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Senate

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

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

Let us pray.

Eternal Lord God, we rejoice because of Your power. We are dependent upon You to rescue us from ourselves and from the unseen consequences of the challenges we face.

Guide and sustain our Senators, enabling them to know the joy of having You as their sure defense. May Your unfailing love, O God, which is as vast as the Heavens, motivate our lawmakers to make faithfulness their top priority. Use them to give justice a chance to thrive in a threatening world. Lord, infuse them with the spirit of humility that seeks first to understand rather than to be understood. May they find their strength and confidence in You alone.

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.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mrs. CAPITO). The majority leader is recognized.

NOMINATION OF NEIL GORSUCH

Mr. McCONNELL. Madam President, later today, due to the threat of an unprecedented partisan filibuster, I will file cloture on the nomination of Judge Gorsuch to be an Associate Justice of

the Supreme Court. It should be unsettling to everyone that our colleagues across the aisle have brought the Senate to this new low, and on such an impressive nominee with such broad bipartisan support.

Judge Gorsuch is independent, he is fair, he has one of the most impressive resumes we will ever see, and he has earned the highest possible rating from the group the Democratic leader called the “gold standard” for evaluating judicial nominations. No one seriously disputes his sterling credentials to serve on the Court. Yet, in the Judiciary Committee, Democrats withheld support from him. On the floor, Democrats said they will launch a partisan filibuster against him—something Republicans have never done. No one in the Senate Republican conference has ever voted to filibuster a Supreme Court nominee. Not one Republican has ever done that.

Later today, colleagues will continue to debate the nomination of Judge Gorsuch. They will discuss how completely unprecedented it would be for Democrats to actually follow through on this filibuster threat to actually block an up-or-down vote for this nominee even though a bipartisan majority of the Senate supports his nomination and what the negative consequences would be for the Senate if they succeed. I will be listening with interest. I hope Senators in both parties will listen as well.

“There has never been,” as the New York Times and others reported last week, “a successful partisan filibuster of a Supreme Court nominee.” Never in the history of our country. Not once in the nearly 230-year history of the Senate.

The last time a Republican President nominated someone to the Supreme Court, Democrats tried to filibuster him too. That was Samuel Alito in 2006. Fortunately, cooler heads prevailed. Even former President Obama, who as a Senator participated in that

effort, now admits that he regrets joining that filibuster effort.

Democrats are now being pushed by far-left interest groups into doing something truly detrimental to this body and to our country. They seem to be hurtling toward the abyss this time and trying to take the Senate with them. They need to reconsider.

Perhaps they will recall their own words from the last time they flirted with a partisan Supreme Court filibuster. Back then, the current top Democrat on the Judiciary Committee said she opposed attempts to filibuster Supreme Court nominees. “[Just because the nominee] is a man I might disagree with,” she said, “that doesn’t mean he shouldn’t be on the court.” She said the filibuster should be reserved for something truly outrageous.

Yesterday, the top Democrat on the Judiciary Committee announced her intention to filibuster the Supreme Court nominee before us because she disagreed with him. It is totally the opposite of what she said before. It is just the kind of thing she said the filibuster should not be used for.

This is emblematic of what we are seeing in Democrats’ strained rationale for their unprecedented filibuster threat. It seems they are opposed to Judge Gorsuch’s nomination because far-left interest groups are upset about other things—the way the election turned out, mostly—and threatening the careers of any Democrat who opposes blind resistance to everything this President does.

Democrats have come up with all manner of excuses to justify opposing this outstanding nominee. They asked for his personal opinions on issues that could come before him and posed hypotheticals that they know he is ethically precluded from answering. They cherry-picked a few cases out of thousands in which he has participated. They invent fake 60-vote standards that fact checkers call bogus. They are, to paraphrase the Judiciary

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



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