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1. [Trump Nominates Amy Coney Barrett As Supreme Court Justice; Biden, Top Democrats React To Trump's Nomination Of Amy Coney Barrett. Aired 5-6p ET](#)

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Trump Nominates Amy Coney Barrett As Supreme Court Justice; Biden, Top Democrats React To Trump's Nomination Of Amy Coney Barrett. Aired 5-6p ET

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Highlight: President Trump has nominated **Amy** Comey Barret as the next Supreme Court justice, who would take the seat left vacant after the death of Justice Ruth Bader Ginsberg. Statements are coming in from the Democrats on President Trump's nomination of **Amy Coney Barrett**, including Democratic presidential nominee, Joe Biden, vice- presidential nominee, Kamala Harris, House Speaker Nancy Pelosi, and Senate minority leader, Chuck Schumer.

Body

ANNOUNCER: This is CNN breaking news.

WOLF BLITZER, CNN HOST: Welcome to our viewers here in the United States and around the world. I'm Wolf Blitzer in Washington. This is a special edition of THE SITUATION ROOM.

A truly historic day in the White House Rose Garden. This hour, President Trump will announce his pick for the United States Supreme Court.

It is all but certain the nominee will be **Amy Coney Barrett**. She is a federal judge on the U.S. Court of Appeal for the Seventh Circuit and a law professor at the University of Notre Dame.

Barrett is just 48 years old. If she's confirmed by the U.S. Senate, she would be the youngest justice on court.

Since this is a lifetime appointment, her decisions will influence American life on critical issues for the next 30, 40 years, on everything, from abortion rights, health care, affirmative action, gender discrimination, gun rights, voting rights, immigration and so much more.

[17:00:13]

If the appearance, by the way, of the Rose Garden, to some of you looks familiar, it's no accident, for today's announcement, it is being decorated to look like it did on June 14th, 1993. That was the day Ruth Bader Ginsburg was introduced as President Bill Clinton's nominee to the Supreme Court.

As CNN's White House Correspondent at that time, I was in the Rose Garden on that historic day. And at the time, I must admit, I had no idea how influential Justice Ginsburg would be during her 27 years, on report, in making our country a better place for women and men.

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Judge **Barrett**'s nomination comes only eight days since the passing of Justice Ginsburg, and of the courts most liberal justices. And this happens only 38 days from Election Day here in the United States, when American voters will decide between re-electing President Trump or electing his rival Democratic rival, former Vice President Joe Biden.

Joining us now to break down today's historic announcement from every angle, our CNN team, Jeremy Diamond is over at the White House, Ariane de Vogue is at the Supreme Court, plus Supreme Court Analyst Joan Biskupic, our Congressional Correspondent, Phil Mattingly, he's up on Capitol Hill, our Chief Political Analyst, Gloria Borger, is with us, our Chief Legal Analyst, Jeffrey Toobin, is here, and our Political Correspondent, Abby Phillip.

Jeremy, let me start with you. You're in the Rose Garden right now at the White House. We're getting a look at the expected timeline for Judge **Coney Barrett**'s nomination. Tell us what you are learning.

JEREMY DIAMOND, CNN WHITE HOUSE CORRESPONDENT: Well, that's right, Wolf. Over the last week, since the passing of Justice Ruth Bader Ginsburg, President Trump and his team, as well Senate Republicans, have made a very clear decision that they would like to try and confirm this next Supreme Court justice before the November 3rd election.

And, indeed, the timeline that is already circulating is one that would allow them to do that as long as everything goes smoothly, as Senate Republicans certainly hope and expect will happen.

Right now, we could see the first hearing on Capitol Hill with potentially, as expect, **Amy Coney Barrett**, to be confirmed. That could be in the next two weeks. We expect her to begin to hit Capitol Hill over the next two week to begin to meet those senators, who will, of course, vote on her confirmation.

But make no mistake, Wolf, this is a moment that we expect President Trump to really savor here in the Rose Garden today. He has talked before about the fact that nominating justices to the U.S. Supreme Court is one of the most important things that he can do as president. And, certainly, not to just have one or two, but now three nominations to the U.S. Supreme Court is something that will shape President Trump's legacy and certainly in a way that he indeed likes to see it, Wolf.

And we've just been told that we are expecting the president to come out here in just a couple of minutes where we expect him to finally announce that Supreme Court announcement. And there is no question, Wolf, **Amy Coney Barrett**, she started at the top of the list last week when Justice Ruth Bader Ginsburg passed, and she is now expected to be that pick.

And, Wolf, we are hearing the music, which indicates that the president of the United States is coming out on stage.

BLITZER: And he is being introduced right now. He will walk in. We will see him walk in and then he'll go into the Rose Garden and make this historic announcement. I can see they leaving, they have just left the Oval Office and they're walking -- they will be walking down those stairs right now.

You see the president and Judge **Coney Barrett** there with her kids. She has got seven children and clearly they are all very, very proud. The first lady is there as well.

So let's just listen in to this historic moment.

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

I stand before you today to fulfill one of my highest and most important duties under the United States Constitution, the nomination of a Supreme Court justice.

[17:05:00]

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This is my third such nomination after Justice Gorsuch and Justice Kavanaugh. And it is a very proud moment indeed.

Over the past week, our nation has mourned the loss of a true American legend. Justice Ruth Bader Ginsburg was a legal giant and a pioneer for women. Her extra ordinary life and legacy will inspire Americans for generations to come.

Now, we gather in the Rose Garden to continue our never ending task of ensuring equal justice and preserving the impartial rule of law.

Today, it is my honor to nominate one of our nation's most brilliant and gifted legal minds to the Supreme Court. She is a woman of unparalleled achievement, towering intellect, sterling credentials and unyielding loyalty to the Constitution, Judge **Amy Coney Barrett**.

We're also joined by **Amy**'s husband, Jesse, thank you, Jesse, very much, and their seven beautiful children, congratulations to you all. A very special day.

With us as well are the first lady, thank you, first lady, along with Vice President Mike Pence and his amazing wife, Karen. Thank you very much, Karen.

Judge **Barrett** is a graduate of Rhodes College and the University of Notre Dame Law School. At Notre Dame, she earned a full academic scholarship, served as the executive editor of the law review, graduated first in her class and received the law school award for best record of scholarship and achievement.

Upon graduation, she became a clerk for Judge Laurence Silberman on the U.S. Court of Appeals for the District of Columbia.

Amy then received one of the highest honors a young lawyer could have serving as a clerk on the Supreme Court for Justice Antonin Scalia.

A highly -- a very highly respected law professor at Notre Dame wrote to Justice Scalia with a one-sentence recommendation, **Amy Coney** is the best student I ever had. That's pretty good.

Justice Scalia hired her shortly thereafter and we are honored to have his wonderful wife, Maureen, where is Maureen, Maureen Scalia, with us today, and our great Secretary of Labor, thank you very much. Thank you, Mr. Secretary. Very good genes in that family, I will say. Very good genes.

Before joining the bench, Judge **Barrett** spent 15 years as a professor at the University of Notre Dame Law School. She was renowned for her scholarship, celebrated by her colleagues and beloved by her students. Three times, she was selected at Notre Dame distinguished professor of the year.

When I nominated Judge **Barrett** to serve on the U.S. Court of Appeals for the 7th Circuit in 2017, every law clerk from her time at the Supreme Court endorsed her and endorsed her nomination, writing, quote, we are Democrats, Republicans and independents yet we write to support the nomination of Professor **Barrett** to be a circuit judge.

Professor **Barrett** is a woman of remarkable intellect and character. She is eminently qualified for the job. And I can tell you, I did that too. I looked and I studied and you are very eminently qualified for this job. You are going to be fantastic. Thank you. Really fantastic.

[17:10:00]

The entire Notre Dame law facility and faculty, everybody at that school, also -- we got so many letter also wrote, letters of support of **Amy**'s nomination to the 7th Circuit. They wrote, in effect, despite our differences, we unanimously agree that our constitutional system depends upon an independent judiciary staff by talented people

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devoted to the fair and impartial administration of the rule of law. And we unanimously agree that Amy is such a person.

For the last three years, Judge Barrett has served with immense distinction on the federal bench. Amy is more than a stellar scholar and judge, she is also a profoundly devoted mother. Her family is a core part of who Amy is.

She opened her home and her heart and adopted two beautiful children from Haiti, her incredible bond with her youngest child, a son with down syndrome is a true inspiration. If confirmed, Justice Barrett will make history as the first mother of school age children ever to serve on the U.S. Supreme Court.

To her children, Emma, Vivian, Tess, John Peter, Liam, Juliet and Benjamin, thank you to sharing your incredibly mom with our country. Thank you very much.

Amy Coney Barrett will decide cases based on the text of the Constitution as written. As Amy has said, being a judge takes courage. You are not there to decide cases as you may prefer, you are there to do your duty and to follow the law wherever it may take you. That is exactly what Judge Barrett will do on the U.S. Supreme Court.

I want to thank the members of the Senate, we have so many of them here today, thank you very much. I see you in the audience and you are so proud. But I want to thank you for your commitment and to providing a fair and timely hearing. I know that it will be there.

Judge Barrett was confirmed to the circuit court three years ago by a bipartisan vote. Her qualifications are unsurpassed, unsurpassed. And her record is beyond reproach. This should be a straightforward and prompt confirmation, should be very easy. Good luck. It's going to be very quick. I'm sure it will be extremely non-controversial. We said that the last time, didn't we?

Well, thank you all very much and thank you for being here. That's really great. Thank you. Thank you.

I further urge all members of the other side of the aisle provide Judge Barrett with a respectful and dignified hearing that she deserves and, frankly, that our country deserves. I urge lawmakers and members of the media to refrain from personal and partisan attacks and the stakes for our country are incredibly high.

Rulings that the Supreme Court will issue in the coming years will decide the survival of our Second Amendment, our religious liberty, our public safety and so much more. To maintain security, liberty and prosperity, we must preserve our priceless heritage of a nation of laws and there is no one better to do that than Amy Coney Barrett.

Law and order is the foundation is of the American system of justice. No matter the issue, no matter the case before her, I am supremely confident that Judge Barrett will issue rulings based upon a fair reading of the law. She will defend the sacred principle of equal justice for citizens of every race, color, religion and creed.

Congratulations again to Judge Barrett. I know that you will make our country very, very proud. Please, Amy, say a few words. Thank you very much. Congratulations.

[17:15:00]

JUDGE AMY CONEY BARRETT, SUPREME COURT JUSTICE NOMINEE: Thank you. Thank you very much, Mr. President.

I am deeply honored by the confidence that you have placed in me. I am so grateful to you and the first lady, to the vice president and the second lady and to so many others here for your kindness on this rather overwhelming occasion.

I fully understand that this is a momentous decision for a president. And if the Senate does me the honor of confirming me, I pledge to discharge the responsibilities of this job to the very best of my ability.

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I love the United States and I love the United States Constitution. I am truly humbled by the prospect of serving on the Supreme Court.

Should I be confirmed, I will be mindful of who came before me. The flag of the United States is still flying at half-staff in memory of Justice Ruth Bader Ginsburg to mark the end of a great American life.

Justice Ginsburg began her career at a time when women were not women come in the legal profession. But she not only broke glass ceilings, she smashed them. For that, she has won the admiration of women across the country and indeed all over the world.

She was a woman of enormous talent and consequence and her life of public of service serves as an example to us all. Particularly poignant to me was her long and deep friendship with Justice Antonin Scalia, my own mentor. Justices Scalia and Ginsburg disagreed fiercely in print without ranker in-person. Their ability to maintain a warm and rich friendship despite their differences even inspired an opera.

These two great Americans demonstrated that arguments, even about matters of great consequence, need not destroy affection. And both my personal and professional relationships, I strive to meet that standard.

I was lucky enough to serve for Justice Scalia. And given his incalculable influence on my life, I am very moved to have members of the Scalia family here today, including his dear wife, Maureen.

I clerked for Justice Scalia more than 20 years ago but the lessons I learned still resonate. His judicial philosophy is mine too. A judge must apply the law as written. Judges are not policymakers and they must be resolute and setting aside any policy views they might hold.

The president has asked me to become the ninth justice. And as it happens, I am used to being in a group of nine, my family. Our family includes me, my husband, Jesse, Emma, Vivian, Tess, John Peter, Liam, Juliet and Benjamin.

Vivian and John Peter, as the president said, were born in Haiti and they came to us five years apart when they were very young. And the most revealing fact about Benjamin, our youngest, is that his brothers and sisters unreservedly identify him as their favorite sibling.

Our children obviously make our life very full. While I am a judge, I'm better known back home as a room parent, carpool driver and birthday party planner. When schools went remote last spring, I tried on another hat. Jesse and I became co-principals of the Barrett E- Learning Academy. And, yes, the list of enrolled students was a very long one.

Our children are my greatest joy even though they deprive me of any reasonable amount of sleep. I couldn't manage this very full life without the unwavering support of my husband, Jesse. At the start of our marriage, I imagined that we would run our household as partners. As it has turned out, Jesse does far more than his share of the work. To my chagrin, I learned at dinner recently that my children consider him to be the better cook.

[17:20:00]

For 21 years, Jesse has asked me every single more than what he can do for me that day. And though I almost always say nothing, he still finds ways to take things off my plate. And that's not because has a lot of free time. He has a busy law practice. It's because he is a superb and generous husband and I'm very fortunate.

Jesse and I have a life full relationships, not only with our children, but with siblings, friends and fearless babysitters, one of whom is with us today. I am particularly grateful to my parents, Mike and Linda Coney. I spent the bulk -- I have spent the bulk of my adulthood as a Midwesterner but I grew up in their New Orleans home. And as my brother and sisters can also attest, mom and dad's generosity extends not only to us but to more than any of us could count. They are an inspiration.

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It is important at a moment like this to acknowledge family and friends. But this evening, I also want to acknowledge you my fellow Americans. The president has nominated me to serve on the United State's Supreme Court and that institution belongs to all of us.

If confirmed, I would not assume the role for the sake of those in my own circle and certainly not for my own sake. I would assume the role to serve you. I would discharge the judicial oath, which requires me to administer justice without respect to persons, do equal rights to the poor and rich and faithfully and impartially discharge my duties under the United States Constitution.

I have no illusions that the road ahead of me will be easy either for the short-term or the long haul. I never imagined that I would find myself in this position. But now that I am, I assure you that I will meet the challenge with both humility and courage.

Members of the United States Senate, I look forward to working with you during the confirmation process and I will do my very best to demonstrate that I am worthy of your support. Thank you.

TRUMP: Come on up, family. Come on up here.

I want to acknowledge Attorney General Bill Barr. Bill, thank you for being here. Chief of Staff, thank you very much, Chief, doing a great job. And all of the senators, please, we really appreciate it. And I know you're going to have a busy couple of weeks, but I think it's going to be easier than you might think. So, thank you very much for being here. Thank you all. Thank you all very much. Thank you.

Congratulations, **Amy**.

BLITZER: So there you have it, the ceremony going for about 20 minutes or so. President spoke about ten minutes. Clearly, Judge **Amy Coney Barrett** is highly qualified as a jurist, she has a wonderful, wonderful personal story, a beautiful family, as we all saw. And now the process of confirmation will begin in the United States Senate and the Republicans and president, they clearly want that to move very, very quickly.

Jeffrey Toobin, you're our Chief Legal Analyst, so what did you think of that presentation, her comments and the statement by the president?

JEFFREY TOOBIN, CNN CHIEF LEGAL ANALYST: Well, that is an impressive tableau, her family and in that setting. It is a remarkable -- she is a remarkable person and has a remarkable personal story, particularly given the size of her family. Of course, what did not come up, a name that was not mentioned during the ceremony, understandably, was Merrick Garland, who was also nominated and also has a beautiful family and never got a vote or never got even a hearing when he was nominated during an election year.

[17:25:08]

Amy Coney Barrett, this -- you know, there have only been 114 Supreme Court justices in American history, and so any nomination is consequential. But this one is a especially important because the judicial philosophies of Ruth Bader Ginsburg, who has departed, and **Amy Coney Barrett** could not be more different under our system.

And so the differences for a reproductive freedom, for health care, for gun control or the absence thereof affirmative action, so many issues, her views are going to be diametrically opposed to Ruth Ginsburg's. And that's what Donald Trump promised during the campaign. He has delivering on that promise. And we're going to see in very short order whether the voters think that is a good idea.

BLITZER: Yes. Gloria, the Republicans majority, and the Republicans are the majority in the U.S. Senate, they clearly have the votes to confirm her and they have the votes presumably to do it rather quickly even before the November 3rd presidential election. This is a very impressive kickoff to the next few days, which are going to be rather intense.

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GLORIA BORGER, CNN CHIEF POLITICAL ANALYST: Sure it is. And you heard the president say that this might be fast. This is going to be easier than you might think. I mean, he knows where the votes are. He knows that Republicans, despite the hypocrisy of many of them saying when it was Merrick Garland, as Jeffrey talking about, that no such vote should occur that close to an election when the election was eight months away, now say, well, let's get it done, when the election is actually ongoing.

I think the question going forward, really, is how do the Democrats respond to this nominee. And I think that's a discussion a lot of Democrats are having right now internally.

You saw how impressive her family is. I'm sure she is incredibly impressive given her credentials and given what he heard today.

And what is the best tact for Democrats to take? Do they boycott her? Do they not meet with her? Do they boycott the hearings? I doubt they will do that. How do they question her? What do they make the hearings about? Do the hearings become about health care, for example, or reproductive rights, as Jeffrey was talking about? I think that is the big decision right now that's going on within the Democratic Party.

As far as I can see from Republicans, more and more are saying, get it done before the election.

BLITZER: Yes. And as I say, elections have consequences. The Republicans, there are 53 Republicans in the Senate, 47 Democrats, that's a majority, you simply need 50. If there is a tie, the vice president presumably could break that tie.

Abby, you are watching this closely. She is only 48 years old. And if she is confirmed, she is going to be a U.S. Supreme Court justice for the next 30, maybe 40 years. And we'll have an enormous impact on so many critically important issues.

ABBY PHILLIP, CNN POLITICAL CORRESPONDENT: And that is the hallmark of President Trump's Supreme Court nominations and indeed his federal court nominations. He is picking them, as he likes to say, as young as possible so they can be on the court for decades.

For **Amy Coney Barrett**, one of the things about her is that I think that we will find a lot of her colleagues in the legal profession, whether they on the left or the right, coming forward to speak to her intellect and to her ability to do the job. And we've already seen some people including, Harvard Law Professor Noah Feldman, who is a staunch liberal, who wrote an op-ed, saying she is one of the most brilliant jurists that he has ever encountered in his career.

So that's going to play a key role here because while some of the president's nominees for other judicial appointments have actually been rated not qualified by the American Bar Association, they have been criticized for their lack of a record, **Amy Coney Barrett** is different in that that she is widely viewed to be well qualified for this position even among people who don't agree with her actual positions.

So I think that is going to be a tough thing for Democrats to overcome. And, in fact, I think we will see Democrats really trying to avoid litigation of her legal ability or history and deal with the issue of process and deal with the idea of whether or not she would respect precedents, principally Roe vs. Wade.

BLITZER: Yes. But it was important, Abby, that she began her remarks by praising Ruth Bader Ginsburg as a woman of enormous talent and consequence and noted that her mentor, the late Justice Antonin Scalia and Ruth Bader Ginsburg were very, very close friends, even though disagreed on so many of these legal issues.

[17:30:06]

PHILLIP: Yes, absolutely. And I think that, in some ways, one of the things that really struck me -- as she discussed, her husband, Jesse, and the role that supportive husband played.

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A sort of legal powerhouse in being able to do their jobs. It really did remind me of Ruth Bader Ginsburg's relationship with her husband. And they have that in common.

But she is a student of Justice Scalia's.

I think that she was clear about the fact, about the fact that, even though she believed in dealing with differences of opinion on how to approach the law, she -- I think she believes, according to what she said, that you should do it with some degree of camaraderie, especially with those on the bench.

The problem is, I don't think this is a particular environment in which Democrats will necessarily believe that. In fact, her appointment will make the court more conservative than it was before. So whether she believes in respecting people on the other side of the ideological aisle or not, there's no question that she will be a conservative justice if she is confirmed. And that fact alone is going to make the confirmation process incredibly, incredibly acrimonious.

BLITZER: And we're showing our viewers, were showing our viewers -- let's show our viewers some live pictures coming in from Middletown, Pennsylvania.

The president will be heading in a little while to do another pep rally. You see a huge crowd already gathered there. Again, not much social distancing, not much masks, as far as we can see.

Jeremy Diamond, you are still in the Rose Garden. We didn't see many masks or a lot of social distancing in the Rose Garden where you are either, did we?

JEREMY DIAMOND, CNN WHITE HOUSE CORRESPONDENT: No, we certainly did not, Wolf. And it was really a who's who of the president's conservative supporters.

We saw several actually enter with the mask but, as soon as they were among the crowd, they took them off.

And we saw Dr. Scott Atlas, the president's coronavirus adviser, who is not an expert in immunology or infectious diseases but has become -- certainly has the president's ear on these matters, he was milling about without a mask.

But, Wolf, there's no question that, given the conservative makeup of this audience and the president's view of the importance of this, he views it as important in terms of his legacy for the long term.

But he's also looking at this November 3rd election and the impact that this will have, particularly on his conservative base. The president hoping that this will rile up those supporters to encourage them to turn up in droves as they did in 2016.

Of course, this is one of the reasons why so many of those conservative supporters, who dislike the president's personality or the president's way of speaking, but decided to support him anyway because of these issues, because of the ability that he might have to remake the Supreme Court.

And if Amy Coney Barrett is confirmed, this will set up this very strong conservative majority on the court to shape decisions for decades to come.

But, Wolf, there's also the question of what the impact could be on the left and on the supporters of former Vice President Joe Biden.

There's no question that Amy Coney Barrett, in her position, there's a huge question about what her position on the Supreme Court could mean for reproductive rights.

And that is an animating issue for those on the left. The result of that question of whether this pick, especially pushing it through before the November election, when in six in 10 Americans say that next president should be the one to pick who fills this seat by Ruth Bader Ginsburg, this is going to have political implications on the right as well as on the left.

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BLITZER: Stand by.

I want to Phil Mattingly is on Capitol Hill.

Phil, they have a schedule already in place for the confirmation hearings before the Senate Judiciary Committee. It looks like it'll move quickly.

I assume, correct me if I'm wrong, that the Senate majority leader, the chairman of the Judiciary Committee, they have the Republicans pretty much in line. They will have a majority.

They can move this relatively quickly if they want to, despite strong opposition from the Democrats.

PHIL MATTINGLY, CNN CONGRESSIONAL CORRESPONDENT: Wolf I think that's the key point here. Look, there is an adage on Capitol Hill, which you've heard, if you have the votes, you vote.

And right now, it looks like they have the votes not just to actually put a vote in place probably by the end of October, before the November election, but also to confirm the nominee.

Right now, over the course of the last 12 hours or so, the Judiciary chairman has been circulating a schedule for the nomination hearing. The first day would be October 12th. It would be a four-day hearing process, which is normal for Supreme Court nominees, at least in the recent past.

That would basically tee up the opportunity to vote on Amy Coney Barrett on the Senate floor by the end of October.

And when you have all the Republicans, or at least 51 of the 53 ready to move forward and 51 or the 53 almost certainly, based on conversations I've had over the last several days on Capitol Hill, to actually vote for Amy Coney Barrett, you can move quickly.

[17:35:06]

One big question: What can Democrats, in the minority in the United States Senate, do to try to slow down or block this process? The answer is nothing. They cannot block Amy Coney Barrett's confirmation so long as Mitch McConnell has a majority of votes in the U.S. Senate, which it appears he does.

And they can do things procedurally to slow things down, perhaps on the Senate floor, some options in the Judiciary Committee.

But the big question now, Gloria got a piece of it and so did Abby, which is: How do Democrats want to approach this? Do they want to try to throw procedural wrenches into play, not meet with the nominee, not even show up for the hearings?

Or do they want to try to use the hearings as an opportunity to talk about issues, particularly in the midst of a heated campaign season that they believe will help them politically?

No final decisions have been made, Wolf. Democrats on the committee have had calls over the last several days. I've spoken to a number of Democrats on the committee over the last several days.

I think that the idea right now is that they are leaning towards, let's have the hearings, go through the full process. It'll probably be 50/50 in terms of who meets with nominee over the next couple of weeks.

And they want to have the hearings. They want to use those hearings to try and lay out their positions on the issues, that Jeremy and Abby mentioned, that they believe are most important or most at stake with this nomination.

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With the understanding there's nothing that they can do to stop the nomination unless they create problems over the course of those hearings.

And the first thing to keep an eye on, Wolf, next week, Senate Majority leader, Mitch McConnell, on Tuesday, I'm told, is expected it to meet with **Amy Coney Barrett**. It'll be her first visit to Capitol Hill.

Expect Senate Judiciary Committee chairman, Lindsey Graham, to follow shortly thereafter.

And then one of the big questions will be: How much of those Democrats decide to sit down with the nominee?

And already, Senator Richard Blumenthal, a Democrat on the committee, has said that he will not meet with the nominee -- Wolf?

BLITZER: Very interesting, indeed. We'll see what happens, if they do show her that kind of respect to meet with her, attend the committee hearing. It'll be very significant.

We have a lot more. We're getting a ton of reaction already coming in from the Democratic presidential nominee, the vice-presidential nominee, other Democrats. We'll share it with you.

Our special coverage here in THE SITUATION ROOM will continue right after a quick break.

[17:41:20]

BLITZER: So an historic moment has now occurred in the Rose Garden over at the White House. The president nominating Judge **Amy Coney Barrett** to be the next Supreme Court justice. She's about to begin a confirmation process in the coming days before the U.S. Senate, beginning in the Judiciary Committee and then moving on to the full Senate.

And I want to bring in our Supreme Court reporter, Ariane de Vogue first.

Ariane, we heard the president say that she will decide cases based on the Constitution as written. And then we heard Judge **Amy Coney Barrett** saying that she will -- the law must be applied as written.

So explain to our viewers what is behind those specific words, where she is coming from, and what we would anticipate if she does become a justice on the supreme over the next 30 or 40 years.

ARIANE DE VOGUE, CNN SUPREME COURT REPORTER: Right, Wolf, absolutely.

(CROSSTALK)

DE VOGUE: The crowd behind us, Trump supporters, started --

(CROSSTALK)

BLITZER: Ariane, I want you to stand by. We can barely hear what you are saying because of the crowd behind you. Maybe with a handheld mic maybe we'll be able to appreciate what you're saying.

So standing by for a moment.

Joan Biskupic, our Supreme Court analyst, is standing by.

Explain the legal consequences of what we heard from the president and from the Supreme Court nominee?

JOAN BISKUPIC, CNN SUPREME COURT ANALYST: We'll see them right away, Wolf.

And I want to mention, you referred to the fact that you were in the Rose Garden in June of 1993 when RBG was unveiled by Bill Clinton. I was right next to you.

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It has been quite a 27-year run. And here we have a historic are nomination that will transform the court for decades.

But more immediately, we're going to see it with, for example, November 10th case that will be heard on the Affordable Care Act.

And as much as she tried to identified herself with the late Justice Ginsburg, her heart, her mind, her approach to the lawyer is with Antonin Scalia, her mentor, whose wife, Moreen, and son, Jean Scalia, now the labor secretary, were there.

And so what will happen, Wolf, is that the president wants her to be confirmed by the election, by November 10th, when the court will look at the constitutionality of the Affordable Care Act.

And that case has always hung on by one or two votes. Ruth Bader Ginsburg was a key vote in 2012 to uphold its constitutionality.

Judge **Barrett** has not had reason to rule on any variation of the Affordable Care Act, but she has cast doubt on the constitutional underpinnings. And wrote after the 2012 decision that she did not find it quite plausible the way that Chief Justice Roberts upheld the law.

So she has been critical of it. She has not put her cards on the table about that.

And I want to mention that we will probably see during the hearings a lot of just open-ended phrases, not being able to commit to many things, as many have done in the past.

But as I've studied her hearing from 2017, when she was up for the Seventh Circuit, she is pretty expert at deflecting Senators' questions, especially from the Democrats.

And I'm sure many of their questions will go to the Affordable Care Act and the precedent of Roe v. Wade.

[17:45:06]

And they will probably even go to what she would do if, suddenly, there was a contested election and it came to the Supreme Court as she was a sitting justice.

BLITZER: Can we assume, Joan, that she would be very similar to Antonin Scalia on the U.S. Supreme Court?

BISKUPIC: Absolutely. I have no doubt. Because she said it. She even has said that she uses Justice Scalia at her model.

One thing I should stress, she is very open and candidate about her idea of Originalism, which a heavy word in the law but it means, essentially, looking back to the intentions of the framers of the Constitution in the 18th century context.

And Justice Scalia was the most vocal and articulate proponent of that view.

And it's a view that essentially narrowly reads the Constitution, the opposite of Justice Ruth Bader Ginsburg.

And in fact, Justice Scalia was her opposite. And **Amy Coney Barrett** has proven in her writings and what she's done so far on the Seventh Circuit that she would be the opposite of Ruth Bader Ginsburg on things like reproductive rights and the Second Amendment.

Again, she has not written on all these things that will come up before her as a new justice. But the path that she carved since her law-school days and as an academic at Notre Dame certainly puts her in league with Justice Scalia.

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BLITZER: We'll have a lot more on all of this. And we're getting statements coming in from the Democrats, including the Democratic presidential nominee, Joe Biden, the vice-presidential nominee, the speaker of the House, the Senate minority leader.

Much more of our special coverage coming up right after this.

[17:51:24]

BLITZER: President Trump has now nominated **Amy Coney Barrett** to be the next Supreme Court justice, succeeding the late Ruth Bader Ginsburg.

Jeffrey Toobin, we're getting a statement in from the Democratic presidential nominee, Joe Biden.

Among other things he says this. And I'll read to you and our viewers:

"Today, President Trump has nominated Judge **Amy Coney Barrett** as the successor to Justice Ginsburg's seat."

"She has a written track record of disagreeing with the U.S. Supreme Court's decision upholding the Affordable Care Act. She critiqued Chief Justice John Roberts' majority opinion upholding the law in 2012."

Biden adds, "The American people know the U.S. Supreme Court decisions affects their everyday lives."

"The United States Constitution was designed to give the voters one chance to have their voice heard on who serves on the court. That moment is now and their voice should be heard."

The Senate should not act on this vacancy until after the American people select their next president and the Congress."

That's Biden, Jeffrey.

But the Republicans have the majority in the Senate. They're going disobey that wish from Biden.

TOOBIN: That's for sure.

You know, one person who was not thanked during the -- during the ceremony was one of the people who was most responsible.

And that Senator Dianne Feinstein, who, in 2017, when she was the ranking Democrat on the committee engaging in questions that was so incompetent, so inept, so apparently religiously discriminatory that **Amy Coney Barrett** became a hero to religious conservatives.

You know, Dianne Feinstein was and is a distinguished public servant who has served for many years on the Supreme Court (sic).

She is now 87 years old. And she has repeatedly engaged in behavior in recent months that seemed out of step with what Democrats want to do. She's going to be the leader of the Democratic forces on the Judiciary Committee. And all I can say is good luck with that, Democrats.

BLITZER: She's the ranking Democrat on the Judiciary Committee.

Explain what you're saying. You want her to recuse herself? Give the responsibility of being the top Democrat on the Judiciary Committee to somebody else?

TOOBIN: Yes. She could leave the committee. She could go to the Intelligence Committee.

You know, this is not some joke. These committee assignments are done largely by seniority.

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Republicans don't do it entirely by seniority. They pick people, particularly in the House, based on they think can do the best job. Democrats operate on the basis of seniority.

So 87-year-old Senator Dianne Feinstein is going to be the leader on the forces on this nomination. That's not set in the Constitution. That could be move -- she could move off that committee.

But her incredibly inept behavior during Judge **Barrett**'s confirmation hearing had an enormous consequence that helped the forces that Dianne Feinstein has spent her entire year fighting against. That's just what happened.

Democrats have to decide if they want that to happen again in the Supreme Court confirmation.

BLITZER: She did have bipartisan support in her confirmation for the Seventh Circuit Court of Appeals.

Gloria, a brief statement, a tweet from Kamala Harris, the vice- presidential nominee:

"President Trump's handpicked success to Justice Ginsburg's seat makes it clear they intend to destroy the Affordable Care Act and overturn Roe. This election would move the court further right for a generation and harm millions of Americans. I strongly oppose Judge **Barrett**'s nomination."

Senator Kamala Harris is a member of the Judiciary Committee.

BORGER: That's right.

BLITZER: We're getting similar statements from other Democrats, Gloria, as well.

BORGER: To Jeffrey's point, Kamala Harris, as you point out, is on the Judiciary Committee. And the question is whether they'll let her take the lead as the vice-presidential nominee on handling this nomination. And I think that might be wise.

And I think what you hear Kamala Harris saying and other Democrats saying, we want to home in on health care. Because they want to talk about it in terms of a pandemic that has cost over 200,000 lives.

That's what Joe Biden wants to talk about in this campaign. That's what Kamala Harris wants to talk about in this campaign.

So they're going to reiterate time and time again, don't forget you've got this hearing before the Supreme Court, and your pre-existing condition is in danger of going away, your coverage is in danger of going away.

And you're going to hear that over and over again.

And I think Kamala Harris may be the one who takes the lead on this. Because she is the one who, after all, is campaigning for vice president. And I think the Democrats would be very wise to let her do that -- Wolf?

BLITZER: You know, it's interesting, Abby, the very strong statement from the speaker, Nancy Pelosi, similar to the other statements we're getting.

We're getting a ton of these statements coming in. I'll read a couple of sentences from what Speaker Pelosi, her reaction to this nomination.

Quote, "If this nominee is confirmed, millions of families' health care will be ripped away in the middle of a pandemic that has infected seven million people and killed over 200,000 people in our country."

And Pelosi adds, "Every vote to confirm this nominee is a vote to dismantle health care. The American people will hold every Senator responsible for their vote at the ballot box.

So you see the lines, Abby, are clearly being drawn right now.

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PHILLIP: It's not a coincidence that all these top Democrats are saying the same thing. They know health care is central to Americans. It's what powered them to the House majority in 2018.

And it also seems to me to be a recognition among the Democrats that they can't actually, to Phil's point, stop this nomination. They can't stop her from necessarily getting a vote eventually in the Senate.

However, this could become a very powerful turnout tool for Democrats and for Independents who are very motivated by this issue of health care.

What's also interesting to me that I see happening on the Republican side is they're hoping the Democrats fall into the kind of trap, that Jeffrey just talked about that Dianne Feinstein fell into, talking about Amy Coney Barrett's faith, more culture-war types of issues.

I'm seeing a lot of Republicans suggesting Democrats are going to bring up Amy Coney Barrett's adopted children into the conversation.

Frankly, what I've seen so far is Republicans are hoping the Democrats step in it. And Democrats so far are trying to stay in line in a narrowly focused way, talking specifically about the impact this would have on health care.

And you saw in Kamala Harris's statement, she does mention Amy Coney Barrett's views on a precedent that could affect Roe v. Wade.

So I think you're going to see Democrats trying to be as narrow as possible and Republicans trying to push Democrats to potentially step over the line in a way that could hurt them down the road.

BLITZER: Abby, I'll read a couple of sentences from Chuck Schumer, the Senate minority leader. He says this:

"Justice Ginsburg's dying wish was that she not be replaced until a new president is installed. Republicans are poised to not only ignore her wishes but to replace her with someone who could tear down everything that she built."

"This reprehensibly power grab is a cynical attack on the legitimacy of the court. I will strongly oppose this nomination."

So it's clear, Abby, that the Democrats, at least the leadership on the Democratic side, they're gearing up for a big fight, but they clearly, Abby, don't have the votes.

PHILLIP: They don't have the votes. They don't have the procedural power to stop this. They do, to Phil's point, potentially have the power to slow this down.

And I will note we will see -- I think we can expect to see Amy Coney Barrett's own words coming up in the context of the process here.

[17:59:52]

She spoke out about whether or not Barack Obama should have nominated and confirmed a Supreme Court justice in the final year of his term, arguing that it was too close to an election, arguing that it was not a one-for-one sort of switch, that he would basically be nominating a liberal to replace a conservative.

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