

sabotaged our healthcare system, undermined key protections for Americans with preexisting conditions, done all he can to see the premiums rise. Probably the No. 1 issue bothering America today is rising healthcare costs.

Last week, the Trump administration found another way to sabotage our existing healthcare system, suspending a critical program that stabilizes the healthcare insurance markets. This comes at a time when 2019 premiums are being filed, and insurers from coast to coast are saying the Republican sabotage is causing premiums to increase, to be much higher than they need to be. Many of these insurers are also saying that if the Trump administration enacts further sabotage, such as actions like this one and the expansion of junk plans that hurt people with preexisting conditions, then insurers may need to amend their rates and raise premiums even more. This relentless healthcare sabotage is politically motivated, spiteful, and accomplishes nothing except to raise costs on middle-class families and taxpayers. The Trump administration needs to fix this newest sabotage as quickly as possible. I yield the floor.

The ACTING PRESIDENT pro tempore. The majority whip.

FILLING THE UPCOMING SUPREME COURT VACANCY

Mr. CORNYN. Mr. President, this evening, the President of the United States will perform his duty and nominate a person to serve as the next Supreme Court Justice to fill the vacancy left by Associate Justice Anthony Kennedy, who announced his retirement at the end of July. I look forward to joining the President this evening, along with a number of my colleagues, for that historic announcement. It is an important day because the person selected will help decide many cases that will have a deep and lasting impact on American history. Certainly, Justice Kennedy played that role many times in many close cases.

There are a great many talented men and women who are qualified for Justice Kennedy's seat, I believe, and that is why the President's choice is so difficult. All of these candidates who have been identified as a potential pool of candidates have the intellectual capacity that has developed over many years, along with a rigorous understanding of the law. They have demonstrated their analytical skills in a variety of ways—by studying at top-tier law schools, clerking for well-respected judges on the courts of appeals and the Supreme Court, in their public speeches, in the courses they have taught, in the articles they have published, working at the highest levels inside government and prominent law firms, and, of course, in the case of the final four, serving on an appellate bench, which is the midlevel, intermediate Federal court which, for all practical purposes in most cases, is the court of last resort since the Supreme

Court only hears roughly 80 or so cases a year.

I know the President has considered a handful of these jurists. He revealed a list of potential appointees to the Court when he ran for President, and I think that probably was one reason why he was elected because when people saw the quality, the experience, and the qualifications of the individuals he said he would consider for the Supreme Court, I think it gave them greater confidence he would choose wisely, given the opportunity as President, to appoint somebody to the Court.

These individuals who are in the pool of prospective nominees have come from different academic and professional backgrounds, but I have no doubt the selection will be a good one primarily because of the one appointment the President has already made to the Supreme Court, which is Justice Neil Gorsuch.

Justice Gorsuch did not disappoint those of us who supported his nomination during his first year on the Court. He has demonstrated not only the power of his pen but the clarity of his thought and the force of his legal reasoning. I am sure his predecessor, Justice Scalia, would be proud of the fact Justice Gorsuch succeeded him on the Court and has left a record of accomplishments in such a short time.

President Trump and Justice Gorsuch taught us all a valuable lesson last year. At the end of the day, the decisions of the Supreme Court should not be much affected by the personalities or the life stories of the Justices themselves. That is because the interpretation of the law should always be separate and apart from the people who apply it, and the Justices and their work must be insulated from the day-to-day politics that happen inside this Capitol Building and the statehouses around the country.

The Court is not a partisan or political institution. After all, that is the way our Founders—the people who created this great country—and our Founding documents wanted it to be. Wisely, they figured there needed to be someone who would make a final decision in the event of a controversy or a lawsuit, but the Court itself should not put a finger on the scale or be a player in the partisan battles that occur here in Washington, DC. Indeed, the Court should be and is a separate and equal branch of government and must stand on its own, apart from the political biases and persuasions that pervade the District of Columbia. So I, along with many other people, am excited to hear the President's choice.

TRIBUTE TO JUSTICE ANTHONY KENNEDY

Before we begin this confirmation process, let me acknowledge the work and the legacy of departing Justice Kennedy. I thank Justice Kennedy for his 40-plus years serving this country on the Federal bench. He has presided over and authored the majority opinion in many high-stakes cases of national importance. He may be somewhat hard

to pigeonhole at times, but I think it is safe to say he has remained committed to upholding the integrity of the judiciary throughout the course of his career. As a former State supreme court justice myself, I can attest that the work of a judge is painstaking, time-consuming, but obviously extraordinarily important. So we are grateful to Justice Kennedy for his willingness, his ability, and his determination to carry out his important work as a Federal judge.

After being appointed by President Reagan and having served on the Supreme Court for the last three decades, he has furthered the pursuit of American justice one case at a time through calm times and turbulent times. He was an important member of the Court who recognized one's individual right to keep and bear arms under the Second Amendment, and he recently upheld the President's ability to protect national security and limit immigration from countries that have no ability to vet and to identify potential sources of terrorism in their own countries.

As Justice Kennedy concludes his tenure on the Court at the end of the month, we wish him and his wife, Mary, and his children many more happy years together.

FILLING THE UPCOMING COURT VACANCY

Mr. President, meanwhile, after the President's announcement this evening, the Senate will fulfill its constitutional role by providing advice and consent on whomever President Trump nominates. We plan to consider the nominee and his or her record thoroughly. That is our responsibility.

As the senior Democratic Senator from Connecticut said recently, "the Senate should do nothing to artificially delay" the consideration of the next Justice. I agree. It is also consistent with the standards set by former President Obama and Vice President Biden. In 2010, which was a midterm election, just like this year, Senate Democrats confirmed President Obama's nominee, Elena Kagan, to the Supreme Court.

After President Trump makes his selection, Senators will have the opportunity to meet with the nominee, examine his or her qualifications, debate them, and then vote. We will vote this fall to confirm Justice Kennedy's successor. I know Chairman GRASSLEY will manage a fair confirmation process in the Judiciary Committee. He always has.

It is crucial that as this process begins to unfold, the President's nominee not be subjected to personal attacks from an increasingly agitated and vitriolic Democratic Party. My frustration is that we used to debate an individual nominee's qualifications, but, as with the Gorsuch nomination, we have seen that anybody whom President Trump would nominate would be uniformly opposed by our friends across the aisle.

Based on what we have seen so far, we know that the confirmation process

will certainly be contentious. We hope that people will remind themselves of the benefits of civility and decorum. We have seen some of our friends across the aisle talk about the battle lines that are being drawn, and we have heard other hyperbolic language. They have indicated their unwavering opposition to President Trump's nominee no matter who he or she is and before they even know who he or she is. That is extremely disappointing.

Our colleagues' pledge to stop the nominee at all costs is not encouraging, to say the least. Yet I assure you we will not back down from the fight, and we will see President Trump's nominee confirmed on a timely basis, consistent with the confirmations of previous nominees. The stakes are too important, and the character of the eventual nominee, we expect, will be too high to allow these sorts of things to happen without our pushing back. The American people deserve better.

During the first 18 months of this administration, President Trump has nominated and we have confirmed 42 members of the Federal judiciary, including Justice Gorsuch. We look forward to another outstanding selection, and we will move efficiently and thoroughly throughout the confirmation process. Like I said, we will vote to confirm the President's nominee this fall.

I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RECOGNITION OF THE MAJORITY LEADER

The majority leader is recognized.

FILLING THE UPCOMING SUPREME COURT VACANCY

Mr. MCCONNELL. Mr. President, "sexist," "a disaster for women," "totally unacceptable"—these are just a few of the ad hominem attacks the far-left special interest groups hurled at a Federal circuit court judge whom a Republican President nominated to the Supreme Court. The name of the Federal judge—Anthony Kennedy.

After President Reagan nominated then-Judge Kennedy to the Court in 1987, these far-left special interest groups impinged his character. They cooked up apocalyptic warnings about all of the terrible things that would happen to Americans if he were to be confirmed to the Court. Of course, the American people didn't buy it, and a majority of Senators saw through the hyperbole and hysteria and confirmed that qualified nominee. Believe it or not, the sky didn't fall, but decades later, our Democratic colleagues still haven't tired of crying wolf whenever a Republican President nominates any-

one to the Supreme Court. We have seen this same movie time after time.

Less than 3 years after Justice Kennedy's confirmation, President Bush nominated David Souter to the Supreme Court. Guess what leftwing pressure groups said about David Souter right after President Bush selected him. That is right, the very same things we are hearing today. The same things you have heard from these same corners about every Supreme Court nominee named by a Republican President.

One organization proclaimed that Justice Souter might "undo the advances made by women, minorities, dissenters and other disadvantaged groups."

That was about Justice Souter.

Back in 1975, they assailed the nomination of John Paul Stevens. They said he lacked impartiality and opposed women's rights. That is what was said about John Paul Stevens. So these far-left groups have been at these same scare tactics for over 40 years. The consistency is really quite amazing. Decade after decade, nominee after nominee, the far-left script hardly changes at all.

Anyone and everyone the Republican President nominates to the Supreme Court is some kind of threat to the public, according to the hysterical press releases that inevitably follow. No matter their qualifications, no matter their record, no matter their reputation, it is the same hyperbole, the same accusations, the same old story.

Tonight, President Trump will announce his nominee to fill the current Supreme Court vacancy. We don't know whom he will name, but we already know exactly what unfair tactics the nominee will face. They will not be new, and they will not be warranted. We can expect to hear how they will destroy equal rights or demolish American healthcare or ruin our country in some other fictional way.

Justice Kennedy's resignation letter had barely arrived in the President's hands before several of our Democratic colleagues began declaring their blanket opposition to anyone and all—anyone the President might name. One Democratic Senator stated she would resist any attempt to confirm any nominee this year: "It doesn't matter who he is putting forward." It doesn't matter who.

Earlier today, just today, another Democratic Senator issued a press release declaring preemptively that he plans to oppose whomever the President nominates tonight, no matter who they are.

Another of our Democratic colleagues offered this assessment: "We are looking at the destruction of the Constitution of the United States as far as I can tell."

It is hard to keep a straight face when you hear stuff like that. There is not even a nominee yet. Justice Kennedy just announced his retirement, and they are talking about the destruc-

tion of the Constitution? Please, give the American people some credit. This far-left rhetoric comes out every single time, but the apocalypse never comes.

Americans see beyond this far-left fearmongering they have tried over and over again for 40 years, and Senators should do the same. We should evaluate this President's nominee fairly based on his or her qualifications, and we should treat the process with the respect and dignity it deserves.

The Judiciary Committee under the able leadership of Senator GRASSLEY will hold hearings, and the nomination will come to the full Senate for our consideration. One more round of 40-year-old scare tactics will not stop us from doing the right thing.

The PRESIDING OFFICER (Mrs. ERNST). The Senator from Florida.

Mr. NELSON. Madam President, I would just say to my friend the majority leader, that is exactly what I intend to do—to be fair, respectful, and talk with and have a conversation with the nominee and then exercise my judgment of what is in the best interest of the country as well as my State of Florida.

ALGAE BLOOMS IN FLORIDA

Madam President, I am here to talk about a condition that is in the State of Florida which is not a very good one.

What has happened is the accumulation of hot weather and extra nutrients in the water, aided and abetted by the release of fresh water as Lake Okeechobee rises. That water is having to be released because of the pressure on the dike. Excess water is released to the west in the Caloosahatchee River and to the east in the St. Lucie River, and all of that has created a condition—with the humidity and the heat of the summer—in which the water is so fully laden with nutrients that algae starts to grow, then it starts to bloom, and then it starts to get excessive. It is toxic. It is slimy. It is called blue-green algae, and the bloom is spreading over those waterways.

As a matter of fact, there are a lot of waterways in Florida that have an overgrowth of algae because of the excess nutrients in this water. This is particularly acute to the east of Lake Okeechobee and to the west of Lake Okeechobee.

This past week, this Senator went from one coast to the other. I started in Fort Myers examining the Caloosahatchee River and talking with the elected leadership and environmental leadership. I then flew on to the lake, landing at the Pahokee Airport. I went to the Belle Glade Marina along with my colleague from Florida, Congressman ALCEE HASTINGS. That is his district.

We had a townhall meeting there and were able to announce some good news. Congressman HASTINGS, Senator RUBIO, and I have requested the use of disaster relief money for the hurricanes—the last tranche was upward of \$80 billion. We asked to use a portion of that to help us speed up the construction of