

for democracy and human rights. They detain and harass journalists to try and prevent the truth from getting out. Foreigners and journalists working and traveling in Communist China do so at their own risk.

Just last week, Communist China began threatening to take Americans as hostages. The national security threat of Communist China cannot be taken lightly. The censorship of these human rights abuses cannot be ignored.

General Secretary Xi doesn't want us to know about the oppression occurring under his regime. For years, the Communist Government in China has tried to push its propaganda in America through state-owned media outlets while refusing to treat American journalists in China fairly. We saw this firsthand earlier this year. Chinese-backed propaganda outlets peddled China's lies about the coronavirus and endangered the lives of Americans.

In March, the Chinese Communist Party expelled more than a dozen U.S. journalists and required other outlets to submit written reports of their staff, finances, operations, and real estate in China. We cannot allow this mistreatment to continue, and we have to take action.

I am proud to sponsor the Chinese-Backed Media Accountability Act to create accountability for Communist China's censorship of free speech and failure to treat American journalists fairly. My bill prevents new visas to Chinese-backed journalists until we know exactly how many Chinese propaganda journalists are operating in the United States, and it creates reciprocity by making sure the number of Chinese-backed journalists in the United States is equal to the amount of independent American journalists allowed in China.

We have to stand up and say that this behavior by Communist China is unacceptable, and I look forward to all of my colleagues' supporting this proposal.

Mr. President, as in legislative session, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. 4797 and the Senate proceed to its immediate consideration; further, that the bill be considered read a third time and passed and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, reserving the right to object, Senator SCOTT has sought unanimous consent for a bill that would restrict the issuance of nonimmigrant visas to Chinese journalists and a number of other steps that, frankly, are already within the President's power to do.

The bill, in many ways, is an attempt to codify authorities that the State Department already has. In that sense,

there is no reason to take legislative action. If the President wants to use this power, he can.

But I want to emphasize the point that we share the goals that are behind this measure. No. 1, the goal of increasing transparency around the pandemic has to be done so that the Chinese and other authorities around the world—states that suffer from the pandemic—make the facts known to this country and the world health authority.

We share the goal of condemning China's absolutely despicable human rights abuses, its deplorable record of subjugating human liberty, including the Uighurs, at least 1 million of whom are being held in Chinese Government-run detention centers that the President of the United States has completely ignored.

But this legislation would really do nothing to address these incredibly oppressing issues. It uses the pandemic and China's human rights abuses as a pretense for deflecting blame for the President's shameful mishandling of the COVID-19 crisis. The President's ineptitude and incompetence are widely known to the American people.

We share the goals of stopping Chinese human rights abuses, of making them more honest and accurate in what they disclose, and other goals, but to this measure, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Florida.

Mr. SCOTT of Florida. Mr. President, I am disappointed my Democratic colleague doesn't want to focus on the global impact of General Secretary Xi's censorship. I clearly don't understand why my Democratic colleagues refuse to stand up to Communist China. They have stopped every attempt to protect Americans from this threat.

Again and again, the Democrats block efforts to hold Communist China accountable and never try to work with us to come up with solutions.

They blocked my resolution to move the 2022 Olympics out of Communist China. They blocked my bill to prevent Communist China from stealing or sabotaging American COVID-19 vaccine research, even as American lives depend on the rapid development of this vaccine.

Now they are turning a blind eye to the censorship of American journalists in China. Chinese state-backed journalists in America push the propaganda of the Chinese Communist Party. It is time to wake up and understand that the oppression at the hand of General Secretary Xi and the Chinese Government Party will not stop.

This is about the safety of Americans and about freedom around the world. This is about standing up for human rights.

We must act, and passing the Chinese-Backed Media Accountability Act takes real steps to hold Communist China accountable for their failure to treat American journalists fairly.

I am not going to stop working to make sure there is reciprocity between our nations and that we understand how many Chinese propaganda journalists are operating in the United States. We must, together, do everything in our power to fight for freedom and hold Communist China and General Secretary Xi accountable, and I hope, at some point, my Democratic colleagues will join me in this fight.

I yield the floor.

The PRESIDING OFFICER (Mr. SCOTT of Florida).

The Senator from North Dakota.

NOMINATION OF AMY CONEY BARRETT

Mr. CRAMER. Mr. President, 2 years ago, I was a candidate running for this job, running against a Democratic incumbent. The top issues of the race throughout the summer were things like the sanctity of human life, and most important in the minds of the voters—at least based on our polls—were law and order. The idea that a sanctuary city, much less several of them, could exist to protect violent criminals as long as they were here illegally was an absurd notion to Dakotans. They were good issues for me as a candidate.

That all changed just a little over 2 years ago, when Senate Democrats waged an attack on President Trump's nominee to fill the vacancy that occurred by the retirement of Supreme Court Justice Kennedy. By "attack," I don't mean engage in a vigorous debate about Brett Kavanaugh's political and judicial philosophy or his background. Rather, they waged an attack on Brett Kavanaugh himself, on his character, his reputation, and his family—and not with facts but with fabrications.

My opponent, North Dakota's junior Senator, joined the smear campaign and changed the priorities of our campaign quickly from sanctuary cities to, suddenly, the Supreme Court of the United States. That happened just 2 years and a couple of weeks ago. As much as anything—as much as any reason, as much as any issue—the Supreme Court is why I am here today. I do not mean just today. I mean it is why I am a U.S. Senator.

So, when President Trump nominated Judge Amy Coney Barrett to fill the vacancy created by the death of Justice Bader Ginsburg, I knew there could be no amount of political harassment that would cause me to shrink from this obligation. The suggestion that I or my colleagues would squander this—the right and the responsibility under the Constitution—and consider waiting until after an election that may create an opportunity for someone with whom my constituents don't agree to be nominated to the Court would be a dereliction of my duty and would rightly enrage the people who sent me here for exactly this moment. I refuse to shrink.

So let's talk about the nominee, Judge Amy Coney Barrett. By all accounts, she is a brilliant jurist. I don't think anybody has really questioned

her scholarship, her intellect. Certainly, you couldn't argue as to her demeanor. She has, on national display, demonstrated a demeanor that we should probably all aspire to but, certainly, for somebody who aspires to be on the highest Court in the land. Oh, by the way, I love the fact that she was educated in middle America. With all due respect to my conservative jurist friends and acquaintances and even those I don't know from someplace other than middle America, it is awfully nice to see one get to the top.

My conversations with Judge Barrett were like, I think, everybody's. They were pleasant, and they were serious. In some cases, they were, maybe, even a little bit intense, but my conversation didn't focus on hardly any of the things I have been hearing about with relation to her nomination—in fact, none of them have I heard about in this Chamber today, and we have heard about lots of them. Mine didn't even really focus on the hot-button issues of the day. My discussions focused on my inquiry of her—about her sense and her philosophy and her thoughts on federalism. What is the appropriate role of States in this cooperative federalism—this wonderful experiment that is the United States of America? This is a system designed by the States. The Federal Government was created by the States. The Federal Government didn't create the States. No, the States created the Federal Government. It is foundational.

I, of course, like the Presiding Officer, was a State-elected official. I was never the Governor, but I was probably, in many respects, qualified in a way, today, that never occurred to me at the time, which was that I was a regulator. I was a State regulator who had been elected by the people of my State to regulate things like rates of gas and electrical utilities, to cite things like pipelines and transmission lines and powerplants and wind farms, and to oversee the Federal Communications Act and its application in North Dakota. From that perch as a State regulator for nearly 10 years, by far, the greatest problems and the greatest obstacles to doing my job were the mandates coming from Washington, DC, and its trying to impose its mediocrity on North Dakota's excellence.

So, when I came to Washington, I set out to change some of that. I wanted to try to change our bureaucracy a little bit and find somebody in this place who understood and respected the role of the States in this cooperative federalism, because what I saw and what I continue to see is a big bureaucracy that is trying to run right over—roll right over—the States of this country. I think that the overriding issue of the role of States and of federalism gets to the heart of lots of these other smaller issues, of lots of these more granular issues.

Now, whether it is the waters of the United States and what is a navigable

water—that is one of the big ones, right? The Clean Power Plan and its imposition on local and State regulation is another, and how the Federal Energy Regulatory Commission deals with grid reliability. Maybe it is something even more granular like cross-State emissions. Who knows? There are lots of them—lots and lots of them—in areas where it has really been the courts themselves. Whether it is the Supreme Court or the appellate court or the district court, it has really been the courts—the judiciary—that have been the only thing standing between an overbearing Federal Government and the rights of States.

So my discussions with Judge Barrett centered around her views on federalism. I gave her some examples, some North Dakota examples. I even laid the blame on Congress, and we deserve a lot of it, for sure. We have passed broad authorizations for the bureaucracy and then let them fill in the blanks. We have to stop doing that. We need to be more proscriptive. In the meantime, I want to be sure that we have a Supreme Court that understands the sovereignty of States.

I mean, right now, North Dakota is engaged in several pieces of litigation with our own Federal Government, and this is under Trump's Department of Justice. I just wish the lawyers at the Department of Justice would take on the bad actors in the political class with the same zeal with which they take on my State. By the way, there are much bigger things they could be taking on when they take on the political class, if they would just do it, than the little things, where they should be negotiating settlements with the State of North Dakota. I just wish they had the same zeal for that. That would be much more worthy of the title of "justice."

Yes, I am very pleased with Judge Amy Coney Barrett's philosophy and demeanor, but I was really grateful for her answers on the issue of the role of States in a cooperative Federalist system like ours. Yet, at the end of the day, judicial philosophy, intellect, and where one went to college is all just shored up by the fact that she is a person of incredible virtue—yes, a virtue that is grounded in faith. That is, after all, where most virtue comes from. In fact, I suspect that some of those virtues that used to be more universal in our country are part of why the left despises her so much.

As for me, I am just glad that she is willing to do it. I am glad that her family is willing to stand with her and do it. I am glad that she has the virtues of faith that underpin the intellect and the experience and the demeanor. In fact, perhaps, it is why she has all of those other things. For those reasons and several others, it is going to be a pleasure—it is even going to be an honor—to stay the night tomorrow night, if that is what we have to do, to cast the vote for Judge Amy Coney Barrett to become the next Associate

Justice on the Supreme Court of the United States. I urge my colleagues to do the same.

I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

Mr. DAINES. Mr. President, I am here to talk about my support for confirming Judge Amy Coney Barrett to the United States Supreme Court.

Judge Barrett's qualifications and her character are indisputable. I had the honor of meeting with Judge Barrett earlier this month when she said her guiding principles as a judge were in the mold of a great Justice—the late Justice Antonin Scalia. In fact, during our meeting and over the course of her hearing before the Senate Judiciary Committee, Judge Barrett demonstrated her understanding of the purpose of the U.S. Supreme Court and the proper role of a judge.

Judge Barrett believes that judges shouldn't legislate from the bench. Keep in mind that she is currently a sitting judge on the Seventh Circuit Court. She won't misuse her power as a judge to impose her policy preferences, and she won't twist the original and the true meaning of the Constitution to advance a political agenda of any kind. Judge Barrett will uphold our cherished constitutional rights, including the Second Amendment.

I have an A-plus rating from the National Rifle Association and the Montana Shooting Sports Association. I firmly believe that a correct understanding—a profound understanding—of the Second Amendment is essential. In the discussions I had with Judge Barrett, she confirmed she has that understanding. Judge Barrett's strong support of the Second Amendment can give every law-abiding Montanan who owns a firearm the full confidence that she will never allow the government to take away our guns. She understands what "shall not infringe" truly means.

I believe Judge Barrett will stop Congress in its tracks when it exceeds its limited constitutional powers. For decades, Congress has imposed policies that this body has had no authority in creating in the first place. Judge Barrett will ensure that Congress stays within its limited constitutional powers while returning powers to the States and back to the people. She will defend the Constitution. She will protect our Montana way of life, including our Montana jobs. Judge Barrett will not bend to the radical fringe groups that are looking to kill Montana timber and coal jobs. She will be a fair-minded Justice whom Montanans will be proud of.

Yet some on the far left not only oppose Amy Coney Barrett's confirmation but have also said they are open to packing the Supreme Court with liberal judges. Let me just define what "packing" means. That means increasing the number of Justices on the Supreme Court from 9, which has been the case for 151 years, to 11 or 13 or more, perhaps. That will be an attack on our

Montana way of life. I stand with Montanans in strongly opposing this dangerous power-grab proposal. With Judge Barrett on the Supreme Court, the age of activist Justices rewriting the laws to accomplish their own policy agendas will be gone.

She is a mother of seven children—five biologically and two adopted Haitian children. We will have a Supreme Court Justice whom we can also call a minivan mom. Judge Barrett is an inspiration to professional women, to working moms, and to school-aged girls across Montana who can feel certain there is no American dream that women cannot achieve.

Just last week, I met with several northwest Montana businesswomen leaders in Kalispell to talk about their support for Judge Barrett's confirmation. These Montana businesswomen shared their views of Judge Barrett as a mentor, a role model, a wife, a mother, a brilliant jurist, and a great leader.

I would also like to take a moment to congratulate and thank President Trump for nominating such outstanding and well-qualified individuals to the U.S. Supreme Court. With Judge Barrett's confirmation, we will take another major step toward restoring the Founding Fathers' vision for the Supreme Court and the separation of powers they brilliantly created.

As a U.S. Senator from Montana, supporting Judge Barrett's confirmation to the Supreme Court is an easy call. She is someone whom Montanans can be proud of and whom Montanans can look up to on the Court.

I urge all of my colleagues on both sides of the aisle to support Judge Amy Coney Barrett's confirmation to the U.S. Supreme Court.

UNANIMOUS CONSENT REQUEST—S. RES. 758

Mr. President, I rise today to speak about an effort that, frankly, I never envisioned I would have to, something that is so beyond radical, and that is packing the U.S. Supreme Court.

This plan, hatched by a Democratic President in 1937, was so radical then that it was soundly defeated here in the U.S. Senate—a Senate, I might add, in which 76 of the 96 Members were Democrats.

This was a plan that was so hostile to institutional principles that the Senate Judiciary Committee in 1937 said that it was “a measure which should be so emphatically rejected that its parallel will never again be presented to the free representatives of the free people of America.”

In fact, as recently as 2019, the brilliant late Justice Ruth Bader Ginsburg stated: “I think it was a bad idea when President Franklin Roosevelt tried to pack the court . . . and if anything would make the court look partisan, it would be that.”

Well, today we find ourselves in the same spot, and the reason why is simple: The Democratic Party still does not accept the legitimacy of President Trump or his highly qualified judicial nominees.

Don't forget it was just earlier this year that the Democratic leader, Senator SCHUMER, stood in front of the Supreme Court and openly threatened President Trump's two Supreme Court picks if they didn't vote the way he wanted by saying, “I want to tell you, Gorsuch, I want to tell you, Kavanaugh: You have released the whirlwind and you will pay the price. You won't know what hit you if you go forward with these awful decisions.” That is disturbing—disturbing, indeed.

Let's be clear. This is nothing more than an attempt at a partisan power grab by Democrats. You see, packing the Supreme Court by moving from the current 9 Justices to 11 or 13 would essentially eliminate the Supreme Court from being a check and a balance on Congress and the executive branch, paving the way for a radical, far-left agenda put forth by CHUCK SCHUMER and the Democrats if they get the majority.

Packing the Supreme Court is a direct attack on our Montana way of life. Packing the Supreme Court with activist, liberal Justices will help the far-left radicals strip away our Second Amendment rights, destroy good-paying energy and natural resource jobs, and cripple the Montana and American economy by blocking forest management and energy projects.

For us in Montana, we know exactly what it means to have an activist, liberal judge on the bench. Look no further than Judge Brian Morris of Montana. Judge Morris has done everything in his power to try to kill Montana's energy jobs. In fact, he specifically blocked the Keystone XL Pipeline. This project would create thousands of jobs and generate tens of millions of tax dollars every year for Montana schools and Montana communities.

Packing the Supreme Court will also erode a major principle of our Constitution; that is, the separation of powers into three coequal branches of government. Packing the Supreme Court would simply make the Court an extension of the legislative branch. It is the independence of the judiciary that is essential to check and balance both the executive and legislative branches. Packing the Court would simply turn the U.S. Supreme Court into an extension of whatever political party happens to control the White House and the Senate.

Here is how it would work: Whichever President is in power, if they have the same party in power in the Senate, they could keep escalating the number of Justices. It would go from 11 to 13 to 15 to 17. It would absolutely spin out of control, and our Founding Fathers would be rolling over in their graves. The packed Court would simply turn the Supreme Court into an extension of whichever political party happens to control the White House and the Senate.

So I am here today to call out the shameful partisan attack on our judiciary,

and I hope the rest of my colleagues will join me in passing this resolution that calls for the Supreme Court to simply remain as it has been for 151 years at nine Justices. That is all it says—we are going to keep the Supreme Court at nine Justices.

As if in legislative session, I ask unanimous consent that the Senate proceed to consideration of S. Res. 758, submitted earlier today. Further, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

THE PRESIDING OFFICER. Is there objection?

Mr. WHITEHOUSE. Mr. President, reserving the right to object.

THE PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Reserving the right to object, I would open with the observation that—well, let me start by saying that in one of the great plays in our language, the opening began with the observation that “something is rotten in the state of Denmark.”

There is increasing evidence that something is rotten across that lawn and across First Street at the U.S. Supreme Court. What is the evidence of that? Well, the first thing I would suggest is the amount of anonymous dark money influencers swirling around the Court.

I have spent a good deal of my professional life around appellate courts. I have never seen—nor does the history of the Supreme Court evidence—anything like what is taking place right now with dark money influencers swirling like eels around that Court.

How do they do it? Well, they are involved in the selection process through a group called the Federalist Society, which takes large, anonymous, dark-money contributions and controls the selection of judges. How do we know it controls the selection of judges? Donald Trump has said so.

The Wall Street Journal has said this was a subcontracting operation—a subcontracting operation—and it worked. It is not a good thing when the selection of our Supreme Court is subcontracted out to a private group that then takes multimillion-dollar anonymous donations. It shouldn't be hard for Members to understand that is a dangerous set of facts.

Then you go on to the campaigns for those selected nominees, and you see more anonymous donors writing checks for as much as \$17 million. I can't write a check for \$17 million. I don't know anybody here who can. The number of donors who can write a check for \$17 million is very small, and the number who would want to is even smaller. That is another avenue of influence.

Last, you have law groups appearing before the U.S. Supreme Court, also anonymously funded. Some have gone out to find a plaintiff of convenience to