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Judge Neil Gorsuch Nominated to the Supreme Court. Aired 8- 8:30p ET

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Guests: Jeffrey Rosen, Kevin McCarthy, Christine Quinn, Mike Lee, Richard Blumenthal, Rick Santorum, Melissa Hart

Highlight: President Trump just moments ago made the announcement. Neil **Gorsuch**, 49 years old, is his nominee to serve on the United States Supreme Court.

Body

[20:00:00] JAKE TAPPER, CNN ANCHOR: But it does seem to be, it will be **Gorsuch**.

RICK SANTORUM (R), FORMER PRESIDENTIAL CANDIDATE: Yes, I was getting some calls on the way over here from people saying that.

TAPPER: What are you make of the **Gorsuch** pick, assuming it is?

SANTORUM: Yes, assuming it is, I actually think it's a good pick. You know, I've struggled with this a little bit because I'm so close to Tom and I like Tom so much. But I think it's a good pick because it's more like Scalia and he's more of an intellectual in that regard. His writing style is more Scalia-ish. I mean, he's seen as sort of writing these expansive and broad and strong opinions.

Tom, I always -- you don't get this, most people won't. I said the thing I love about Tom Hardiman is he's more like Bruce Froemming than he is Babe Ruth. Now, you know who Bruce Froemming is. But nobody out there is saying, who the heck is Bruce Froemming?

TAPPER: Explain it for the people.

SANTORUM: Bruce Froemming was the longest serving Major League umpire in Major League Baseball history. You don't know his name. Why? Because Tom sees the job of a judge as umpire. He's not there to hit home runs. He's not there to score touchdowns. He's there to call balls and strike, and he's there to make sure the rules are followed.

And that's what I'm looking for and I think that's what conservatives are. So, it's going to be an interesting pick here.

TAPPER: All right. Great.

Wolf?

WOLF BLITZER, CNN ANCHOR: All right. Jake, thanks very much.

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You know, Dana, this is a critically important decision, presumably, there will be a fight once the nomination goes to the Senate.

DANA BASH, CNN CHIEF POLITICAL CORRESPONDENT: Of course. There's going to be a fight. There's going to be a partisan fight and that's exactly what the White House is welcoming right now. Republicans all on one side, supporting the president and the president's pick, which is almost surely going to happen here and Democrats also welcoming frankly a political fight because they want to rally their base and feel that they want to show their base that they have people in Washington fighting for them. That's what would always happen and more importantly, this is about President Trump's legacy.

ANNOUNCER: Ladies and gentlemen, the president of the United States.

BLITZER: All right. The president of the United States has just been introduced. He's walking in the East Room of the White House, a big crowd inside, a huge crowd, certainly watching here in the United States and around the world.

(APPLAUSE)

DONALD TRUMP, PRESIDENT OF THE UNITED STATES: Thank you. Thank you very much. Thank you. Thank you very much, ladies and gentlemen.

When Justice Scalia passed away suddenly last February, I made a promise to the American people: If I were elected president, I would find the very best judge in the country for the Supreme Court. I promised to select someone who respects our laws and is representative of our Constitution and who loves our Constitution and someone who will interpret them as written.

This may be the most transparent judicial selection process in history. Months ago as a candidate, I publicly presented a list of brilliant and accomplished people to the American electorate and pledged to make my choice from among that list. Millions of voters said this was the single most important issue to them when they voted for me for president.

I am a man of my word. I will do as I say, something that the American people have been asking for from Washington for a very, very long time. Today --

(APPLAUSE)

Thank you.

Today, I am keeping another promise to the American people by nominating Judge Neil Gorsuch of the United States Supreme Court to be of the United States Supreme Court. And I would like to ask Judge Gorsuch and his wonderful wife, Louise, to please step forward -- please, Louise, Judge. Here they come. Here they come.

(APPLAUSE)

So, was that a surprise? Was it?

(APPLAUSE)

I have always felt that after the defense of our nation, the most important decision a president of the United States can make is the appointment of a Supreme Court justice. [20:05:10] Depending on their age, a justice can be active for 50 years and his or her decisions can last a century or more and can often be permanent.

I took the task of this nomination very seriously. I have selected an individual whose qualities define -- really, and I mean closely define -- what we're looking for.

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Judge **Gorsuch** has outstanding legal skills, a brilliant mind, tremendous discipline and has earned bipartisan support. When he was nominated to the 10th Circuit Court of Appeals, he was confirmed by the Senate unanimously. Also -- that's unanimous, can you believe that? Nowadays, with what's going on?

(APPLAUSE)

Does that happen anymore? Does it happen? I think it's going to happen. Maybe it will.

Also with us tonight is Maureen Scalia, a woman loved by her husband and deeply respected by all. I am so happy she's with us.

(APPLAUSE)

Where is Maureen? Please, stand up. Thank you, Maureen.

(APPLAUSE)

Thank you, Maureen.

She is really the ultimate representative of the late, great Justice Antonin Scalia, whose image and genius was in my mind throughout the decision-making process. Not only are we looking at the writings of the nominee -- and I studied them closely -- but he is said to be among the finest and most brilliant oftentimes the writings of any judge for a long, long time.

And his academic credentials, something very important to me, in that education has always been a priority, are as good as I have ever seen. He received his undergraduate degree from Columbia with honors. He then received his law degree from Harvard, also with honors, where he was a Truman Scholar. After Harvard, he received his doctorate at Oxford, where he attended as a Marshall Scholar, one of the top academic honors anywhere in the world.

After law school, he clerked on the Supreme Court for both Justices Byron White and Anthony Kennedy. It is an extraordinary resume. As good as it gets. Judge **Gorsuch** was born and raised in Colorado and was taught the value of independence, hard work and public service.

While in law school, he demonstrated a commitment to helping the less fortunate. He worked in both Harvard Prison Legal Assistance Projects and Harvard Defenders Program. Brilliance being assured, I studied every aspect of his life. He could have had any job at any law firm for any amount of money, but what he wanted to do with his career was to be a judge, to write decisions and to make an impact by upholding our laws and our Constitution.

The qualifications of Judge **Gorsuch** are beyond dispute. He is the man of our country and a man who our country really needs and needs badly to ensure the rule of law and the rule of justice.

I would like to thank Senate leadership. I only hope that both Democrats and Republicans can come together for once for the good of the country.

Congratulations to you and your family. May God bless you, may God bless our glorious nation. Judge **Gorsuch**, the podium, sir, is yours.

(APPLAUSE)

JUDGE NEIL **GORSUCH**, SUPREME COURT JUSTICE NOMINEE: Thank you.

Mr. President, thank you very much.

Mr. President, Mr. Vice President, you and your team have shown me great courtesy in this process, and you've entrusted me with a most solemn assignment.

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[20:10:00] Standing here in a house of history, and acutely aware of my own imperfections, I pledge that if I'm confirmed, I will do all my powers permit to be a faithful servant of the Constitution and laws of this great country.

For the last decade, I've worked as a federal judge in a court that spans six Western states, serving about 20 percent of the continental United States and about 18 million people. The men and women I've worked with at every level in our circuit are an inspiration to me. I've watched them fearlessly tending to the rule of law, enforcing the promises of our Constitution and living out daily their judicial oaths to administer justice equally to rich and poor alike, following the law as they find it and without respect to their personal political beliefs. I think of them tonight.

Of course, the Supreme Court's work is vital not just to a region of the country, but to the whole, vital to the protection of the people's liberties under law and to the continuity of our Constitution, the greatest charter of human liberty the world has ever known.

The towering judges that have served in this particular seat of the Supreme Court, including Antonin Scalia and Robert Jackson, are much in my mind at this moment.

Justice Scalia was a lion of the law. Agree or disagree with him, all of his colleagues on the bench shared his wisdom and his humor. And like them, I miss him.

I began my legal career working for Byron White, the last Coloradan to serve on the Supreme Court, and the only justice to lead the NFL in rushing.

(LAUGHTER) He was one of the smartest and most courageous men I've ever known. When Justice White retired, he gave me the chance to work for Justice Kennedy, as well. Justice Kennedy was incredibly welcoming and gracious, and like Justice White, he taught me so much. I am forever grateful.

And if you've ever met Judge David Sentelle, you'll know just how lucky I was to land a clerkship with him right out of school.

Thank you.

These judges brought me up in the law. Truly, I would not be here without them. Today is as much their day as it is mine.

In the balance of my professional life, I've had the privilege of the working as a practicing lawyer and teacher. I've enjoyed wonderful colleagues whose support means so much to me at this moment, as it has year in and year out.

Practicing in the trial work trenches of the law, I saw, too, that when we judges don our robes, it doesn't make us any smarter, but it does serve as a reminder of what's expected of us -- impartiality and independence, collegiality and courage.

As this process now moves to the Senate, I look forward with speaking with members from both side of the aisle, to answering their questions and to hearing their concerns. I consider the United States Senate the greatest deliberative body in the world, and I respect the important role the Constitution affords it in the confirmation of our judges.

I respect, too, the fact that in our legal order it is for Congress and not the courts to write new laws. It is the role of judges to apply, not alter, the work of the people's representatives. A judge who likes every outcome he reaches is very likely a bad judge, stretching for results he prefers rather than those the law demands.

I am so thankful tonight for my family, my friends and my faith. These are the things that keep me grounded at life's peaks and have sustained me in its valleys.

To Louise, my incredible wife and companion of 20 years, my cherished daughters who are watching on TV, and all my family and friends, I cannot thank you enough for your love and for your prayers. I could not attempt this without you.

Mr. President, I am honored and I am humbled. Thank you very much.

(APPLAUSE)

BLITZER: A very impressive introduction of Judge Neil Gorsuch, President Trump's nominee to the United States Supreme Court.

[20:15:02] We have lots to assess right now. I want to bring in some of the best legal and political minds out there. They'll be with us throughout this important hour. CNN's Nia-Malika Henderson, John King, Dana Bash. CNN legal analyst Joan Biskupic, and George Washington University law professor, Jeffrey Rosen.

Dana, I think you got to admit, they did a pretty impressive job rolling out this nomination.

BASH: This is how it's supposed to be done. I mean, this is done to the tee. Actually, even more so than we've seen in the past by inviting the leadership of the congressional leadership Republicans to the White House to do it in this sort of, with the flare of the dramatic as he did, walking down the Cross Hall then asking him to come up.

But more importantly, than the way it's done, it's what is done. You know, a lot of times during the campaign, we would ask why on earth would conservatives you know, really hard core conservatives, back somebody like Donald Trump and work so hard for him?

This is why. Because that is not the person Hillary Clinton if she were president would be putting on bench. Not even close and be putting on the bench to replace somebody who as he just said, the new nominee said, was considered a lion and that is Antonin Scalia. So much about this election was about jobs and the economy and so much other you know, about America first, but it was also about this.

BLITZER: He is a conservative, John, only 49 years old. If confirmed, he'll serve on the United States Supreme Court for life. That's for decades to come and he could have an enormous impact.

JOHN KING, CNN CHIEF NATIONAL CORRESPONDENT: It's one of the reasons social conservatives, judicial conservatives, Republicans in the Senate, were so energized and happy about this pick.

Look, this is a page turning moment for the president. We'll see how long it lasts. He's had a rocky, controversial first 12 days, especially the last 72 hours with the rollout of the immigration ban. A lot of Republicans voicing skepticism about him.

Very smart of the president and vice president to bring Senate Republicans down to the White House tonight. A big rallying moment for the Republican Party that, frankly, has been raising a lot of doubts. Why doesn't he consult the Congress more, look like amateur hour, rolling out the immigration ban.

This is a unifying night for the president. A nice page turner for him as he tries to get his footing and Judge Gorsuch is going to have a hard time on Capitol Hill. Progressive groups are flooding our inboxes already, saying he's pro-corporation, he's anti-woman, he's hostile to contraception, he'll always side with the big guy over the little guy. He's going to have to go through the confirmation.

But that was impressive, to come out of the box, 49 years old. Very well-spoken and humor. Humor matters. He's going to go through a rough confirmation process. Having that sense of humor, having that poise is going to help. BLITZER: Let me go to Joan -- because you've studied his record. Certainly, academically and in terms of his actual experience, seems to be pretty qualified.

JOAN BISKUPIC, CNN LEGAL ANALYST: He is and after almost two weeks of Donald Trump doing so many unusual things as president, this is the most traditionally Republican thing he could have done. This man could have been chosen by any of the other more establishment Republican candidates out there. He does have sterling credentials to match anybody on the Supreme Court.

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His background as a judge, I have to say, he's again, it's sort of mirrored what's on there. Of the nine justices before Justice Scalia passed away, eight of them had been lower court judges, just like Neil Gorsuch.

It was interesting the way he cast themselves with this play about being from the West, talking about the states at that ten circuit governs. He happens to be a fourth or fifth Coloradon, but because of his mother, Ann, who was in the Ronald Reagan administration as EPA administrator, he was actually reared here for part of his life. He moved I think when he was age 14 or so, when in 1981, when she came out here for that job, went to a prep school in Washington, D.C., has a background that isn't like people in flyover states more like people on this corridor, but he wanted to sort of play those Western markers, which he has.

And Byron White, you know, again, John's right. Anybody's who's going to refer to Byron White, who was also an Oxford Scholar, Rhodes Scholar, not a mere Marshall Scholar, apologies to all the Marshall Scholar, he was a Rhodes Scholar and he was this great football player known as Whizzer White, to invoke him I think was important also.

BLITZER: Yes, he does have an impressive record. You've cited his legal background, Jeffrey. Tell us a little bit more about him.

JEFFREY ROSEN, PROFESSOR OF LAW, THE GEORGE WASHINGTON UNIVERSITY: So, if President Trump makes no ore decisions that are praised by both sides, this will be the most memorable. He couldn't have picked a more effective conservative intellectual.

What's so striking about Judge Gorsuch, you saw how well-spoken he is. And folks see him humble. I know him. I clerked with him years ago on the D.C. Circuit Court of Appeals. And he referred to Judge Sentelle, I clerked for Judge Micpa (ph), and he really got along with both sides.

[20:20:04] But what's striking is that like Justice Scalia, this man could change the terms of debate on the Supreme Court. He's written a fascinating book, published by Princeton University press, 2006, he went back to Oxford after graduating from Harvard to finish this dissertation, studying with natural law theorists. And the basic argument is that laws against assisted suicide are not only are immoral, because he believes that life is intrinsically good, he goes further than the Supreme Court and suggests that laws restricted might be unconstitutional because they violate a right to life. What's also remarkable about Judge Gorsuch, in addition to in some areas being even more conservative than Justice Scalia, he's willing to strike down aspects of the regulatory state for example and to dismantle regulations on the grounds that they violate the separation of powers, Judge Gorsuch is incredibly respected by Justice Kennedy. He spoke with affection and this is the entire game. Judge Gorsuch will be able to bring Justice Kennedy over to the conservative side and to these 5-4 cases.

And the other big question is, will Justice Kennedy retire during President Trump's term? He's more likely to do so because he can trust President Trump to appoint people he likes like Judge Gorsuch. So, from every perspective, political, intellectual and legal, it really just was --

BLITZER: It sounds like the Democrats are going to have a tough time finding opportunities to go after this nominee.

BISKUPIC: They are going to have a tough time. What they'll do is they'll point to his rulings that suggest that judges should not be as deferential to regulatory agencies and say, you know, this is going to be, this thinking could be more hurtful to government protections for the environment, for consumers, for aggrieved workers.

So, they'll go after that. But, you know, his reference to the Senate as the great deliberative body, you know, that's exactly what they want to hear and I bet he gets significant number of Democrats. I bet they hold their fire.

BLITZER: He will need 60 if there's going to be a filibuster, Jeffrey. There are 52 Republicans. He'll need at least eight Democrats. You agree with Joan?

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ROSEN: Absolutely. It's hard to imagine he won't pick up at least some Democrats. If he loses more, then, of course, Republicans might be willing to blow up the filibuster, but it's going to be hard for Democrats from red states to oppose Judge Gorsuch just because his qualifications are so undeniable.

BLITZER: I want to go to Jim Acosta. He's got a special guest over at the White House -- Jim.

JIM ACOSTA, CNN SENIOR WHITE HOUSE CORRESPONDENT: That's right. I'm with Congressman Kevin McCarthy. We're here in the East Room of the White House and as part of the Republican leadership in the House, what is your feeling about this selection of Neil Gorsuch? Does it work for rank and file Republicans in the House? What do you think is going to happen in the Senate?

REP. KEVIN MCCARTHY (R-CA), HOUSE MAJORITY LEADER: I think it goes beyond just Republicans. When you look at his background and just listening to him, this is a man from education, from the work he's done, and even when he had to be confirmed with the Senate, it was unanimous, 95-0. Very few people get that position.

And I thought the way he carried himself listening to him. This is a judge's judge. You listen to the written word of -- from the cases that he's gone. I think this is one that is not a place that people should fight over.

ACOSTA: And what do you think about the fact he's only 49 years old? I mean, this gives President Trump a chance to really shape this court for decades to come, putting Gorsuch on the court and to have potentially more picks in the future.

MCCARTHY: Well, it gives the opportunity for America to have somebody on the court for a while. This is an individual that clerked for two Supreme Court justices. I mean, he understands. He's prepared.

Look at his educational background. Look at where he's gone. I mean, I don't know that we've had somebody as prepared to be on the Supreme Court as he is. And I think you heard it in his voice, the humbleness that he has and knowing what's going before him. I'm hopeful this is something that will go fast.

ACOSTA: We were expecting something more of a reality TV event here. But the president came in pretty quickly and announced that pick.

How do you feel this roll out was handled versus some of the other rollouts we've seen in the early days of this administration?

MCCARTHY: I thought this was one of the best rollouts I've seen. I thought how he carried himself.

And the one thing I've watched from President Trump from the very beginning of the campaign, he's taken this part Supreme Court very serious. Where even in the campaign, he sat down with a lot of members and he laid out to the American public early on who he would look for and gave a long list and gave a lot of -- a lot of people gave him a lot of input.

He's taken it serious about who that pick would be, because it would have a long lasting effect on America. And he wanted to make sure they understood the Constitution and I think he achieved that today.

ACOSTA: OK, Congressman, thank you very much. We appreciate it.

And, Wolf, we'll toss it back to you.

BLITZER: All right. Thanks very much. We'll get back to you, Jim.

I want to go to Pamela Brown. She's up at the United States Supreme Court right now.

You've been telling us now all day, it was likely to be Neil Gorsuch. You were absolutely right. The president came out made the announcement.

[20:25:02] You've studied him at length as well. Your reaction?

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PAMELA BROWN, CNN SUPREME COURT CORRESPONDENT: And what's so interesting here, Wolf, is that if you'll recall the first list that then-candidate Trump released on the campaign trail, did not include Neil Gorsuch's name. That came in the second list. His mother was an administrator of the EPA in Washington. He lived here for a time. That was something that conservatives initially didn't like.

But then as they start to study his track record on the federal bench, his name started going up higher and higher on that list. Where he became one of the top few and he came to New York and met with President Trump and I'm told resources along from my colleague, Ariane De Vogue, that he impressed Donald Trump when he had that meeting with him. And so, we've been hearing for a couple of weeks now, Wolf, that he was a leading contender.

And what conservatives particularly like is his record when it comes to religious liberty and there was another separation of power case where he says the executive branch, there's too much deference given to the executive branch, and you're already hearing some groups weigh in. Pro-life groups are saying that they are thrilled, as we pointed out there on the panel. He wrote a book saying that he didn't think the law supported assisted suicide, that is something pro-life groups like.

But as you see behind me here, there are also demonstrators at the high court, particularly progressive groups who aren't happy with this pick, but likely wouldn't have been happy with any of Donald Trump's picks.

PROTESTERS: Not my America! Not my America!

BLITZR: Pamela Brown, thanks very much. Pamela Brown at the United States Supreme Court. We're going to get back to you.

Looking live pictures from inside the East Room of the White House. That's where President Trump just moments ago made the announcement. Neil Gorsuch, 49 years old, is his nominee to serve on the United States Supreme Court.

Jake Tapper is with us as well -- Jake.

TAPPER: Wolf, I'm here with chief political analyst Gloria Borger, former Senator Rick Santorum, former New York City Council Speaker Christine Quinn, and CNN political director, David Chalian.

Senator, let me start with you. Already, a voice of opposition from Senator Ron Wyden of Oregon, who is opposed to Gorsuch or at least expressing disapprove of the pick because he has written extensively, Judge Gorsuch, against assisted suicide, which is obviously a big issue in Oregon.

Your thoughts?

SANTORUM: Look, I'm very excited. I think this is a terrific pick and he is very clear, he wrote a treatise on it. That's why a lot of the pro-life people are very happy. I mean, he talks about the innocent, the vulnerable and the right to life in the Constitution. So, I think pro-life people are going to be very, very happy with Neil Gorsuch. I think it's one of the reasons he was picked for the slot because he is Scalia in many respects. He is a known quantity. He has a long paper trail. He writes beyond just writing opinions.

And I think if you look at whether you're going to appoint him now, or maybe a future pick, they talk about potentially Justice Kennedy potentially stepping down, he's an easier pick than to fill into Scalia than he is to fill a swing seat on the court. And so, the fact they elevated Hardiman the way they did, they put him out there, I think it's -- Hardiman has a very little paper trail.

Pro-life folks actually attacked him in the last couple of days because they don't know his opinion because he's never written on the issue of abortion or on assisted suicide. So, you know, the Trump administration gives lots of criticism for being a bunch of Neanderthals playing marbles out there and not really thinking through decisions. This was a great chess move.

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They made a great entry chess move here. They have set themselves up not only to get a great justice in Neil Gorsuch, but in my opinion, maybe usher the way for Justice Kennedy to step down and then fill in with someone who is a little bit more of a stealth candidate.

TAPPER: And, Christine, the idea that perhaps Gorsuch -- assuming he's confirmed -- as a former clerk, for Justice Kennedy, might be able to persuade him to come to the conservative side on some issues, perhaps even an issue like abortion on abortion rights, that must be of concern to Democrats.

CHRISTINE QUINN, CNN POLITICAL COMMENTATOR: Well, look, I think every member of the Supreme Court is someone who's a clearly amazing legal mind, whether I agree with them or not. So, I think somebody is going to be -- have their opinion changed before their clerk or their buddy is sitting next to them. I think we need to give members of court more respect in regard than that.

You know, there's much conversation going on about how the appointees confirmation process should be so easy because he was approved by the Senate. Only 31 members of the president of the United States Senate were there when that vote occurred, 69 senators have never vetted him, never considered him before. So, this may be not as easy as laid out.

And, obviously, as the senator said, there's a lot of enthusiasm from the pro-life community. There is as much disapproval from the pro- choice committee. He is the judge who brought us the kind of infamous Hobby Lobby decision, which allows company the leeway on so-called religious grounds to opt out of providing basic contraception. He also has made public statements and written in the national review about how liberals and I'm power (ph) phrasing are addicted to using the court to move issues forward. And he was specifically referencing same-sex marriage in that decision.

So there are deep concerns here from many communities.

[20:30:36] JAKE TAPPER, CNN ANCHOR: A little preview of the confirmation hearing, I understand Jim Acosta is in the eastern of the White House as special guest. Jim.

JIM ACOSTA, CNN CORRESPONDENT: That's right Jake. I'm standing with Sen. Ted Cruz. And Sen. Cruz I think there was a moment during the selection process when your name came up and all this, but we won't get to that. What are your impressions of the selection of Neil Gorsuch? Does he pass your test?

SEN. TED CRUZ, (R) TEXAS: Well, today was the most important decision Pres. Trump has made in the first two weeks serving in office.

During the campaign he promised the American people that he would nominate a principled constitutionalist to replace Justice Scalia and tonight Pres. Trump honored that commitment. He followed through on the commitment he made.

I think Judge Gorsuch is a home run. He has a decade of proven experience on the Court of Appeals, being faithful to the constitution, following the law, protecting the bill of rights and our fundamental liberties. And I think that record will yield a swift confirmation in the United States Senate.

ACOSTA: And you've seen the partisanship the way it's been this last several days since Pres. Trump took office. Is this something that Judge Gorsuch can overcome? You have Democrats holding up the nominee across the president's cabinet picks.

CRUZ: There is no doubt that the Democrats are engaged right now in unprecedented partisan obstruction. But I hope when the Supreme Court they will not engage in that practice.

You know, a decade ago Judge Gorsuch was named to the Court of Appeals, he was approved by voice votes which means not a single Democrats spoke out an opposition to him.

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And I would suggest the Democrats should apply that same standard, should ask, what's changed from a decade ago when they were willing to confirm him then to the Court of Appeals? It is possible that Democrats will choose to obstruct. There are some Senate Democrats who I think might be counted on to try to filibuster any Supreme Court nominee.

ACOSTA: And what happens at that point? Nuclear option comes into play or not?

CRUZ: What I can tell you is the Democrats will not succeed in filibustering Judge Gorsuch. They may try but they will not succeed. The Senate will confirm a strong constitutionalist to replace Justice Scalia.

ACOSTA: Well, a lot of Democrats would say what's good for the goose is good for the gander. You held up Judge Merrick Garland. President Obama had almost a year left in office to have Judge Garland named to the Supreme Court and confirm to the Supreme Court. You Republicans held that up. Why not -- isn't turn-about fair play if the Democrats want to do the same thing? CRUZ: It is a fundamentally different circumstance. For one thing, no vacancy that occurred in a presidential election year has been filled for 80 years, eight decades. And indeed, what Republicans said when that vacancy occurred before any nomination was made is that we're going to allow the American people to decide. We've got a presidential election coming.

This election was in a very real sense referendum, a referendum for the American people. Do you want a constitutionalist who will have a limbed, a humble view of the judiciary or do you want a liberal judicial activist who will impose his or her policy preferences?

And we the people spoke on Election Day in November. We the people spoke. And this issue I believe was a vital issue to Pres. Trump defeating Hillary Clinton and now respecting the will of the people. Its incumbent (ph) on the Senate to advise and consent, and I believe we should confirm this very, very strong Supreme Court nominee.

ACOSTA: Judge Gorsuch becomes Justice Gorsuch, which cases would you like to see taken by this court as soon as possible?

CRUZ: Well, I think we need justices who will be faithful to the law.

You know, there has been a pattern on the court of judges on the left using the judicial road to impose their particular policy preferences.

Now, as a conservative I don't want to see someone doing that from the right. I want to see a judge that honors his or her oath. That says, I'm going to apply the law. You know, it's interesting something Judge Gorsuch said in his remarks tonight, he said a judge that is happy with the outcome of every decision he decides is probably a bad judge. That's exactly right. A judge's job is not to decide. What policy do I like? Judges job is very simple, follow the law. If you don't like the policy, then you go to elective legislature, you go Congress and change the law. And that humility I think characterizes Judge Gorsuch's career and I hope and believe will characterizes his tenure on the Supreme Court.

[20:35:8] ACOSTA: All right, Sen. Cruz after that hard fought campaign with Pres. Trump some kind words there for the president's pick. Thank you very much. We appreciate it.

Wolf, we'll toss it back to you.

WOLF BLITZER, CNN ANCHOR: All right, Jim, thanks very much.

Joining us now from the White House North Lawn, Sen. Mike Lee, is a member of the judiciary committee.

Senator thanks for joining us. I guess a lot of people are wondering whether you believe -- your obstruction of Pres. Obama's nominee Judge Merrick Garland over the past year will motivate Democrats to fight against Pres. Trump's choice.

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SEN. MIKE LEE, (R) UTAH: Look, I'm certain that are going to be some who fight against this pick. That doesn't mean they're going to succeed. In fact, I'm quite certain they're not going to succeed.

I'd like to get back to this particular nominee. Well, this is an outstanding nominee. I've argued in front of this judge when he was sitting on the 10th circuit where he announced it. He's an outstanding judge, extraordinary. There's no one better. He's the kind of judge every lawyer wants to argue in front of. Because he's the kind of judge that reads every opinion, every brief, every citation, and he seeks to decide each case on the basis of the law and facts in front of him. This is the kind of judge we want sitting on the U.S. Supreme Court. Someone who reads the law (ph) in an effort to decide what it says rather than what he wishes it said. That's what we need in America, that's what we need on the U.S. Supreme Court.

BLITZER: One of -- your objections not just yours but a lot of Republicans' objections said Judge Merrick Garland was that he would vote in your words, it luck step with other democratically appointed Supreme Court justices. But isn't that what Pres. Trump was looking for with this choice someone who would reflect Antonin Scalia's positions?

LEE: Look, Wolf, it's important to remember that if you utilize the judicial power appropriately, if you approach the law from the standpoint of deciding what the law means which is exactly what Judge Gorsuch will do on the Supreme Court.

You're not out there making policy, you're deciding the law. There is a very important distinction there. And this is a judge who doesn't want to use the Supreme Court as a platform for making policy, it's a platform for deciding that which could and should be decided in the political branches of government in Congress or somewhere else.

This is the judge who wants to do nothing other than decide what the law means and interpret the constitution faithfully based on the words in that document.

BLITZER: Do you believe senator that he will try to overturn Roe v. Wade?

LEE: Look, I don't know what he will vote to do in any particular case. But I want to point to something in your question. When you say try to overturn this case or that case, that isn't the role of a judge. A judge doesn't have discretion to decide what cases come before that judge. In other words, the judge can't just create a live case or controversy.

The Supreme Court decides the cases that come before it. The Supreme Court will call the balls and strikes as they see them. But a judge doesn't come in with a policy agenda with a platform that's pretty conceit in the same way that a politician comes into office trying to fulfill a particular agenda.

BLITZER: Sen. Lee thanks very much for joining us.

LEE: Thank you. BLITZER: All right, joining us now one of the Sen. Lee's colleagues, Richard Blumenthal, he's a Democrat. He's a senior senator from Connecticut. Sen. Blumenthal, what's your reaction to Pres. Trump's nomination of Judge Gorsuch to the U.S. Supreme Court?

SEN. RICHARD BLUMENTHAL, (D) CONNECTICUT: I have very deep, serious concerns about Judge Gorsuch because I do believe that he may be coming to the court with an agenda that's out of the mainstream.

And as much as I want to insulate the court from partisan politics if I conclude that he is out of mainstream on issues like privacy rights including women's health care and Roe v. Wade or worker and consumer protection or other kinds of public health and safety issues, I will use every tool at my disposal to block his nomination. But I've reached no conclusion. I'm going to be scrutinizing his record, I'm going to be asking tough questions because this court is an appointment for lifetime and we need to make sure that we do the right thing here.

BLITZER: I want you to elaborate senator what do you mean specifically when you fear he may have an agenda?

BLUMENTHAL: Well, a judge who fails to respect established precedent and the doctrine as known as stare decisis and it means that, for example, a respect for not only Roe v. Wade but all the cases since Roe v. Wade that have

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established conclusively and in my view irrevocably that there is a right of privacy, a right to reproductive rights. That kind of respect for precedent is in the mainstream. And coming to court with a determination or an intention to overturn Roe v. Wade is part of an agenda.

[20:40:17] BLITZER: But do you have any evidence that it is judicial record he has ignored precedent?

BLUMENTHAL: There is no evidence that he has ignored precedent but he's been on the dissenting side of many cases where if he were in the majority it would overturn precedent. And that's one of my concerns. Without --

BLITZER: You mean --

BLUMENTHAL: -- he's been in dissent on cases where agency rules protecting health and safety were upheld but he was, in fact, against it.

BLITZER: You've heard about his academic credentials which are so impressive. This is a nominee also though that already has been confirmed unanimously by the United States Senate for the federal bench. It was a voice vote meaning no one voted against him. So that's a pretty impressive record right there.

BLUMENTHAL: Well, a unanimous confirmation for lower court in no way means he should be confirmed for the highest court in land, a lifetime appointment. And we're going to have a 60 vote threshold because that's the standard that was applied to Pres. Obama's nominees. And we have a special responsibility when it is the Supreme Court to impose great (ph) scrutiny. Second, he now as a decade of judicial opinions and rulings and decisions that deserve scrutiny, because that reflects what kind of justice he will be.

BLITZER: So you say you will filibuster requiring 60 affirmative votes, is that right?

BLUMENTHAL: All of Pres. Obama's nominees required 60 votes, so should Pres. Trump's. And I'm going to reach a conclusion after I have a chance to scrutinize his record and ask tough questions during the hearing. And he should have a hearing. I don't want to repeat what happened to Judge Merrick Garland. That was a travesty, an outrage. I'm still angry about it. I know many of my colleagues are. But we should do the right thing here. Not repeat the Republicans' wrong.

BLITZER: Sen. Blumenthal thanks very much for joining us.

BLUMENTHAL: Thank you.

BLITZER: All right ,Jake, back to you.

TAPPER: Thanks, Wolf, back with our panel here.

And Gloria Borger, you see Democrats taking different tones when it comes to this. Sen. Blumenthal there seemed to also have a foot in either side. Still angry about what happen to Obama's judge pick for justice, Merrick Garland, but saying that Judge Gorsuch should get a hearing. But others are already saying no, this guy is on the wrong side.

GLORIA BORGER, CNN CHIEF POLITICAL ANALYST: Right. And this is the decision that Chuck Schumer has to make, the leader of the Democrats, because he's got to figure whether he plays a long game or short game.

And there are lots of Democrat, and you know this better than I do, who are saying just pound him. Pound him, pound him, pound him, you know, filibuster. Do whatever you can. Have the Republicans release the nuclear option so they get him through that way.

And there are other Democrats who are saying wait a minute, hold your fire, maybe this isn't the right guy to do that with. Wait till and if the president has another nominee where it really shifts the balance of the court and let's save our fire for them.

I mean nobody should be surprised that Donald Trump picked somebody to replace Antonin Scalia with somebody who is Scalia-like and not only Scalia-like in his beliefs but he's a brilliant writer, he's not as combustible I don't think as Scalia. He's more mild-mannered. But people respect him on both sides of the aisle. And I think that, you know, this is something Democrats really are going to have to gauge right now because he's going to be a very difficult person to oppose given his intellectual heft. Of course he's conservative. So is Donald Trump.

DAVID CHALIAN, CNN POLITICAL DIRECTOR: Especially difficult to oppose for those 10 Democrats that are running --

BORGER: Yes.

CHALIAN: -- in Trump states.

BORGER: Yes.

CHALIAN: That's why I'm not sure Mitch McConnell will need to employ the nuclear option because I don't know --

BORGER: Right.

CHALIAN: -- that the Democrats are going to be able to hold entirely because of this pick -- look at Heidi Heitkamp's statement today, the senator from North Dakota, she said, you know, she's not judging this at all right now. She wants to lead open make sure we go through the hearing. That's somebody who is open to the idea of eventually possibly voting to confirm.

So I think that, yes, Chuck Schumer does have that strategic decision to make. But I'm not sure we're ever going to get to the place where Mitch McConnell --

TAPPER: And there are -- so there are 10 Democrats in red states --

BORGER: Yes.

TAPPER: -- up for re-election. There are also a bunch of Democrats, Sen. (inaudible) who are not looking at 2018, they're looking at 2020 and they see this a way to get attention and way to stand up for liberal, progressive Democratic --

[20:45:10] RICK SANTORUM, FORMER GOP PRESIDENTIAL CANDIDATE: Saw one of them on TV here just a few minutes ago. Though, there will be a lot of loud voices in opposition. And they'll take aim at his -- he's got a track record. He's got a lot of his written and talked about.

The interesting strategic move here for Chuck Shumer is -- as Gloria talked about the long game. If Chuck Shumer decides and if the Democrats decide, OK, we're going to stand and we're going to try to fight, we're going to filibuster this, then what they've done is force the Republicans into the nuclear option which is we're going to approve this with 51 votes.

So the next time, it's 51 vote standard. So when you come to the next vote it's already 51. If Schumer says wait a minute, let's go along with this, let's do 60, so then when the next comes around we say see, we still have the 60 standard. And so, you have some precedent within that current Senate of a 60 vote threshold. If you fight it and you go to 50 now, you've blown it for the one that's the game changing. Christine?

QUINN: It's a tough decision. I mean, I think there's no question, it's a tough decision for Chuck Schumer. I'm confident he is tough enough and smart enough to make the right strategic one. But it's tough because there's a lot to weigh particularly right now with the Democratic base being as energized as it is on a whole host of issues and the really horrible rollouts, ambitious one. We've seen on things like the Muslim ban and how much that really has people angered and empowered.

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But, you know, we've talked about choice, we've talk about LGBT. Let's not forget this is a judge who in two or three different cases opened the doors to making laws easier for felons to get guns. As we've heard there's real (ph) worker safety and corporate regulatory issues where he clearly -- and again, not surprising, but clearly is on the side of corporations.

So this isn't -- I hope this process doesn't get minimized to just one about choice because I think there are a lot of substantive solid questions and communities like mothers against gun violence who are already all over Twitter raising concerns.

TAPPER: Sierra Club has already come out against --

QUINN: Yeah.

TAPPER: -- his nomination.

We'll going to take a quick break. Just ahead, much more on Pres. Trump's nominee for the Supreme Court including new details on how he was chosen.

Also, we'll talk with a law professor who knows and works with Judge Gorsuch at the University of Colorado.

Plus, we're just minutes away from my CNN Town Hall with Democratic House Leader Nancy Pelosi, which will start at the top of the hour. A break first as the special edition of AC360 continues.

[20:51:34] BLITZER: The breaking news in this special hour of AC360. Pres. Trump made his first Supreme Court pick, Neil Gorsuch, just 49 years old, seven years younger than Justice Elena Kagan, currently the youngest Supreme Court Justice. He served on the 10th circuit court in Colorado since 2006. He was appointed to that seat by President George W. Bush.

I want to go back to Pamela Brown over at U.S. Supreme Court. Pamela, I understand you're getting some inside details now, surrounding the pick.

PAMELA BROWN, CNN SUPREME COURT CORRESPONDENT: That's right. It's clear, Wolf, that the White House wanted to build suspense leading up to the announcement tonight. In fact, you heard Pres. Trump say there, asking the crowd whether they were surprised by his pick of Neil Gorsuch. We are learning about the cloak and dagger details of getting Neil Gorsuch to chair the Washington under the radar.

My colleague, Ariane De Vogue and I are told that yesterday he left his Boulder, Colorado home at the back, and went through a dirt road to a small airport. So he was able to evade the press that was waiting in front of his gated community. And he arrived here to Washington late last night.

And then we are also told, Wolf, through our sources that the other contender, Thomas Hardiman, a judge of Pennsylvania wasn't told by the White House until today that he wasn't the pick, that he was the runner-up.

And, we have been talking to sources close to both of Judge Hardiman and Judge Gorsuch and they couldn't tell us for certain, Wolf, until today. The White House clearly taking extra ordinary measures to conceal who ended up being the finalist here, Neil Gorsuch. Wolf.

BLITZER: Yeah, the president clearly wanted a little drama going --

BROWN: Yup.

BLITZER: -- into the announcement. Pamela Brown, thank you very much.

Joining us now, Melissa Hart, a law professor at University of Colorado where Judge Gorsuch also teaches. She's joining us.

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Professor, you have known the judge for what -- close to a decade. How would you characterize his judicial philosophy?

MELISSA HART, PROFESSOR OF LAW, UNIVERSITY OF COLORADO: Well, one of the things I would actually say is, I think that, Judge Gorsuch goes out of his way to avoid having a single judicial philosophy. He and I have actually talked about this. And I think he wisely said to have a single judicial philosophy that you would apply in every single case is unreasonable given that there are constitutional cases and statutory cases and common law cases.

I think what people are obviously most focused on is that as a constitutional interpreter, he tends to be originalist and he tends to be focused on the text of the constitution. But he uses different approaches depending on the needs of the case. Which is what I think makes him a good judge. And a great pick for the court.

BLITZER: What are some of the key issues that Judge Gorsuch, professor, hasn't ruled on issues on which we don't know exactly for example where he stands?

HART: Well, we don't know exactly where he stands on how he would apply the second amendment to a particular issue. He has not had second amendment cases. I also think one -- we don't know exactly how he would apply his approach to any question about, say abortion rights that would come to him. He hasn't had specifically an abortion rights case. People point to his writing on euthanasia and his strong conviction that it's wrong to take a human life as relevant to his perspective on abortion. Certainly I think it is. But it's not definitive about what he would do in a particular case or what he would do to take a particular case.

[20:55:01] So, I think people should be careful about assuming they know where he stands on the hardest political questions because that's not always directly aligned with what judicial philosophy is. BLITZER: As you know, Professor Hart, the Supreme Court is very different -- very different kind of place to work than just being a federal judge at the Supreme Court. You have eight other justices that you're going to have to work with, who all have strong opinions of their own. Do you think he'd be able to smoothly assimilate into the Supreme Court? And what kind of role do you think he'd actually play?

HART: As to the first question, yes, I think he'll assimilate quite smoothly. He is obviously very familiar with the court. Having court there and argued there. He is a really wonderfully collegial person. One of the things that I really admire about him is that he is warm and open and genuine with people from all walks of life.

I think he will be collaborative and in some respects a consensus builder. I think what exactly that will mean for him remains to be seen. But I think he will seek to find common ground with colleagues. Because I think that's his personality.

And I think he recognizes that part of being on collegial court, whether it's the three judge panels on the Court of Appeals or the nine justices on the Supreme Court is trying to find ways to come to common ground.

BLITZER: Professor Hart, thanks so much for joining us.

HART: Thank you.

BLITZER: I want to get a quick final thought from the members of our panel. Nia, how hard is it going to be for Democrats to reject this nominee?

NIA-MALIKA HENDERSON, CNN SENIOR POLITICAL REPORTER: It's going to be really hard. And it's going to be a real test of how strong the progressive wing of the Democratic Party is. They're already on Twitter with the hash tag no to Neil.

Some of them talking about Merrick Garland, Merkley, Sen. Merkley talking about this as a stolen seat because of what happened to Merrick Garland.

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So they are going to have to figure out how can they balance the Bernie Sanders wing of this party with people who are going to be up for re-election in 2018, like Joe Manchin, like Heidi Heitkamp.

So it's going to -- I think it's going to be a real test. And also, I mean, is a real test for the Democratic Party just the large. Even, beyond this, like what is the Democratic Party, who is the controlling kind of body of that party, is it the progressives?

And we've so much from the progressive wing over these last days, the women's march, and then some of the protests at the airport. And they are looking for some Ws, to put some Ws on the board.

BLITZER: What are you're --

HENDERSON: -- and having seen it.

BLITZER: John, what do you --

JOHN KING, CNN CHIEF NATIONAL CORRESPONDENT: Of all the criticism in the early days of the Trump administration (inaudible) or the Keystone Cops don't have their team in place or what they proved that they were ready for this.

He started studying during the campaign, if candidate Trump they had a first list, and the second list. Now, they rollout their judge tonight. Conservative groups going up with ads tomorrow against the 10 red state Democrats and states Trump won.

Senate seats, they put a very good team together to help on Capitol Hill. They brought in the Republican leadership. They brought in the outside conservative groups on this one. We'll see what happens on the vote. But on this one, they were ready and rolled it out right.

BLITZER: You know the Senate, Dana, they need 60 in order to get him approved.

DANA BASH, CNN CHIEF POLITICAL CORRESPONDENT: That's right, but, you know, in this particular case. It is going to be very hard for Democrats to say that they are going to hold up this nominee and that they're going to have, you know, play, you know, you did this to our guy, we're going to do this to your guy. Because they understand that there are lots of fights to happen, despite the fact that the liberal base is already demanding that they do that.

But I do think it's important to take a step back and note the moment for the Trump administration. That it has been very, very rocky as John said. And this really changes the conversation which is why they moved it up to today to do just that.

BLITZER: Joan, final thought?

JOAN BISKUPIC, CNN LEGAL ANALYST: Yes, I'm reminded of back in the 70s when civil rights groups were trying to defeat then Associated Justice, William Rehnquist.

Once said it's so much easier to defeat a C grade conservative reactionary than an A grade student here. And that's what you have. And in the law you got a lot of people who will be impressed with these credentials. And I think it will be very tough.

BLITZER: Nice ringing, a vote of endorsement from the professor of law, a colleague of his, Melissa Hart.

JEFFREY ROSEN, PROFESSOR OF LAW, THE GEORGEWASHINGTON UNIVERSITY: Some Presidents are noted only for their Supreme Court nominees, Woodrow Wilson, Louis Brandeis and Herbert Hoover, Benjamin Cardozo. Pres. Trump will be remembered for a lot, but if he's remember from nothing more than Neil Gorsuch. That's a good decision.

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BLITZER: Do you expect anticipate a huge uproar, a huge fight in the Senate or will he eventually get through?
ROSEN: He'll get through as Sen. Cruz said. But how much Democrats want to put in a fight for this seat or hold their fire for the next one and remains to be seen.

BLITZER: All right, guys, everyone, thank you very, very much. The breaking news, we're following here in Washington. I want to go to New York right now. Turn it over to Jake Tapper for a CNN Town Hall Special with the House Democratic Leader, Nancy Pelosi.

JAKE TAPPER, CNN ANCHOR: Good evening, we are live for a special CNN Town Hall with the House Minority Leader, Democrat Nancy Pelosi of California. I'm Jake --

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