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Senate

The Senate met at 10 a.m. and was called to order by the Honorable CINDY HYDE-SMITH, a Senator from the State of Alabama.

PRAYER

The PRESIDING OFFICER. Today's prayer will be offered by the Reverend Dr. Richard Gibbons of First Presbyterian Church, from Greenville, SC.

The guest Chaplain offered the following prayer:

Let us join our hearts and minds together as we pray.

Let us pray.

Gracious God and loving Heavenly Father, as we prayerfully seek Your presence, enable us amidst complex challenges to be refreshed and renewed by the transforming nature of Your extravagant love. Impart to us a profound sense of gratitude, thankful that in Your sovereign purposes, we are a people shaped by adversity, dedicated to equality, while fully dependent on You, for "In God we trust."

Father, grant to us a renewed sense of Your calling, sustained by the enduring values we hold to be self-evident. Equip us, by Your Spirit, to be defined by consensus through compassion, expertise enlightened by experience, leadership resistant to polarization and expediency, yet intentional in unity, honesty, transparency, and integrity, as together we seek to be "one nation under God."

We bring our prayers to You in and through the Name of Christ our Lord. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. HATCH).

The senior assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, July 19, 2018.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable CINDY HYDE-SMITH, a Senator from the State of Alabama, to perform the duties of the Chair.

ORRIN G. HATCH,
President pro tempore.

Mrs. HYDE-SMITH thereupon assumed the Chair as Acting President pro tempore.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

NOMINATION OF RYAN BOUNDS

Mr. McCONNELL. Madam President, the Senate is continuing our productive summer. This week we have been focused on confirming more of the President's qualified nominees. After his confirmation yesterday, Andrew Oldham, of Texas, will now bring his impressive credentials and years of distinguished service to his new role on the Fifth Circuit Court of Appeals. Today, we are considering the nomination of Ryan Bounds to serve on the Ninth Circuit. Each of these nominees has been selected by the President and

his team for their credentials, reputations, and commitment to the rule of law. Each has been thoroughly examined by our colleagues on the Judiciary Committee.

Ryan Bounds is no exception. He has earned degrees from Stanford and Yale. He clerked for the very Ninth Circuit judge he has been nominated to succeed. For the past 14 years, he has distinguished himself as a public servant at the Department of Justice and in his current role as an Assistant U.S. Attorney for Oregon.

Along the way, he has earned the respect and recognition of legal professionals from across the country and the political spectrum. Forty-six of his colleagues in the District of Oregon describe his "admirable work ethic," "keen judgment," and "masterful writing" as "skills that colleagues and opponents alike seek to emulate."

In a letter to our Senate colleagues from Oregon, criminal defense attorneys who have litigated against Mr. Bounds testified to his "fairness," "diligence," and "legal acumen."

They write:

He has shown time and time again that he is a man of his word. . . . He is an excellent lawyer and would make an outstanding judge.

A number of law professors from across the country seem to agree. They remind us about the standards to which this body is charged with holding judicial nominees—fairness, impartiality, intellectual rigor. To sum it up, in the words of one legal peer, "Ryan has all of this, and more."

So I look forward to voting to confirm this excellent nominee, and I urge all of my colleagues to join me.

NOMINATION OF BRETT KAVANAUGH

Mr. McCONNELL. Madam President, speaking of excellent nominees, I would like to speak for a moment about President Trump's outstanding

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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choice for the Supreme Court, Judge Brett Kavanaugh.

This week, even more of our colleagues have had an opportunity to meet with Judge Kavanaugh. I am sure they will agree that it is hard not to come away impressed—the academic achievement, the judicial credentials, the esteem of his peers and fellow legal professionals.

Of course, that hasn't stopped the far-left special interest groups from grasping at straws and trying to smear this nominee any way they can. They don't seem to care whether it is honest or not. They don't seem to care whether it is accurate or not.

The latest made-up controversy is an attempt this week to make hay out of comments Judge Kavanaugh made about the long ago expired independent counsel statute. But, once again, there is no "there" there, whatsoever.

Here are the facts. Judge Kavanaugh's apparent concerns about the independent counsel law appear in line with mainstream views that have been widely held on both sides of the political aisle—views that were, in fact, strongly held by many of my Democratic colleagues, at least until there was an opportunity to try to make political hay.

Congress chose to let the statute expire back in 1999, based in large part on constitutional concerns.

Let me say that again. The Congress, in 1999, on a bipartisan basis, decided to let the independent counsel statute expire.

My colleague, the senior Senator from Illinois, the assistant Democratic leader in the Senate right now, explained this well when he was fighting any attempt to renew the statute. Here is what he said in 1999 about the independent counsel: "Unchecked, unbridled, unrestrained, and unaccountable."

My friend from Illinois punctuated his enthusiasm for the demise of the independent counsel law by saying: "I would like to say to Judge Starr and all of the other counsels, your days are numbered."

I agreed with him about the independent counsel statute. A number of us, in both parties, saw it the very same way. So we happily allowed the law to expire.

This has nothing to do with special counsels. That is different from the independent counsel. The day the independent counsel statute expired, the day we actually finished with the impeachment trial of President Clinton in the Senate, Senator Chris Dodd from Connecticut and I went upstairs and had a press conference, stating that we agreed that the independent counsel statute ought to be allowed to expire, and it did. That has nothing to do with any special counsels or any tools that are currently in place for elected officials to be held accountable. This has nothing to do with any investigations that are in the headlines today.

What Judge Kavanaugh was talking about is a law that has not existed for

two decades and which the Supreme Court upheld with only a single dissenting vote. One of the dissenters in the case that upheld the independent counsel statute was Justice Scalia.

The irony or hypocrisy is that our Democratic colleagues are now criticizing Judge Kavanaugh because he may hold the same views on this subject that they did, at least until Judge Kavanaugh was nominated. It is a view that was shared and acted upon by Members of this body on both sides of the aisle, as I have explained.

So it is another day, another off-base attack.

Here is how Newsweek dismissed this tempest in a teapot: "Law experts told Newsweek that Kavanaugh's view on independent counsels has nothing to do with special counsels or Mueller's probe and, in fact, the two types of federal investigations are completely different."

Yet again, the far-left special interest groups that are desperate to deny Judge Kavanaugh fair treatment are hoping the media will buy their latest made-up charge.

Do you remember the outrage when it was learned that Judge Kavanaugh enjoys baseball? My goodness—shocking.

Well, I am proud the President has chosen a nominee who is as strong as Judge Kavanaugh. We should put aside these unfair attacks and misrepresentations and give his nomination the fair treatment it deserves.

ECONOMIC GROWTH

Mr. MCCONNELL. Madam President, on a final matter, this week I discussed a number of converging reports that highlight the strength of this economy for middle-class families and job creators.

U.S. retail sales just increased for the fifth consecutive month. Earlier this year, consumer confidence hit its highest level since 2000. More than a million new jobs have already been created in 2018. There are more job openings than job seekers for the first time in 15 years. Over 95 percent of U.S. manufacturers are reporting confidence in their companies' outlook—an all-time high.

Just this morning, there was this announcement from the Department of Labor: In the second week of July, new claims for unemployment benefits fell to their lowest level—listen to this—since 1969.

All of these favorable trends are interrelated. Jay Powell, Chairman of the Federal Reserve, testified before our colleagues on the Banking Committee this week that "robust job gains, rising after-tax incomes, and optimism among households have lifted consumer spending this month."

To put it even more simply, American employers are doing better. So American workers are doing better. So American families are doing better. So American businesses are doing better.

This is how a vibrant, growing economy works. This is what happens when Washington, DC, swallows up less of the American people's money in taxes, when it imposes fewer heavy-handed regulations that make it hard to do business, and when it gets the bureaucracy's foot off the brake of our economy.

This is among the best—quite possibly the best—of economic moments for jobs and opportunity that Americans have seen in recent memory.

The policies of this united Republican government helped to bring it about, and they are helping to sustain it.

Earlier this week, the Wall Street Journal reported:

Tax cuts appear to be propelling robust consumer demand. Many households are experiencing less withholding from their paychecks thanks to the tax overhaul.

According to a recent survey, fewer than one in five American manufacturers now say an unfavorable climate due to things like taxes and regulations is a primary obstacle to their businesses. Back in 2013, during the Obama economy, more than two-thirds of the manufacturers said that. Two-thirds said it was a problem in 2013, and only one in five considers it a problem now.

All across the country, as job creators of all sizes have announced worker bonuses, pay raises, and business expansions, many say loud and clear that tax reform is what made it possible.

The American people voted. Republicans kept our promises. Now middle-class families are seeing the effects of the pro-growth policies they asked for in 2016, and the whole world has seen what the American people can accomplish when their government gets off their backs.

I suggest the absence of a quorum.

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

The senior assistant legislative clerk proceeded to call the roll.

Mr. SCHUMER. Madam 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 MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Democratic leader is recognized.

TRUMP-PUTIN SUMMIT

Mr. SCHUMER. Madam President, in the 3 days since the President returned from his humiliating display of obsequiousness in Helsinki, he has offered numerous explanations for his behavior.

First, he said the media was too focused on the negative and that his summit with Putin was a great success. Then, admitting there was, in fact, a problem, he attempted to walk