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Senate

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.

Eternal God, You are holy. We rejoice because we are sustained by Your strength. We receive honor because of the victories You bring to our lives.

Bless our lawmakers. Keep them from stumbling or slipping as You increase their faith in You. Lord, use them to fulfill Your purposes on Earth, bringing release to captives, sight to the morally blind, and freedom for the oppressed and downtrodden. May they make our Nation and world better for the glory of Your Name.

Lord, we praise You for Your glorious power. We celebrate Your mighty acts.

We pray in Your powerful Name. 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.

RECOGNITION OF THE MAJORITY LEADER

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

NOMINATION OF BRETT KAVANAUGH

Mr. McCONNELL. Mr. President, let me start with a quote: "I am going to fight this nomination with everything I've got." Well, that was the Democratic leader on television mere hours after Judge Brett Kavanaugh was first nominated to the Supreme Court. Others pledged their opposition before he was even named, before they reviewed a lick of evidence, before they heard a minute of testimony. Democrats had already made up their minds and chosen their tactics: delay, obstruct, and resist. Whatever it took, whatever the truth really was, they were going to do whatever they could to stop this qualified, experienced, and mainstream nominee.

Democrats have signaled for months that they would put on whatever performance the far left special interests demanded and throw all the mud they could manufacture. Well, it is not like they didn't warn us. But even by the far left's standards, this shameful smear campaign has hit a new low. I will get into the specifics in just a moment, but I want to be perfectly clear about what has taken place. Senate Democrats and their allies are trying to destroy a man's personal and professional life on the basis of decades-old allegations that are unsubstantiated and uncorroborated. That is where we are. This is what the so-called "resistance" has become—a smear campaign, pure and simple, aided and abetted by Members of the Senate.

Eight weeks ago, Democrats on the Judiciary Committee received a letter from Dr. Christine Blasey Ford with an uncorroborated allegation of misconduct. She had requested that the matter be handled discreetly and confidentially.

The responsible next step would have been alerting the full committee so a confidential, bipartisan investigation could begin. Committee staff would have followed their standard practice

for investigating background information. Senators could have questioned Judge Kavanaugh in their meetings or in closed session, while respecting Dr. Ford's request for confidentiality. But Democrats didn't do any of that. They sat on Dr. Ford's letter for 7 weeks. Kept it secret. They did nothing. They bid their time. Then they threw Professor Ford's wishes overboard and leaked it to the press. Our colleague from Delaware has himself indicated that either the ranking member's office or the Democratic committee staff likely leaked the document. As I have noted, we know the chain of custody of the letter went through the Democratic side of the Judiciary Committee.

Does this sound like Democratic Senators take their responsibility seriously and want to get to the truth, or does it sound like a choreographed smear campaign that ignored Dr. Ford's request for confidentiality in order to inflict maximum damage at the last minute on Judge Kavanaugh and his family?

This is an allegation of misconduct which all four supposed witnesses either flatly contradict or are unable to back up. In addition to Judge Kavanaugh, the other three supposed witnesses have said they have "no knowledge," "no recollection," and "no memory" of the alleged incident. It is not just one alleged witness who disagrees with the allegations; it is literally every person who was supposedly there. One of those supposed witnesses says she does not even know Judge Kavanaugh. So all the witnesses who Dr. Ford says were present at the party have told the committee—on the record and under penalty of felony—all confirm that they do not remember any such party, do not know Judge Kavanaugh, or have never seen him do anything remotely like what has been alleged.

This unsubstantiated allegation stands entirely at odds with everything we have heard about Judge

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



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Kavanaugh's character from those who have worked with him and socialized with him, dating all the way back to high school. But Democrats wouldn't let a few inconvenient things—like a complete lack of evidence or an accuser's request for confidentiality—get between them and a good smear. It is despicable.

The contrast with the completely professional conduct of Chairman GRASSLEY could not be starker. As soon as Chairman GRASSLEY learned about this allegation, he handled it through proper channels. He immediately began gathering the facts. His office promptly conducted a transcribed interview of Judge Kavanaugh, in which, under penalty of felony, he unequivocally denied the last-minute allegation. The office received statements from all the other supposed witnesses, who either directly contradicted the story or denied knowing anything about it.

What is more, Chairman GRASSLEY ensured that Dr. Ford could be heard in a forum of her own choosing—either here or in California; either in public or in private; either with the staff or with the Members. He has gone above and beyond to accommodate her request. Thanks to him, we have a fair and open hearing scheduled for Thursday. Dr. Ford will be able to state her allegation under oath, and Judge Kavanaugh will be able to respond.

But the smear campaign didn't stop there; that was just act one. According to the reporter of this second allegation, the accuser "came forward because Senate Democrats began looking." And now they are calling for even further delays and further obstruction over a second decades-old allegation that is so thin and so unsupported that the New York Times refused to even run a story about it. This claim is so dubious that the New York Times passed on the story entirely after having looked into it.

Here is why the New York Times declined to publish: It "interviewed several dozen people over the past week in an attempt to corroborate her story and could find no one with firsthand knowledge"—not one person "with firsthand knowledge" to support the allegation—but, rather, multiple, on-the-record denials again. The Times also reported that the claimant said she herself is uncertain of her claim. That is the New York Times, whose credo is "all the news that's fit to print," and it found this latest last-minute allegation not even fit to print.

Oh, but that hasn't stopped Judiciary Committee Democrats from shoveling it into their smear campaign and demanding further delays. They kept this one a secret from Republicans, too, by the way. Evidently, several Democratic offices knew of this allegation for at least a week, but as with Dr. Ford's claim, they sat on this one, too, so the committee could not take any proper action. They just wanted it to wind up in the press—another orchestrated,

last-minute hit on the nominee. Now they are acting like it is a legitimate reason to delay things even further, as though they have not already announced themselves as being completely opposed to this nomination anyway, as if they have not already promised the far left they would lead the fight to bring this nomination down whatever it took, whatever the cost.

Let's put aside this last-minute, unsubstantiated smear. Let's return to the facts. Let's have a fair hearing on Thursday.

Here are the facts that we do have: Hundreds of men and women who have known Brett Kavanaugh across his life have written or spoken out that he is a man of strong character and tremendous integrity. Numerous witnesses have testified before the Judiciary Committee that he is a trusted mentor, a loyal friend, and a lifelong champion of women. More than 75 women gathered last week to share their decades-old knowledge of Judge Kavanaugh as a "responsible guy who treated us with kindness and respect" and as a "true gentleman in all aspects of his life."

Separately, of course, it remains beyond reasonable dispute that Judge Kavanaugh's legal brilliance and excellence on the bench make him one of the very most qualified Supreme Court nominees in the history of our country.

All of these facts are, quite clearly, on one side. Maybe that is why the Democrats are so panicked. Maybe that is why they are so willing to try to bring down this nominee. In the meantime, a good and honorable man and his family are receiving death threats. They are the subject of smears and are facing Senate Democrats who say he has no presumption of innocence because they don't agree with his judicial philosophy.

Well, before the week is out, both Judge Kavanaugh and Dr. Ford will testify under oath before the Judiciary Committee. Chairman GRASSLEY has made sure the facts will be heard, and Judge Kavanaugh and the American people deserve nothing less. I want to make it perfectly clear that Judge Kavanaugh will be voted on here, up or down, on the Senate floor. This fine nominee to the Supreme Court will receive a vote in this Senate in the near future.

APPROPRIATIONS

Mr. MCCONNELL. Mr. President, on an entirely different matter, last week, our efforts to restore regular appropriations hit another milestone. The President signed into law our first appropriations package. It will fund critical efforts in energy research and security, waterways and infrastructure projects, and in improving care at the VA.

Earlier this month, the Senate passed the conference report that will fund the Departments of Defense, Labor, Health and Human Services,

and Education. We anticipate that the House will take up the package this week, and work continues on other important legislation.

Soon, we will act to provide long-term stability and reforms to the Federal Aviation Administration, the Transportation Security Administration, and the National Transportation Safety Board. We will also take up America's Water Infrastructure Act, which will bolster the efforts of the Army Corps of Engineers and make commitments to improving water quality and advancing hydropower.

Most immediately, we will continue to process the President's well-qualified nominees. We are, today, considering Jackie Wolcott to serve as U.S. Representative to the International Atomic Energy Agency and as U.S. Representative to the United Nations in Vienna. I urge all of our colleagues to join me in voting to confirm her.

TRIBUTE TO DAN SULLIVAN

Mr. MCCONNELL. Mr. President, on one final matter, over the Senate's history, we have welcomed into our ranks many brave men and women who have served in uniform. From the earliest days of our Republic, when veterans of the Revolution laid down their arms to serve as legislators, the Senate has been the home of patriots who know the true meaning of service and sacrifice. Some of our colleagues have even decided to pull double duty—continuing to serve in the Reserves while suffering the slings and arrows here in the Senate.

We have, today, a unique opportunity to honor one of these colleagues. Earlier this month, the news came that our friend, the junior Senator from Alaska, had attained the rank of colonel in the U.S. Marine Corps Forces Reserve. DAN SULLIVAN has spent the last quarter century as a marine, earning the Defense Meritorious Service Medal and serving on Active Duty in Afghanistan. Those of us who serve here with Senator SULLIVAN are hardly surprised that someone so "squared away" has risen to this milestone.

His promotion is recognized in a special ceremony today here in the Capitol, where, I understand, Senator SULLIVAN's father will pin on his new rank.

I know this body will join me in congratulating him and in thanking both Senator SULLIVAN and Colonel SULLIVAN for all of his service to the Nation.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.