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## House of Representatives

The House was not in session today. Its next meeting will be held on Tuesday, July 31, 2018, at 10 a.m.

## Senate

MONDAY, JULY 30, 2018

The Senate met at 3 p.m. and was called to order by the President pro tempore (Mr. HATCH).

### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Holy God, as we strive to renew our minds through the power of Your Divine presence, show us how to discern what Your will is for our lives.

Lord, prepare our lawmakers to be sober-minded and filled with Your Spirit, accomplishing the tasks that receive Heaven's approval. Lord, keep our Senators on the path of integrity as they strive to ensure that their conduct rightly represents You.

May they live lives of holiness and godliness, waiting for the day when You will establish Your Kingdom on Earth. Lord, prepare our Senators to stand before You, in peace, without spot or blemish.

We pray in Your Holy Name. Amen.

### PLEDGE OF ALLEGIANCE

The President pro tempore 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.

### RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mr. YOUNG). The majority leader is recognized.

### WORK BEFORE THE SENATE

Mr. MCCONNELL. Mr. President, we will finish up the set of appropriations measures we have been considering for several days and take four more big steps toward our goal of completing a regular appropriations process and funding the government in a timely and orderly manner.

We will authorize vital resources for our Nation's Armed Forces. We will attend to several other priorities as well, including an extension of flood insurance and sending the bipartisan farm bill to a conference with the House.

### NOMINATION OF BRITT GRANT

Mr. MCCONNELL. Mr. President, first, later today, the Senate will vote to advance the nomination of Britt Cagle Grant, the President's selection to serve on the Eleventh Circuit Court of Appeals.

This Stanford Law graduate has served the people of Georgia for 6 years, most recently as a justice on the State's supreme court. All eight of her fellow justices had this to say about Justice Grant in a letter to Chairman GRASSLEY and Senator FEINSTEIN:

She is highly intelligent, [with] a breadth and depth of legal experience. . . . Her first focus is always to get the law right.

They go on to write:

Justice Grant's character and integrity is unquestioned. She has an excellent reputation in the legal community [and] a well-balanced judicial temperament.

In sum, they write:

Justice Grant displays all the qualities of an excellent judge. . . . Our loss would be the Eleventh Circuit's gain.

Justice Grant's colleagues on the Georgia Supreme Court include appointees of Republican Governors and Democratic Governors. They have seen her work up close. They have seen her legal expertise and her commitment to the rule of law. They have seen her conviction that—in her own words—“the role of judges is to interpret the law rather than make it.”

Her reputation reaches beyond State lines. In another letter to our colleagues on the Judiciary Committee, current and former State solicitors general from across the country testify to her “congeniality,” “integrity and work ethic,” and say that Justice Grant “has treated colleagues, opposing counsel, and the litigants appearing before her with respect.”

The understanding of a judge's role and the temperament to execute it is precisely the approach our constitutional order requires of our judges. I look forward to voting to advance Justice Grant's nomination later today, and I urge each of my colleagues to join me.

### ECONOMIC GROWTH

Mr. MCCONNELL. Mr. President, on a final matter, on Friday, the Commerce Department reported some outstanding news. In the second quarter of 2018, the real gross domestic product of the United States grew by 4.1 percent. This number is just the latest point in a long series of evidence that shows the American economy is thriving.

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



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As I have pointed out, it is a mistake to view this growth—and the new prosperity for American families that it entails—primarily as an achievement of government. It is the American worker, the American job creator, and the American entrepreneur who has grown our economy faster than 4 percent this quarter, who has driven the number of Americans filing for unemployment benefits to its lowest level in over 48 years and created 3.7 million jobs since the 2016 election, and who has repatriated more than \$300 billion from overseas in the first quarter of this year alone, according to the Commerce Department, bringing that money home to our country.

This is what free enterprise can achieve when Washington, DC, stops raising taxes, stops micromanaging the economy through the sprawling regulatory State, and stops presuming it is better to funnel money and power to bureaucrats than to trust hard-working families and small business owners to live their own lives. So it is the American people who deserve the credit for the successes of their economy.

Here is what this united Republican government is doing: cutting their taxes, rolling back the redtape, and mowing down one hurdle after another that has held our country back.

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

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

#### RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

#### NOMINATION OF BRETT KAVANAUGH

Mr. SCHUMER. Mr. President, on Friday, the chairman of the Judiciary Committee, CHUCK GRASSLEY, sent a letter to the George W. Bush Library requesting only a small portion of Judge Kavanaugh's records. Traditionally, letters from the Senate Judiciary Committee requesting the records for a Supreme Court nominee have been bipartisan and complete. When Democrats were in the majority, we joined with the Republican minority to request all—not some, all—of Elena Kagan's White House documents. When Democrats were in the majority, we joined with the Republican minority to request all—not some—of Judge Sotomayor's documents. At Republicans' insistence, that included documents from 30 years ago, when she served as a board member of the Puerto Rican Legal Defense and Education Fund, because they had questions about her views on certain of those

issues. It was a request that we thought stretched a little far, but we went along for the sake of transparency and openness. So this idea that it should be only the legal records is totally undone and gainsaid by what they requested of Judge Sotomayor.

Now the Republicans are in the majority, and the shoe is on the other foot. Chairman GRASSLEY, unfortunately, has broken with all precedent and refused Democratic requests for Judge Kavanaugh's full record. He sent a letter to the Archivist at 5 p.m. Friday—that is usually a time when people do things they don't want people to catch wind of—making such a request.

My Republican colleagues know that this was wrong. That is why they sent it so late on a Friday, hoping to bury it. This letter makes it clear that Republicans intend to block the Senate and the American people from access to the bulk of Judge Kavanaugh's White House records.

So the question looms: What are they hiding? What are they afraid of? Why wouldn't they grant the kind of openness to records that America prides itself on? Why wouldn't they grant a request for openness of records when we are going to vote on someone who will have huge power over the lives of average Americans for a whole generation? Why shouldn't we see what that record is about before we vote?

In this letter, Senate Republicans are requesting only documents from 2 of the 5 years that Judge Kavanaugh was in the White House—only documents from his time in the White House Counsel's office, not as Staff Secretary. But Staff Secretary was the most senior job in the White House the nominee held. In Judge Kavanaugh's own words, the position of Staff Secretary was hugely influential in his career. He worked there during a time of great controversy.

Over the weekend, the New York Times reported, for instance, that as Staff Secretary, Brett Kavanaugh likely oversaw President Bush's controversial signing statements on torture. By his own account, he was involved in President Bush's decision to select a Supreme Court Justice. Why the heck that is not relevant to choosing him as a Supreme Court Justice is beyond explanation. They can't give an explanation; they just want to rush it through.

There is no good reason to argue that Judge Kavanaugh's time as Staff Secretary isn't relevant to understanding what kind of Justice he might be. Yet, Senate Republicans requested none—absolutely none—of the records from this period in Kavanaugh's career. What are they hiding?

Worse yet, here is what we learned Friday, amazingly: The documents we are going to receive are being screened by a partisan lawyer with ties to President Trump and Steve Bannon. That is right. The lawyer who is going over these documents, who is screening them, not only has ties to President

Trump but also to Steve Bannon, one of the most partisan people this administration has ever seen.

My Republican friends are checking all the boxes on the obstruction list—hiding documents, collaborating with political operative lawyers, and then causing the process to slow down so that there is as little time for the American people to review the documents as possible. A bipartisan letter should have been sent 2 weeks ago.

When Democrats were in charge, that is what we did. We didn't tell the Republican minority: You can have this request and not that. Senator GRASSLEY says: Well, there was never a White House Counsel, a White House Secretary. What is the difference?

As Republicans, they requested Judge Sotomayor's records for the Puerto Rican Legal Defense and Education Fund 30 years earlier. We didn't say: That is a difference. Every request was granted. Why are they not being granted now? They are hiding something is what many people would say.

I hope my colleagues will bring these political games to an end, for the sake of our country, for the sake of comity, and for the sake of bipartisanship. Our Republican friends talk a game of bipartisanship but never seem to act it out. And they invoke a double standard: What was good for them when they were in the minority is not good for us while we are in the minority.

The Senate and the American people deserve access to the full records from the man who has been nominated to a lifetime appointment in such a powerful position as Justice of the Supreme Court. I hope my colleagues on the Republican side will bring these games to an end.

#### NOMINATION OF BRITT GRANT

Mr. SCHUMER. Mr. President, on Britt Grant, the new nominee for the Eleventh Circuit Court of Appeals—Britt Grant, throughout her career, has expressed views far outside the mainstream. When you read this list, you will say: How did they come up with someone so on the fringe? She is not someone who is a mainstream conservative, but way out there.

As solicitor general, she defended a law that made it illegal for doctors to perform an abortion after 20 weeks of pregnancy and assisted on an amicus brief arguing that defining marriage as between a man and a woman does not violate the Constitution's guarantee of equal protection.

She worked on a brief for the Supreme Court that defended a Georgia prosecutor's decision to strike Black jurors based on their race. She led Georgia's challenge to DACA, even though 85, 90 percent of all Americans are for DACA.

Before becoming Georgia's solicitor general, she argued against the Affordable Care Act, assisted on an amicus brief defending Indiana's defunding of Planned Parenthood, urged the Supreme Court to gut the Voting Rights