

# Senate confirms Neil Gorsuch to fill Antonin Scalia's Supreme Court seat

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Supreme Court nominee Neil Gorsuch prepares to testify on Capitol Hill in Washington, D.C., at his confirmation hearing before the Senate Judiciary Committee on March 21, 2017, in Washington, D.C. Photo from AP.

WASHINGTON, D.C. — On Friday, the Senate confirmed Neil Gorsuch to become the newest associate justice on the United States Supreme Court. The confirmation elevated President Donald Trump's nominee following a harsh, politically divisive debate that could have lasting impacts for the Senate and the court.

## Three Democrats Voted For Gorsuch

Vice President Mike Pence was presiding as the Senate voted 54 to 45 in favor of Gorsuch, a 49-year-old veteran of the 10th U.S. Circuit of Appeals in Denver. His rulings make him an intellectual heir to the late Justice Antonin Scalia, whose seat he will fill.

Gorsuch won support from 51 of the chamber's Republicans as well as three moderate Democrats up for re-election in states Trump won last fall: Joe Manchin of West Virginia, Heidi Heitkamp of North Dakota and Joe Donnelly of Indiana. Republican Senator Johnny Isakson of Georgia did not vote.

## Gorsuch Slants Court Toward Conservatives

Gorsuch is expected to be sworn in within days, in time to hear the final cases of the term. He was nominated by Trump shortly after the January inauguration.

Gorsuch's confirmation is a major win for Trump and his biggest congressional victory to date. It was also a win for Republican Senate Majority Leader Mitch McConnell of Kentucky. He kept Scalia's seat open after the justice's death in February 2016. McConnell refused to hold hearings for Merrick Garland, President Barack Obama's nominee. Garland was widely seen as qualified and was highly respected by many Democratic and Republican lawmakers.

After he is sworn in, Gorsuch will restore the court's conservative voting majority that existed before Scalia's death. For over a year, there have only been eight Supreme Court judges, instead of the typical nine.

### "Supermajority" Vote No Longer Needed

Republicans exulted in the victory.

"He's an exceptional choice," McConnell said.

Democrats denounced the Republican Party's use of what both sides dubbed the "nuclear option" to put Gorsuch on the Supreme Court, calling it an epic power grab that would further corrode politics in Congress, the courts and the United States. Many Republicans bemoaned reaching that point, too, but they blamed Democrats for pushing them to it.

The "nuclear option" is a process used by a group of lawmakers. The term is a reference to nuclear weapons being the most extreme option in warfare.

This procedure allows the Senate to override an existing rule with just a simple majority of 51 out of 100 votes, instead of a supermajority of 60 votes.

Senate Minority Leader Chuck Schumer, a Democrat from New York, said the new rule would add to the divide between Democrats and Republicans. "It will make the cooling saucer of the Senate considerably hotter, and I believe it will make the Supreme Court a more partisan place."

The Senate change, affecting how many votes a nominee needs to advance to a final confirmation vote, will apply to all future Supreme Court candidates as well. Trump himself predicted to reporters aboard Air Force One that "there could be as many as four" Supreme Court vacancies for him to fill during his administration.

"In fact, under a certain scenario, there could even be more than that," Trump said. There is no way to know how many there will be, if any, but several justices are quite elderly.

## Confirmation Follows A Contentious Debate

Even as they united in indignation, lawmakers of both parties, pulled by fierce political forces from the left and right, were unwilling to stop the confirmation rules change. The maneuvering played out in a tense Senate chamber Thursday. Most members were in their seats, a rare and theatrical occurrence.

First Democrats mounted a filibuster, denying Gorsuch the 60 votes needed to advance to a final vote. A filibuster is a procedure where a debate over an issue is extended. This allows one or more members to delay or entirely prevent a vote on a proposal by speaking.

This is when McConnell deployed the series of steps known as the "nuclear option." McConnell raised a point of order, suggesting that Supreme Court nominees should not be subjected to a 60-vote threshold but instead a simple majority in the 100-member Senate.

McConnell was overruled, but he appealed the ruling. Following that, he won the vote to change the rule, 52 to 48. The votes were mostly divided along party lines. The 60-vote filibuster requirement on Supreme Court nominees was effectively gone. With it went the last bit of bipartisanship on presidential nominees in an increasingly polarized Senate.

The developments were accompanied by unusually bitter accusations and counter-accusations. And yet in many ways, the showdown had been pre-ordained. It seemed to be the final chapter in years of divisiveness over judicial nominees.

Even as senior Republicans lamented the voting change, McConnell and some allies argued that all they were doing was returning to a time, not long ago, when filibusters of judicial nominees were unusual, and it was basically unheard of to try to block a Supreme Court nominee in that fashion.

**Quiz**

- 1 Read the following statement.

*There is some division among Republicans over the implementation of the "nuclear option."*

Which of the following sentences from the article BEST supports the above statement?

- (A) The confirmation elevated President Donald Trump's nominee following a harsh, politically divisive debate that could have lasting impacts for the Senate and the court.
- (B) Senate Minority Leader Chuck Schumer, a Democrat from New York, said the new rule would add to the divide between Democrats and Republicans.
- (C) The developments were accompanied by unusually bitter accusations and counter-accusations.
- (D) Even as senior Republicans lamented the voting change, McConnell and some allies argued that all they were doing was returning to a time, not long ago, when filibusters of judicial nominees were unusual, and it was basically unheard of to try to block a Supreme Court nominee in that fashion.

- 2 With which of the following statements would Schumer most likely AGREE?

- (A) Changing the voting rule eliminates any possibility of unification between Democrats and Republicans.
- (B) Due to the new simple majority rule, decision making in both the Senate and Supreme Court will be increasingly combative.
- (C) With the change to the voting rule, the Senate's process of confirming Supreme Court justices will likely be more streamlined.
- (D) Despite the current dissent, the new simple majority rule encourages Democrats and Republicans to find common ground in the future.

- 3 Read the paragraph from the section "Three Democrats Voted For Gorsuch."

*Vice President Mike Pence was presiding as the Senate voted 54 to 45 in favor of Gorsuch, a 49-year-old veteran of the 10th U.S. Circuit of Appeals in Denver. His rulings make him an intellectual heir to the late Justice Antonin Scalia, whose seat he will fill.*

Adding which of the following sentences to the paragraph would help explain the meaning of "intellectual heir" in the context of the paragraph?

- (A) Gorsuch's decisions as a Supreme Court justice will rely heavily on the conservative standards set by the late Justice Scalia.
- (B) As a student of the late Justice Scalia, Gorsuch's decision making will likely reflect Justice Scalia's conservative influence.
- (C) Justice Scalia's legacy as a brilliant and conservative Supreme Court justice will determine Gorsuch's decisions as a justice.
- (D) With similar tendencies toward upholding conservative ideals, Gorsuch's decisions will likely align with the late Justice Scalia's decisions.

- 4 Read the sentence from the article.

*Democrats denounced the Republican Party's use of what both sides dubbed the "nuclear option" to put Gorsuch on the Supreme Court, calling it an epic power grab that would further corrode politics in Congress, the courts and the United States.*

What is the meaning of the phrase "epic power grab" in the above sentence?

- (A) a significant disregard for existing rules
- (B) a monumental action to seize authority
- (C) a bold plan for enacting legislation
- (D) a controversial move to undermine current systems