

ago. But I want to ask her a little more about her judicial philosophy and how she views her role on the Supreme Court.

Now, some have suggested, since she has been confirmed to the circuit court, that this ought to be a rubberstamp. Well, I don't view it that way. Circuit court nominees and district court nominees have to apply Supreme Court precedent, but when you are a member of the Supreme Court, there is no higher court that dictates the decision or the precedence you need to apply.

Now, ideally, you are applying the statutes and laws passed by Congress and the Constitution itself, but there is admittedly more flexibility for the nominee, which means her philosophy is even more important to know now.

I tried to flesh out Judge Jackson's judicial philosophy during her confirmation hearing for the DC Circuit Court. A number of us submitted questions for the record asking her to clarify her judicial philosophy and the way she interprets the Constitution.

We have heard a lot of testimony over the years about originalists and textualists and different ways people approach their duties as a judge.

I don't think Judge Jackson was particularly forthcoming with her answers when we asked about her philosophy, and I ultimately voted against her confirmation for the circuit court. Now, that vote is not going to determine how I view her nomination to the Supreme Court, but I think the question applies with even greater strength because she will not be bound by Supreme Court precedent.

I know she will have plenty of time and plenty of opportunity to clarify her views during the confirmation process, and I hope to see an unvarnished look, beginning with our conversation tomorrow, on Thursday.

I am also eager to learn more about Judge Jackson's views of the Supreme Court as an institution, which has increasingly come under attack by partisans, again, who don't particularly like the decisions of the Court. But that is not supposed to be the test. The test is whether they apply the Constitution and laws of the United States to the facts found by the finder of fact.

There have actually been a number of calls here on the Senate and in our political system in general to change the makeup of the Supreme Court, to actually add additional Justices to the Court—something that used to be called court packing back in the days of Franklin Delano Roosevelt. But Justice Breyer, to his credit, whose seat Judge Jackson has been nominated to fill, has been a steadfast defender of the Supreme Court as an institution, and I hope soon-to-be-Justice Jackson takes her cues from her mentor.

Justice Breyer echoed the comments of the late Ruth Bader Ginsburg and warned about a potentially dangerous politicalization of the Supreme Court and the consequential loss of public

confidence in its judgments. Well, I would like to know whether Judge Jackson agrees with Justice Breyer and whether she shares Justice Ginsburg's assessment that nine seems to be a good number when it comes to the Supreme Court.

In the coming days and weeks, the Senate will thoroughly review Judge Jackson's qualifications, just as this body has done for every other nominee to the Federal bench. This is a familiar process to most of us. Judge Jackson is the fourth Supreme Court nominee we will have considered in the last 5 years.

But I hope there is something we do differently this time than has been done in the recent past, particularly in the case of Justice Kavanaugh. Frankly, the confirmation process for Justice Kavanaugh was an embarrassment and, I believe, a black mark on this Senate. Conversely, I think we have an opportunity to show the American people how to do it the right way and treat Judge Jackson with civility and dignity, even when we disagree. We know that outside groups launched a full-on character attack against Judge Kavanaugh. Even Justice Barrett, more recently, was attacked based on her religious beliefs.

I can assure you that will not happen this time around. We will meticulously review Judge Jackson's record. We will ask detailed questions to understand her judicial philosophy. We will read and review her opinions and carefully evaluate her ability to serve. Through it all, there is no question that she will be treated with dignity and respect.

I think the confirmation process must be thorough and it must be civil. The American people and, frankly, the nominee deserves nothing less. I am prepared to fulfill my advice and consent duties as a Member of this body and as a member of the Judiciary Committee.

As we know, there is no particular timeline for this process. In some cases, it moves quickly, and in others it has taken significantly more time. Chairman DURBIN has announced that the Judiciary Committee will begin its confirmation hearing in the week of March 21, which doesn't allow much more time for our colleagues to meet with Judge Jackson before evaluating her record, and I know she has prioritized meeting with Members of the Judiciary Committee. I hope she will have adequate time to meet with other Members who are not on the Judiciary Committee, as well.

I know our colleagues are anxious to expedite this process, but we all know Justice Breyer will stay on the Court until the end of this term, which will be the first week or so in July.

Justices do not have term limits. They are not held accountable on elections, but they wield tremendous power under our Constitution. So we have a duty, not necessarily to get it done fast but to get it done right and thoroughly evaluate Judge Jackson's qualifications and ensure that, if confirmed, she

will serve as a fair and impartial member of the Supreme Court.

I yield the floor.

The PRESIDING OFFICER (Mr. VAN HOLLEN). The Senator from Hawaii.

Ms. HIRONO. Mr. President, I was listening very carefully to my friend, my colleague from Texas, on his comments regarding the process by which we give our advice and consent to all of our judicial nominees, but, of course, particularly our responsibility with regard to Supreme Court nominees.

There seems to be some concern that we are rushing the nomination process for Judge Jackson. Nothing could be further from the truth because everybody remembers the speed with which nominee Amy Coney Barrett was put on the Court, from the time of her nomination to the hearings, to her being sworn in.

There will be enough time for all of our Members of this body to consider Judge Jackson's nomination, not to mention that we have already confirmed her twice, once to the district court and another time to the circuit court. It is not as though she is unfamiliar to us.

Also, any connotation that somehow President Trump's nominees were ill-treated—again, nothing could be further from the truth because the whole process, especially with regard to Justice Kavanaugh, was with the utmost desire on the part, particularly, of the Democrats on the Judiciary Committee to get to the bottom of certain allegations against Justice Kavanaugh that were highly serious.

To cast any kind of doubt or aspersions on the work of the members of the Committee—especially the Democrats on the Committee—with regard to President Trump's nominees is not well-taken.

#### ABORTION

Ms. HIRONO. Mr. President, let me move onto why I am here this afternoon. It is not an exaggeration to say that we are at a crisis point. Republican legislatures all across the country are continuing to pass bills that control our bodies and, at the same time, Trump Supreme Court nominees are closer than ever to overturning *Roe v. Wade*.

There are 26 States across the country that are likely, if not certain, to ban abortion if the Supreme Court overturns *Roe v. Wade*. There is no question that these restrictions that have been enacted by States all across the country have an incredibly discriminatory impact and will disproportionately harm those who are already facing far more obstacles when it comes to accessing healthcare, including women of color, women with low incomes, people with disabilities, LGBTQ+ individuals, rural women, and many more.

For over 50 years, *Roe v. Wade* enabled women to make the decision about whether or not they wanted to

start a family. But, today, because of new abortion care restrictions, 90 percent of counties in the United States do not have an abortion provider. Women are faced with impossible decisions and, as a result, will be forced to have babies they can't afford, didn't plan for, or are unable to care for, or faced to have babies under life-threatening conditions. And, tragically, women may also die because they lack the access or resources to safely end pregnancy. Abortion bans are a matter of life and death.

Women across the country are under attack and so, too, are the healthcare professionals who provide safe and legal abortions. Today is Abortion Provider Appreciation Day. This day was established to honor Dr. David Gunn, who was killed on March 10, 1993, outside his abortion clinic in Pensacola, FL, by a White supremacist, anti-abortion extremist.

Abortion providers are compassionate, credentialed, and highly trained professionals who allow women to actually make choices about their own bodies, their futures, and whether or not they want to start a family, and they do so without judgment and in the face of violence.

Tragically, Dr. Gunn's murder was just the first known instance of a murder of an abortion provider. Across the country, abortion providers experience intimidation, harassment, threats, and violence from anti-abortion extremists.

According to NARAL, between 1977 and 2015, there were over 7,200 acts of violence carried out against abortion providers by anti-choice extremists. These included 42 bombings, 185 arson attacks, and thousands of death threats, bioterrorism threats, and assaults. Every single day, even right here in DC, anti-choice extremists station outside of abortion clinics and harass staff and patients.

Fourteen States and the District of Columbia have needed to enact laws to protect abortion providers and patients, including laws that prohibit blocking the entrance to a clinic, threatening or intimidating staff, damaging property, and more. Three States have even had to go so far as to establish a "bubble zone" to protect people within a certain distance of a clinic. These doctors, nurses, and staff fear for their lives just to provide access to reproductive care.

Being an abortion provider is a dangerous profession in this country. What other medical profession deals with this level of harassment and violence just to provide medical services, medical care? For what other medical profession do we have to create a bubble zone of protection?

On Tuesday, I joined Senator PETERS and my colleagues in the House to introduce a resolution to honor all healthcare providers who keep patients safe and healthy and do their part to help provide access to reproductive care, including abortions.

Today, on Abortion Provider Appreciation Day, I stand on the Senate

floor to affirm my commitment to ensuring the personal safety of all abortion providers and clinic staff. I thank these fearless individuals for maintaining abortion access to communities across our country. A big aloha and mahalo to these courageous people.

I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

#### UNANIMOUS CONSENT REQUEST— S. 3811

Mr. SCOTT of Florida. Mr. President, a few days ago, the Senate heard directly from President Zelenskyy. The bravery and leadership we have seen from President Zelenskyy and the Ukrainian people is incredible.

And during this call, he was very clear about what the Ukrainian people need to defend themselves against Russia's unjustified invasion. What is unbelievable is that even after seeing horrifying images on the news and hearing from the Ukrainian President himself, the Senate has done nothing to get the aid they so desperately need approved and on its way. Why? Because Senator CHUCK SCHUMER is holding it hostage.

Senator SCHUMER is keeping this body from voting on and passing the Ukrainian aid package because he is holding it hostage to include it in the \$1.5 trillion omnibus. People are dying. Yesterday while the Senate floor was closed at Senator SCHUMER's direction, Putin's evil forces bombed a children's hospital.

What in the world are we doing here? It is heartless. It is shameful. It is a stain on the integrity of the Senate and the United States that aid for Ukrainians is being used as a political tool.

We could have voted on the weekend. We could have voted on Monday or Tuesday or yesterday.

But Senator SCHUMER closed the floor and made it impossible to vote. Ukrainians are dying. It is time to end these games. These are stupid games. That is why I am asking that we immediately take a vote to pass the aid to Ukraine.

And I am thankful that many of my colleagues have joined me to make this request. Senators MARSHA BLACKBURN, JOHN BOOZMAN, TOM COTTON, STEVE DAINES, JONI ERNST, CHUCK GRASSLEY, CYNTHIA LUMMIS, and ROGER MARSHALL have all cosponsored my proposal.

What I am asking is to pass the exact text—the exact text—that both the Democrats and Republicans, they have already agreed to this. We can send this to the President's desk today. By holding this hostage in the omnibus, Senator SCHUMER is forcing even further delays. The omnibus won't go to President Biden's desk until next week.

The people of Ukraine are in the fight for their lives and their freedom. Every day the Senate waits to send American aid, weapons, and resources to help them is another day that their fighting against this Russian invasion is even made more difficult.

There is no reason we can't vote on this aid package now and pass it today. Waiting even 1 more day puts more lives at risk. Let's act now to protect global freedom from Putin's tyranny.

Now, I will turn it over to Senator ROGER MARSHALL.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. MARSHALL. I thank Senator SCOTT for leading this issue.

Mr. President, every moment of every day is precious, but none more so than when war has engulfed your home. It was just 3 weeks ago today, what now feels like an eternity, that Russian forces first invaded Ukraine's sovereign border and launched a deadly, unprovoked attack on the people of Ukraine. And since that day, the world has watched in horror as hundreds, perhaps thousands, of innocent civilians—including children—have perished from gunfire and explosive weapons. More than 2 million people have now fled their homes.

Among the Russian targets have been a bread factory, a maternity ward, and a nursery. Despite enduring the suffering and being greatly outnumbered by Russian force strength and military might, the Ukrainian people have bravely defended their homeland, an inspiration for the entire world. Here at home, though, President Biden has been doing his best to fool the American people into thinking he is a wartime President, but his track record tells a different story.

To say the President is leading from behind is an understatement. The President's handling of the Ukraine invasion has been littered with missteps and tardiness nearly every step of the way, his words and actions seldom lining up.

In December, the administration slow-walked a shipment of military arms that would have hardened Ukraine's defenses. It took nearly a month for the package to be approved and the armaments to arrive in Ukraine. In January, Senate Republicans moved to stop sanctions on the Nord Stream 2 Pipeline. President Biden dispatched his allies in this Chamber to filibuster the bill and allow the project to be slowed down.

A month later, the President finally came around and moved to impose sanctions on the project. Last week, I introduced with 10 of my Republican colleagues to ban Russian oil imports. Democrats in the Senate joined in calling for an announcement of such an action during his State of the Union speech, but none was made.

Always afraid to lead, it would be a full week later when President Biden would finally impose the import prohibition. This President has repeatedly been late to act. His failure to show strength and take proactive maneuvers empowered a war criminal to move to reclaim one of the most prized former Soviet republics, a land rich with wheat and corn and sunflowers.