

(4) encourages dissemination of information regarding the Holodomor of 1932–1933 in order to expand the world's knowledge of this manmade tragedy; and

(5) supports the continuing efforts of the people of Ukraine to work toward ensuring democratic principles, a free-market economy, and full respect for human rights, in order to enable Ukraine to achieve its potential as an important strategic partner of the United States in that region of the world, and to reflect the will of its people.

**EXPRESSING THE SENSE OF THE SENATE REGARDING THE 6888TH CENTRAL POSTAL DIRECTORY BATTALION AND CELEBRATING BLACK HISTORY MONTH**

Mr. SULLIVAN. Mr. President, I ask unanimous consent that the Armed Services Committee be discharged from further consideration and the Senate now proceed to S. Res. 412.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 412) expressing the sense of the Senate regarding the 6888th Central Postal Directory Battalion and celebrating Black History Month.

There being no objection, the Senate proceeded to consider the resolution.

Mr. SULLIVAN. Mr. President, I ask unanimous consent that the resolution be agreed to; that the preamble be agreed to; and that the motions to reconsider be considered made and laid upon the table.

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

The resolution (S. Res. 412) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of February 15, 2018 under "Submitted Resolutions.")

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

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

The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

(Mr. GARDNER assumed the chair.)

The PRESIDING OFFICER (Mr. SCOTT). The Senator from Nebraska.

Mr. SASSE. 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 President, I ask unanimous consent that the order for the quorum call be rescinded.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. SASSE. Mr. President, I rise to say in public today what I have been discussing with many individual Nebraskans over the last 17 days about the "me too." movement, the important "me too." movement, about a nation that is accelerating our descent into tribalism and about our continuing decline here in the Senate as a deliberative body—or as a Nebraska woman put it a little more bluntly to

me 2 nights ago: What the hell is happening in my country?

One part of the answer to her urgent question is that the Senate is being swallowed whole by 24/7 cable news, and that inclination—that temptation—probably just can't be reconciled with being a great deliberative body. Doing reality TV and wrestling with big, hard, complicated, long-term problems are just fundamentally different things.

I am not here tonight to talk about the Supreme Court confirmation votes that we will probably be taking this weekend. I am here to talk about the nasty process we have been navigating over the past 86 days and about the false choices some people are claiming stand before us and about where we in the Senate will go next week, next month, and next year after that vote.

I am not here to talk about how fundamentally broken the Senate Judiciary Committee is or how absurd it is to think that the problems in our committee structures are going to be solved by preening and grandstanding Senators looking for sound bites, although both of those things are obviously true.

No, I am here to talk tonight about the false choice that is being repeated hour after hour after hour on television that this confirmation vote about one vacant seat on the Supreme Court—in that vote we are somehow going to be making a giant binary choice about the much broader issue of whether we do or don't care about women. That is simply not true. That is not what we are doing this weekend.

Fortunately, many Nebraskans the last 2 weekends when I have been home have been much more nuanced than the kind of screaming we hear on battling cable news channels.

A Supreme Court confirmation vote isn't a grand choice about whether we love our daughters or whether we trust our sons. That is not the choice before us. This is a consent decision about one person for one seat.

Again, I am not here to talk tonight about the particular vote. There is lots of lobbying going on around this body right now. I am not here to talk about that particular vote. But I will say that I have spent more than 150 hours at this point reviewing documents and in hearings and consulting investigators and experts related to this confirmation.

Moreover, I will also say that although I have said many complimentary things about Judge Brett Kavanaugh and his distinguished record of 12 years of service on the DC Circuit Court, I will say that I urged the President back in June and early July to make a different choice before he announced this nomination. I urged him to nominate a different individual. I urged the President to nominate a woman.

Part of my argument then was that the very important "me too." movement was also very new and that this

Senate is not at all well prepared to handle potential allegations of sexual harassment and assault that might have come forward, absent knowing a particular nominee.

Let me be clear. There is some academic literature that suggests that very few allegations of sexual assault in the broader culture are fabricated. Or stated conversely, the hefty majority of allegations of sexual assault in our broader culture are probably true.

But in politics, in this city, a place filled with politicians who constantly believe that the end justifies the means, that situation might well have been different, I argued in June. So in the interest of cautious prudence, I urged a different path than the one that was chosen. But so what?

Once the decision was made, once the President made his nomination, that meant that the work the Senate needed to do was to evaluate the specific evidence and claims about the specific individual who was on the floor before us.

But we are being told now that our vote isn't about a specific individual, a specific seat, or specific evidence; rather, we are being told that the choice before us in this confirmation is a much broader choice about whether we do or don't care about women.

If you turn on cable news or if you open up social media—and I highly recommend against both of those things in times like this; for the last 2½ weeks I have stayed clear almost entirely of those two ugly places, and it is been good for my soul. But what you hear if you turn on cable or if you look at social media is this: Pick a side. It is good versus evil. Everything is immediate. Everything is certain. There is no doubt. There is no gray. There are only tribes of Hatfields and McCoys, Israelis and Palestinians—a world of generational hatred without end. There is no listening, no understanding, no empathy, no possibility that perhaps, just maybe in a broken world, violence, pain, and shame are all too real. Perhaps trying to make angels and devils out of your fellow countrymen and women is not the most useful way for us to try to make sense of the world. Everything might not be black-and-white simple.

We regularly seem—in this body and in the politicized culture that we are trying to serve on cable news—to lack any awareness of the possibility that maybe, just maybe, constant, instant certainty about political battle lines might not be a good way to go forward. We might be undermining rather than building a better world for our kids.

Well, I don't believe this is what most Americans want. I don't believe most Americans are political addicts. I don't believe most Americans trust us in this institution. I don't believe most Americans want our political class to be our leaders right now. I don't believe most Americans want to see each and every question, each and every sphere of life, each and every institution across the land politicized.

I think most Americans are a lot more like my wife, who called me last week from Nebraska sobbing after both opening statements on Thursday. What we saw and heard during last Thursday's eight grotesquely public hours were two different families hurting badly—two families. The Ford family and the Kavanaugh family, both of them homes with children, have been the recipients of constant death threats, and for what? For one seat on the Supreme Court? We know this isn't about that when people are threatening death. This is about tribe.

One of the two families can't let their girls go out alone now. The other family has been forced to move from their home. In both Northern California and suburban Maryland, there are extra folks being hired in the important work of protection and security detail, a part of our economy that we don't want to grow and that is indisputably growing in our time. This isn't right.

We saw people having to grapple with the brokenness and the sinfulness of a fallen world. But they were not just grappling with it. They were grappling with the nastiness East of Eden in realtime on television as a kind of politainment art.

No one really thinks that our body politic is going to get any healthier by giving more oxygen to the one-man clown show that is Michael Avenatti. But do you know what? Not being down with the circus is not the same thing as being indifferent to the complexities of the "me too." movement. I believe we have a widespread legacy of sexual assault in this country. I believe we don't have much of a shared sexual ethic right now, and we haven't for quite some time, and I think that horrible stuff has happened and continues to happen.

I have wept with the victims of sexual assault, and I believe the advocacy groups' data that between one-fifth and one-third of American women have been sexually assaulted at some point in their lives. Given that most women have many other important women in their lives—a mom, and a daughter, sisters, and a couple of close friends—it means the overwhelming majority of American women have been deeply affected, deeply hurt by the tragedy of sexual violence.

I have had two dear, dear friends who have been raped, and it is an act from the pit of hell. People, men and women, are created in the image of God—Imago Dei, we say in Christianity. Sexuality is a deep and precious gift. It is an intimacy; it is a oneness that is to be shared and given—never taken. Sex is big, not small, and you don't get to decide it for someone else.

The "me too." movement is a complicated movement, but it has been a very good thing. Far too often, many girls and women have been told that they are meat. They have been told this in word and in deed—that they are parts to be consumed rather than God's

children to be cherished and respected and partnered with.

Caitlin Flanagan of *The Atlantic*, one of the most profound writers on sexuality in our time, wrote recently about a horrible experience she endured during her senior year of high school on Long Island. She was the victim of an attempted date rape, and she contemplated suicide in its aftermath. She struggled in school, and she doubted her worth and value.

After she struggled against this boy trying to violently force himself on her for many scary minutes, he finally gave up and just decided to restart the car. They drove away from that deserted beach in silence.

Listen to her words. She writes:

I told no one. In my mind, this was not an example of male aggression used against a girl to extract sex from her. In my mind, this was an example of how undesirable I was. This was proof that I was not the kind of girl you took to parties, or the kind of girl you wanted to get to know. I was the kind of girl you took to a deserted parking lot and tried to make give you sex. Telling someone would not be revealing what he had done; it would be revealing how deserving I was of that kind of treatment.

Hear what she is saying here. This precious young girl was hearing in her sexual assault that there must be something wrong with her, that she is the kind of girl only worth being groped. She is not worth being taken to dinner or engaged in conversation as if she has a mind. If that doesn't make you cry, there is something wrong with you.

And now-adult Mrs. Flanagan continues:

My depression quickly escalated to a point where, if I had been evaluated by a psychiatrist, I would probably have been institutionalized as a danger to myself. I had plans for how I was going to kill myself. I managed to make a few friends, who introduced me to acid, which was no help with the depression. I sat in classes in a blank state except for English. ("To the girl about whom I will someday say, 'I knew her when,'" my English teacher wrote in that yearbook, words that stunned me when I first read them, and that I have never forgotten.)

What a blessing to have had that kind of teacher, someone who proclaimed to Flanagan her dignity and her worth, who shouted meaning into her soul.

Our culture has been living through an epidemic of sexual assaults, and these attacks on girls' worth, on women's worth, need to be grappled with. They need a reckoning. What we are dealing with here is horrible physically, but it is more than that. What we are dealing with—we are dealing with something that has a spiritual level as well.

My view is that the "me too." movement is going to make some mistakes. It is going to have some excesses. But overall, it has been an important and a needed development. A whole lot of brave women have stepped forward, and they have exposed their abusers who have been some of the most powerful men in Hollywood and media and cor-

porate America and elsewhere. These women did this at unthinkable professional and personal risk. They deserve our respect. They also deserve not to have their progress co-opted by the cynics who run this town. Their stories are not fodder for fundraising emails. The "me too." movement doesn't belong to the left or the right; the "me too." movement belongs to the women who have found in it an inspiration to step forward and confront the people who hurt them.

I have two daughters, and, God forbid, in the event that something ever happened to one of them, I want them to feel like they could come forward knowing that their accusations will be taken seriously, that they wouldn't be dismissed or vilified for speaking up, that they wouldn't be ashamed or blamed.

We all know that the President cannot lead us through this time. We know that he is dispositionally unable to restrain his impulse to divide us. His mockery of Dr. Ford last night in Mississippi was wrong, but it doesn't really surprise anyone. That is who he is.

Similarly, it was wrong last week when he said that "if the attack on Dr. Ford was as bad as she says, charges would have been immediately filed with local Law Enforcement Authorities." It is wrong when people insinuate that a woman bears blame for her sexual assault because she was drunk. This reinforces the stereotypes that have caused millions of women to bury their experiences of abuse and assault for decades. This kind of repugnant nonsense creates excuses for abusers. Just because a woman drinks or even if she drinks too much does not make her body or her sexuality any less her own, and I don't want anyone telling those poisonous lies to my daughters.

I also have a son, and in the event that, God forbid, he is accused of a crime, I hope that he is presumed innocent and that he is permitted to exercise his right to defend himself. I think there are a whole lot of parents out there who think the same thing. I don't just think this; I know this because I have taken the calls from Nebraska moms who say just this. We want this not because of our politics; we want this because we believe that girls and boys, women and men, daughters and sons are created with dignity and worth.

This is not about choosing between believing our daughters and protecting our sons. That choice is false. But do you know what my constituents back in Nebraska told me this weekend they think this is now about? They think it is about us. They think it is about all of us in this town being addicted to the circus. They don't think very many of us are interested in truth; they think we are interested in political instrumentality. They think we are interested in exploiting differences and divisions in America because we are addicted to short-term power in a city that isn't worthy of much respect.

In closing, let me read one more note from another Nebraska woman this week. This actually came in last Friday.

I was angry at yesterday's hearing—angry that something as important as a conversation about the victimization of a woman at the hands of a man became just another move in a game of partisan chess. But I'm also deeply troubled. Troubled that the painful memories shared by Dr. Ford in that hearing. Troubled by the painful memories it evoked in women across our country who have suffered sexual violence. Troubled by the fact that this violence comes at the hands of men. I'm deeply saddened by this violence committed at the hands of men. I just can't comprehend it. I weep for our sons and daughters that it exists in our fallen world.

To those victims for whom yesterday's hearing brought fresh pain, I am so sorry that a political circus opened these wounds anew. Sorry that this abomination of humanity was ever experienced at all.

She continues:

Senator, I want you to vote to confirm Brett Kavanaugh, but I also worry that vote might be heard as a reflection on the validity of other women's experience. I worry that pundits are going to tell women that. I am tired of women's stories just being used for politicians' ends. I'm tired of women being used and discarded. Women's pain isn't supposed to be a political football.

She is obviously right.

The "me too." movement doesn't belong to politicians. The "me too." movement has elevated our consciousness and awareness of sexual assault and sexual violence against women. We must not give back the important ground gained in this movement by authorizing this media circus to stand in for generations of stories of tragic pain. And no matter how much cable news screams this, it would be an egregious offense against the cause of women to call this one up-or-down vote a proxy for the validation and validity of claims of sexual violence. We can do better than that, and we must do better if we are actually going to care about women and if we are going to serve our constituents in this body.

Thank you, Mr. President.

The PRESIDING OFFICER. The majority leader.

Mr. McCONNELL. Mr. President, this evening, the Senate will receive the results of the FBI supplemental back-

ground investigation of Judge Brett Kavanaugh.

This is now the seventh time the FBI has looked into Judge Kavanaugh's background, and this information comes on top of what has already been one of the most thorough and exhaustive Senate reviews of any Supreme Court nominee in the entire history of our country: Five days of public hearings, 65 private meetings with Senators, more than 1,200 responses to written questions from Members, more than 500,000 pages of documents were reviewed—the most produced for any Supreme Court nomination in our history—and the 300-plus opinions Judge Kavanaugh has issued during his 12 years on the DC Circuit.

And now, Senators will have the evidence collected by this additional background investigation for their consideration as well.

Members will have the opportunity to review investigators' records, and as is the standard procedure, designated Judiciary Committee staff members with the required clearances will be authorized to brief Members.

There will be plenty of time for Members to review and be briefed on the supplemental material before a Friday cloture vote. So I am filing cloture on Judge Kavanaugh's nomination this evening so the process can move forward, as I indicated earlier this week.

Mr. McCONNELL. Mr. President, what is the pending business?

The PRESIDING OFFICER. The nomination of Brett M. Kavanaugh to be an Associate Justice of the Supreme Court.

#### CLOTURE MOTION

Mr. McCONNELL. Mr. President, I send a cloture motion to the desk for the Kavanaugh nomination.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the nomination.

The 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 Brett M. Kavanaugh, of Maryland, to be an Associate Justice of the Supreme Court of the United States.

Mitch McConnell, Orrin G. Hatch, Thom Tillis, Roger F. Wicker, Tim Scott, Deb Fischer, Roy Blunt, Cindy Hyde-Smith, John Cornyn, Johnny Isakson, Lamar Alexander, John Boozman, Joni Ernst, Mike Crapo, John Thune, John Barasso, Pat Roberts.

#### LEGISLATIVE SESSION

#### MORNING BUSINESS

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to legislative session for a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

#### ORDERS FOR THURSDAY, OCTOBER 4, 2018

Mr. McCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 11 a.m., Thursday, October 4; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; finally, that following leader remarks, the Senate proceed to executive session to resume consideration of the Kavanaugh nomination.

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

#### ADJOURNMENT UNTIL 11 A.M. TOMORROW

Mr. McCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 9:55 p.m., adjourned until Thursday, October 4, 2018, at 11 a.m.