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Senate

The Senate met at 3 p.m. and was called to order by the President pro tempore (Mr. GRASSLEY).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal God, sovereign source of wisdom, hear our prayers. Listen as we lift our hearts to You. In our times of distress, answer us quickly.

Strengthen our lawmakers. Keep them restless until they find rest in You. Keep them dissatisfied until they find their satisfaction in You.

Lord, give them the wisdom to make wise choices that will glorify Your Name. Help them to keep their hearts and minds responsive to You, enabling them to help make a better Nation and world.

Remind them that You keep a protective eye on the godly so that they may be surrounded with the shield of Your divine favor. May our Senators, with faith, expect You to provide them with strength for each task.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

The PRESIDING OFFICER (Mr. BOOZMAN). The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I ask unanimous consent to speak in morning business for 1 minute.

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

BLACK REVOLUTIONARY WAR PATRIOTS MEMORIAL

Mr. GRASSLEY. Mr. President, I have been working for decades to es-

tablish a memorial on the National Mall to those Black Revolutionary War patriots who fought for the founding of our country. We are close to achieving that goal, which is needed now more than ever.

The rationale for the memorial was summarized in congressional testimony in 1985 by its founder, Maurice Barboza:

The Patriots Memorial would serve an educational purpose in that it would remind Americans of the rich and meaningful contributions of Blacks to the birth of America. It would illuminate the past so that the present generation would better understand the Nation's history. In that sense, it would serve a retrospective purpose.

The Patriots Memorial would serve a prospective purpose by helping future generations of Americans understand what it is that binds us . . . as a [nation].

He then quoted then-Representative Nancy L. Johnson, the memorial's chief proponent in the House of Representatives. I quote her and will end with this quote:

An American cannot be identified by simple physical, ethnic, racial, or religious characteristics. Even our cultural heritage is best defined by its rich diversity. What ties us together as a nation is our commitment to individual freedom and maintaining the rights and privileges guaranteed by the Constitution to assure the perpetuation of our freedom.

I yield the floor.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

NOMINATION OF AMY CONEY BARRETT

Mr. MCCONNELL. Mr. President, on Saturday evening, President Trump announced his nominee for the Supreme Court, Judge Amy Coney Barrett of the U.S. Court of Appeals for the Seventh Circuit.

I had the opportunity to meet with Judge Barrett earlier today. I left our discussion even more convinced that President Trump has nominated exactly the kind of outstanding person whom the American people deserve to have on their highest Court.

Americans deserve brilliant judges with first-rate legal minds. Judge Barrett is that and then some. She attended Notre Dame Law School on full scholarship, graduated No. 1 in her class, and was executive editor of the Law Review.

She secured top-flight clerkships on the DC Circuit and the Supreme Court. After a few years in private practice, she returned to academia and built a national reputation as an award-winning professor and legal scholar. Judge Barrett is brilliant.

Americans also deserve judges who are committed to fairness and impartiality, to following the facts in every case. They deserve judges who understand that their job is to interpret the text of our laws and Constitution as they are written, not as the judge might personally wish they had been written differently.

Again, Judge Barrett passes with flying colors. Her 3 years of rulings on the Seventh Circuit are the record of a judge who sets out to do impartial justice under law—nothing more and nothing less. This nominee could not be more fully qualified to serve on the Supreme Court.

Harvard Law Professor Noah Feldman is a fierce critic of President Trump. He was one of the House Democrats' star witnesses in their impeachment. He has known Judge Barrett professionally for more than 20 years. Despite some philosophical differences, he went out of his way this past weekend to write that she is "highly qualified to serve on the Supreme Court."

Here is what Professor Feldman wrote:

I know her to be a brilliant and conscientious lawyer who will analyze and decide

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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cases in good faith, applying the jurisprudential principles to which she is committed. Those are the basic criteria for being a good justice. Barrett meets and exceeds them.

And if you “believe in an ideal judicial temperament,” Professor Feldman went on, “then rest assured that Barrett has it.”

It is the same story from everyone—everyone—who knows Judge Barrett well.

The dean of Notre Dame Law School says she is “an absolutely brilliant legal scholar and jurist [and] one of the most popular teachers we have ever had here.”

One of her faculty colleagues said: “She is a principled, careful judge, admired legal scholar, and amazing teacher.”

Six young women who all studied under now-Judge Barrett say she drilled into them “the necessity of setting personal beliefs aside when evaluating the answer to a legal question.”

These objective qualifications and credentials are what matter most. Judge Barrett deserves to be judged by her record.

But a few more things bear notice. As our Nation continues to honor the trailblazing life of the late Justice Ginsburg, it seems fitting that President Trump has nominated another brilliant woman who has climbed to the very top of the legal field. Young women who know Judge Barrett well describe her as not just an excellent teacher but a gracious mentor and an inspiring example of female leadership.

As the only congressional leader not from New York or California, I applaud the President’s decision to look to the heartland. If confirmed, Judge Barrett would be the only current Supreme Court Justice with a law degree from anywhere besides Harvard or Yale—from anywhere besides Harvard or Yale. I would say this nominee would bring welcomed diversity on multiple fronts.

As I predicted last week, the far left is rushing to make this nomination about anything but Judge Barrett’s qualifications. The instant she was announced, they started with the same unhinged attacks they have recycled for every Supreme Court nomination by every Republican President since the 1970s.

Remember, the far left said Justice Stevens opposed “women’s rights,” that Justice Kennedy would be “a disaster for women,” and that Justice Souter would put the “health and lives” of Americans at risk.

Well, Saturday went like clockwork. The political left took one more look at Judge Barrett’s qualifications, gave up on debating the merits, and headed right at the same old scare tactics. Our colleague, the Democratic leader, informed Americans that this 48-year-old working mother was going to “turn back the clock on women’s rights.” This 48-year-old working mother was going to “turn back the clock on women’s rights,” so said the Democratic leader.

The junior Senator from California said the nominee would “harm millions of Americans.”

The junior Senator from Connecticut said “Amy Coney Barrett would create a humanitarian catastrophe.”

Well, here we go again. Here we go again. One of the preselected scare tactics is that Judge Barrett is out to steal Americans’ healthcare coverage. That is the claim. This mother of seven, including multiple children who were born or adopted facing preexisting medical challenges, is just itching to block families like hers from accessing medical care. What a joke. What a joke.

When Senate Democrats were trying to attack Chief Justice John Roberts, long before ObamaCare even existed, they claimed he had sought to “put millions of American consumers and families at risk of losing coverage.” They have been recycling these same attacks since before they even passed the law they now say they are worried about.

On this occasion, their entire argument seems to come down to a technical analysis Judge Barrett put forward in a 4-year-old academic paper about one part of ObamaCare, which Congress has already zeroed out in the meantime. Let me just say that again. The entire argument seems to come down to a technical analysis that Judge Barrett put forward in a 4-year-old academic paper about one part—just one part—of ObamaCare, which Congress has already zeroed out in the meantime.

These hysterical claims collapse under the slightest examination, but, sadly, they are just beginning. Three years ago, Senate Democrats’ bizarre attacks on Judge Barrett’s religious faith became a national embarrassment for their side of the aisle.

The senior Senator from Illinois asked now-Judge Barrett: “Do you consider yourself an orthodox Catholic?” This was actually during a U.S. Senate hearing. The senior Senator from California told her that “the dogma lives loudly within you. And that’s of concern.”

This was not, regretfully, an isolated incident. Over the past few years, multiple Senate Democrats, on multiple different occasions, have openly suggested that certain kinds of religious beliefs might disqualify citizens from public service.

In 2017, the junior Senator from Vermont, Senator SANDERS, told an executive branch nominee that he had made an “indefensible, hateful, Islamophobic” statement because he had articulated a personal belief that Christianity gets things right which Islam gets wrong.

In 2018, the junior Senator from California, who is now asking for Americans’ votes to be Vice President, attacked a different nominee for participating in the Knights of Columbus. The Knights of Columbus? This is a massive, noncontroversial Catholic men’s

association that is known for things like shoveling snow off church sidewalks and hosting pancake breakfasts.

“Were you aware that the Knights of Columbus opposed a woman’s right to choose,” Senator HARRIS asked, as though it were remotely controversial that a famous Catholic organization would subscribe to Catholic teaching on the right to life.

The junior Senator from Hawaii suggested this nominee would need to quit the organization, quit the Knights of Columbus to serve as a judge. You would think the national backlash to all of this would have taught the political left a lesson.

Here is what happened in just the past few days. The Associated Press, Reuters, POLITICO, Newsweek, and the Washington Post have already run up major stories on the Barrett family’s private faith practices. Each strongly implied there might be something worrisome or disqualifying if a Federal judge were a faithful Christian with strong ties to spiritual groups. POLITICO’s contributing editor literally went and peered around the physical grounds of a religious facility in South Bend so he could report what the youth group had written on their whiteboard. Less than 72 hours in, this is where we are. The elite class is already treating Americans of faith like exotic animals on display in a menagerie.

Look, I understand the far left had committed to opposing this nominee before she was even named. I understand some politicians have decided to oppose Judge Barrett before they even considered her record. But every time they choose to use the nominee’s personal faith as a political weapon, they will only be reminding millions of Americans why it is so essential to have judges just like Judge Barrett on the bench.

In this country—our country—citizens have religious liberty. In this country—our country—there is no religious test for public office. In this Country—our country—we have the right to seek the protection of the courts when our free exercise of religion is threatened. That is why we need judges like Judge Barrett who understand our laws and Constitution and will uphold our freedoms accordingly. If the reflexive opponents of Judge Barrett’s nomination want to argue otherwise, they will only be proving how much better she understands our Constitution than they do.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

UKRAINE INVESTIGATION

Mr. GRASSLEY. Last week Senator JOHNSON and I released our report