

What are we doing to respond as a body? We are busy processing and confirming an endless stream of partisan ideologues, such as Justin Walker and Cory Wilson, to our Federal courts. I think it has to be noted, again, that Judge Walker, who is a protege of Senator McConnell, has been nominated to a seat that isn't even vacant until September.

It would be one thing if we were coming together in the Senate across party lines to confirm mainstream nominees, something we have done so many times in years past, but nothing about Judge Walker and Judge Wilson is mainstream. Judge Walker is not shy about his overt partisanship. He is openly hostile to the Affordable Care Act, even though the Affordable Care Act has provided a critical lifeline to millions of Americans during this pandemic. He has dangerously suggested that the FBI Director—whom we provided with a 10-year term to avoid politicization—“must think of himself as an agent of the President.” One can see why President Trump is interested in a nominee like him. People should worry about somebody who would want the FBI Director—who is supposed to treat everybody the same and just uphold the law—to be, instead, an instrument of whoever is present. Even if we ignore his hyperpartisan writings and countless cable news appearances before he became a district court judge—and that was just a few months ago, last fall—he has already shown he does not leave politics at the door when he puts on his robes. Even his judicial investiture ceremony could have been a lead-in for a Trump campaign rally, where he lamented that his legal principles have not yet prevailed and feared losing “our courts and this country” to his critics. These may be the words of Judge Walker, but they are not the words of any other judge I have ever known, Republican, Democrat, Independent. This judge wears his partisanship as a badge of honor, knowing that it will only appeal to a President who knows nothing of the role of the Federal judiciary and, sadly, knowing it will not deter this Senate from confirming him.

Judge Cory Wilson is no better. Again, I spoke about the Affordable Care Act, which has provided help to millions of Americans during the coronavirus epidemic. What does he call it? He calls the Affordable Care Act “perverse” and “illegitimate.” Golly, how would he vote on that? I wonder if those Americans—Republicans and Democrats alike—who are receiving lifesaving care through the ACA would call the law perverse.

He has attacked President Obama in ugly, personal terms, berating him as a “fit-throwing teenager” and “shrill, dishonest, and intellectually bankrupt.” That is a good attitude to hold when you are coming to the Senate as a Federal judge where you are supposed to be impartial. Such baseless accusations were laughable when he made them. They are beyond parody today.

Judge Wilson has a long record of undermining minority voting rights and dismissing the scourge of voter suppression, which we saw again last week during primary elections. He dismisses that as “phony,” even though everybody watching the news, from the right to left, can see it happening.

What message do these nominees of President Trump send to the country in this moment? Well, it says that the Republicans in the Senate are fast-tracking nominees who are eager to overturn the Affordable Care Act in the midst of a public health pandemic. They are fast-tracking nominees who are dismissive of racial injustices in the midst of a national reckoning on racial injustices.

The Senate has a constitutional duty to provide advice and consent to a President's nominee. When I came to the Senate, that meant something. It meant something under both Republican leadership and Democratic leadership. It meant something with both Republican and Democratic Presidents. But under this President, that constitutional duty has meant no more than serving as a mindless conveyor belt to rubberstamp nominees, however unqualified, however extreme, and however inappropriate at the moment.

You couldn't have two more inappropriate nominees at a time when we need healthcare because of the coronavirus or so inappropriate at a time when we are trying to do away with racial tensions and address the racial tensions of our country. It says that we don't believe in our standing as a coequal branch of government and that the Senate is willing to have that position as a coequal branch of government diminished.

Worse is the damage we inflict upon our courts. The Senate has now reshaped our Federal courts, especially our appellate courts, to resemble an extreme partisan arm of the Republican Party. For generations, Americans have valued our judiciary for its independence, a place where all Americans—of any political party or background, race, or belief—believed they could obtain fair and impartial justice. That is changing every day under President Trump.

When I tried cases before Federal courts at the district level or the appellate level—and the same with State courts at the trial level and the appellate level—I never worried that I would come before that court and my political beliefs would in any way affect the outcome. What I thought would affect the outcome would be the facts and the law. I have appeared before courts of appeals and Federal courts of appeals. Most of the time I had no idea what the political position or political party of the judge was. Yet today, anybody who comes in trying a case or appealing a case has to say: No matter what my facts are or no matter what the law is, I have to face a partisan ideology with a judge who is supposed to be non-partisan. We have seen fair and impar-

tial justice, as I said, changing every day under President Trump.

I have to hope that the Senate can rediscover its better angels. I can hope that we can again reassert ourselves as the crucible in which the great issues of the day are debated heatedly but resolved amicably, across party lines. I hope that one day the Senate will again serve as the conscience of the Nation, as it has during so many moments of upheaval and uncertainty in our history.

Today, more than any other time since I have been here, when we should be the conscience of the Nation, we are keeping that conscience locked up behind closed doors.

I hope, one day soon, the Senate will again demand—as it has under Republican and Democratic leadership in the past—that our President's judicial nominees are deserving of lifetime appointments to our Federal courts, possessing the qualifications and temperament that, until now, were rarely in question and now, time and again, are in question.

I ask my colleagues to go back to being the U.S. Senate. We owe it to ourselves. We owe it to the Constitution. Most of all, we owe it to the American people. Let the Senate once again be the conscience of the Nation, as it should be.

JUSTICE IN POLICING ACT

Mr. President, I also looked at the policing bill that Senator SCOTT announced today and Leader McConnell will proceed to next week. I am still reviewing the text. From the descriptions I have heard, the bill may be well-intentioned but falls far short on the reforms we need. It fails to meet this moment. That doesn't mean we can't come together and make it meet this moment.

We need more than a Rose Garden signing of an Executive order that has no authority and does nothing except look good. Millions of Americans in both parties are demanding real change. This moment doesn't call for a handful of studies and some grant programs; it calls for fundamental reforms to ensure our accountability and restore our trust. It requires a thoughtful debate, a real debate in which we have a real amendment process. Let Senators stand up and vote yes or no on amendments. Let the American people know where they stand. Let them take a position.

If our Republican leadership won't commit to such a real debate and such real votes or amendments—a real amendment process—they fail the American people at a critical time; they fail them in favor of partisan politics.

Each one of us has to cast votes on this floor. Some are very routine and easy to do, but so many are monumental. We have to speak to our conscience. We have to speak to our background. We have to speak to who we are. I will look at my background as a former prosecutor. I will look at my

background as one who has served as chairman of the Senate Judiciary Committee. I will look at my background as one who has listened to Republicans and Democrats alike in my State, but then I will call upon my conscience to vote for what is best.

Don't fail the American people by having something that feels good, that says nice things but doesn't make any change. If there were ever a time America needs changes—we have two crises. One, of course, is COVID-19, and we are not addressing that. The other is, once again, every American, of all races, has to look at racism in policing. We are better than that. Most of our police departments want to be better than that.

Let us stand up. Let the U.S. Senate be the conscience of the Nation. Again, I note we have been in the past. Wouldn't it be nice to be so in the present?

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

(Mrs. LOEFFLER assumed the Chair.)

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

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

THE GREAT AMERICAN OUTDOORS ACT

Mr. WARNER. Mr. President, I rise today to celebrate the passage of the Great American Outdoors Act. The passage of this historic legislation marks a once-in-a-generation step by this body to restore and conserve our national parks, as well as our country's national heritage. It builds on an American tradition of conserving our natural wonders and shared public spaces. It reaffirms our commitment to preserve them for future generations.

It is also important to note that this is a jobs bill. According to a recent study, the Great American Outdoors Act will help create or support 100,000 jobs all over the country, including 10,000 in my home State of Virginia, at a time when millions of Americans are out of work.

Currently, the National Park Service has a deferred maintenance backlog of \$12 billion. A chronic lack of funding from Congress has forced the Park Service to defer maintenance on countless trails, buildings, and historic structures, as well as thousands of miles of roads and bridges. Today, over half of all Park Service assets are in desperate need of repair.

To address these needs, a little over 3 years ago, I approached my colleague and friend, Senator ROB PORTMAN, with an idea. What if we took unobligated Federal energy revenues and used them to address the maintenance backlogs at our national parks. So we came together, in a bipartisan partnership, and introduced the National Park Services

Legacy Act. A little over a year later, we combined our efforts with Senator ALEXANDER and Senator KING to introduce our Restore Our Parks Act. Earlier this year, this legislation was combined with Senator GARDNER and Senator MANCHIN's Land and Water Conservation Fund legislation to form the Great American Outdoors Act.

This legislation represents one of the largest investments in the infrastructure of our national parks in its over 100-year history. Over the next 5 years, the Great American Outdoors Act will fund more than half of all the deferred repairs and completely fund the Park Service's highest priority needs. As my friend from Maine, Senator KING, has noted, deferred maintenance is really simply a debt for future generations. With the passage of this bill today, we are one step closer to paying down that debt.

Few States in the country are as impacted by the Park Service's deferred maintenance backlog as the Commonwealth of Virginia. In the Commonwealth, we have a maintenance backlog of over \$1.1 billion. That is the third largest behind California and DC. I want to give a few examples of how this legislation will help preserve our historical heritage and create jobs in my State.

Here in the National Capital Region, the George Washington Memorial Parkway, which is managed by the National Park Service, has over \$700 million in deferred maintenance. As a matter of fact, anyone in this Chamber who travels on that road actually knows that we had a sinkhole appear in the parkway within the last year—an enormous safety threat, as well as an enormous inconvenience to anybody who travels on this important road. Our legislation would help rebuild this critical transportation route between Virginia, Washington, DC, and Maryland—reducing traffic and, again, creating jobs.

Further south on I-95, the Richmond National Battlefield Park has over \$5 million in deferred maintenance. The nearby Maggie L. Walker National Historic Site—this is the site actually of the first African-American-owned bank created by Maggie Walker, as well as the first bank owned by an African-American woman. I visited it last year, and it has maintenance needs approaching \$1 million. At the nearby Petersburg National Battlefield Park, the maintenance needs have grown to \$9 million over the years. This legislation will help support critical infrastructure needs of these parks, preserving these important pieces of our heritage while again supporting our local economies.

Let me take you a little farther west, out to one of the real gems of our National Park Service—probably one of the parks best known in Virginia around the country—and that is the Shenandoah National Park. It is one of the crown jewels of our Park Service. Again, the maintenance backlog there

in the Shenandoah sits at over \$90 million. Our legislation will put people to work on these overdue repairs, including to Skyline Drive and stretches of the Appalachian Trail, which are really at the heart of Virginia's outdoor tourism industry.

Let me take you a little farther down Skyline Drive, down farther in Southwest Virginia. As you head southwest, the Blue Ridge Parkway right here, which has accumulated over \$500 million in deferred maintenance—that is, as a matter of fact, over \$1 million of deferred maintenance for every mile of the Blue Ridge Parkway. The Great American Outdoors Act will, again, put Virginians to work on these repairs so visitors can continue to appreciate the beauty of Southwest Virginia and support the local economy.

Let me end my visual tour of Virginia going to the eastern part of the Commonwealth. This is one final example. Colonial National Historical Park, which is home to historic Jamestown and the Yorktown battlefield—some of our country's most significant sites from the birth of our Nation. At this park and along the Colonial Parkway, there are deferred maintenance needs totaling over \$430 million. With this legislation, the wait on many of these repairs is over. We are going to create jobs, make sure this important part of our history is around for years to come, and make sure we leave our kids and grandkids that sense of who we are as a nation.

Now, before I close, I want to touch on the other half of this legislation, which provides full mandatory funding for the Land and Water Conservation Fund, the LWCF.

For decades, the LWCF has been the most important tool of the Federal Government that States have had to protect critical natural areas, water resources, and, again, cultural heritage. Virginia has received over \$368 million in LWCF funding, which has helped preserve and expand critical recreation areas within the Commonwealth.

For example, the American Battlefield Protection Program, which is funded through the LWCF, has been vital for communities across Virginia, providing them with technical assistance and funding to help them preserve their history and, again, attract tourists. LWCF has also allowed us to expand and preserve land within the George Washington and Jefferson National Forests and along the Appalachian Trail. These efforts support the health of unique wildlife habitats and provide new access for hunting, fishing, and other outdoor recreation.

Through this combination of the parks bill and the permanent funding for the LWCF, the Great American Outdoors Act ensures that we will continue to make these important investments in conservation in our parks for years to come.

In closing, I thank my colleagues, again, for supporting this historic legislation with an overwhelmingly bipartisan vote and a piece of legislation