

would have done the same thing. Why? Because they had the elections that made those decisions possible.

The reason we were able to make the decision we did in 2016 is because we had become the majority in 2014. The reason we were able to do what we did in 2016, 2018, and 2020 is because we had the majority. No rules were broken whatsoever.

All of these outlandish claims are utterly absurd. The louder they scream, the more inaccurate they are. You can always tell—just check the decibel level on the other side. The higher it goes up, the less accurate they are.

Our Democratic colleagues keep repeating the word “illegitimate” as if repetition would make it true. If you just say it often enough, does it make it true? I don’t think so. We are a constitutional Republic. Legitimacy does not flow from their feelings. Legitimacy is not the result of how they feel about it. You can’t win them all. Elections have consequences.

What this administration and this Republican Senate has done is exercise the power that was given to us by the American people in a manner that is entirely within the rules of the Senate and the Constitution of the United States.

Irony, indeed. Think about how many times our Democratic friends have said—berating President Trump for allegedly refusing to accept legitimate outcomes he does not like. How many times have we heard that: President Trump won’t accept outcomes he does not like. They are flunking that very test right before our eyes.

That is their problem. They don’t like the outcome.

Well, the reason this outcome came about is because we had a series of successful elections. One of our two major political parties increasingly claims that any—any political system that deals them a setback is somehow illegitimate. And this started actually long before this vacancy, as we all know.

One year ago, Senate Democrats sent the Court—the Court, directly, an amicus brief that read like a note from a gangster film. They wrote: “The Supreme Court is not well” in their amicus brief. “The Supreme Court is not well. . . . Perhaps the Court can heal itself [heal itself] before the public demands it be ‘restructured.’”

In March of this year, the Democratic leader stood outside the Court. He went over in front of the Court and threatened multiple Justices by name. Here is what he said: “You won’t know what hit you if you go forward with these awful decisions.”

“You will pay the price!”

That is the Democratic leader of the Senate in front of the Supreme Court mentioning Justices by name and, in effect, saying: If you rule the wrong way, bad things are going to happen.

For multiple years now, Democrats in this body and on the Presidential campaign stump have sought to revive

the discredited concept of Court packing. Every high school student in America learns about Franklin Roosevelt’s unprincipled assault on judicial independence, so now they are thinking about repeating it. Former Vice President Biden, who spent decades condemning the idea here in the Senate, obediently says he will look into it.

Most importantly, the late Ruth Bader Ginsburg said last year, when asked about this, she said nine is the right number. That is the vacancy we are filling right now. I don’t think any of them quoted her on this issue, have they? Ruth Bader Ginsburg said nine is the right number.

These latest threats follow decades of subtler attempts to take independent judges and essentially put them on political probation: You don’t rule the way I want, something dire might happen.

How many consecutive nominees have Democrats and the media insisted would “tip the balance” of the Court? How often do we hear that—“tip the balance” of the Court? Has anyone tallied up how many “hard right turns” the courts have supposedly taken in our lifetimes? All this ominous talk is a transparent attempt to apply improper pressure to impartial judges.

Rule how we want or we are coming after the Court. Rule how we want or we are coming after the Court. Vote how we want or we will destroy the Senate by adding new States. These have been the Democratic demands. This is not about separation of powers. It is a hostage situation—a hostage situation.

Elections come and go. Political power is never permanent. But the consequences could be cataclysmic if our colleagues across the aisle let partisan passion boil over and scorch—scorch the ground rules of our government.

The Framers built the Senate to be the Nation’s firewall. Over and over, this institution—our institution—has stood up to stop recklessness that could have damaged our country forever.

So tonight, colleagues, we are called on to do that again. Tonight, we can place a woman of unparalleled ability and temperament on the Supreme Court. We can take another historic step toward a Judiciary that fulfills its role with excellence but does not grasp after power that our constitutional system intentionally assigns somewhere else.

And we can state loud and clear that the U.S. Senate does not bow to intemperate threats.

Voting to confirm this nominee should make every single Senator proud.

So I urge my colleagues to do just that.

Mr. SCHUMER. Mr. President, I note the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk called the roll.

The PRESIDENT pro tempore. A quorum is present.

All postcloture time has expired.

The question is, Will the Senate advise and consent to the nomination of Amy Coney Barrett, of Indiana, to be Associate Justice of the Supreme Court of the United States?

Mr. McCONNELL. I ask for the yeas and nays.

The PRESIDENT pro tempore. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

The result was announced—yeas 52, nays 48, as follows:

[Rollcall Vote No. 224 Ex.]

YEAS—52

Alexander	Gardner	Portman
Barrasso	Graham	Risch
Blackburn	Grassley	Roberts
Blunt	Hawley	Romney
Boozman	Hoeven	Rounds
Braun	Hyde-Smith	Rubio
Burr	Inhofe	Sasse
Capito	Johnson	Scott (FL)
Cassidy	Kennedy	Scott (SC)
Cornyn	Lankford	Shelby
Cotton	Lee	Sullivan
Cramer	Loeffler	Thune
Crapo	McConnell	Tillis
Cruz	McSally	Toomey
Daines	Moran	Wicker
Enzi	Murkowski	Young
Ernst	Paul	
Fischer	Perdue	

NAYS—48

Baldwin	Harris	Reed
Bennet	Hassan	Rosen
Blumenthal	Heinrich	Sanders
Booker	Hirono	Schatz
Brown	Jones	Schumer
Cantwell	Kaine	Shaheen
Cardin	King	Sinema
Carper	Klobuchar	Smith
Casey	Leahy	Stabenow
Collins	Manchin	Tester
Coons	Markey	Udall
Cortez Masto	Menendez	Van Hollen
Duckworth	Merkley	Warner
Durbin	Murphy	Warren
Feinstein	Murray	Whitehouse
Gillibrand	Peters	Wyden

The PRESIDENT pro tempore. The nomination of Amy Coney Barrett, of Indiana, to be an Associate Justice of the Supreme Court of the United States is confirmed.

(Applause.)

The PRESIDING OFFICER (Ms. MURKOWSKI). The majority leader.

LEGISLATIVE SESSION

Mr. McCONNELL. Madam President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

EXECUTIVE CALENDAR

Mr. McCONNELL. Madam President, I move to proceed to executive session to consider Calendar No. 865.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of James Ray

Knepp II, of Ohio, to be United States District Judge for the Northern District of Ohio.

CLOTURE MOTION

Mr. MCCONNELL. Madam President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

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 James Ray Knepp II, of Ohio, to be United States District Judge for the Northern District of Ohio.

Mitch McConnell, James E. Risch, Joni Ernst, Marsha Blackburn, Mike Crapo, James Lankford, Thom Tillis, Roy Blunt, Roger F. Wicker, Pat Roberts, Mike Rounds, John Cornyn, John Hoeven, Jerry Moran, Lamar Alexander, Mike Braun, David Perdue.

Mr. MCCONNELL. I ask unanimous consent that the mandatory quorum call be waived.

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

Mr. MCCONNELL. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

EXECUTIVE CALENDAR

Mr. MCCONNELL. Madam President, I ask unanimous consent that the Senate proceed to the consideration of Executive Calendar Nos. 744 and 896 through 902 and all nominations on the Secretary's desk in the Air Force, Army, and Navy and that the nominations be confirmed. I further ask unanimous consent that for all nominations confirmed during today's session of the Senate, that the motions to reconsider be considered made and laid upon the table with no intervening action or debate and the President be immediately notified of the Senate's action.

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

The nominations considered and confirmed are as follows:

IN THE MARINE CORPS

The following named officer for appointment in the United States Marine Corps to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Lt. Gen. Robert F. Hedelund

IN THE AIR FORCE

The following named Air National Guard of the United States officers for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., sections 12203 and 12212:

To be major general

Brig. Gen. Jon S. Safstrom

IN THE ARMY

The following Army National Guard of the United States officer for appointment in the Reserve of the Army to the grades indicated under title 10, U.S.C., sections 12203 and 12211:

To be brigadier general

Col. Robert B. Davis

IN THE AIR FORCE

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Robert J. Skinner

IN THE ARMY

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Lt. Gen. Mark C. Schwartz

The following named officers for appointment in the Reserve of the Army to the grades as indicated under title 10, U.S.C., section 12203:

To be major general

Brig. Gen. Matthew V. Baker
Brig. Gen. Vincent B. Barker
Brig. Gen. Bowlman T. Bowles, III
Brig. Gen. Miguel A. Castellanos
Brig. Gen. Miles A. Davis
Brig. Gen. Matthew P. Easley
Brig. Gen. John B. Hashem
Brig. Gen. Joseph J. Heck
Brig. Gen. Susan E. Henderson
Brig. Gen. Jamelle C. Shawley
Brig. Gen. Tracy L. Smith
Brig. Gen. Lawrence F. Thoms

To be brigadier general

Col. Harvey A. Cutchin
Col. John M. Dreska
Col. Charles A. Gambaro, Jr.
Col. Michael M. Greer
Col. Andrew R. Harewood
Col. Daniel H. Hershkovitz
Col. Stephanie Q. Howard
Col. Maria A. Juarez
Col. Robert T. Krumm
Col. Jocelyn A. Leventhal
Col. Kevin F. Meisler
Col. Andree G. Navarro
Col. Robert S. Powell, Jr.
Col. Jeffrey D. Pugh
Col. David M. Samuelsen
Col. Katherine A. Simonson
Col. Justin M. Swanson
Col. Dean P. Thompson
Col. Jason J. Wallace
Col. Matthew S. Warne
Col. Michael L. Yost

IN THE SPACE FORCE

The following named officer for appointment in the United States Space Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C. section 601:

To be lieutenant general

Maj. Gen. John E. Shaw

The following named officer for appointment in the permanent grade indicated in the United States Space Force under title 10, U.S.C., section 716:

To be major general

Maj. Gen. John E. Shaw

NOMINATIONS PLACED ON THE SECRETARY'S DESK

IN THE AIR FORCE

PN2258 AIR FORCE nominations (3) beginning JESSICA R. COLMAN, and ending BRIAN A. THALHOFER, which nominations were received by the Senate and appeared in the Congressional Record of September 30, 2020.

PN2259 AIR FORCE nominations (2) beginning SCOTT R. MOORE, and ending SANDRA V. SLATER, which nominations were received by the Senate and appeared in the Congressional Record of September 30, 2020.

IN THE ARMY

PN2260 ARMY nomination of Anne B. Warwick, which was received by the Senate and appeared in the Congressional Record of September 30, 2020.

PN2261 ARMY nominations (125) beginning JAKUB H. ANDREWS, and ending D002999, which nominations were received by the Senate and appeared in the Congressional Record of September 30, 2020.

PN2262 ARMY nominations (160) beginning MATTHEW T. ADAMCZYK, and ending D015515, which nominations were received by the Senate and appeared in the Congressional Record of September 30, 2020.

PN2263 ARMY nominations (18) beginning JOHN J. AGNELLO, and ending JOHN J. ZOLLINGER, which nominations were received by the Senate and appeared in the Congressional Record of September 30, 2020.

PN2264 ARMY nominations (92) beginning CORNELIUS L. ALLEN, JR., and ending MICHAEL A. ZWEIFEL, which nominations were received by the Senate and appeared in the Congressional Record of September 30, 2020.

PN2265 ARMY nomination of Corey M. James, which was received by the Senate and appeared in the Congressional Record of September 30, 2020.

PN2266 ARMY nomination of John H. Mitchell, which was received by the Senate and appeared in the Congressional Record of September 30, 2020.

IN THE NAVY

PN2001 NAVY nomination of Robert K. Debus, which was received by the Senate and appeared in the Congressional Record of June 17, 2020.

PN2017 NAVY nomination of Paul S. Ruben, which was received by the Senate and appeared in the Congressional Record of June 17, 2020.

PN2267 NAVY nomination of Robert M. Knapp, which was received by the Senate and appeared in the Congressional Record of September 30, 2020.

PN2269 NAVY nomination of Brian E. Lamarche, which was received by the Senate and appeared in the Congressional Record of September 30, 2020.

PN2270 NAVY nomination of Terence M. Murphy, which was received by the Senate and appeared in the Congressional Record of September 30, 2020.

PN2271 NAVY nomination of Roldan J. Crespopabon, which was received by the Senate and appeared in the Congressional Record of September 30, 2020.

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. MCCONNELL. Madam President, I ask unanimous consent that the Senate proceed to legislative session for a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.