



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 115<sup>th</sup> CONGRESS, FIRST SESSION

Vol. 163

WASHINGTON, MONDAY, OCTOBER 30, 2017

No. 175

## House of Representatives

The House was not in session today. Its next meeting will be held on Tuesday, October 31, 2017, at 12 p.m.

## Senate

MONDAY, OCTOBER 30, 2017

The Senate met at 3 p.m. and was called to order by the Honorable TODD YOUNG, a Senator from the State of Indiana.

### PRAYER

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

Let us pray.

Eternal God, we are grateful for Your goodness. Your faithful love endures forever. We cannot list the miracles You have done throughout our lives and history.

Lord, establish our lawmakers with Your might. When they go through dry and barren places, become for them a stream of water in life's desert. Demonstrate Your mighty wisdom as they seek to solve the daunting problems of our time. May Your promises never fail, as Your will is done on Earth even as it is done in Heaven.

Eternal Spirit, You are the rock of our salvation, our help in ages past, and our hope for years to come.

We pray in Your mighty Name. Amen.

### PLEDGE OF ALLEGIANCE

The Presiding Officer 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.

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication

to the Senate from the President pro tempore (Mr. HATCH).

The senior assistant legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, October 30, 2017.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable TODD YOUNG, a Senator from the State of Indiana, to perform the duties of the Chair.

ORRIN G. HATCH,  
President pro tempore.

Mr. YOUNG thereupon assumed the Chair as Acting President pro tempore.

### RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

### JUDICIAL NOMINATIONS

Mr. McCONNELL. Mr. President, for the past 8 years, we had a President who selected nominees for our Nation's judiciary based upon what became known as the "empathy standard," an ideological litmus test designed to find judicial nominees who would favor certain groups or individuals over others. It is a great standard if you are the party in a case for whom the judge has empathy. It is not so great if you are the other person. Not only does this standard deny every litigant a fair shake, but it also disregards our Nation's bedrock legal tradition of dispensing equal justice under the law.

President Trump, on the other hand, selected nominees who would help ensure that the judiciary is true to its role in our democracy. Later today, the Senate will vote to confirm one of those nominees, Trevor McFadden, as a district court judge for the District of Columbia. His nomination was approved by the Judiciary Committee without a single vote in opposition. Democrats needlessly delayed his vote on the floor anyway.

We have seen many delay tactics from them already this year. We have pushed through every time. We are going to push through again today. We are going to confirm the impressive judicial nominee before us, and we are going to confirm more judicial nominees in the coming days as well.

Our effort to confirm qualified judicial nominees this year would not be possible without the tireless work and effective leadership of our Judiciary Committee chairman, CHUCK GRASSLEY. To build on the excellent work of his committee, I filed cloture last week on four well-qualified circuit court nominees. These nominees understand that their role as a judge is to put aside their personal preferences and instead decide cases based on what the law says. We will confirm all of them this week, no matter how long that takes.

The first of these four circuit court nominees that we will confirm this week is Professor Amy Barrett, who was nominated by the President to serve on the U.S. Court of Appeals for the Seventh Circuit. A mother of seven, Professor Barrett began her

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



Printed on recycled paper.

S6861