

to, all in the interest of more delays, which provide more time for the unproven, uncorroborated smears on the character of the nominee and more pain and anguish for the family, who has to suffer along with the nominee and endure these malicious, false, and unproven allegations.

Where does it end? Well, it should end this week. The longer this goes on, you will find more attention seekers, more lawyers who want to see their name in lights or give media interviews and help their business, perhaps, I guess.

I think it is completely unfair that Judge Kavanaugh has been made into a pinata. Opponents to this nominee and the media are practically gleeful at taking another whack at him, completely oblivious to what they are putting this good man and his family and friends through.

I have always supported Judge Kavanaugh's nomination. I did when he was nominated to the DC Circuit Court of Appeals, and I do now because I know him to be an upstanding and well qualified individual.

I first met him back in the year 2000, as I mentioned, preparing for an argument before the U.S. Supreme Court, when I was Attorney General. I met Brett Kavanaugh because he was one of the best lawyers in Washington, DC, to help you get prepared to argue a case before the Supreme Court.

But it is not just my experience with Brett Kavanaugh. Everybody who has practiced with him has said that. Condoleezza Rice, the former Secretary of State, who worked with him at the Bush White House, has said that. Other law professors and law clerks have said that. Hundreds of women who know him have said that. We know he has a brilliant legal mind, and we know his good work over the last 12 years on the DC Circuit Court of Appeals. Many cases where he has written the opinion of the court have been adopted by the Supreme Court of the United States, essentially, as the law of the land.

How do we know he will exercise the kind of care, temperament, and fairness that we would expect of a member of the U.S. Supreme Court? Because he already has for the last 12 years. He will judge those before him fairly and carefully.

Judge Kavanaugh belongs on the Nation's highest bench, and by the end of this week, it will be time to put him there. Enough is enough.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. MORAN. Mr. President, I ask unanimous consent to speak as in morning business.

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

UNITED STATES-MEXICO-CANADA AGREEMENT

Mr. MORAN. Mr. President, I come to the floor this afternoon to speak about an announcement that occurred last night that an agreement had been reached to modernize the North America Free Trade Agreement. The new agreement, named the "United States-Mexico-Canada Agreement" or "USMCA," will bring this trade pact between our countries into the 21st century.

Over the last year and a half, I have been working with my colleagues and others in the administration to make clear to President Trump, Ambassador Lighthizer, Secretary Ross, and my Senate colleagues of the importance of trade and exports—whether that was in meetings with the President and his Cabinet officials, through my subcommittee chairmanships, through speeches here on the Senate floor, or with many of my constituents in Kansas whose livelihoods depend on trade.

I have written numerous letters to U.S. agricultural leaders and various agricultural organizations, followed up by speaking engagements across the country at the annual meetings of national farm and ranch groups to rally producers to fight to preserve trade relationships with Canada and Mexico.

I have spent a lot of time in Kansas at nearly 100 townhall meetings in the last 2 years attended by various agriculture and commodity groups.

I have talked to local media where folks are particularly interested at home about the issue of NAFTA and trade.

In each of these instances, I was clear that withdrawing from NAFTA without a replacement agreement would be devastating to the Kansas economy. While NAFTA modernization was due to reflect changes in the economy since its enactment almost 25 years ago, the agreement has been critical to growth in agricultural exports and has created countless manufacturing jobs in my State.

As a result of NAFTA, Canada and Mexico are two export markets that account for approximately 39 percent of total exports from Kansas. We, as Kansans, sell more aerospace parts and products to Canada than anywhere in the world and more food and commodities to Mexico than anywhere in the world.

Importantly, the new agreement includes all three countries. As I conveyed to the President when the bilateral U.S.-Mexico agreement was announced, a final deal without Canada would be a significant step backward from the agreement in place today. I applaud President Trump for taking these concerns seriously and, while engaging in tough negotiations, recognizing the benefit of all three nations being included in the final agreement.

The road ahead for this new agreement will not be easy. I am carefully reviewing the agreement's details and look forward to additional economic analysis on the impact it would have—

particularly on Kansas but on farmers, ranchers, and manufacturers across our country and, equally of importance, the impact upon their employees.

Once the President signs the agreement, it will be up to Congress to consider and vote to approve the U.S.-Mexico-Canada Agreement—most likely next year. However, today farmers and ranchers are breathing a sigh of relief, as the announcement brings greater certainty at a time when producers are facing extended periods of low commodity prices. Agricultural conditions in our State, due to drought and due to commodity prices and the uncertainty of export markets, are a significant challenge.

Simply put, we produce more in this country than we can consume. Farmers, agricultural leaders, and commodity groups spend their own time and money developing export markets. We have many checkoff programs designed to encourage the sale of agriculture commodities from Kansas and the United States around the globe. Over a span of years and sometimes even decades, U.S. producers have built relationships with customers around the world based upon our ability to consistently deliver high-quality commodities at competitive prices. This agreement ought to inspire confidence in our purchasers in Mexico and Canada, as well as around the world, that America will continue to be a reliable supplier of food and agricultural commodities.

Under the new agreement, all agricultural commodities that currently have duty-free access under NAFTA will continue. In addition, U.S. dairy producers who had a long, difficult time with Canada's supply management system will enjoy greater market access to the Canadian market.

A trilateral agreement is also critical for aerospace, auto, and other manufacturers in Kansas who rely on an integrated North American supply chain. Withdrawing from NAFTA or excluding Canada from the agreement would have disrupted markets and cost Kansas jobs.

I am hopeful that negotiations will continue with Canada and Mexico to resolve section 232 steel and aluminum tariffs that have raised prices for Kansas manufacturers and their customers, as well as resulted in retaliation against U.S. producers, including pork producers in Kansas.

While I come to the floor to commend an agreement being reached on modernizing NAFTA, we have a lot of work to do to resolve current trade disputes while building new export markets.

The trade dispute with China has harmed farmers and ranchers when they can least afford it. Producers have faced low prices and declining income for the better part of a decade. I remain concerned that if we lose major export markets, we will see a prolonged downturn in the prices instead of the recovery that is so desperately needed and desired.

Since the start of the trade dispute with China, soybean prices have fallen over \$2 per bushel, which equates to Kansas farmers and grain handlers losing out on \$378 million of possible revenue solely on soybeans.

Kansas is the top sorghum-producing State in the Nation. About half of the sorghum produced in the country is exported, with 90 percent of exports previously going to China. It is estimated that the decline in sorghum prices due to China's tariffs will result in about \$87 of lost revenue per acre planted in Kansas.

I have held two hearings to review the administration's trade policies in the Appropriations subcommittee that I chair—Commerce, Justice, Science—including a hearing with Ambassador Lighthizer. These hearings offered me and my colleagues the opportunity to express directly to the administration the importance of trade and for me to express the importance of trade to Kansas. As chairman of the CJS Subcommittee, I look forward to continuing to engage on the analysis and consideration of the U.S.-Mexico-Canada Agreement and other trade issues.

The ability of Kansans to make a living depends on the opportunity to sell around the world what we grow and produce and manufacture, and I will continue to urge in the direction of more trade, not less. I will also keep working to meet with farmers, ranchers, manufacturers, commodities groups, agricultural leaders, and organizations to make sure their voices are heard, and I will continue to be a component of the ongoing work to promote free and fair trade.

I end my remarks by noting my appreciation to the administration officials for working to make certain these markets remain available to Kansas farmers, ranchers, and manufacturers, providing them with some much needed certainty. I will further analyze the details of this agreement, but I am pleased to say that last night's announcement is clearly a positive development. I thank the administration for their pursuit of a better NAFTA agreement and a conclusion that includes all three countries.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. MORAN). Without objection, it is so ordered.

Ms. HIRONO. Mr. President, last week, the Senate Judiciary Committee heard testimony from Dr. Christine Blasey Ford and Judge Brett Kavanaugh about Dr. Ford's account of an attack on her by Judge Kavanaugh and a friend when they were all teenagers.

Dr. Ford acquitted herself with grace and courage in her recounting of the

terrifying experience that has had a lasting effect on her life.

In his own testimony, Judge Kavanaugh dropped the polite veneer he presented at his confirmation hearing when he complimented all of the Senators he had met with and had told the committee "the Supreme Court must never be viewed as a partisan institution." That was then. Last Thursday, he launched into a partisan political screed that contradicted everything he had ever professed to believe about the way judges should behave. He said: "This whole two-week effort has been a calculated and orchestrated political hit, fueled with apparent pent-up anger about President Trump and the 2016 election, a fear that has been unfairly stoked about my judicial record, revenge on behalf of the Clintons, and millions of dollars in money from outside left-wing opposition groups."

It reads like a fever dream, a paranoid fantasy. It is simply not true. It arguably violated the Code of Conduct for United States Judges that binds him as a sitting judge on the Federal appeals court for the DC Circuit.

Dr. Ford's own words undercut Judge Kavanaugh's assertion that a vast left-wing conspiracy is out to get him. In her deeply moving testimony, Dr. Ford said: "I thought it was my civic duty to relay the information I had about Mr. Kavanaugh's conduct so that those considering his nomination would know about this assault."

She went on: "My hope was that providing the information confidentially would be sufficient to allow the Senate to consider Mr. Kavanaugh's serious misconduct without having to make myself, my family, or anyone's family vulnerable to the personal attacks and invasions of privacy we have faced since my name became public."

Dr. Ford was trying to do her civic duty. She was not motivated by revenge on anyone's behalf. She had no part in any organized opposition. She was not fueled by pent-up anger or resentment. In deciding to come forward, Dr. Ford was just a person who thought that if she could only let the President know what Brett Kavanaugh did to her, he would choose someone else.

Yet Kavanaugh attacked and tried to turn Dr. Ford's honest effort into some sort of a dark, ugly ambush. At least he didn't accuse Dr. Ford of being part of the alleged conspiracy that sought to derail his nomination. In fact, when Senator BOOKER asked Judge Kavanaugh if he blamed Dr. Ford for a coordinated effort against him, Judge Kavanaugh said he bore Dr. Ford no ill will and that people in the hearing room, not Dr. Ford, were against him.

We all saw something about Judge Kavanaugh's temperament and character that day that should disqualify him from serving on the Supreme Court of the United States. He was angry. He was belligerent. He was partisan. He went on the attack against the Senators who were questioning him.

These are not qualities we look for in a Supreme Court Justice or in a judge for that matter. But don't take it from me; listen to Judge Kavanaugh himself. In 2016, in the Catholic University Law Review, he wrote about the importance of judges steering clear of politics. He told his readers that "a good judge, like a good umpire, cannot act as a partisan." He said that while it is good for some judges to come with a background in politics or policy, "federal judges have to check any prior political allegiances at the door. You have to shed them." Based on Judge Kavanaugh's testimony last week, it certainly doesn't sound like he has shed his partisan convictions and connections.

In the same law review article, Judge Kavanaugh wrote:

To be a good judge and a good umpire, it's critical to have the proper demeanor. It's important to . . . keep our emotions in check and be calm amidst the storm.

He is not wrong. Indeed, the Code of Conduct for United States Judges backs him up.

Canon 2 of the code reads:

A Judge Should Avoid Impropriety and the Appearance of Impropriety in All Activities. . . . A judge should respect and comply with the law and should act at all times in a manner that promotes public confidence in the integrity and impartiality of the judiciary.

It further explains in commentary:

An appearance of impropriety occurs when reasonable minds . . . would conclude that the judge's honesty, integrity, impartiality, temperament, or fitness to serve as a judge is impaired. Public confidence in the judiciary is eroded by irresponsible or improper conduct by judges.

Canon 3 explains that "a judge should be faithful to, and maintain professional competence in, the law and should not be swayed by partisan interests, public clamor, or fear of criticism."

We need to consider the rules and norms that argue against the kind of intemperate behavior we saw from Judge Kavanaugh because of the allegations brought against him by several sources, all of which deserve a full and fair investigation by the FBI.

I was heartened to see Senators FLAKE and COONS both in agreement to hold off on a floor vote for at least a week while the supplemental background investigation can be completed to look into these allegations. Since the agreement, questions have arisen about the exact nature of that investigation. Is it limited? If so, how? Will all leads be followed, or will the FBI be hamstrung in some way by instructions from the White House?

In the ensuing firestorm, there has been a lot of debate about whether the FBI investigation will be credible and professional and not a perfunctory effort. There are some indications now that the FBI will be allowed to do its job. I hope that will be the case. I expect the FBI to exhaust all possible avenues of investigation that are relevant as to whether Judge Kavanaugh had a pattern of drinking that resulted

in aggression and belligerence toward women.

Some have said that Judge Kavanaugh deserves the benefit of the doubt and that unless Dr. Ford's account can be proven, he should be confirmed, but that confuses the issue. No one is entitled to be on the Supreme Court. The burden should be on Judge Kavanaugh to show he is fit for the job.

Now the Republicans' hired gun prosecutor, whom they hid behind while Dr. Ford was questioned, has published a memo in which she concludes that she could not bring a case based on the evidence heard at the second hearing. Frankly, this conclusion is meaningless. I am sure that in her previous job as a specialist in sex crimes, she would never have proceeded to a trial before an investigation, and she would not have excluded key witnesses. There was no investigation. Key witnesses were not called. I hope this is not the way she would prepare a case.

I have said many times that Democrats didn't need to manufacture reasons to oppose Judge Kavanaugh's elevation to the Supreme Court. Based on his record, his opinions and dissents, his academic writings, and his speeches, I have concluded that he will not be a fair and objective Justice of the Supreme Court. His views on reproductive rights, Native rights, on legal protections for workers, consumers, and the environment, not to mention his very broad views of Presidential protections, are all of deep concern to me.

Now that we have heard Dr. Ford's account and have seen Judge Kavanaugh's angry and combative reaction, it is evident that he should not serve and should not be confirmed to the Supreme Court. We can do better, and the American people deserve better.

I yield the floor.

SPORTS MEDICINE LICENSURE CLARITY ACT OF 2017

The PRESIDING OFFICER. Under the previous order, as in legislative session, the Senate will resume consideration of the House message to accompany H.R. 302, which the clerk will report.

The legislative clerk read as follows:

House message to accompany H.R. 302, a bill to provide protections for certain sports medicine professionals who provide certain medical services in a secondary State.

Pending:

McConnell motion to concur in the amendment of the House to the amendment of the Senate to the bill.

McConnell motion to concur in the amendment of the House to the amendment of the Senate to the bill, with McConnell amendment No. 4026 (to the motion to concur in the amendment of the House to the amendment of the Senate), to change the enactment date.

McConnell amendment No. 4027 (to amendment No. 4026), of a perfecting nature.

McConnell motion to refer the House message to accompany the bill to the Committee on Commerce, Science, and Transportation,

with instructions, McConnell amendment No. 4028, to change the enactment date.

McConnell amendment No. 4029 (the instructions (amendment No. 4028) of the motion to refer), of a perfecting nature.

McConnell amendment No. 4030 (to amendment No. 4029), of a perfecting nature.

The PRESIDING OFFICER. The Senator from Nevada.

LAS VEGAS MASS SHOOTING

Ms. CORTEZ MASTO. Mr. President, 1 year has passed since 58 lives were cut short at the Route 91 Harvest Music Festival. Those wounded and killed that night had come together to have fun, to relax, and to celebrate their love of country music with their friends and families in my hometown of Las Vegas. Instead of a celebration, terror rained down on them that night.

As Nevadans woke up to the news of what happened, many like me were shocked and heartbroken. We asked, how could this happen?

I will never forget going to the family reunification center, where families were looking for their loved ones or were waiting for calls from the coroner, and I will never forget the parents I spoke to moments before their learning that their daughter, Melissa, didn't make it.

In the weeks following the 1 October massacre, Las Vegas demonstrated that we are a tight-knit family who rallies together in times of need. We heard stories of incredible bravery at the scene of the attack—a husband who died to protect his wife on the night they were celebrating their 23rd wedding anniversary; a former marine who turned a truck into a makeshift ambulance and drove more than two dozen people to the hospital; a couple who provided CPR to victims as bullets rained down; a mother who went into mamma bear mode and used her body as a shield to protect her children; hundreds of concert-goers who risked their lives while carrying fellow concert-goers to safety.

All of our firefighters and police officers in Southern Nevada, including the Las Vegas Metropolitan Police Department, the Clark County School District Police, the Las Vegas Fire Department, and the Clark County Fire Department, deserve our utmost thanks for their bravery on the night of the attack. They, along with American Medical Response, MedicWest Ambulance, Community Ambulance, the University Medical Center, Sunrise Hospital and Medical Center, the Valley Health System, Dignity Health, and all of the first responders in Southern Nevada, went above and beyond the call of duty.

On October 1, many of these brave men and women ran toward the bullets, putting their lives in grave danger because they knew it was the only way to save people in need. Nurses and doctors worked all through the night, not just on October 1 but for months afterward to care for the wounded.

Before dawn had even broken on October 2, people in Las Vegas, Reno, and

throughout the State had formed lines at blood banks. Many of the lines were so long they stretched out the door and around the block. The staff at United Blood Services worked tirelessly to process the donations and get the blood supply to our area hospitals.

In the weeks that followed, Las Vegas held candlelight vigils. They donated food, coffee, water, and blankets to help the survivors and the victims' families. They constructed beautiful memorials that still stand as a testament to those taken and to provide healing to every person impacted by events of that night.

The Red Cross and the Department of Veterans Affairs stepped in to bring mobile units to our hospitals.

The FBI and the Nevada Victims of Crime Program helped grieving families secure funds to cover funeral and travel costs.

Our military community stepped in to provide critical support as well. Airmen from Nellis Air Force Base were present at the concert on the night of the shooting and helped evacuate attendees. Nellis medical professionals treated victims and helped saved lives while the military spouse community collected basic necessities for the survivors and the victims' families.

Providers at the Las Vegas-based Behavioral Bilingual Services were instrumental in addressing immigration and language barriers for so many immigrant survivors.

The Clark County staff at the Vegas Strong Resiliency Center has been there for survivors every step of the way, advocating on their behalf and helping them find new jobs, getting them compensation for lost wages, and getting them the mental health care they need.

Airlines like Allegiant and Southwest and medical providers like Valley Health Systems, Medic West, and American Medical Response helped defray costs for the victims and their families.

St. Rose Dominican Hospitals said that they would not bill or require payment from any of the victims they treated, and United Health waived cost-sharing for victims so that they could get treatment for months after the tragedy with no out-of-pocket costs.

The generosity didn't end there. People from all over the world donated more than \$31 million to pay for basic necessities, medical bills, and funeral costs for the victims and their families.

One year has passed since the events of October 1, 2017. I know for many in our community of Las Vegas, and for the hundreds of survivors, it feels as though they have been forgotten, but please know—please know—the survivors and those who were taken will never be forgotten.

We will always hold the names and stories of everyone affected by this tragedy in our hearts and in our minds. In Las Vegas, we are still healing. We