishonest tactic of silencing and attempts to shame. Let the questions be asked and let them be answered.

[From the Honolulu Star-Advertiser, Jan. 6, 2019]

LETTER TO THE EDITOR

(By Gary Edwards)

With regard to Donna L. Ching's letter ("Leave religion out in vetting qualifications," Star-Advertiser, Dec. 27): While I agree that a person's religious affiliation, alone, should not be a means of exclusion for public office, I do not agree that religion should be "left out of the conversation."

One of the real concerns in vetting candidates for public office is how they will apply their personal beliefs, including their religion, to the role they seek to fill. And while freedom of religion is a vital right, so is freedom from religion.

Significant damage can be done to our society by those who would seek to impose their religious beliefs and values on others through the force of law. These beliefs and values do not always align with the principles of our Constitution, and laws based on them would deny others their freedom and fair treatment.

I'm glad U.S. Sens. Mazie Hirono and Kamala Harris are probing these issues.

Kaneohe.

[From the Wall Street Journal, Jan. 15, 2019]

SENATORS WERE RIGHT TO ASK THOSE QUESTIONS ON RELIGION

(By Michael Keegan)

Regarding your editorial "Kamala Harris's Dark Knights" (Jan. 3): Sens. Harris and Mazie Hirono's questions for Brian Buescher were focused on appropriate and important questions, namely whether the nominee could be counted on as a federal judge to recognize and protect the legal equality of LGBTQ Americans and the right of American women to have access to safe and legal abortion.

You charge that such questioning is about trying to "banish" people from public life for their religious beliefs and associations. In re-

ality, protecting the legal rights of all Americans of all faiths by ensuring that nominees for powerful lifetime seats on America's federal courts are committed to enforcing them is one of senators' most important responsibilities, one that the current Republican majority has abandoned in its rush to achieve ideological domination of the courts.

ADDITIONAL STATEMENTS

TRIBUTE TO KORI KELLER

• Mr. DAINES. Mr. President, this week I have the honor of recognizing Kori Keller of Yellowstone County for her impact on the Billings community, through her work at the Ramsey Keller Memorial.

Mrs. Keller, a Billings native, has dedicated her time to aiding parents who have undergone the hardship of losing a child too young. Mrs. Keller and her husband lost their precious daughter Ramsey soon after she was born.

As a way of honoring their daughter, Kori and her husband founded the Ramsey Keller Memorial. The Ramsey Keller Memorial is dedicated to helping families who have lost children under the age of 1 year old. The foundation raises money through both an annual race and a pink-tie affair to pay for the funerals of Montana infants that have passed away before their first birthday. Since then, Kori has been an advocate and provided comfort for numerous parents going through the same hardships she experienced.

I congratulate Kori on her growing role in the State of Montana. She has been a constant source of hope and aid to families going through similar hardships she has endured. I look forward to seeing the success of the Ramsey Keller Memorial, as it continues to pour into Montana family's lives. •

REMEMBERING EUCARIO BERMUDEZ

• Mr. RUBIO. Mr. President, I would like to honor the life and legacy of Colombian-American journalist and broadcaster, Eucario Bermudez. Bermudez, a beloved south Florida radio legend amongst the Hispanic community, died earlier this month after years of service to the Hispanic community in the State of Florida. Today I pay tribute to Eucario's life, with immense gratitude for his work and dedication. •

RECOGNIZING INDIAN PASS RAW BAR

• Mr. RUBIO. Mr. President, today I would like to highlight the hard work and unique entrepreneurial spirit that can be found across my home State of Florida. As chairman of the Senate Committee on Small Business and Entrepreneurship, each week I recognize a small business that exemplifies hard work and dedication toward the local