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Senate

The Senate met at 10 a.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, before You nations rise and fall. They grow strong or wither by Your design. Help our Nation and world to embrace righteousness and to strive for unity and renewal.

Lord, hasten the coming of Your Kingdom, where pain, tears, and death will be no more. Teach all nations the way of peace so we may plow up battlefields and pound weapons into liberation tools. Teach us to talk across boundaries as brothers and sisters, united by Your love.

Today, inspire our Senators and all who work with them to strive in their efforts to transform dark yesterdays into bright tomorrows.

And, Lord, we continue to pray for those involved with the Texas flooding.

We pray in Your magnificent 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.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mrs. MOODY). Under the previous order, the leadership time is reserved.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session and resume consideration of the following nomination, which the clerk will report.

The senior assistant executive clerk read the nomination of Jonathan Gould, of Virginia, to be Comptroller of the Currency for a term of five years.

The PRESIDING OFFICER. The Senator from Iowa.

SREBRENICA GENOCIDE

Mr. GRASSLEY. Madam President, July 11 is recognized by the United Nations General Assembly as the International Day of Reflection and Commemoration of the 1995 Genocide in Srebrenica.

This town in Bosnia and Herzegovina was the scene of the worst genocide on European soil since the Holocaust. Bosnian Serb separatists murdered 8,000 of their fellow Bosnians at that time—these fellow Bosnians had been their coworkers, their neighbors, even friends—because of their Muslim heritage, practicing that faith or not practicing.

Many Bosnian families who survived the genocide but who lost their family members became refugees and found a home in my State of Iowa. Bosnian Iowans have enriched Iowan communities with their strong work ethic, family values, and unique culture.

Today, there are renewed calls for ethnic separatism in Bosnia. That dredges up painful memories for those who lived through the genocide of the 1990s.

As we commemorate the loss, which so many Bosnian families experienced, we ought to be alert to the renewed efforts to finalize the ethnic cleansing project that began in the 1990s.

The Dayton Accords are rightly celebrated for ending that killing of 8,000, but they essentially froze the

frontlines and enshrined ethnic divisions by creating two entities within Bosnia and Herzegovina. These two entities are named Republika Srpska and the Federation.

Prior to the war and the ethnic cleansing, Bosnians of Orthodox, Muslim, and Catholic heritage were very intermixed; although, many Bosnians were not particularly practicing their respective religions.

The territory that is now the Republika Srpska used to have a large percentage of Bosnians of Muslim heritage, but most are now gone. However, I have talked to Bosnians in Iowa of Muslim heritage who still have family living in the old country.

Separatists in Bosnia and their advocates here falsely imply this area was always populated overwhelmingly by Orthodox Bosnian Serbs so they ought to have their own state. They also spin narratives that this is some great clash of faiths or civilizations.

Bosnians share a common European culture. However, it seems like ethnic identity—not whether or how a Bosnian practices a faith—has been the focus of conflict.

There are no easy answers for Bosnia's future, but I am convinced that state-building based on ethnic cleansing is not the right way to go, and we should have learned that from the genocide of 1995.

NOMINATION OF WHITNEY D. HERMANDORFER

On another subject, Madam President, before noon today, we will begin our first set of votes on the nomination of Whitney Hermandorfer to serve as circuit judge for the Sixth Circuit. Before we do, I want to express my support for her nomination and urge my colleagues to support her nomination and confirm her.

Ms. Hermandorfer is President Trump's first judicial nominee, and she really is a home-run pick or, using a more appropriate expression for a former basketball player, her nomination is "nothing but net."

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



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Ms. Hermandorfer's list of accolades is something to behold. She graduated magna cum laude from Princeton University and was cocaptain of her basketball team. She was valedictorian at George Washington Law School and clerked for three of the current Supreme Court Justices as well as another Federal judge.

Currently, Ms. Hermandorfer is director of the strategic litigation unit in the Tennessee Attorney General's Office and has led some of the most important litigation in our country, including a recent victory before the Supreme Court.

At her hearing, we witnessed firsthand her impressive intellect, composure under pressure, professionalism, and collegial nature. Her performance at her hearing was no surprise to anyone who knows her. Her nomination has been praised by practitioners and academics from across the political spectrum. They understand that Ms. Hermandorfer is dedicated to following the rule of law, not to advancing her preferred policy outcomes.

Too often, we have seen judges play policymaker instead of being just simply a jurist. Ms. Hermandorfer understands the powerful role that judges have in our system of government, but even more importantly, she respects the limitation of that power.

During the Biden administration, a substantial majority of judicial nominees received bipartisan support. In fact, more than 80 percent of his nominees got bipartisan support. Republicans wouldn't have picked most of those judges, but many of them still got support from my side of the aisle.

Given her impeccable qualifications, I hope we can have the same bipartisan support today for Ms. Hermandorfer; otherwise, it just shows how politically partisan the other side has become.

The Senate's advice and consent role for judicial nominees is one of our most important jobs. Sometimes these decisions can be difficult, but in this case, it is pretty simple. I am confident Ms. Hermandorfer will be an excellent judge, and I urge my colleagues to support her nomination.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant executive clerk proceeded to call the roll.

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

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

RECOGNITION OF THE MAJORITY LEADER

The majority leader is recognized.

JUDICIAL NOMINATIONS

Mr. THUNE. Madam President, on Tuesday evening, I filed cloture on the nomination of Whitney Hermandorfer, of Tennessee, to be U.S. circuit judge for the Sixth Circuit, the first of President Trump's judicial nominees that we will consider this month.

I am excited that the White House has started sending over judicial nomi-

nations and eager to get to floor confirmation of Trump's nominees.

One of the great achievements of President Trump's first term was the confirmation of some 234 judges to the Federal bench. At the start of the first Trump administration, the President and Congress were faced with well over 100 openings in the judiciary, a daunting number but an incredible opportunity to shape the Federal bench.

The administration got right to work on identifying good judicial candidates, and Leader McConnell determined that we were going to fill those slots and others that would open up—and not just fill them, of course. The President and Leader McConnell and then-Senate Judiciary Committee Chairman Chuck Grassley were determined to fill them with the right kind of judges, judges who would faithfully interpret the law, not attempt to legislate from the bench.

Our interest was in putting judges on the bench who would look at the law, the Constitution, and the facts of the case and rule based on those criteria and nothing else. That might seem like an obvious goal for judicial nominations, but, unfortunately, that is not always the case. In fact, my colleagues on the other side of the aisle frequently seem to prefer another kind of judge, the kind of judge who will rule in line with Democrats' policy preferences, even when the law doesn't support them.

You only have to look at Democrats' attempts to politicize and delegitimize the Supreme Court for daring to occasionally rule against Democrats' preferred outcomes to realize that Democrats aren't interested in judges who will rule according to law; they are interested in judges who will rule according to the platform of the Democratic Party. That is a very dangerous thing.

Our system is based on a belief in the rule of law. In the American system, the law is supposed to be the final, impartial arbiter. Cases are to be decided based on what the law says, not on what a particular judge feels. Sure, it might seem nice when an activist judge goes outside the meaning of the law and rules for your preferred outcome. But what happens when that same judge reaches beyond the law to your detriment? What protection do you have if the law is no longer the highest authority?

Equal justice under the law can only be maintained as long as judges actually rule based on the law and not on their personal feelings or political opinions. An activist judiciary is a threat to justice, it is a threat to the separation of powers, and it is a threat to individual liberty.

And one of the things I am proudest of in the first Trump administration is the number of judges we put on the bench who understand this—who understand that our system depends on the rule of law, not the rule of unelected judges; who understand that their job is to interpret the law, not

usurp the job of the people's elected representatives by legislating from the bench.

We are not facing the number of judicial vacancies this Congress that we faced during President Trump's first term. There are currently only around 50 vacancies on the Federal bench. So our job now is to continue the good work that we began during the first Trump administration by filling those vacancies with more judges who understand the proper role of a judge, and that starts with confirming Ms. Hermandorfer.

I am grateful to Leader McConnell and Judiciary Chairman Chuck Grassley and to Lindsey Graham for their incredible efforts during President Trump's first term, and I am grateful to President Trump for the caliber of judges he has nominated and continues to nominate to the bench. I look forward to working with President Trump and Chairman Grassley to confirm more outstanding judges during this Congress.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant executive clerk proceeded to call the roll.

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

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

RECOGNITION OF THE MINORITY LEADER

The Democratic leader is recognized.

NOMINATION OF WHITNEY D. HERMANDORFER

Mr. SCHUMER. Madam President, later today, Senate Republicans will hold the first procedural vote on a judicial nominee in Donald Trump's second term, Whitney Hermandorfer, to be a circuit judge on the Sixth Circuit.

Everyone knows that for Donald Trump's judges, one thing has always mattered most: loyalty to him. Not experience, not independence, not knowledge of the law, not even following the rule of law. When it comes to judges, Donald Trump cares only about one thing: fealty. He doesn't care about the law, precedent, or even what the Constitution says. He only wants them to do whatever he wants, no matter how baseless or irrational it is.

A quick glance at Ms. Hermandorfer's background shows she is unqualified to serve on the bench. She has less than 10 years of legal experience. She has never served as the sole or chief counsel on a single case that was tried to verdict. Indeed, she has made a career out of going after people's reproductive rights, their transgender rights, and anti-discrimination policies.

At the Tennessee Attorney General's Office, she has tried to strike down protections for employees who need reproductive care. She supported Donald Trump's firing of more than a dozen inspectors general, even filing an amicus brief on behalf of Tennessee.

The list of reasons why Ms. Hermandorfer would make a terrible