

responded bravely and admirably; stories about people who reacted to cowardly violence, stood in the face of danger to protect a neighbor, a friend, a family member, or someone they had never met.

A doctor at UMC put it best when he said, the patients showed exemplary courage. He told me he spoke to all the patients in the trauma room. Some of them were strangers who accompanied the person who sustained injuries while shielding them from bullets. He told me many of the patients in the emergency room that night said to the doctors: That person is more seriously injured than I am. Take care of them first. Come back to me later.

When I visited UMC, I had the opportunity to meet with one of the respiratory therapists who attended the concert. She showed me her phone, which had been shattered by a bullet that night. Plastic had torn through her hand, and it was embedded in her skin. What did she do? She pulled the shards out of her hand, bandaged it herself, rushed to the hospital to try to help people who she said needed more help than she did.

I am so grateful for the staff at our hospitals whose skill, whose composure and dedication saved one life after another. I am also grateful for the work of our law enforcement and our first responders on the scene. Each unit took an all-hands-on-deck approach, and everyone functioned as one team.

Instead of being frozen by the aftershock of crippling grief, Nevada mobilized and true leaders emerged. My friend Sheriff Joe Lombardo, who heads the Las Vegas Metropolitan Police Department, is one of them, but many of the heroes who emerged in the wake of this tragedy didn't have a badge. Instead, they were teachers, waiters, security guards, and construction workers who assumed the responsibility to protect others.

Take the story of Jack Beaton, a man whose final act on Earth was draping himself over his wife to protect her from deadly bullets or John, a cab driver, who accelerated toward the screams and chaos and drove nearly a dozen people to safety.

Everyone banded together. Local organizations and businesses throughout the State and country stepped up to help. Las Vegas Convention Center's South Hall was dedicated to family reunification and support services. Airlines answered the call to provide free flights to families of victims. Hotels and casinos across Las Vegas offered free rooms. Lines of people eager to give blood twisted around Las Vegas. Some even waited in line more than 7 hours just because they wanted to help in any way they could. Just a few hours after the injured concertgoers flooded the hospitals in Las Vegas, the Red Cross encouraged volunteer blood donations. In a statement, the Red Cross said, "Last night, tragedy illustrates that it's the blood already on the shelves that helps during an emergency."

My wife Lynne and I joined the masses of Nevadans who donated blood in Las Vegas last October, and on Monday, this October 1, on this day each year going forward, we will donate blood in recognition of this anniversary. Members of my staff who want to give blood have committed to doing the same.

While it may be just a small gesture, it is an important one because when the city of Las Vegas needed help, patients needed blood, the Red Cross was able to step in because the inventory was there.

When I returned to Washington, DC, from Las Vegas last October, I immediately began pursuing every available option to provide relief for victims and their families, as well as assistance for local law enforcement and emergency responders. From pressing the Attorney General to make funding available for victims and their families and securing funding to cover Nevada's law enforcement overtime costs relating to the response to the shooting, to leading a bipartisan resolution recognizing the innocent lives which were lost, working with Senator CORTEZ MASTO to ask health insurers and our airlines to do whatever they could to help victims, I worked with this Congress and this White House to deliver resources to Nevada to try to help in any way we could.

To help Las Vegas prevent future attacks, I also spoke with the President on Air Force One on our way out of Nevada last October about the critical role of Federal funding to protect a city that welcomes over 40 million people annually.

As a direct result, the criteria used to determine funding that is allocated to high-threat urban areas for terrorism was updated, and this year Las Vegas received nearly double the amount of Federal funding compared to last year. I will never stop working to see that Nevada has the resources it needs to keep our communities safe.

As President Donald Trump said, this attack was an act of pure evil, and unity cannot be shattered by evil. He also said the bonds between the people of the United States cannot be broken by violence, and I agree with him. We are all still in this together, and together we will continue moving down the long road of recovery by honoring the memory of those lost and by holding on to the sense of compassion and community that emerged.

I, like many others, could not only feel the strong sense of family, faith, and strength in the wake of October 1, I saw it firsthand. The immeasurable pain, the suffering and devastation inflicted by one man elicited a profound, innate, and immediate human response from a city of people who stood side by side during its darkest hour to protect a friend or a stranger they had never met.

Ronald Reagan once said: "Those who say that we are in a time when there are no heroes, they just don't know where to look."

On October 1 and in the days that followed, the world witnessed a Las Vegas that they may have not known—a place that has been further defined by the heroes among us, the ones who sprang into action that night. That was truly the identity of Las Vegas. Las Vegas is resilient, and together we will continue to be Vegas Strong.

Thank you.

The PRESIDING OFFICER. The Senator from Arizona.

NOMINATION OF BRETT KAVANAUGH

Mr. FLAKE. Madam President, I rise today to say a few words about the two human beings who will be providing extraordinarily important testimony before the Senate Judiciary Committee tomorrow, Dr. Christine Blasey Ford and Judge Brett Kavanaugh, who will testify in that order.

Two human beings—it feels a bit odd in this political setting to specify their humanity, but we need to. I admit it feels strange to have to do that, but we in this political culture, in this city, and in this building, even in this Chamber, seem to sometimes forget that before this woman and this man are anything else, they are human beings.

We sometimes seem intent on stripping people of their humanity so that we might more easily denigrate or defame them or put them through the grinder that our politics requires. We seem sometimes even to enjoy it.

For the past 2 weeks we certainly have seen that happen to both of these human beings, for whatever reason—because we think that we are right and they are wrong, because we think our ideological struggle is more important than their humanity, because we are so practiced in dehumanizing people that we have also dehumanized ourselves.

Whatever else they are or have become to us, whatever grotesque caricature we have made of them or ourselves, before we are Democrats or Republicans and before we are even Americans, we are human beings. As President Kennedy said:

We all breathe the same air. We all cherish our children's future. And we are all mortal.

These witnesses who will testify in a very important hearing tomorrow, these unwitting combatants in an undeclared war—these people are not props for us to make our political points, nor are they to be "demolished like Anita Hill" as was said on conservative media the other night, nor is one of them a "proven sex criminal" as has been circulating on the left side of the internet. These are human beings with families and children—people who love them and people whom they love and live for—and each is suffering through a very ugly process that we have created.

I will not review the unseemly process that brought us to this point because that is for another time, and, in any case, it didn't start with this particular nomination. But here we are.

There was an earlier case, 27 years ago, from which you might have thought we would have learned something, but the past couple of weeks

makes it clear that we haven't learned much at all.

Consequently, there have been cries from both sides of these proceedings that each of the witnesses has fallen victim to character assassination. Both of these claims are absolutely correct, so I will say to these witnesses, these human beings, we owe you both a sincere apology. An apology is inadequate, of course, but it is a start. We can't very well undo the damage that has been done. But we can govern our own behavior as we go through this painful hearing tomorrow and in the days afterward. We must do that, lest we do any even more damage.

Some of the public comments about these witnesses have been vile. Not unrelated to those comments, each of these witnesses has reportedly been subject to death threats, and for that we should be ashamed. The toxic political culture that we have created has infected everything, and we have done little to stop it. In fact, we have only indulged it and fanned the flames, taken partisan advantage at every turn, and deepened the ugly divisions that exist in our country. These past 2 years, we have tested the limits of how low we can go, and, my colleagues, I say that winning at all costs is too high a cost. If we cannot have a human rather than a political response to these witnesses, if we are heedless to the capacity that we have to do real and lasting damage, then we shouldn't be here.

When Dr. Ford came forward, I felt strongly that her voice needed to be heard. That is why I informed Chairman GRASSLEY that the Judiciary Committee could not and should not proceed to a vote until she had an opportunity to make her voice heard, until such time that her claims were fully aired and carefully considered and her credibility gauged. This is a lifetime appointment. This is said to be a deliberative body. In the interest of due diligence and fairness, it seemed to me to be the only thing to do.

Not everybody felt this way. One man, somewhere in the country, called my office in Arizona and left a message saying that he was tired of my "interrupting our President," and for the offense of allowing Dr. Ford to be heard—for this offense, my family and I would be "taken out." I mention this with reluctance, but only to say that we have lit a match, my colleagues. The question is, Do we appreciate how close the powder keg is?

Tomorrow, we will have a hearing. Many Members of this body from both parties have already made up their minds on the record, in advance of this hearing. They will presumably hear what they want to hear and disregard the rest. One is tempted to ask: Why even bother having a hearing?

I do not know how I will assess the credibility of these witnesses—these human beings—on the grave matters that will be testified to because I have not yet heard a word of their testi-

mony and because I am not psychic. I am not gifted with clairvoyance. Given these limitations, I will have to listen to the testimony before I make up my mind about the testimony. What I do know is that I don't believe that Dr. Ford is part of some vast conspiracy from start to finish to smear Judge Kavanaugh, as has been alleged by some on the right. I also do not believe that Judge Kavanaugh is some serial sexual predator, as some have alleged on the left. I must also say that separate and apart from this nomination and the facts that pertain to it, I do not believe that the claim of sexual assault is invalid because a 15-year-old girl didn't promptly report the assault to authorities, as the President of the United States said just 2 days ago. How uninformed and uncaring do we have to be to say things like that, much less believe them? Do we have any idea what kind of message that sends, especially to young women? How many times do we have to marginalize and ignore women before we learn that important lesson?

Now I wish to say a word or two about the human beings, first on the Judiciary Committee and then in the full Senate, who will have to weigh the testimony that we will hear tomorrow and then come to some kind of decision on this nomination. The Judiciary Committee is scheduled to vote on Judge Kavanaugh's nomination on Friday. I hope that tomorrow's hearing gives us some guidance on how we are to vote. But those of us on the Committee have to be prepared for the possibility—indeed, the likelihood—that there will be no definitive answers to the large questions before us. In legal terms, the outcome might not be dispositive.

While we can only vote yes or no, I hope that we in this body will acknowledge that we don't have all the answers. We are imperfect humans. We will make imperfect decisions. This monumental decision will no doubt fit that description. Up or down, yes or no, however this vote goes, I am confident in saying that it will forever be steeped in doubt. This doubt is the only thing of which I am confident in this process.

I say to all of my colleagues, for this process to be a process, we have to have open minds. We must listen. We must do our best, seek the truth, in good faith. That is our only duty.

Thank you.

I yield the floor.

Mrs. FEINSTEIN. Madam President, I rise today to object to the partisan effort to improperly "stack" two consecutive nominations for the Consumer Product Safety Commission, CPSC.

Peter Feldman has been nominated not only to fill the remainder of a term that would expire in October 2019, but also for an additional 7-year term on top of that.

Stacking these nominations contradicts the aim of the Consumer Product Safety Act, which established the CPSC as an independent agency with

commissioners serving staggered terms to prevent any one Congress from having an outsized influence on the agency.

It also violates Senate practice of considering one nomination at a time, particularly when the first term would not expire for over a year.

Both Senate Commerce Committee minority staff and the Congressional Research Service were unable to identify an analogous nomination where the beginning of a term started this far into a new Congress.

To be clear, I do not object to Mr. Feldman's nomination to the Commission. In fact, I voted to confirm him to fill the unexpired term.

However, confirming Mr. Feldman to a second, 7-year term today would undermine the CPSC's independence and set a dangerous precedent for future nominations.

The CPSC plays a critical role in protecting the public from consumer product-related injuries, and we must do all we can to defend the agency from partisanship.

For this reason, I must regretfully vote no on Mr. Feldman's nomination to serve an additional 7-year term on the Commission.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. HEINRICH. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays are ordered.

Under the previous order, all time has expired.

The question is, Will the Senate advise and consent to the Feldman nomination?

The yeas and nays were previously ordered.

The clerk will call the roll.

The bill clerk called the roll.

The result was announced—yeas 51, nays 49, as follows:

[Rollcall Vote No. 217 Ex.]

YEAS—51

Alexander	Flake	Murkowski
Barrasso	Gardner	Paul
Blunt	Graham	Perdue
Boozman	Grassley	Portman
Burr	Hatch	Risch
Capito	Heller	Roberts
Cassidy	Hoeben	Rounds
Collins	Hyde-Smith	Rubio
Corker	Inhofe	Sasse
Cornyn	Isakson	Scott
Cotton	Johnson	Shelby
Crapo	Kennedy	Sullivan
Cruz	Kyl	Thune
Daines	Lankford	Tillis
Enzi	Lee	Toomey
Ernst	McConnell	Wicker
Fischer	Moran	Young

NAYS—49

Baldwin	Cortez Masto	Hirono
Bennet	Donnelly	Jones
Blumenthal	Duckworth	Kaine
Booker	Durbin	King
Brown	Feinstein	Klobuchar
Cantwell	Gillibrand	Leahy
Cardin	Harris	Manchin
Carper	Hassan	Markey
Casey	Heinrich	McCaskill
Coons	Heitkamp	Menendez

Merkley	Schatz	Van Hollen
Murphy	Schumer	Warner
Murray	Shaheen	Warren
Nelson	Smith	Whitehouse
Peters	Stabenow	Wyden
Reed	Tester	
Sanders	Udall	

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

The Senator from North Carolina.

EXECUTIVE CALENDAR—MOTION TO PROCEED

Mr. BURR. Mr. President, I move to proceed to Executive Calendar No. 1111, Robert H. McMahon.

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 1111, the nomination of Robert H. McMahon, of Georgia, to be an Assistant Secretary of Defense.

The PRESIDING OFFICER. The Senator from Mississippi.

NOMINATION OF BRETT KAVANAUGH

Mrs. HYDE-SMITH. Mr. President, this is my first time to address this body. Senate tradition is for new Senators to observe, listen, and learn before delivering a maiden speech, but there is precedent, during matters of great importance and critical times for the future of our country, to make remarks prior to a maiden speech. I will reserve my maiden speech for a future date, but today I am compelled by duty to our country and the people of Mississippi to speak in strong and unyielding support for Judge Brett Kavanaugh.

The Constitution entrusts the Senate with the duty to provide the President the advice and consent for a lifetime appointment on the U.S. Supreme Court. It is a serious responsibility, but the process has devolved into a purely political effort by those who want to keep Judge Kavanaugh off the Court by destroying his reputation and his character.

I have had conversations with several colleagues who tell me they have never seen such chaos and hatred as we are witnessing in this confirmation process. The fact that accusations against Brett Kavanaugh were suspiciously withheld until the eleventh hour really is not surprising. We expected something, but we didn't know what it would be, and we never expected the opposition to stoop to this level.

Let me articulate what is going on here.

Judge Kavanaugh, who has gone through multiple background checks over the years, was unscathed by additional vetting, 31 hours of questioning under oath, and more than 1,200 written questions—all exceeding anything ever experienced by any Supreme Court nominee. When it became clear that Judge Kavanaugh had a clear path to

confirmation, the opposition chose to introduce accusations of alleged misconduct that have yet to be backed by verified facts or any evidence. It seems that in their desperation, knowing he was about to be confirmed with no obstacle stopping him, they panicked. In the past 2 weeks, when was the last time you heard talk of federalism or philosophy of jurisprudence? They lost the fight on the issues. They had to try something else—thus, these eleventh-hour accusations.

Now, I want to be clear. My heart breaks for victims of assault and abuse. It is an issue that must never be taken lightly. That is why unproven accusations are so very unjust.

Faced with these disturbing accusations, Judge Kavanaugh quickly and convincingly refuted them without mincing any words. Throughout this exhaustive process, he has been very straightforward in shooting down these allegations—all under the penalty of law. I believe Judge Kavanaugh when he says these humiliating events never happened—not three decades ago, not ever.

It seems that opponents of Judge Kavanaugh are engaged in character assassination to destroy the reputation of a devoted public servant and a loving husband and father. I for one will not stand by and just watch this happen. It is an honor to serve in this body, and our debates should strengthen the integrity of this institution, which the American people have a right to expect.

The confirmation process is not easy. It should be comprehensive, detailed, and allow nominees to prove their worthiness. It should not be malicious. It should not be intentionally destructive. It should not be a weapon to use against a qualified nominee whose life has been given in service to our country's laws, the judiciary, and the American people.

Judge Kavanaugh is such a nominee. I have met him and reviewed his impeccable record of service and integrity. He is a disciple of the rule of law and judicial restraint. He is a champion of the Constitution. He believes, as I do, that all Americans are equal before the law and the courts.

On behalf of all future nominees, I want to applaud Judge Kavanaugh for standing firm and not allowing these tactics to derail his process. It is time to bring Judge Kavanaugh's confirmation to a vote on the floor of the Senate. He has earned my support. I encourage my colleagues to support him as well.

I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

Mr. DAINES. Mr. President, I ask unanimous consent to engage in a colloquy with colleagues.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

LAND AND WATER CONSERVATION FUND

Mr. DAINES. Mr. President, I have come down to the floor today to dis-

cuss a very important issue to Montanans and to many of my colleagues in the Senate, and that is the Land and Water Conservation Fund, also known as LWCF. I am joined by friends and colleagues—in fact, by the Senator from North Carolina, Mr. BURR, and the Senator from Colorado, Mr. GARDNER—who know like me, firsthand, the importance of LWCF. Why we are here today is because in just a few short days—in fact, on September 30—this program is going to expire. Without any action from Congress, a program that is widely supported, provides more access to public lands, conserves our public landscapes, and—I think this is probably Senator BURR's favorite comment about LWCF—costs the taxpayers nothing—I bet you will hear that from him in a moment—is going to expire.

Of the many benefits provided by LCWF, the most important one to Montanans is making public lands accessible. In fact, I brought a few maps of Montana to show some of the challenges we have.

This map shows all the public lands in our State. Anything that is colored is a public land. That is Forest Service, BLM, national parks, wildlife refuges, and State trust land. As you can see, there is a lot of public land in Montana.

Our public lands help to drive a \$7 billion outdoor economy, create tens of thousands of jobs, and supply about \$300 million in State and local tax revenues. As an avid outdoorsman, myself, I know firsthand the importance of our public lands. In fact, in August, back home in Montana, my wife and I did a 25-mile backpack in the Beartooth Wilderness, fly fishing at lakes above 10,000 feet. That is my idea of a great weekend in Montana. But public lands out of public reach benefit no one.

This next map shows a portion of the eastern side of our State. In Montana, much of our public land is checkerboarded. You can see it a little better here because these checkerboards are sectioned. There are 640 acres in square miles. This means that each one of those yellow squares are inaccessible in many cases to Montanans.

This is BLM-owned public land, but despite being owned by the Federal Government, it cannot be accessed by the public. In fact, a recent study by the Teddy Roosevelt Conservation Partnership and onXmaps, a great Montana tech company, found that there are 1.52 million acres in Federal land in Montana alone that are inaccessible. I have the onXmaps app on my phone. If you are a hunter, fisherman, or outdoorsman in Montana, you oftentimes will have that app because it tells exactly where you are and where the lands are public and where the lands are private.

Let me put this in context about the inaccessibility of our lands. In Montana, we have more inaccessible public lands to the people than the entire State of Rhode Island—about the size of Delaware—all of which Montanans