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House of Representatives

The House was not in session today. Its next meeting will be held on Friday, August 24, 2018, at 11 a.m.

Senate

THURSDAY, AUGUST 23, 2018

The Senate met at 9:30 a.m. and was called to order by the Honorable DEAN HELLER, a Senator from the State of Nevada.

PRAYER

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

Let us pray.

Eternal Father, thank You for loving us throughout the seasons of our lives. Help us to not take Your love and grace for granted. Lord, empower us to plan to spend devotional time with You each day. Give us a hunger and thirst for Your amazing presence. May we also make time to experience life's wonders, pausing to consider the glory of a sunrise or to pluck a rose or to say "I love you."

Strengthen our Senators for today's issues. May they labor for You. Give them an awareness of their accountability to You for the decisions they make. Quiet the tempest within, and give them Your peace.

We pray in Your merciful Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable DEAN HELLER 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 legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, August 23, 2018.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable DEAN HELLER, a Senator from the State of Nevada, to perform the duties of the Chair.

ORRIN G. HATCH,
President pro tempore.

Mr. HELLER 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.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to executive session to resume consideration of the following nomination, which the clerk will report.

The legislative clerk read the nomination of Lynn A. Johnson, of Colo-

rado, to be Assistant Secretary for Family Support, Department of Health and Human Services.

RECOGNITION OF THE MAJORITY LEADER

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

WORK SCHEDULE

Mr. MCCONNELL. Mr. President, this continues to be a productive August here in the Senate. We convened this month because too much of the American people's business remained outstanding—too many legislative priorities unfinished, too many non-controversial, completely qualified nominees left languishing on the Executive Calendar due to partisan obstruction and delays.

Coming back to work this August was not a conventional decision, but of course there is nothing conventional about the historic level of obstruction Senate Democrats have systematically visited upon this administration's nominees, even for critical positions. President Trump's nominees have already been subjected to more than four times—four times—as many cloture votes as the nominees of his six most recent predecessors combined—combined—in their first 2 years. There were 24 cloture votes on nominations in the first 2 years of Presidents Carter, Reagan, Bush, Clinton, Bush, and Obama—all put together, 24 times did the majority leader have to file cloture on a nomination in the first 2 years—and for President Trump, 110 in a year and a half and counting. So we returned to work to pass more legislation and to confirm more nominees. That is

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



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just what we have done, and it is just what we will continue to do.

This week, we will conclude the hugely important appropriations bills before us. After that, we will turn to the 17 nominees on whom I filed cloture yesterday. There are a variety of impressive men and women whom the President has asked to serve both in the judiciary and in the executive branch. None are particularly controversial. All are qualified. No more obstruction. No more delays. It is time to confirm them all, and the Senate will continue to work right through August until every single one of them is confirmed.

This week, we have been considering appropriations measures to fund the Department of Defense and the Departments of Labor, Health and Human Services, and Education. These bills will make Americans stronger overseas and right here at home. They attend to national priorities like providing the resources needed to better prepare our forces for combat and to deter our enemies. The funds meet many of the requirements of our military commanders, equipping and training units to meet and overcome the most dangerous of emerging global threats. As ever, our obligation to this All-Volunteer Force is to provide adequate training, weaponry, and skills so that Americans always prevail on the battlefield.

Here at home, this bill marshals new resources for our national battle with drug abuse and opioid addiction and gives our National Institutes of Health the resources to stay on offense against everything from Alzheimer's to infectious diseases.

With private sector surveys showing that hiring skilled workers is a top challenge for American business, this legislation continues and expands our investments in apprenticeship programs, in training and employment grants to States, and in support for dislocated workers.

These are national efforts, so how do they translate locally? Every Senator can describe how this legislation will help families and communities in their home State.

In my home State of Kentucky, we are looking forward to increased funding for Pell grants and the millions we have secured to support work colleges, like Berea College and Alice Lloyd College.

Kentuckians will benefit from new funding for community health centers to support patients struggling with addiction and from a new CDC initiative that will prioritize funding for counties most at risk for outbreaks of HIV and hepatitis due to injection drug use.

Of course, the Department of Defense funding touches every single community that proudly calls itself home to the men and women of our armed services. Kentuckians in uniform and their families will enjoy their well-earned pay raise—the highest in nearly a decade—which this bill provides to all American servicemembers, and the

communities that revolve around Fort Campbell, Fort Knox, the Blue Grass Army Depot, and the Kentucky National Guard can count on the funding they need to keep their important operations going. They are national priorities, of course, but all have local impacts.

I am proud of what these bills contain and how the Senate has crafted them. I want to particularly thank Chairman SHELBY and Senator LEAHY once more. I look forward to voting to pass these measures very soon.

NOMINATION OF BRETT KAVANAUGH

Mr. President, on a final matter, this week Judge Brett Kavanaugh has continued meeting with Members of the Senate. So far, I believe the only Senators who have met with this nominee and then had negative things to say about him were Democrats who had already announced beforehand they were going to oppose him.

I suspect that with Judge Kavanaugh you have to go in with a closed mind in order to come away unimpressed. This man has served with distinction for more than a decade on what many scholars consider the second highest court in our Nation—the DC Circuit. His legal brilliance and his fair, open-minded approach have won him vocal praise from those in the know all across the political spectrum.

Here is one quote:

I think it's very hard for anyone who's worked with him, appeared before him to, frankly, say a bad word about him. I mean, this is an incredibly brilliant, careful person . . . legendary for his preparation.

That is Neal Katyal, who served as Solicitor General to President Barack Obama, describing Judge Kavanaugh.

Here is another quote, from former Obama Solicitor General Donald Verrilli:

Judge Kavanaugh is a brilliant jurist . . . he carries out all phases of his responsibilities as a judge in a way you'd want, in an exemplary way.

He is, Mr. Verrilli explained, “a distinguished jurist by any measure.”

This is what it sounds like when legal experts who happen to be on the political left make a fair, unbiased assessment of this impressive, mainstream nominee.

In contrast, about one-third of the entire Democratic caucus stood up the first week—the first week—after Judge Kavanaugh was announced to declare they had seen enough—seen enough—and were dead-set against confirming him. One Democrat, a member of the Judiciary Committee, in fact, announced that she would oppose whomever—whomever—the President selected before Judge Kavanaugh was even nominated, and the ink was barely dry on Judge Kavanaugh's nomination when my friend the Democratic leader said that he would oppose it with “everything I've got.”

All this reflexive opposition occurred well before there was any mention of documents or any of the other reasons our colleagues have come up with to delay the hearing.

Remember, Judge Kavanaugh has written over 300 opinions from the bench, and the Judiciary Committee has already received more than twice as many pages of documents pertaining to this nominee than for any other Supreme Court nominee in American history—more than 400,000 pages and counting.

So however you slice it, every Senator will be historically well-equipped to provide advice and consent on the President's nominee. No shifting rationales or partisan complaints can mask one simple fact: Everyone who is willing to give this nominee a fair hearing will be able to do precisely that.

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

The PRESIDING OFFICER (Mrs. HYDE-SMITH). Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The Democratic leader is recognized.

TRUMP PRESIDENCY

Mr. SCHUMER. Madam President, by any account, this has been a momentous week in the history of the Trump Presidency and the history of Presidencies in general. President Trump's former campaign manager was convicted on eight counts and still has another trial to go. The President's former personal attorney—his lifelong compadre for so long—pled guilty to multiple violations of bank fraud and campaign finance violations, implicating the President of the United States himself in one of those crimes. Let me repeat that. President Trump was named as an unindicted coconspirator in a Federal crime.

What did we hear from our Republican friends on the Hill? Was this the moment when Republican leaders finally stood up and said “enough”? Amazingly, apparently not. Apparently, my Republican colleagues cannot rouse themselves to offer even a word of criticism for a President now implicated in a Federal crime; a President who casually tosses around the idea of pardoning his convicted former campaign chairman; a President who speaks favorably about that convicted felon because he didn't break, while disparaging a former confidant for collaborating with law enforcement. It sounds like a scene out of the “Godfather.”

Imagine if President Obama's campaign manager was convicted of several serious Federal crimes. Do you think my Republican friends would give circumspect quotes to reporters, or do you think they would be beside me on the floor beside themselves? The answer is obvious. Yet, when it comes to a President of their own party, there is hardly a word of criticism or censure from our Republican friends.