

Democrats have a history of repeatedly attacking Catholic nominees for the federal judiciary for their religious beliefs and practices. Some examples:

BRIAN BUESCHER, U.S. DISTRICT COURT IN NEBRASKA (2019)

Sens. Kamala Harris and Mazie Hirono drilled down on the nominee's membership in the Knights of Columbus:

- **Harris** described the Knights as "an all-male society," asked if Buescher knew the Knights "opposed a woman's right to choose" and were against "marriage equality" when he joined. She then asked, "Have you ever, in any way, assisted with or contributed to advocacy against women's reproductive rights?"
- **Hirono** charged that "the Knights of Columbus has taken a number of extreme positions" including opposition to same-sex marriage. She asked if Buescher would quit the organization if confirmed "to avoid any appearance of bias."

PAUL BRIAN MATEY, 3RD CIRCUIT U.S. COURT OF APPEALS (2018)

- **Sen. Mazie Hirono:** After noting his membership in the Knights of Columbus, which she characterized as "one of the top contributors to California's Proposition 8 campaign to ban same-sex marriage," she asked:
"Do you share that view that marriage should not be allowed for same-sex couples?"
"If confirmed, do you intend to end your membership with this organization to avoid any appearance of bias?"
"If confirmed, will you recuse yourself from all cases in which the Knights of Columbus has taken a position?"
- **Sen. Kamala Harris:** "In 2014, you joined an organization called the Knights of Columbus, which is comprised primarily of Catholic men. In 2008, the Knights of Columbus was the top contributor to the "Yes on Proposition 8" campaign, in support of a ballot initiative to ban same-sex marriage in California.
"Were you aware that the Knights of Columbus opposed marriage equality when you joined the organization?"

"Have you ever, in any way, assisted with or contributed to advocacy against LGBTQ rights?"

"If the answer is 'yes,' please explain the nature and scope of your assistance."

"In 2016, Carl Anderson, leader of the Knights of Columbus, said that abortion 'is in reality a legal regime that has resulted in more than 40 million deaths.' Mr. Anderson also described abortion as 'the killing of the innocent on a massive scale.'"

"Were you aware that the Knights of Columbus opposed a woman's right to choose when you joined the organization?"

PETER J. PHIPPS, U.S. DISTRICT JUDGE, WESTERN DISTRICT OF PENNSYLVANIA (2018)

- **Sen. Kamala Harris:** Grilled him on his membership in the Knights of Columbus, a "Catholic fraternal organization limited only to men." After noting that the Knights defend "the right to life of every human being, from the moment of conception to natural death," she asked:
 - "As a member of the organization, do you carry out this mission?"
 - "Must you swear an oath to join this organization? If so, what is that oath?"
 - "As a member of a group that avowedly opposes abortion, how will you approach that constitutionally-protected right in your courtroom?"

GORDON GIAMPIETRO, FEDERAL DISTRICT COURT, MILWAUKEE (2018)

- **Sen. Tammy Baldwin:** Opposed Giampietro, refusing to submit the "blue slip" needed from home state senators to advance a nomination. After Giampietro came under fire because of past statements upholding his Catholic faith's teachings on marriage, the family, sexuality and the sanctity of life, Baldwin cited "these extremely troubling statements" in explaining her opposition. She rejected the pleas of all five Wisconsin diocesan bishops not to block Giampietro because of his fidelity to Catholic teaching.

AMY CONEY BARRETT 7TH U.S. CIRCUIT COURT OF APPEALS (2017)

- **Sen. Dianne Feinstein:** "When you read your speeches, the conclusion one draws is that the dogma lives loudly within you. And that's of concern ..."
- **Sen. Dick Durbin:** "Do you consider yourself an orthodox Catholic?" Durbin said that though he is "a product of 19 years of Catholic education," he had "never seen [that term] before." Then he asked Barrett, "What's an orthodox Catholic?"

MICHAEL SCUDDER 7TH CIRCUIT U.S. COURT OF APPEALS (2017)

- **Sen. Dianne Feinstein:** Noting that in his Senate Questionnaire, Scudder had listed membership in St. John the Cross Parish, Feinstein grilled him about a note in the parish bulletin that he was "helping to establish a residential crisis pregnancy center."

JOHN ROBERTS SUPREME COURT CHIEF JUSTICE (2005):

- **Sen. Dianne Feinstein:** Asked Roberts, a Catholic, whether he agreed with the comment of John F. Kennedy regarding matters of church and state. The Catholic League questioned why she hadn't raised the religious issue when questioning Jewish nominees Ginsburg and Breyer.
- **Mario Cuomo:** (Questions he'd like Senators to ask Roberts): "Are you going to impose a religious test on the Constitution? Are you going to say that because the pope says this or the Church says that, you will do it no matter what?"
- **Sen. Dick Durbin:**
 - According to law professor Jonathan Turley, "Roberts was asked by Sen. Richard Durbin what he would do if the law required a ruling his church considers immoral." When Durbin denied saying this, Turley said Durbin made the comment in the NBC makeup room July 24. Turley said he cleared the quote with Durbin's press secretary, Joe Shoemaker.
 - CNN correspondent Ed Henry: "Now, Senator Durbin, who is Catholic himself, told me today that he believes he needs to look at

everything, including the nominee's faith, as he takes a measure of the man, in this case, John Roberts."

WILLIAM PRYOR 11TH CIRCUIT COURT OF APPEALS (2003)

- **Sen. Charles Schumer:** "And in General Pryor's case his beliefs are so well known, so deeply held, that it is very hard to believe, very hard to believe that they are not going to deeply influence the way he comes about saying, 'I will follow the law,' and that would be true of anybody who had very, very deeply held views."
- **Sen. Dick Durbin:** Democratic Senator Richard J. Durbin of Illinois challenged Pryor by asking him point-blank whether he did not understand that a statement of his raised "concerns of those who don't happen to be Christian, that you are asserting...a religious belief of your own, inconsistent with the separation of church and state."