

and the other under President Obama. Those career lawyers, who have no partisan gain to make one way or the other, concluded both times that criminal charges were not warranted. Furthermore, the Justice Department, under President Obama, and multiple Federal courts have credited the work done overseas and the intelligence gained there as keeping our country safer.

I know we often talk about connecting the dots, but that is what intelligence operations do frequently. They get discrete pieces of information and try to put it together to paint a picture in order to understand what our adversaries around the world are trying to do. She was part of collecting those dots to create a picture to help inform the policy decisions being made by the President and Members of the Congress.

Finally, you will hear people talk about the destruction of videotapes of detainees, but the fact is, the so-called Morrell memo that was recently declassified provided the sort of transparency I think we would all want. It essentially exonerated Ms. Haspel of any wrongdoing regarding her supervisor's decision in 2005—not her decision—to destroy videotapes of interrogations. In it, Mr. Morrell says:

I have found no fault with the performance of Ms. Haspel. I have concluded that she acted appropriately in her role.

You can't get much clearer than that.

As our colleague, the junior Senator from Arkansas, has said, Haspel did not go rogue or make these policies on the fly. She dutifully executed the approved policy as determined by the Department of Justice, and she did so at one of the most dangerous moments in our history. That is precisely what our Nation asked of her, and that is exactly what she did.

Former CIA National Clandestine Service Director John Bennett has gone further, calling her "one of the most accomplished officers of her generation," which is high praise indeed.

Maybe former Secretary of State Condoleezza Rice said it best. She said:

If you were not in a position of authority on September 11th, you have no idea the pressures that we faced to try to make sure that this country wasn't attacked again. Walk a mile in our shoes and you'll understand some of the things that we've dealt with.

I would ask our colleagues to do just that. Walk a mile in Ms. Haspel's shoes as an intelligence officer who was sworn to defend the country, to use every lawful means in order to keep our country safe, and to remember 9/11 and the terrifying aftermath was the environment she and other people in the U.S. Government had to operate in with advice from the highest levels of legal advice provided by the Office of Legal Counsel at the Department of Justice.

Finally, let me just say what a horrible message it would send to other

patriots who feel the call to serve to not swiftly confirm Gina Haspel. What a horrible message it would send to other intelligence officers who follow lawful orders and protect our country on a daily basis. It would likely make the CIA more risk averse and, in turn, put more American lives in danger.

Based on recent news reports, we know this past week Ms. Haspel even considered withdrawing her name from consideration because she feels such fierce loyalty to the CIA that she doesn't want any political theater staged during the confirmation hearing to tarnish the Agency's reputation. That is exactly the type of person she is—putting our Nation's security and her fellow intelligence officers before her own career advancement. I am glad she has reconsidered, and she is willing to fight the fight and stay to the end and be nominated and confirmed as Director of the CIA. I, for one, am glad Ms. Haspel decided to not back down based on intimidation tactics and unsubstantiated rumors and hearsay.

We have seen one Trump nominee get unfairly smeared by half-truths and innuendo and hearsay, and we can't let that happen again.

Ms. Haspel didn't ask for this fight, but if that is what it takes to get America the best and most well-qualified person to lead the CIA, we are more than willing to wage—and to win—that fight for her and the rest of the country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

PUERTO RICO RECOVERY

Mr. NELSON. Madam President, I have just returned from Puerto Rico. I went there at the invitation of Governor Rossello. I spent time with his Secretary of Housing. I spent time with members of his executive staff.

I went up into the mountains to a city named "Las Piedras," a city of some 30,000 people. According to the mayor, who took me around and showed me a number of the residential neighborhoods, 30 percent of that city does not have electricity.

It has been 8 months since the two hurricanes—first Maria and then Irma—hit the island of Puerto Rico, our fellow U.S. citizens. There are still major parts of the island that do not have electricity.

In this town of 30,000 people, you go to different locations, and in one particular location farther up in the mountains, there is no electricity.

I asked the residents: How are you coping? What do you do?

They had a generator, but because of the shortage of fuel and the cost of fuel, they can't run the generator all the time. Basically, they use it for necessities, such as cooking and other chores during the day. Therefore, they have no refrigeration.

I asked: What do you do?

They showed me. A fellow had just come from the grocery store down the mountain. Every day, they have to go

get their groceries that are perishable and cook them and consume them that day because they do not have refrigeration. This is 8 months after the hurricane. Can you imagine that happening in any of our States on the mainland? Can you imagine the degree of anger and insistence that there be a full recovery? Yet this is happening to fellow U.S. citizens on the island of Puerto Rico.

They are coping. They are a very industrious and inventive people. As they recover, they are looking at new ways instead of just relying on what in the past has been a dilapidated electrical grid. Tesla has come in. I inspected this pilot project up on top of the mountain. It is an array of solar cells—the most efficient that have been produced—and that array of solar panels is supplying electricity full time to 12 houses up on the mountain. We need more of that. We need more of that as a backup to the electrical grid and in some cases a replacement for the electrical grid since it has been so unreliable in the past.

I wanted to bring this report to the Senate. Puerto Rico will make it. Although jobs are scarce, although many thousands have fled to the mainland to stay with relatives, although many of those I met—thank goodness FEMA extended the temporary housing assistance to get those families through the end of the school year, as their children would have been uprooted in the middle of final exams and their graduations would have been disrupted had that temporary assistance not been extended through the end of June. Many of them want to go back, but there is no job to go back to, and there is a home that is now completely filled with mold and mildew. So what do they have to return to? I think we will see some number of them make their new life on the mainland. Many of those, of course, have come to my State of Florida.

My report to the Senate is that we have to do more. The Army Corps of Engineers has to keep pressing on with rebuilding the electrical grid. We must also go out and try to set up as many alternate electricity projects—like Tesla—as we can, and hopefully we will see some return to normalcy. You would have thought that 8 months after a hurricane, that would have already occurred. It has not, and I am sad to report this to the Senate.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. KENNEDY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. MORAN). Without objection, it is so ordered.

Mr. KENNEDY. Mr. President, in a few minutes we are going to be voting on President Trump's nomination of

Mr. Kurt Engelhardt to be a judge for the U.S. Court of Appeals for the Fifth Circuit, and I can't think of a nominee who is more deserving and more qualified for this job.

Judge Engelhardt is the chief judge of the U.S. District Court for the Eastern District of Louisiana. He has been on the Federal district court bench for 17 years. If you add up all of the cases he has actually tried to verdict or to judgment, I think it is somewhere in the neighborhood of 75 to 100. That is on top of hundreds—undoubtedly, thousands—of motions that he has heard. He is eminently qualified. Yet, rather than recite his resume, I wish to share a personal experience that I had in Judge Engelhardt's court.

A number of years ago, the city of New Orleans sued a major Wall Street investment bank in a dispute over a \$171 million bond issue. The bonds are called pension obligation bonds, and it is an extraordinarily complex transaction. I was called as a witness because, at that point in my life, I was the State treasurer of Louisiana and the chairman of the State bond commission, and we had jurisdiction over the bonds when they were issued.

I was not exactly sure whether I was a fact witness or an expert witness, and the lawyers fought over that for a while. My point is that I was on the stand for, maybe, 5 hours, 6 hours, and I got to observe a little bit about the case and about Judge Engelhardt.

The plaintiffs' counsel, who represented the city of New Orleans and the firefighters' pension system, were a handful of the finest lawyers in the State of Louisiana—indeed, I would say, in the country. A partner and number of associates from a major Wall Street law firm represented the Wall Street investment bank. In addition to their lawyers, there were dozens of clerks and associates and paralegals, who made it look like Bourbon Street on Saturday night because there were so many people. I remember thinking how many thousands and thousands and thousands of hours these lawyers and paralegals and clerks had spent in understanding this case. One could tell very quickly that both sides—both sets of lawyers—knew this case backward and forward and had almost memorized the depositions.

As a lawyer, it was fun for me to watch as they were going at it hammer and tongs. I mean, they could recite chapter and verse from the legal briefs, from the law books, from the depositions. Yet there was one person in that courtroom, among all of these accomplished professionals, who knew more about the case than anybody else. He was the presiding judge—Kurt Engelhardt. He had total command of the subject matter. That was not easy, as this was a very complex municipal securities offering. He had total command of the courtroom.

With both sets of lawyers being aggressive, accomplished litigators, they tested him quite often. That is what

good lawyers do. They will push the envelope. He maintained firm control without ever raising his voice, and I got to watch him in operation for 5 or 6 hours. I had never been in his courtroom before, but after watching Judge Engelhardt in operation, I understood why just about every lawyer in Louisiana who files a lawsuit in the U.S. District Court for the Eastern District of Louisiana hopes that he or she will get Judge Engelhardt for the judge, because he is that good. The only group of lawyers I know who hopes it doesn't get Judge Engelhardt for a judge in the U.S. District Court for the Eastern District of Louisiana is made up of those who are unprepared or who don't know their cases, because he is not going to tolerate the court's time being wasted.

For that reason, I am proud to stand here today, along with my colleague, the senior Senator from Louisiana, BILL CASSIDY, and recommend categorically and unequivocally—unconditionally—to my colleagues the nomination of Judge Kurt Engelhardt to be a member of the U.S. Court of Appeals for the Fifth Circuit. He will serve us proudly and well.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ROBERTS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CLOTURE MOTION

Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Kurt D. Engelhardt, of Louisiana, to be United States Circuit Judge for the Fifth Circuit.

Mitch McConnell, Jerry Moran, John Cornyn, John Hoeven, John Kennedy, Johnny Isakson, Chuck Grassley, Cory Gardner, James E. Risch, Thom Tillis, Pat Roberts, David Perdue, Mike Rounds, Roy Blunt, Richard Burr, John Thune, Tom Cotton.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Kurt D. Engelhardt, of Louisiana, to be United States Circuit Judge for the Fifth Circuit, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from South Carolina (Mr. GRAHAM), the Senator from Georgia (Mr. ISAKSON), and the Senator from Arizona (Mr. MCCAIN).

Mr. DURBIN. I announce that the Senator from Illinois (Ms. DUCKWORTH) and the Senator from Oregon (Mr. MERKLEY) are necessarily absent.

The PRESIDING OFFICER (Mr. LANKFORD). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 64, nays 31, as follows:

[Rollcall Vote No. 86 Ex.]

YEAS—64

Alexander	Flake	Murphy
Barrasso	Gardner	Nelson
Bennet	Grassley	Paul
Blunt	Hatch	Perdue
Boozman	Heitkamp	Portman
Burr	Heller	Risch
Capito	Hoeven	Roberts
Carper	Hyde-Smith	Rounds
Cassidy	Inhofe	Rubio
Collins	Johnson	Sasse
Coons	Jones	Scott
Corker	Kennedy	Shelby
Cornyn	King	Sullivan
Cotton	Klobuchar	Tester
Crapo	Lankford	Thune
Cruz	Leahy	Tillis
Daines	Lee	Toomey
Donnelly	Manchin	Warner
Enzi	McCaskill	Wicker
Ernst	McConnell	Young
Feinstein	Moran	
Fischer	Murkowski	

NAYS—31

Baldwin	Hassan	Schumer
Blumenthal	Heinrich	Shaheen
Booker	Hirono	Smith
Brown	Kaine	Stabenow
Cantwell	Markey	Udall
Cardin	Menendez	Van Hollen
Casey	Murray	Warren
Cortez Masto	Peters	Whitehouse
Durbin	Reed	Wyden
Gillibrand	Sanders	
Harris	Schatz	

NOT VOTING—5

Duckworth	Isakson	Merkley
Graham	McCain	

The PRESIDING OFFICER. On this vote, the yeas are 64, the nays are 31.

The motion is agreed to.

The majority leader.

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate resume legislative session for a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

REMEMBERING SAM GRANATO

Mr. HATCH. Mr. President, today I wish to pay tribute to a remarkable man who was a giant in our community and who had an immeasurable impact on the lives of many, many people. Sadly, Sam Granato passed away peacefully at his home after a 2-year battle with cancer. He fought his personal medical battle the same way he approached life: with grit, determination, and perseverance.

Sam spent most of his life as a resident of Millcreek, UT, where he learned from his father, Frank, the value of