

want to note that what little was agreed to in Singapore doesn't even come close to the terms and inspections that were in the Iran nuclear agreement from which President Trump simply walked away.

President Trump has insulted and strained relations with America's closest European and Western allies, so much so that European Council President Donald Tusk recently dismissed the United States by saying: "With friends like that, who needs enemies."

It has reached the point that just ahead of the NATO summit, we lost another senior career diplomat when James Melville, our Ambassador to Estonia, resigned over frustration with the controversial comments being made by President Trump. Ambassador Melville served under 6 different Presidents and 11 Secretaries of State, and he never thought the day would come when he couldn't support a President's policies—until now.

President Trump has tried to discredit key democratic institutions and processes in the United States, sowing mistrust in our political system and government. He has insulted poor nations, made immigrants a manufactured enemy, separated children from parents forcibly, and declared that America must come first in this world, isolating the United States day by day and more and more from the nations and countries that have been our traditional allies.

Why in the world is this President pursuing the agenda of one of our adversaries, who attacked our election process, militarily seized sovereign territory of our allies, murdered and attempted to murder dissidents on our allies' soil, provided weapons to Ukrainian separatists that shot down a Malaysian commercial airliner, killing hundreds of innocent people, repeatedly buzzes and tests NATO defenses, and jails and represses its own people when they advocate for basic democratic rights?

Before departing this morning for Brussels, instead of setting a positive tone for the NATO meeting to follow, President Trump, incredibly, decided to take to Twitter to criticize our allies again.

My friend and American patriot, Senator JOHN MCCAIN, was one of the few Republicans—one of the few—to recently speak up on behalf of our alliance. Here is what he said:

To our allies: bipartisan majorities of Americans remain pro-free trade, pro-globalization & supportive of alliances based on 70 years of shared values. Americans stand with you, even if our president doesn't.

I couldn't agree more. I wish JOHN MCCAIN were on the floor of the Senate today to deliver those remarks in person, but his spirit is here among those on both sides of the aisle who value our NATO alliance and cannot understand the relationship between President Trump and Vladimir Putin.

The cause of democracy and freedom in this world requires a strong alliance

that stands together for values the Americans believe in, share, fight for, and die for in war after war. We need that spirit to return again to the United States.

I yield the floor.

The PRESIDING OFFICER (Mr. JOHNSON). The Senator from Iowa.

NOMINATION OF BRETT KAVANAUGH

Mr. GRASSLEY. Mr. President, last evening I joined many of my Senate colleagues at the White House as the President introduced Judge Brett Kavanaugh to serve as an Associate Justice of the U.S. Supreme Court. Judge Kavanaugh is one of the most widely respected judges in the country. I heard the President last night refer to him as a judge's judge. He is an outstanding choice to serve as a Justice of the Supreme Court.

Judge Kavanaugh is a former law clerk of the Justice he has been nominated to replace, and that is Justice Kennedy. I talked about Justice Kennedy's service on the Supreme Court and to the people of this country in my speech yesterday. Judge Kavanaugh earned both his undergraduate and law degrees from Yale University. He then clerked for judges on the Third and Ninth Circuit before joining the chambers of Justice Kennedy as a law clerk. He served in the Office of the Solicitor General and also the Office of the Independent Counsel.

After several years in private practice, Judge Kavanaugh returned to public service, working in the White House Counsel's office and as staff secretary for President George W. Bush. In 2006, he was confirmed to the DC Circuit, where he has served since. He is also a well-regarded law professor at Harvard, Yale, and Georgetown.

Judge Kavanaugh is a leader not only in the law but throughout his community. As examples, he volunteers at Catholic Charities on a regular basis and coaches both daughters' youth basketball teams.

The committee has received a letter from former law clerks of Judge Kavanaugh, people who represent views across the political and ideological spectrum. Many judges describe their former law clerks as adopted family members. In other words, law clerks know their judges best.

So I turn to what some of those said through letters they sent to our committee. Judge Kavanaugh's former law clerks write that he is a person with immense "strength of character, generosity of spirit, intellectual capacity, and unwavering care for his family, friends, colleagues, and us, his law clerks."

I want to read a longer quote from that letter.

He is unfailingly warm and gracious with his colleagues no matter how strongly they disagree about a case, and he is well-liked and respected by judges and lawyers across the ideological spectrum as a result. . . . He always makes time for us, his law clerks. He makes it to every wedding, answers every career question, and gives unflinchingly honest

advice. That advice often boils down to the same habits we saw him practice in chambers every day: Shoot straight, be careful and brave, work as hard as you possibly can, and then work a little harder.

His judicial record is extraordinary. The Supreme Court has adopted his view of the law in a dozen cases. Judge Kavanaugh's opinions demonstrate profound respect for the Constitution's separation of powers. He understands that it is Congress' job to pass laws, and where he sits, in judicial chambers, it is the role of those people—and he figures it is his role—to faithfully apply those laws as Congress intended. That is why his opinions emphasize that judges must focus on the text and apply laws as written by those of us elected to the Congress, not by unelected and, in turn, largely unaccountable, Federal judges. It is meant that they aren't to be accountable except to the Constitution and the laws of this country. Courts may not rewrite laws to suit their policy preferences.

Judge Kavanaugh has a record of judicial independence. He has shown a willingness to rein in executive branch agencies when they abuse or exceed their authority. You don't have to be in Congress very long to understand that it is a daily habit of people in the executive branch of government to go way beyond—or to feel their way, way beyond—what the law allows that person or that program to do. As Judge Kavanaugh has explained in numerous opinions, executive branch agencies may not assume more power than Congress has specifically granted them, and he has emphasized that judges may not surrender their duty to interpret laws to executive branch agencies. Now, that is pretty common sense for anybody who has had eighth grade civics, high school government, or political science classes in college, but it isn't something that all judges agree with.

The Senate Judiciary Committee will hold a hearing for Judge Kavanaugh's nomination in the coming weeks.

As I noted in my remarks to this body yesterday, liberal outside groups and Democratic leaders decided weeks ago to block whomever the President nominates. They are already pushing feeble arguments to cause needless delays. For example, some Democratic leaders and Democratic Members of the Senate who aren't leaders say that we shouldn't confirm a nominee nominated during a midterm election year. Where did they get that idea? The Senate has never operated the way they would suggest. Sitting Justices Breyer and Kagan—prominent examples that I can freely give to you but also numerous of their predecessors—were nominated and confirmed in midterm election years. Where do my colleagues get that idea, that just because this is a midterm election year, you can't take up these nominations? It happens that Kagan was approved in August 2010, as an example.

The American people see this argument for what it is—obstruction, pure

and simple. After all, Democratic leaders announced that they will oppose anyone nominated by President Trump—anyone. In fact, some Democratic Senators announced their opposition to Judge Kavanaugh mere minutes after the President nominated him. It is clear that a number of my Democratic colleagues have chosen the path of obstruction and resistance, not, as the Constitution offers, every Senator giving advice and consent.

We have a highly qualified nominee who has authored numerous influential judicial opinions. I stated how they have been respected even when those same cases got to the Supreme Court. Leading liberal law professor Akhil Reed Amar endorsed Judge Kavanaugh in the pages of the *New York Times*. But some of my colleagues can't even bring themselves to at least consider Judge Kavanaugh's nomination.

As I mentioned yesterday, liberal outside groups and their allies are trying to convince Senators to ask Judge Kavanaugh his views on specific cases and Supreme Court precedent. I want to emphasize that these questions are inappropriate. In greater detail, I said that yesterday.

Justice Ginsburg announced—a famous statement of hers—during her own confirmation hearing that a nominee should offer “no hints, no forecasts, no previews” of cases that can potentially come before the Court.

Maybe some of my colleagues think, well, if some are going to come in a couple of months after you are on the Court, why can't you give us your views on that? But they might be asking questions about something 10 years down the road, so how legitimate are the views? Are you going to overturn this President, or are you going to rule this particular way in a particular case?

We also have Justice Kagan declining to state her views on *Roe v. Wade*, saying: “The application of *Roe* in future cases, and even its continued validity, are issues likely to come before the Court in the future.”

So you expect a Justice to look at the facts of a case, look at the law, or look at the Constitution, and leave their own personal views out of it, but you expect them to do it independent of anything they said in their hearing before the Judiciary Committee because nothing should be said there that is going to influence something 10 years down the road.

I expect that Judge Kavanaugh will likewise decline to comment on his views of particular cases decided by the Supreme Court.

I congratulate Judge Kavanaugh on this nomination. I had the opportunity to meet with Judge Kavanaugh earlier today. I know he looks forward to answering questions from my colleagues in the coming weeks. I look forward to hearing from him again when he appears before our Senate Judiciary Committee.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized.

NATIONAL DEFENSE AUTHORIZATION BILL

Mr. INHOFE. First of all, Mr. President, we are about to go to conference. The first three votes here are very, very significant. They are considered to be maybe the most consequential votes of the year.

We have been working closely with the President on our John S. McCain National Defense Authorization Act. It is going to be a reality. We have done this through regular order in a very effective way. The Senate Armed Services Committee has been in concert with our combatant commanders, with Secretary Mattis, with the service chiefs, with the President. We have had a markup, our committee markup. We actually had over 300 amendments.

I am disturbed that we can't change this policy we have had for a long period of time that says that if one person on the floor objects when we are considering a bill—the NDAA, which we have considered successfully for 57 years—we are not going to be able to consider amendments. That is something we may want to address. To overcome that, we adopted 47 bipartisan amendments, both through the managers' package and the votes on the floor.

Tomorrow, we are going to hold our first big meeting of the conferees. I have been through a number of these in the past. This is where Members of the House and the Senate meet each other, talk about their issues, and talk about their successes and what they want to accomplish in this conference report. I have already visited with Ranking Member Senator REED, Chairman THORNBERRY, and Ranking Member SMITH, and we have a commitment to finish this conference report by the end of July. It is very ambitious. It is something we will be able to do.

The second vote we are going to have is to instruct the conferees in terms of the CFIUS issue. Personally, having recently been to China and the South China Sea, seeing what they are doing right now in northern Africa, in Djibouti—we have a different China than we had before. We are going to have to thoroughly review foreign transactions for national security concerns. I think Senator CORNYN is on the right track. I fully support his amendment.

The last one we will have is from Senator REED, and I think this is significant too. Our President has said several times—I have to say this. Not one President in my memory, Democratic or Republican, has been successful in getting our allies and NATO to carry their share of the burden. This President is getting very tough on that. I think the Reed motion to instruct conferees on NATO is one that will give him a lot of the force that he needs to impact these other countries.

If you take 29 countries—67 percent of our actual budget for our country is the entire amount for 29 countries.

That isn't right. This is something we can change, and we will hopefully succeed in doing that during this conference we will have.

ORDER OF PROCEDURE

Mr. President, I ask unanimous consent that the order for 5 p.m. be moved to now.

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

LEGISLATIVE SESSION

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2019—Continued

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

VOTE ON COMPOUND MOTION

The question occurs on agreeing to the pending motion with respect to the House message to accompany H.R. 5515.

Mr. INHOFE. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Arizona (Mr. MCCAIN).

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

The result was announced—yeas 91, nays 8, as follows:

[Rollcall Vote No. 147 Leg.]

YEAS—91

Alexander	Fischer	Murray
Baldwin	Flake	Nelson
Barraso	Gardner	Perdue
Bennet	Graham	Peters
Blumenthal	Grassley	Portman
Blunt	Hassan	Reed
Booker	Hatch	Risch
Boozman	Heinrich	Roberts
Brown	Heitkamp	Rounds
Burr	Heller	Rubio
Cantwell	Hirono	Sasse
Capito	Hoeven	Schatz
Cardin	Hyde-Smith	Schumer
Carper	Inhofe	Scott
Casey	Isakson	Shaheen
Cassidy	Johnson	Shelby
Collins	Jones	Smith
Coons	Kaine	Stabenow
Corker	Kennedy	Sullivan
Cornyn	King	Tester
Cortez Masto	Klobuchar	Thune
Cotton	Lankford	Tillis
Crapo	Leahy	Toomey
Cruz	Lee	Udall
Daines	Manchin	Van Hollen
Donnelly	McCaskill	Warner
Duckworth	McConnell	Whitehouse
Durbin	Menendez	Wicker
Enzi	Moran	Young
Ernst	Murkowski	
Feinstein	Murphy	

NAYS—8

Gillibrand	Merkley	Warren
Harris	Paul	Wyden
Markey	Sanders	

NOT VOTING—1

McCain

The motion was agreed to.