

SIGNING AUTHORITY

Mr. PORTMAN. Mr. President, I ask unanimous consent that the senior Senator from North Dakota and the majority leader be authorized to sign duly enrolled bills or joint resolutions on Wednesday, September 30.

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

NOMINATION OF AMY CONEY BARRETT

Mr. PORTMAN. Mr. President, I would like to talk tonight about the nomination of Amy Coney Barrett for the vacant Supreme Court Associate Justice seat.

I think the President made a great pick. From all indications, she is an impressive lawyer, judge, and person. We have already begun the process of looking at Judge Barrett. She has been meeting with Members of the Senate, and I look forward to my meeting with her.

The precedent for moving forward with this nomination at this time is crystal clear. During an election year, when one party holds the Presidency and the Senate, in the entire history of our country, the Senate has confirmed the nominee in every single case except one. That one exception, by the way, was somebody who withdrew because of ethics concerns that both Republicans and Democrats had. So the precedent is very clear. When you have the President and the Senate of the same party, we confirm.

In contrast, when power is divided and a Supreme Court vacancy arises during an election year, Senate precedent is not to confirm the nominee. In fact, the last time a confirmation occurred with the President and the Senate of different parties was in the 1880s. That distinction is what separates now from 2016.

Back then, I wrote an op-ed:

Some argue that the American people have already spoken. And I agree they have. Both the president and the Senate majority were fairly and legitimately elected. The last time we spoke as a nation, two years ago, the American people elected a Republican majority in the U.S. Senate in an election that was widely viewed as an expression that people wanted a check on the power of the president. The president has every right to nominate a Supreme Court Justice. . . . But the founders also gave the Senate the exclusive right to decide whether to move forward on that nominee.

In other words, in keeping with the precedent that I laid out earlier, the Republican Senate did what Democratic Senates had traditionally done with a Republican President's nominee. The comments I made in 2016 were all in that context of divided government.

In fact, in that same op-ed, I warned that divided government is not "the time to go through what would be a highly contentious process with a very high likelihood the nominee would not be confirmed." I did not believe that Judge Garland would have been confirmed. I thought it was not a good result to have that kind of highly contentious process for the institution of the Supreme Court or for the Senate.

Now, of course, we have a very different situation. We have a President and a Senate of the same party. In fact, we have a Republican Senate that was elected in 2016 and reelected in 2018, in part, to support well-qualified judges nominated by the President.

No one can disagree that Judge Barrett has an impressive legal background. As I have looked into her background both as a law professor at Notre Dame, where three times she won the Distinguished Teaching Award and, of course, in her record as a judge on the U.S. Court of Appeals for the Seventh Circuit, Judge Barrett has been highly regarded for her work in the legal world.

By the way, she has been highly regarded from folks across a wide variety of legal philosophies. They say she is smart. They say she understands the law. They say she is well qualified. In fact, the American Bar Association said that about her when she was nominated and successfully confirmed here in the U.S. Senate to the circuit court, which, of course, is the second level, right below the Supreme Court. So she has already gone through the process here. She has been confirmed here. The American Bar Association looked at her and said she is well qualified, which is their highest rating. So my hope is that there will not be any argument about whether she is well qualified or not, because she clearly is. She has an impressive legal background.

To me, though, her personal story is as impressive as her legal career. After earning a full ride to Notre Dame Law and graduating first in her class, she earned a prestigious clerkship on the Supreme Court for Justice Antonin Scalia. She then married Jesse Barrett, a classmate of hers at Notre Dame, and is raising seven wonderful children—two adopted from Haiti—all while advancing her own extraordinary career in the law. Frankly, I think she is a great model for working parents everywhere.

As we heard during her last confirmation to the circuit court, when we talked about her right here on the floor of the U.S. Senate, she was admired as a good person. Colleagues at Notre Dame, her students at Notre Dame, and others from across the political spectrum have called her fair. They have called her compassionate. They have said she is a good person.

Apart from those legal qualifications and the character, I think it is fair for the Senate to insist on knowing a judge's judicial philosophy. My view is that it is the role of Supreme Court Justices to fairly and impartially apply the law and protect our rights guaranteed by the Constitution but not to advance their personal preferences or even their policy goals. That is not the job of judges. They are not supposed to be like us, legislators. They are not supposed to legislate from the bench. They are supposed to follow the Constitution, follow precedent.

It is no understatement to say that Judge Barrett is being interviewed for

one of the most important jobs in the country. That is why it is important we do get a fair and accurate picture of her judicial philosophy. Do you know what? Her judicial philosophy lines up with what I think is right for the Court but, more importantly, what most Americans think is right for the Court.

As an opinion piece in the Wall Street Journal put it recently, Judge Barrett's body of work puts her "at the center of the mainstream consensus on the judge's role as an arbiter, not a lawmaker, who abides by the duty to enforce the law as written." That is her record. That is the philosophy she talked about as she was confirmed by this body just a couple of years ago.

While I know that judicial nominations have become incredibly partisan around here, my hope is that Judge Barrett will be given a thorough and a fair evaluation from both sides of the aisle. To that end, I hope my Democratic colleagues will at least meet with Judge Barrett and engage with her on any concerns they might have rather than dismiss her nomination out of hand, and I hope that those who end up opposing her will be able to do so without resorting to the kind of character assassination we saw with Judge Kavanaugh.

I look forward to the 4 days of Judiciary Committee hearings that have already been announced by Chairman GRAHAM. This will give all members of the committee plenty of time to ask questions, to express their views, and to have the dialogue that they are looking for. I will be joining millions of Americans in watching those proceedings.

I will also look forward to my one-on-one meeting with her. This will give me a chance to further assess Judge Barrett's character, temperament, and legal philosophy.

My hope is that my colleagues on both sides of the aisle will also take the opportunity to fairly review her character, her judicial temperament, and her legal qualifications, which are so impressive, and do so in a respectful manner.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

EXECUTIVE CALENDAR

Mr. PORTMAN. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Executive Calendar Nos. 845 through 853, 869, 870, and all nominations on the Secretary's desk in the Air Force, Army, Marine Corps, Navy, and Space Force; that the nominations be confirmed; that the motions to reconsider be considered made and laid upon the table with no intervening action or debate; and that 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 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 general

Lt. Gen. Christopher G. Cavoli

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 general

Lt. Gen. David D. Thompson

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

Lt. Gen. David D. Thompson

IN THE AIR FORCE

The following named officer for appointment as Vice Chief of Staff of the Air Force and 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., sections 601 and 9034:

To be general

Lt. Gen. David W. Allvin

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. Andrew P. Poppas

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

Maj. Gen. James J. Mingus

IN THE NAVY

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601, and for appointment as a Senior Member of the Military Staff Committee of the United Nations under title 10, U.S.C., Section 711:

To be vice admiral

Lisa M. Franchetti

IN THE ARMY

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

To be brigadier general

Col. William F. McClintock

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., sections 601:

To be lieutenant general

Maj. Gen. Michael S. Groen

Gregory Scott Tabor, of Arkansas, to be United States Marshal for the Western District of Arkansas for the term of four years, vice Harold Michael Oglesby, term expired.

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. James C. Dawkins, Jr.

IN THE ARMY

The following named officers for appointment in the United States Army to the grade indicated under title 10, U.S.C., section 624:

To be major general

Brig. Gen. Sean C. Bernabe

Brig. Gen. Patrick D. Frank

IN THE DEPARTMENT OF STATE

Alex Nelson Wong, of New Jersey, to be Alternate Representative of the United States of America for Special Political Affairs in the United Nations, with the rank of Ambassador.

Alex Nelson Wong, of New Jersey, to be an Alternate Representative of the United States of America to the Sessions of the General Assembly of the United Nations during his tenure of service as Alternate Representative of the United States of America for Special Political Affairs in the United Nations.

Kenneth R. Weinstein, of the District of Columbia, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Japan.

NOMINATIONS PLACED ON THE SECRETARY'S DESK

IN THE AIR FORCE

PN1 788 AIR FORCE nominations (31) beginning BRIAN H. ADAMS, and ending MARY JEAN WOOD, which nominations were received by the Senate and appeared in the Congressional Record of May 4, 2020.

PN2165 AIR FORCE nomination of James E. Key, III, which was received by the Senate and appeared in the Congressional Record of August 6, 2020.

PN2216 AIR FORCE nominations (129) beginning PAUL JEFFREY AFFLECK, and ending JOSEPH F. ZINGARO, which nominations were received by the Senate and appeared in the Congressional Record of September 10, 2020.

PN2217 AIR FORCE nomination of Michael B. Parks, which was received by the Senate and appeared in the Congressional Record of September 10, 2020.

PN2218 AIR FORCE nomination of Brian P. O'Connor, which was received by the Senate and appeared in the Congressional Record of September 10, 2020.

PN2219 AIR FORCE nomination of Samuel P. Baxter, which was received by the Senate and appeared in the Congressional Record of September 10, 2020.

PN2220 AIR FORCE nomination of Ryan M. Vanartsdalen, which was received by the Senate and appeared in the Congressional Record of September 10, 2020.

IN THE ARMY

PN1851 ARMY nomination of Mark J. Richardson, which was received by the Senate and appeared in the Congressional Record of May 11, 2020.

PN2166 ARMY nomination of Luis O. Rodriguez, which was received by the Senate and appeared in the Congressional Record of August 6, 2020.

PN2167 ARMY nomination of Kyle C. Furfuri, which was received by the Senate and appeared in the Congressional Record of August 6, 2020.

PN2180 ARMY nominations (2) beginning EDWARD J. COLEMAN, and ending MICHAEL E. KELLY, which nominations were received by the Senate and appeared in the Congressional Record of August 13, 2020.

PN2181 ARMY nomination of Renn D. Polk, which was received by the Senate and ap-

peared in the Congressional Record of August 13, 2020.

PN2182 ARMY nominations (8) beginning WILLIAM R. BROWN, and ending PAUL S. WINTERTON, which nominations were received by the Senate and appeared in the Congressional Record of August 13, 2020.

PN2183 ARMY nominations (14) beginning JONATHAN BENDER, and ending CHRISTOPHER J. VITALE, which nominations were received by the Senate and appeared in the Congressional Record of August 13, 2020.

PN2184 ARMY nominations (10) beginning RAYMOND COLSTON, JR., and ending MATTHEW J. RIVAS, which nominations were received by the Senate and appeared in the Congressional Record of August 13, 2020.

PN2185 ARMY nominations (11) beginning JAMES O. BOWEN, and ending PHILIP A. WINN, which nominations were received by the Senate and appeared in the Congressional Record of August 13, 2020.

PN2186 ARMY nominations (10) beginning ANDREW T. CONANT, and ending RAVINDRA V. WAGH, which nominations were received by the Senate and appeared in the Congressional Record of August 13, 2020.

PN2221 ARMY nomination of Fred J. Grosprin, which was received by the Senate and appeared in the Congressional Record of September 10, 2020.

PN2222 ARMY nomination of Matthew E. Tullia, which was received by the Senate and appeared in the Congressional Record of September 10, 2020.

IN THE MARINE CORPS

PN2170 MARINE CORPS nomination of Anthony J. Bertoglio, which was received by the Senate and appeared in the Congressional Record of August 6, 2020.

PN2176 MARINE CORPS nomination of John Stephens, which was received by the Senate and appeared in the Congressional Record of August 6, 2020.

PN2192 MARINE CORPS nomination of Angela M. Nelson, which was received by the Senate and appeared in the Congressional Record of August 13, 2020.

PN2230 MARINE CORPS nomination of Luke D. Zumbusch, which was received by the Senate and appeared in the Congressional Record of September 10, 2020.

PN2231 MARINE CORPS nomination of Richard M. Rusnok, which was received by the Senate and appeared in the Congressional Record of September 10, 2020.

PN2232 MARINE CORPS nomination of Damon K. Burrows, which was received by the Senate and appeared in the Congressional Record of September 10, 2020.

IN THE NAVY

PN2168 NAVY nomination of Brian F. O'Bannon, which was received by the Senate and appeared in the Congressional Record of August 6, 2020.

PN2169 NAVY nomination of Inaraquel Mirandavargas, which was received by the Senate and appeared in the Congressional Record of August 6, 2020.

PN2187 NAVY nomination of Kristen L. Kinner, which was received by the Senate and appeared in the Congressional Record of August 13, 2020.

PN2188 NAVY nomination of Jeffrey B. Parks, which was received by the Senate and appeared in the Congressional Record of August 13, 2020.

PN2189 NAVY nomination of William F. Blanton, which was received by the Senate and appeared in the Congressional Record of August 13, 2020.

PN2190 NAVY nomination of Michael J. Armstrong, which was received by the Senate and appeared in the Congressional Record of August 13, 2020.

PN2191 NAVY nomination of Chadwick G. Shroy, which was received by the Senate and

appeared in the Congressional Record of August 13, 2020.

PN2223 NAVY nomination of Terrance L. Leighton, Ill., which was received by the Senate and appeared in the Congressional Record of September 10, 2020.

PN2224 NAVY nomination of Todd D. Strong, which was received by the Senate and appeared in the Congressional Record of September 10, 2020.

PN2225 NAVY nomination of Nathan D. Huffaker, which was received by the Senate and appeared in the Congressional Record of September 10, 2020.

PN2226 NAVY nomination of Emily M. Benzer, which was received by the Senate and appeared in the Congressional Record of September 10, 2020.

PN2227 NAVY nomination of David M. Lalanne, which was received by the Senate and appeared in the Congressional Record of September 10, 2020.

PN2228 NAVY nomination of Jean E. Knowles, which was received by the Senate and appeared in the Congressional Record of September 10, 2020.

PN2229 NAVY nomination of Kevin M. Ray, which was received by the Senate and appeared in the Congressional Record of September 10, 2020.

IN THE SPACE FORCE

PN2171 SPACE FORCE nominations (5) beginning DAVID L. RANSOM, and ending JAMES C. KUNDERT, which nominations were received by the Senate and appeared in the Congressional Record of August 6, 2020.

PN2172 SPACE FORCE nominations (634) beginning DAVID R. ANDERSON, and ending DEVIN L. ZUFELT, which nominations were received by the Senate and appeared in the Congressional Record of August 6, 2020.

LEGISLATIVE SESSION

MORNING BUSINESS

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

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

REMEMBERING REV. LEON FINNEY, JR.

Mr. DURBIN. Mr. President, on July 17, America lost two giants of justice: Congressman John Lewis and the Reverend C.T. Vivian. Sixty years ago, John Lewis was the youngest member of Dr. Martin Luther King's inner circle, and C.T. Vivian was Dr. King's field marshal, organizing support for the civil rights movement throughout America. In 1966, when Martin Luther King moved to Chicago to help break the grip of slumlords on mostly poor communities of color, C.T. Vivian came with him.

Earlier this month, we lost another civil rights legend, a man who remained in Chicago after Dr. King and Rev. Vivian left and who continued the fight for the next 60 years for racial, social, and economic justice for people and communities of color in Chicago.

The Rev. Leon Finney, Jr., was laid to rest this past weekend following his

home going service at the church he pastored for the last 20 years, the Metropolitan Apostolic Church in Bronzeville. Among those paying tribute to Rev. Finney at his home going were Chicago Mayor Lori Lightfoot and Cook County Board President Toni Preckwinkle. They are among more than two generations of Chicago leaders whose careers in public service Rev. Finney helped to nurture. Another public servant whose work as a community organizer on the South Side of Chicago was inspired in part by Rev. Finney couldn't attend the service but paid his respects in a letter read by Rev. Finney's granddaughter.

"Doc was always there for us," the letter read. It was signed: "Barack Obama." In the 1960s, after Dr. King and Rev. Vivian had left Chicago, Leon Finney stayed. He understood that progress is a long march. Systemic racism and deep, generational poverty can't be eliminated in a year or two. Real change, real progress requires sustained commitment and effort. It requires strategy, not just slogans. Above all, Rev. Finney understood that real progress can't be delivered from outside or imposed from above. It has to come from the people who live in a community. He believed in power of grassroots democracy to transform individual lives and whole communities.

Leon Finney was a Chicagoan by choice, not birth. He was born 82 years ago in Louise, MS., the eldest of six children. His father, Leon Sr., moved the family north to Chicago when his children were young, part of the Great Migration. In 1940, his dad opened his first restaurant, Leon's Bar-B-Q, in Chicago's Woodlawn neighborhood. In its heyday, Leon's had four locations throughout the South Side. Leon Sr. was Chicago's "Bar-B-Q King."

In the early 1960s, Leon Jr. enlisted in the U.S. Marine Corps. He served as a military police officer and criminal investigator. After the Marines, he returned to Chicago and founded Christ Apostolic Church in Woodlawn. He served as its pastor for two decades, until that church merged with Metropolitan Apostolic Community Church—"The Met"—where he served as senior pastor.

As his longtime friend and fellow activist, Father Michael Pfleger said: Rev. Finney was "one of the few pastors who still understood that just the DNA of the gospel." It wasn't enough to preach about justice on Sunday mornings. Rev. Finney believed that you needed to work for justice every day.

In 1964 Rev. Finney joined The Woodlawn Organization, or TWO, a grassroots group founded by the legendary organizer Saul Alinsky. He joined forces with another South Side civil rights legend, Bishop Arthur Brazier, who had marched with Dr. King in Chicago. In 1967, he became TWO's executive director. In 1969, TWO created a nonprofit development organization, WCDC—the Woodlawn Community De-

velopment Corporation—and named Rev. Finney as its president.

TWO organized Woodlawn residents to stand up to absentee slumlords, who owned much of the housing in Woodlawn and other low-income neighborhoods on the South and West sides. It pushed back against plans by the University of Chicago to expand its campus south, into Woodlawn, plans that would have driven out longtime Woodlawn residents and businesses. The group also fought against "substandard, segregated housing, high unemployment, poor schools, inadequate public services, community health concerns and other persistent social problems."

Over the years, WCDC helped attract more than \$300 million in commercial and residential development in "uninvestable" communities. The organization developed nearly 1,700 apartments and homes for low- and moderate-income families, mostly in Woodlawn but throughout the South Side. It managed 9,000 rental apartments in Chicago and Gary, IN. It employed 400 Black men and women, as many or more than almost any other employer in Chicago except for government. Many of its early victories were achieved before the creation of real estate investment trusts, affordable housing tax credits, enterprise zones, and other government incentive programs to attract capital to low-income and minority neighborhoods. TWO and WCDC became national models for community investment a revitalization.

Rev. Finney forged alliances with elected leaders because he wanted to have a seat at the table when the interests of his community were being decided. He was appointed to powerful government boards, including the Chicago Housing Authority, the Chicago Plan Commission, the Monitoring Commission for School Desegregation for Chicago Public Schools, and Chicago State University.

In 1993, he joined the faculty of McCormick Theological Seminary on the University of Chicago campus. As a professor of African American Leadership Studies and executive director of the seminary's African American Leadership Partnership, he helped train scores of new ministers in the work of the social gospel.

He was not without fault. As he aged and the real estate industry became increasingly complex, WCDC sometimes struggled to pace with the changes and missteps occurred. But despite the controversy, the imprint that Rev. Finney left on the South Side of Chicago and the good he achieved is profound.

In recent years, he suffered a series of health setbacks, but he never stopped working for justice. At his funeral, a community developer who Rev. Finney helped train recalled a recent conversation they had about today's new movement for racial reckoning.

"What's the strategy going forward? Is a voter registrar marching with you