

what the senior Senator from Maine said: "It is when passions are most inflamed that fairness is most in jeopardy." She said, "when passions are most inflamed" is when "fairness is most in jeopardy."

We all know that the events of recent weeks have strained the country's comity and fanned the flames of partisan discord. But, even more critically, our very commitment to the basic principles of fairness and justice is also being tested. The basic principles of fairness and justice are being tested right here.

A vote to confirm Judge Kavanaugh today is also a vote to send a clear message about what the Senate is.

This is an institution where the evidence and the facts matter. This is an institution where the evidence and the facts matter. This is a Chamber in which the politics of intimidation and personal destruction do not win the day.

This is the body whose Members themselves uphold the same commitment to American justice that we seek in the judges we examine.

A vote to confirm Judge Kavanaugh today is a vote to end this brief, dark chapter in the Senate's history and to turn the page toward a brighter tomorrow.

The Chamber we are privileged to occupy is often called the world's greatest deliberative body for good reason. We are called the world's greatest deliberative body for a good reason. When the rubber meets the road, when the hour is critical, when a historic precedent needs to be set, the U.S. Senate most often finds its way to doing what is right.

Today, we can honor that history. We can vote to turn away from the darkness. We can vote to set a precedent about fairness and judgment that will define this body for the better. We can vote to confirm an excellent Supreme Court Justice who will make the Senate and the American people proud.

I yield the floor.

The VICE PRESIDENT. As a reminder to our guests in the Galleries, expressions of approval or disapproval are not permitted in the Senate Gallery.

Under the previous order, all postcloture time has expired.

The question is, Will the Senate advise and consent to the nomination of Brett M. Kavanaugh, of Maryland, to be an Associate Justice of the Supreme Court of the United States?

Mr. GRASSLEY. Mr. President, I ask for the yeas and nays.

The VICE PRESIDENT. Is there a sufficient second?

There appears to be a sufficient second.

(Disturbance in the Visitors' Gallery.)

The VICE PRESIDENT. The Sergeant at Arms will restore order in the Senate.

The clerk will call the roll.

The VICE PRESIDENT. Are there any other Senators in the Chamber desiring to vote?

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Montana (Mr. DAINES).

Further, if present and voting, the Senator from Montana (Mr. DAINES) would have voted "yea."

The result was announced—yeas 50, nays 48, as follows:

[Rollcall Vote No. 223 Ex.]  
YEAS—50

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

NAYS—48

Baldwin	Harris	Nelson
Bennet	Hassan	Peters
Blumenthal	Heinrich	Reed
Booker	Heitkamp	Sanders
Brown	Hirono	Schatz
Cantwell	Jones	Schumer
Cardin	Kaine	Shaheen
Carper	King	Smith
Casey	Klobuchar	Stabenow
Coons	Leahy	Tester
Cortez Masto	Markley	Udall
Donnelly	McCaskill	Van Hollen
Duckworth	Menendez	Warner
Durbin	Merkley	Warren
Feinstein	Murphy	Whitehouse
Gillibrand	Murray	Wyden

NOT VOTING—1

Daines

The nomination was confirmed.  
(Disturbance in the Visitors' Galleries.)

The VICE PRESIDENT. The Sergeant at Arms will restore order in the Gallery.

The clerk may resume.

(Disturbance in the Visitors' Galleries.)

The VICE PRESIDENT. The Sergeant at Arms will restore order in the Gallery.

The clerk will continue.

(Disturbance in the Visitors' Galleries.)

The VICE PRESIDENT. The Sergeant at Arms will restore order in the Gallery.

The clerk may continue.

Ms. MURKOWSKI. Mr. President, my friend, the Senator from Montana, Senator DAINES who is walking his daughter down the aisle this afternoon, if he were present and voting, he would have voted aye. I have voted no. The pair will not change the outcome of the vote. I therefore withdraw my vote.

The VICE PRESIDENT. The Senator has that right.

Mr. CARPER. Mr. President, how am I recorded?

The VICE PRESIDENT. The Senator is not recorded.

Mr. CARPER. Carper votes no.

The VICE PRESIDENT. As a reminder to our guests in the gallery, expressions of approval or disapproval are not permitted in the Senate gallery.

On this vote, the ayes are 50, the nays are 48. The nomination of Brett M. Kavanaugh, of Maryland, to be an Associate Justice of the Supreme Court of the United States, is confirmed.

The majority leader.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the motion to reconsider be considered made and laid upon the table, and the President be immediately notified of the Senate's action.

(Disturbance in the Visitors' Galleries.)

The VICE PRESIDENT. Without objection, it is so ordered.

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

(Disturbance in the Visitors' Galleries.)

The VICE PRESIDENT. The Sergeant at Arms will restore order in the Gallery.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

(Disturbance in the Visitors' Galleries.)

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.

#### LEGISLATIVE SESSION

Mr. McCONNELL. Mr. President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

DESIGNATING THE U.S. COURT-HOUSE AT 300 SOUTH FOURTH STREET IN MINNEAPOLIS, MINNESOTA, AS THE "DIANA E. MURPHY UNITED STATES COURTHOUSE"

Mr. McCONNELL. Mr. President, I understand that the Senate has received a message from the House to accompany S. 3021.

The PRESIDING OFFICER. The majority leader is correct.

Mr. McCONNELL. I ask that the Chair lay before the Senate the message to accompany S. 3021.

The Presiding Officer laid before the Senate the following message from the House of Representatives:

*Resolved*, that the bill from Senate (S. 3021) entitled "An act to designate the United States courthouse located at 300 South Fourth Street in Minneapolis, Minnesota, as the 'Diana E. Murphy United States Courthouse.'", do pass with the following amendments.

#### MOTION TO CONCUR

Mr. McCONNELL. Mr. President, I move to concur in the House amendments.

The PRESIDING OFFICER. The motion is pending.

#### CLOTURE MOTION

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

The PRESIDING OFFICER. The cloture motion having been presented

under rule XXII, the Chair directs the clerk to read the motion.

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 motion to concur in the House amendments to S. 3021, an act to designate the United States courthouse located at 300 South Fourth Street in Minneapolis, Minnesota, as the "Diana E. Murphy United States Courthouse".

Mitch McConnell, Chuck Grassley, John Boozman, Roy Blunt, Deb Fischer, Todd Young, James Lankford, Susan M. Collins, Richard C. Shelby, Jon Kyl, John Thune, Pat Roberts, Orrin G. Hatch, Marco Rubio, John Barrasso, Roger F. Wicker, John Hoeven.

MOTION TO CONCUR WITH AMENDMENT NO. 4048

Mr. McCONNELL. Mr. President, I move to concur in the House amendment with a further amendment.

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. McCONNELL] moves to concur in the House amendment to S. 3021 with an amendment numbered 4048.

Mr. McCONNELL. I ask unanimous consent that the reading be dispensed with.

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

The amendment is as follows:

At the end add the following.

"This Act shall take effect 1 day after the date of enactment."

Mr. McCONNELL. I ask for the yeas and nays on the amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays are ordered.

AMENDMENT NO. 4049 TO AMENDMENT NO. 4048

Mr. McCONNELL. I have a second-degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report the amendment.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. McCONNELL] proposes an amendment numbered 4049 to amendment No. 4048.

Mr. McCONNELL. I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment (No. 4049) is as follows:

Strike "1 day" and insert "2 days"

MOTION TO REFER WITH AMENDMENT NO. 4050

Mr. McCONNELL. Mr. President, I move to refer the House message on S. 3021 to the Committee on Environment and Public Works, with instructions to report back forthwith.

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. McCONNELL] moves to refer the House message to

accompany S. 3021 to the Committee on Environment and Public Works with instructions to report back forthwith with instructions, being amendment No. 4050.

The amendment is as follows:

At the end add the following.

"This Act shall take effect 3 days after the date of enactment."

Mr. McCONNELL. I ask for the yeas and nays on my motion.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 4051

Mr. McCONNELL. I have an amendment to the instructions.

The PRESIDING OFFICER. The clerk will report the amendment.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. McCONNELL] proposes an amendment numbered 4051 to the instructions of the motion to refer.

Mr. McCONNELL. I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

Strike "3 days" and insert "4 days"

Mr. McCONNELL. I ask for the yeas and nays on my amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 4052 TO AMENDMENT NO. 4051

Mr. McCONNELL. Mr. President, I have a second-degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. McCONNELL] proposes an amendment numbered 4052 to Amendment No. 4051.

The amendment is as follows:

Strike "4" and insert "5"

Mr. McCONNELL. I ask that the reading of the amendment be dispensed with.

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

Mr. McCONNELL. I ask that the mandatory quorum call be waived.

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

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. McCONNELL. Mr. President, I move to proceed to executive session to consider Calendar No. 640.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Jeffrey Bossert

Clark, of Virginia, to be an Assistant Attorney General.

CLOTURE MOTION

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

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

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 Jeffrey Bossert Clark, of Virginia, to be an Assistant Attorney General.

Mitch McConnell, James Lankford, John Hoeven, James M. Inhofe, Johnny Isakson, David Perdue, John Cornyn, Steve Daines, John Barrasso, Mike Rounds, Thom Tillis, Lamar Alexander, James E. Risch, Jeff Flake, Richard Burr, Roy Blunt, Deb Fischer.

LEGISLATIVE SESSION

Mr. McCONNELL. Mr. President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. McCONNELL. Mr. President, I move to proceed to executive session to consider Calendar No. 641.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Eric S. Dreiband, of Maryland, to be an Assistant Attorney General.

CLOTURE MOTION

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

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

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 Eric S. Dreiband, of Maryland, to be an Assistant Attorney General.

Mitch McConnell, James Lankford, John Hoeven, James M. Inhofe, Johnny Isakson, David Perdue, John Cornyn, Steve Daines, John Barrasso, Mike Rounds, Thom Tillis, Lamar Alexander, James E. Risch, Jeff Flake, Richard Burr, Roy Blunt, Deb Fischer.

LEGISLATIVE SESSION

Mr. McCONNELL. Mr. President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion.