

Johnson	Murray	Shaheen
Jones	Nelson	Shelby
Kaine	Paul	Sullivan
Kennedy	Perdue	Tester
King	Portman	Thune
Lankford	Risch	Tillis
Lee	Roberts	Toomey
Manchin	Rounds	Wicker
McCaskill	Rubio	Wyden
McConnell	Sasse	Young
Moran	Schumer	
Murphy	Scott	

NAYS—28

Blumenthal	Gillibrand	Schatz
Booker	Harris	Smith
Brown	Heinrich	Stabenow
Cardin	Klobuchar	Udall
Carper	Markey	Van Hollen
Coons	Menendez	Warner
Cortez Masto	Merkley	Warren
Duckworth	Peters	Whitehouse
Durbin	Reed	
Feinstein	Sanders	

NOT VOTING—4

Cruz	Leahy
Graham	Murkowski

The nomination was confirmed.

The PRESIDING OFFICER. The majority whip.

Mr. CORNYN. Mr. President, I ask unanimous consent that the motion to reconsider be considered made and laid upon the table and that the President be immediately notified of the Senate's action with respect to the Johnson nomination. I further ask consent that the mandatory quorum call be waived.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Richard Clarida, of Connecticut, to be Vice Chairman of the Board of Governors of the Federal Reserve System for a term of four years.

Mitch McConnell, Richard C. Shelby, Cory Gardner, John Boozman, Johnny Isakson, John Thune, John Cornyn, Pat Roberts, Ron Johnson, James M. Inhofe, Chuck Grassley, Lamar Alexander, Richard Burr, Lisa Murkowski, Michael B. Enzi, Roy Blunt, Bob Corker.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Richard Clarida, of Connecticut, to be Vice Chairman of the Board of Governors of the Federal Reserve System, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Texas (Mr. CRUZ), the Senator from South Carolina (Mr. GRAHAM),

and the Senator from Alaska (Ms. MURKOWSKI).

Mr. DURBIN. I announce that the Senator from Vermont (Mr. LEAHY) is necessarily absent.

The yeas and nays resulted—yeas 69, nays 26, as follows:

[Rollcall Vote No. 196 Ex.]

YEAS—69

Alexander	Flake	Nelson
Barrasso	Gardner	Perdue
Bennet	Grassley	Peters
Blumenthal	Hassan	Portman
Blunt	Hatch	Reed
Boozman	Heitkamp	Risch
Burr	Heller	Roberts
Capito	Hoeven	Rounds
Cardin	Hyde-Smith	Rubio
Carper	Inhofe	Sasse
Casey	Isakson	Scott
Cassidy	Johnson	Shaheen
Collins	Jones	Shelby
Coons	Kaine	Smith
Corker	Kennedy	Sullivan
Cornyn	Klobuchar	Tester
Cotton	Lankford	Thune
Crapo	Lee	Tillis
Daines	Manchin	Toomey
Donnelly	McCaskill	Van Hollen
Enzi	McConnell	Warner
Ernst	Moran	Wicker
Fischer	Murphy	Young

NAYS—26

Baldwin	Harris	Sanders
Booker	Heinrich	Schatz
Brown	Hirono	Schumer
Cantwell	King	Stabenow
Cortez Masto	Markey	Udall
Duckworth	Menendez	Warren
Durbin	Merkley	Whitehouse
Feinstein	Murray	Wyden
Gillibrand	Paul	

NOT VOTING—4

Cruz	Leahy
Graham	Murkowski

The PRESIDING OFFICER. The yeas are 69, the nays are 26.

The motion is agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Richard Clarida, of Connecticut, to be Vice Chairman of the Board of Governors of the Federal Reserve System for a term of four years.

The PRESIDING OFFICER. The majority whip.

REMEMBERING JOHN MCCAIN

Mr. CORNYN. Mr. President, we have been hit with some hard news in recent days. The toughest of all, perhaps, was losing our friend and colleague John McCain this past weekend. He was a man who loved his country and was beloved in return.

One of the things I appreciate the most about our friend Senator McCain is he truly believed in all his heart, in all his being, in all his soul, in American exceptionalism and that America had to lead in the world because in the absence of American leadership, that void would be destabilizing and even dangerous.

We know that John cast a long shadow in Congress over the last four decades of American politics, and we will continue to honor and remember him this week and into the future. But tears and sentimentality are not what

he would want from us. Today, instead, we should try to remain a little more grateful than we otherwise would be. We should be grateful for his example. We should be grateful for his daring skill as a pilot and lieutenant commander in the U.S. Navy. We should be grateful for his tenacity and resolve as a prisoner of war in Vietnam—a prisoner subject to unbelievable cruelty and torture but one who endured all of these unspeakable torments and one who was quick to remind us of what that was endured for; that is, our freedom. I think he was one of liberty's best ambassadors.

We should remain grateful for our friend John McCain's willingness and ability to serve his State of Arizona for so many years and to serve our great country, by running for public office, for radiating such a sense of purpose, such a sense of moral seriousness each time, even during tough, grueling political races. And they didn't always turn out the way he would have liked. We should learn from the dignity and honor that he displayed even in defeat after his Presidential campaigns did not work out in his favor.

Like all of us, he was an imperfect man. Let's just say he was a work in progress, as we all are. He won many political battles, and he lost a few along the way, but he always responded admirably. After slipping with some run-in with adversity, he got back up, dusted himself off, and tried harder the next time.

We should also be grateful for Senator McCain's dedication to our Nation's Armed Forces throughout his political career, including as chairman of the Armed Services Committee, where I served with him for a number of years. We should cherish his friendship. We should remember that at the end of the day, the Senator many called a maverick had a gruff, sometimes intimidating exterior, but he also was a compassionate man and one who displayed not only tremendous loyalty to friends but a tremendous love for his family, who are now grieving.

As our Nation mourns the loss of John McCain and as my colleagues and I are all too aware of his absence here today, we are all challenged to be stronger patriots and better citizens. That is what he would want from us.

As Senator McCain told cadets during a 1993 commencement address at the U.S. Naval Academy, "My time is slipping by. Yours is fast approaching. You will know where your duty lies." Our duty now lies in continuing the difficult, courageous work Senator McCain devoted his life to, and it is not a burden that we take lightly. We do so gladly, and we mourn for those for whom the last few days have been most difficult.

As we express our condolences to Senator McCain's mother, his seven children and five grandchildren, and, of course, his wife Cindy and the entire McCain family, we want them to know that we continue to think of them. We

continue to pray for them. We continue to celebrate with them the great, larger-than-life, and distinguished life of Senator John McCain.

It is hard to lose one of your best teammates, but I know the legacy John McCain leaves here in the Senate will long remain.

I want to echo a few comments made by the majority leader earlier today. John McCain was a lion in the Senate and in American politics. That is why I believe we should put together a bipartisan group who can bring together the best ideas on how we can memorialize his service to his country and his legacy here in the Senate. We should do this carefully and consider all options about what the best form that tribute should take. Doing this in a collaborative and a deliberate way I hope is how Senator McCain would have wanted it. I can't tell you how many times he always advocated for regular order. He didn't want ideas cooked up in some back room and then sprung on the Nation and the Senate; he wanted the committees to do their work because he knew that by doing so—by thinking about them, by testing ideas in a committee process—we improve the chances of a better product.

Despite our heavy loss, we can't lose sight of our other work, either. I think Senator McCain would want us to keep pushing the ball forward and achieving more on behalf of the American people.

We all remember him as a fighter until the very end, and staying in the fight and making progress for the American people is what he would expect of us as well.

NOMINATION OF BRETT KAVANAUGH

Mr. President, turning to that work before us, one of the most important constitutional duties the Senate performs is to provide advice and consent to the President on nominations to his Cabinet, to the Federal judiciary, and for other Senate-confirmable positions.

We have the responsibility to do that with a judge whom he has now nominated to succeed Anthony Kennedy as Associate Justice on the U.S. Supreme Court. The hearing on his confirmation will occur next week, and I hope we will move forward quickly thereafter to vote on his confirmation.

Judge Kavanaugh's confirmation process includes the largest production of documents ever in the Senate's consideration of a Supreme Court nominee. Well over 400,000 pages of documents have been produced on the judge's career. I appreciate Senator GRASSLEY's spearheading this effort in such a transparent, efficient, and thorough manner.

Of course, I think logic would tell us that the best way for us to judge Kavanaugh is how he ruled in real, concrete cases that came before him while serving on the DC Circuit Court of Appeals for 12 years. That is the best evidence of how he would perform if elevated and confirmed to the Supreme Court.

In Judge Kavanaugh's case, what those rulings show is that he is a dili-

gent and thoughtful judge. His rulings are clear and they are impartial.

One of his colleagues, Judge Laurence Silberman, called Judge Kavanaugh "one of the most serious judges" he has "ever encountered," and we expect that kind of seriousness and sobriety when it comes to people who wear the black robe and sit in judgment of cases. Attorneys who have practiced before Judge Kavanaugh describe him as an "extremely well-prepared, careful, and thorough" judge.

As I said, Judge Kavanaugh served on the DC Circuit, where he has authored 307 opinions and has attracted praise across the ideological spectrum for the clarity of his thought and expression and the precision of his legal reasoning.

He respects the roles and responsibilities that are assigned to the different branches of government—three coequal branches—by the Constitution, and he sees the proper role of the judiciary as a limited, albeit important, one—not to make policy but to interpret the law and apply it to individual cases impartially, as written, with no eye cast toward the politics of the outcome or a desire to put a thumb on the scales of justice in favor or against one of the litigants.

Judge Kavanaugh has shown through his opinions that he adheres to precedent—something careful, thoughtful judges do—paying a keen eye to legal history and tradition and putting an emphasis on the text of the relevant statutes when interpreting them. How better to effectuate Congress's intent than to read and apply the statutes that are signed into law.

This is in the nominee's own words:

[The] text may be pro-business or pro-labor, pro-development or pro-environment, pro-bank or pro-consumer. Regardless, judges should follow clear text where it leads.

Judge Kavanaugh also approaches his job with humility. When describing his mindset, he said that a good judge has to "keep learning," that they should constantly challenge themselves to study legal problems in greater depth, even when doing so forces them to reconsider their "instincts and prior inclinations."

That is exactly the kind of Justice the Supreme Court needs—one that is never content to rest on his laurels, one that is constantly educating and improving himself when it comes to the history of our country or the nuances and difficult or technical aspects of the law.

The truth is that since his nomination Judge Kavanaugh has demonstrated that he is imminently qualified and well respected by all who know him and those familiar with his work.

So as a member of the Senate Judiciary Committee, I look forward next Tuesday to participating in the confirmation hearings, and soon thereafter I look forward to voting to confirm him as the next Justice on the Supreme Court of the United States.

I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

REMEMBERING JOHN MCCAIN

Mr. NELSON. Mr. President, when you walk by Senator McCain's desk and see the black drape and the bowl of white roses, it really underscores the loss. We lost a colleague. We lost a friend. The country lost a true public servant.

We have heard the stories. After being shot down, spending all those years in the Hanoi Hilton, beaten nearly to death when he was fished out of the lake in downtown Hanoi, he continued to serve his country—in the Navy, in Congress, in this Senate, and, of course, as the party's nominee for President.

His call to serve and his sense of duty and honor is the legacy of John McCain. He is an example for all of us.

He was a fighter, and he was funny too. Maybe it was the years in prison or the long line of military service or the sometimes tense humor of fighter pilots. Maybe it was that legacy of his family in the military, but he knew in his soul how special the United States was and what the United States could do for its people and for the world.

Sometimes we forget the stories of the excruciating pain that Senator McCain went through as a POW. In 2000 David Foster Wallace, in *Rolling Stone* magazine, wrote an article. I want to give you some of the graphic details after he had been nearly beaten to death and his weight had gone down to 100 pounds. When they found out that his father was a four-star admiral and his grandfather was a four-star admiral, they decided they were going to offer him early release. This is what the author writes:

McCain, 100 pounds and barely able to stand, refused [release]. The U.S. military's Code of Conduct for Prisoners of War said that POWs had to be released in the order they were captured, and there were others who'd been in [that prison] Hoa Lo a long time, and McCain refused to violate the Code. The commandant, not pleased, right there in the office had guards break his ribs, rebreak his arm, knock his teeth out. McCain still refused to leave without the other POWs. And so then he spent four more years in Hoa Lo [prison] like this, much of the time in solitary, in the dark, in a closet-sized box called a "punishment cell." Maybe you've heard all this before . . . [there have certainly been] profiles of John McCain. But try to imagine the moment between getting offered early release and turning it down. Try to imagine it was you. Imagine how loudly your most basic, primal self-interest would have cried out to you in that moment, and all the ways you could rationalize accepting the [commandant's] offer. Can you hear it? If so, would you refuse to go? You simply can't know for sure. None of us can. It's hard to even imagine the pain and the fear in that moment, much less how you'd react.

That was written 18 years ago about John. In that moment, you could summarize his courage, his strength, and his will to overcome. But here in the Senate we saw a leader who thought that public service was a noble calling,