

special interests that tend to challenge these agency regulations in the first place.

One of reasons that the agencies were given the authority to implement our laws—given by Congress to the agencies—was their expertise, an expertise that in most cases far exceeds that of the U.S. Supreme Court.

Now, I intend to vote against the nomination of Judge Amy Coney Barrett to be an Associate Justice of the U.S. Supreme Court because I am convinced that she will not guard core constitutional principles, that she will not interpret the law to protect the rights of the vulnerable, and that she will read the law with a backward-looking perspective, not consistent with the realities of our time and the growing dangers that we face in the future.

As my Republican colleagues accelerate this nomination at a breakneck pace, it speaks to the deeply misplaced priorities of this body. We simply should be not be undertaking a Supreme Court nomination at this time, especially when it should rightfully take place during the next Presidential term after the voters have made their decision.

The Senate's foremost priority right now should be to provide additional pandemic relief. My colleagues have displayed a profound lack of urgency to address the many challenges Americans face due to the pandemic. This is despite the repeated warnings from public health experts and economists about what will happen if we do not enact additional fiscal aid.

However, my Republican colleagues continue to turn a blind eye, even as COVID-19 cases spike, businesses close, unemployment remains high, and States consider deeper budget cuts. Under these extraordinary circumstances, I cannot support Judge Barrett's nomination to the Supreme Court of the United States.

I urge my Republican colleagues to stop this shortsighted rush. Let's put the best interests of the country first. Let's wait a few more days and let the American people have a say. Let's focus on the COVID-19 crisis, which demands our immediate attention. Just because you can do something doesn't mean you are doing the right thing. I strongly believe my Republican colleagues are making a major mistake that will be doing lasting damage to both this institution and the Supreme Court, and I urge them to reconsider.

Instead of pushing forward with this ill-suited nominee, let's get to the business at hand: addressing the great challenges we face due to the pandemic and beyond, as well as working together to fix the Senate so that we no longer break faith with the people who sent us here, the people we represent.

With that, I yield the floor.

Mr. BENNET. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. LANKFORD). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

COLORADO WILDFIRES

Mr. BENNET. Mr. President, before I begin my remarks about the nomination, I want to acknowledge that tonight, as we are here, there are fires in many places across the State of Colorado. There are people who are out of their homes and out of their communities, who have had to evacuate their towns, and there are first responders on the ground in Colorado who are fighting these fires bravely every single day.

They have been stretched all summer through a fire season that has lasted into the fall because of our inability to deal with our forests and because of climate change. My hope tonight, as we are here, is that the snow that has fallen is going to be more of a benefit than a curse to everybody who is out there.

So, with that, I thank the Presiding Officer for recognizing me, and I will now give my remarks about this confirmation.

NOMINATION OF AMY CONEY BARRETT

Mr. President, when I was in law school, which wasn't really that long ago, the confirmation of a Supreme Court Justice was a chance for the American people to learn about our system of checks and balances, our commitment to the rule of law, and, in particular, the independence of judges. And whenever the Senate confirmed a Justice with an overwhelming bipartisan vote, as it did almost every time, it reaffirmed that independence and reassured the American people that our courts were protected from political influence and that they stood apart from the partisanship of the other two branches of government.

As we meet here tonight, after 20 years of descending into intensifying partisanship in the confirmation of judges, the Senate is now about to drag the Supreme Court down to its own decadent level by turning it into just another politicized body that is distrusted, for good reason, by the people it is meant to serve.

It is common these days to observe that our institutions are failing. I have said it myself. But institutions don't fail on their own. They can't destroy themselves. It takes people to destroy them. It particularly takes leaders who have no inclusive, long-range vision for our country or our democracy; leaders who can't or won't think beyond narrow, short-term interests; and leaders, I am sorry to say, like Leader MCCONNELL.

He may imagine, as he claims, that he is simply restoring the judicial calendar to a prefilibuster era. That is what he tells his colleagues here when he recounts the story. The majority leader, more than any other actor, has transformed what used to be the over-

whelming bipartisan confirmation of a qualified nominee and a bipartisan ratification of the independence of the judiciary into an entirely partisan exercise that has destroyed the Senate's constitutional responsibility to advise and consent and is now at risk of destroying the credibility of the Supreme Court and the lower courts as well.

This may not matter much, I suppose, to the Senators on this floor. It matters to the American people who have not consented to the destruction of their constitutional right to an independent judiciary free from the partisan insanity of elected politicians.

In this confirmation proceeding, the majority renounced its duty to advise and consent by giving their consent before the President ever chose the nominee. I don't believe that has ever happened in the history of America.

Ours is a Senate where words have lost their meaning. Party advantage dictates every action. Shameless hypocrisy is the stuff of proud triumph. Deliberation is no longer necessary because conclusions are all foregone, and a decision like that affirming Judge Barrett to a lifetime appointment to the most powerful Court in the Nation is anything you have the power to cram down the throats of your political opponents.

The truth is, this confirmation process has never been a debate about what the Senate should do, what the Senate ought to do, and what the right thing to do for this Senate is. It has always been a demonstration of what the majority can get away with and of how they can exercise their power in order to entrench their power.

I have no expectation that my words are going to change the result tomorrow. My hope is that we can mark this as the moment that the American people said "Enough" and began to reclaim their exercise in self-government from those who have worked relentlessly to deprive them of it.

To do that, we have to be very clear about what this moment means and what it calls on each of us to do in the days, months, and years ahead. The truth is, this confirmation is the latest victory for an unpatriotic project that traces back to the earliest days of our country.

Since our founding, there have always been factions working toward an insidious purpose: to so degrade and discredit our national exercise in self-government that when the American people finally throw up their hands in disgust, these factions can distort it into an instrument for their interests instead of the public interest.

Today, the Senate majority leader, MITCH MCCONNELL, represents one such faction, joined by the Freedom Caucus in the House of Representatives, President Trump, and the legion of deep-pocketed donors and PACs assembled behind them. Because factions like this one have a tough time winning broad support from the American people for their agenda, they seek other less