

equipment to a country that has received the waiver to secondary sanctions under section 231. Large arms sales are likely to be subject to the FMS review process, but significant direct commercial sales must also be notified to the Foreign Relations Committee 30 days in advance of the export license being issued. The result is that Congress has the ability to conduct oversight of these transactions.

Furthermore, under the Arms Export Control Act, Congress has procedures for pursuing a resolution of disapproval prohibiting or modifying the proposed arms sales. Congress's oversight of any major U.S. arms sales that might flow from a waiver of secondary sanctions under section 231 provides us an additional ability to revise and supervise the administration's implementation of this waiver authority.

There are specific cases that one could talk about in terms of countries that we are actually trying to engage, such as India, Indonesia, and other countries, but I think what we have tried to do is to structure a very discrete and, in the terms the Secretary of Defense has used, very stringent conditions to the exercise of the sanctions.

Let me conclude by again thanking Senator INHOFE, Chairman THORNBERRY, Ranking Member SMITH, and all of the conferees for their bipartisan support throughout the process. This process has been collegial, and this is an example of a strong piece of legislation that addresses concerns of Members on both sides of the aisle.

I would also like to thank the staff of the Senate Armed Services Committee and the House Armed Services Committee for all of their hard work on drafting a thoughtful and comprehensive bill. Their diligent work is a tribute to us all.

I would be remiss if I didn't single out these extraordinary individuals. I thank Senator MCCAIN's staff director, Chris Brose, who did a superb job; Senator INHOFE's staff director, Luke Holland, Tony McLain; on my staff, Jody Bennett, Jon Clark, Gary Leeling, Creighton Greene, Jonathan Epstein, Ozge Guzelsu, Jon Green, Kirk McConnell, John Quirk, Arun Seraphin, Carolyn Chuhta, Maggie McNamara, Mike Noblet, Jorie Feldman, Bill Monahan, and my staff director, Elizabeth King. I also want to thank Jen Stewart and Paul Arcangeli. They are the staff directors for Chairman THORNBERRY and Ranking Member SMITH, respectfully. They did a superb job.

With their work and with the inspiration of Senator MCCAIN, we were able to pass an extraordinary and I think very effective piece of legislation.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. Will the Senator withhold?

Mr. REED. I will be happy to.

APPOINTMENT OF CONFEREES— H.R. 2

The PRESIDING OFFICER. Under the previous order, the Chair appoints the following as conferees on the part of the Senate on the disagreeing votes of the two Houses with respect to H.R. 2.

The Presiding Officer appointed Mr. ROBERTS, Mr. MCCONNELL, Mr. BOOZMAN, Mr. HOEVEN, Mrs. ERNST, Ms. STABENOW, Mr. LEAHY, Mr. BROWN, and Ms. HEITKAMP conferees on the part of the Senate.

Mr. REED. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill 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. Without objection, it is so ordered.

FARM BILL

Mr. KENNEDY. Mr. President, I would like to talk for a few minutes about our farm bill. As you know, our farm bill is the primary agricultural and food policy tool of the United States. We pass it every 5 years. We just passed it this year. The bill is going to conference. As you know, the Senate passed its own farm bill and the House passed its farm bill, so we will go to conference and try to work it out. The bill was a 5-year bill, but it spends \$860 billion in taxpayer money. Let me say that figure again—\$860 billion in taxpayer money.

We throw a billion around these days in Washington as if it were a nickel. A billion is a lot. If I started counting to a billion right now and counted one numeral a second, I would finish in 2050. I probably wouldn't finish; I would probably die first. That is how much a billion is. This bill is about \$860 billion. Seventy-five percent of it deals with our food stamp program.

In the House version of the farm bill, there is a work requirement for food stamps, and this is what it says: The American taxpayer will happily give you his or her hard-earned money to help you get back on your feet. We don't want you to be hungry. But if you are between the ages of 18 and 59, the House bill says, and you are not disabled and you don't have a child under 6, then in return for those food stamps, we are going to require you to get a job. You don't have to work a full week; you just have to work 20 hours a week. And if you don't want to work, you can go to job training for 20 hours a week.

That is what the House bill says. The Senate bill is silent on that—crickets. It doesn't even address it.

I am speaking today to try to encourage our friends in the House to stand firm and insist that their work requirement for food stamps remain in the

bill. I would like to spend a few minutes to explain why.

I get a little tired of politicians and others saying: Oh, the American people—they are stingy. They don't help their neighbor.

That is not true. The American people are the most generous people in the world. They are the most generous people in the history of the world. Think about it. First, we spend about \$1 trillion a year—\$1 trillion a year—in State and local programs that are funded by people's money. The money to fund those programs didn't fall from Heaven. We thank Heaven for it, but it came out of people's pockets, and we spend \$1 trillion a year—State and local tax money—helping our neighbors who are less fortunate than we are.

In our country—and I am very proud of this—if you are homeless, we will house you; if you are too poor to be sick, we will pay for your doctor; and if you are hungry, we will feed you. That separates this country from just about every other country in the world, and it is one of the reasons that so many people across the world want to come to America—because our people are so generous. I mean, when is the last time you heard of somebody trying to sneak into Russia? When is the last time you heard of somebody trying to sneak into North Korea? When is the last time you heard of somebody trying to sneak into China? I mean, we should be complimented, and it is because of our giving spirit. But it doesn't do any good, in my judgment, to be generous with people who need our help without also helping them get out of the circumstances for which we need to be generous.

Let me put it another way. By suggesting we need a work requirement for food stamps, I am not trying to take away food stamps from people in need. I do not want to take away food stamps from people in need, but I do want fewer people to need food stamps. The best way we can do that for those who are able to work is to help them get a job.

The Brookings Institution, as the Presiding Officer knows, is hardly a bastion of liberalism. They recently did a study. The Brookings Institute said: If you do these four things, you have only a 2-percent chance of living in poverty in America. This is Brookings, now.

The Brookings Institution says that if you do these four things you have only a 2-percent chance of living in poverty: No. 1, get a job—any job—even if it is minimum wage; No. 2, don't get married until you are 21; No. 3, don't have a child before you get married.

I said four, but I will say that, even if you do these three things—get any job, don't get married before you are 21, and don't have a child before you get married—you only have a 2-percent chance in this country of living in poverty. Obviously, a job is a critical part of that.

This is what the House bill does. I hope we in the Senate will join with

our colleagues in the House and keep this provision in the bill. If you are between the ages of 18 and 59, you are not disabled, and you don't have a child under 6, then we will gladly give you food stamps, but in return we are going to ask you to work 20 hours a week, and we will help you get a job.

If you look at the numbers, right now we have about 21 million people on food stamps who are able-bodied. Let me tell you how I define that universe. There are 21 million people, 18 to 64 years old. So the numbers are slightly different from the House. They are not disabled. Those 21 million able-bodied Americans receive about \$34 billion a year in food stamps.

Of those 21 million able-bodied Americans who do not work and who are not disabled, 40 percent of them don't have children, 63 percent of them are White, and 50 percent of them are under 35.

The House bill is even more generous, if you will. It is just 18 to 59, no child under 6, and you can't be disabled. In return for the food stamps, we would ask you to get a job.

I want to repeat what I started with. The purpose of this bill is not just my idea. The House provision is not meant to punish anybody. I don't want to take food stamps away from people who are in need, but I want fewer people who need food stamps. If people don't need food stamps, that will free it up for other people who need food stamps, and it might free up a nickel or two for other things like kids, roads, and cops.

The Senate, in its wisdom, decided not to put in a work requirement. Some of my colleagues say: We already have a work requirement for food stamps. No, we don't. No, we don't. It is optional for the Governors.

Guess what my Governor did. He implemented a food stamp work requirement without work. I mean, it looks beautiful on paper. Except, when you actually read the thing, it is a work requirement without work.

The House bill is different. It is getting serious about this problem.

I hope our conferees will open their minds and open their hearts and open their ears and listen to our House colleagues, and I hope our House colleagues will stand firm.

Thank you, Mr. President.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. What is the parliamentary situation? Are we in morning business?

The PRESIDING OFFICER. We are in morning business.

NOMINATION OF BRETT KAVANAUGH

Mr. LEAHY. Mr. President, I do have a few comments I will make.

Mr. President, I have had the privilege of serving in the U.S. Senate for 44 years. For 20 of those 44 years, I was either the chairman or the ranking mem-

ber of the Judiciary Committee. During those 44 years, I have seen 19 nominations to the Supreme Court. I voted for most of the nominees—for both Republican and Democratic Presidents. The first one was John Paul Stevens, who was nominated by President Ford.

I voted on every current member of our Nation's highest Court.

When I was in Vermont over the weekend I was thinking of these nominations, and I believe that I have never seen so much at stake with a single seat as with the current nomination of Judge Kavanaugh.

There is one thing we can all agree upon, Republicans and Democrats alike, that like many Supreme Court nominees before him, Judge Kavanaugh has impressive academic credentials and judicial experience. But unlike most of his predecessors, Judge Kavanaugh also had a lengthy, partisan career.

Prior to his time on the bench, Judge Kavanaugh was a political operative engaged in some of the most divisive fights in our Nation's recent history—including Kenneth Starr's investigation of President Clinton, *Bush v. Gore*, and five contentious years as a senior official in President George W. Bush's administration.

It is no surprise, then, that Judge Kavanaugh has quite a paper trail—over one million pages. His lengthy, controversial record was something that the White House was well aware of when the President selected him. But the President selected him, nonetheless. Under the advice and consent clause of the Constitution, the burden falls now to the Judiciary Committee to review his record. It should be self-evident that records relating to an especially significant period of a Supreme Court nominee's career should be among those most closely examined by the Senate.

Indeed, the methodical review of a federal court nominee's full record is not optional. It is the most fundamental part of the Senate's constitutional obligation to provide advice and consent. In fact, we saw just a few weeks ago that such vetting led to the withdrawal of a circuit court nominee with a record of very offensive college writings.

This process must be even more exhaustive for a nomination to our Nation's highest Court.

One only need look to the Senate's consideration of Justice Elena Kagan. Like Judge Kavanaugh, she served in the White House prior to her nomination. I was chairman of the Judiciary Committee at the time. I worked with the ranking member at the time, Senator Jeff Sessions. We requested the full universe of her documents from the Clinton Presidential Library. We worked together. We wanted to ensure the request was expedited. We wanted the collection to be complete.

Crucially, President Obama made no claims of executive privilege. In fact, less than one percent of the documents

were withheld on personal privacy grounds. To this day, those emails are posted online for anyone to see.

Then, I also supported then-Senator Sessions' request for documents related to military recruitment at Harvard. Military recruitment at Harvard is not the sort of thing one thinks of for a Supreme Court nominee, but Justice Kagan, a brilliant lawyer, had been dean of the law school.

Well, that request was beyond the scope of our committee's usual practice, but I agreed with the Republicans that the records could potentially be of public interest, and therefore they ought to be subject to public scrutiny.

Transparency weighed in favor of disclosure, but, then, transparency almost always does.

For Justice Sotomayor, when I was chair, I joined then-Ranking Member Jeff Sessions to request decades-old records from Justice Sotomayor's time working with a civil rights organization in the 1980s. Remember, she was a sitting judge on an appellate court, and we had her record, which is what some of the Republicans are saying is all we should look at with Judge Kavanaugh. They wanted the documents during the time she had worked with a civil rights organization decades before. We did have 3,000 opinions that she had written over the 17 years she served as an appellate and district court Federal judge. Every Republican wanted those records, and those of us who were in the majority, the Democrats, said: Fine, the public should know what they are. We agreed.

What a change, what a change—they wanted to have the records from Justice Kagan and Justice Sotomayor, and they had to come up with those records, but he doesn't have to. This is what the American people deserve to see from Judge Kavanaugh. Every document of public interest should be made public with no artificial restrictions and no abuse of executive privilege.

The American people deserve the unvarnished truth of this man, just as Senate Republicans rightly demanded of the two highly qualified women that President Obama nominated. We wanted the records from them, and we want the records from him, but, unfortunately, the Judiciary Committee is not on track to uphold its bipartisan standard of transparency. Two weeks ago, my Republican friends expressed a willingness to request White House documents that Judge Kavanaugh authored or contributed to as Staff Secretary of President Bush. We thought it was very similar to requests made of Justice Sotomayor and Justice Kagan.

But then they had a private meeting with White House Counsel last week. Now, suddenly, we can't do that. Suddenly, the White House, a different branch of government, is telling the independent Senate Judiciary Committee what they have to do, and suddenly all of Judge Kavanaugh's Staff Secretary records were off-limits.