are civil in court and have a respectful demeanor, you will usually hear the same things about that person from everyone.

These are the types of people who should be Federal judges: people who treat everyone fairly and with respect, who are smart, who are fair, and who follow the facts to get a just result.

After reviewing Mr. VanDyke's record and meeting with him privately and watching his testimony before the Judiciary Committee yesterday, I have arrived at the determination that Mr. VanDyke does not fit that mold.

Mr. VanDyke spent a lot of time in our meeting talking about how the role of a Federal judge is simply to apply the law and not to try to change it. His record clearly shows otherwise.

How do we know this? Because before coming to Nevada, Mr. VanDyke worked for the Montana attorney general. Many of his emails from that time are public. They show he used that government office, where his job was to defend the laws of Montana—instead, what he chose to do is advance his own personal ideological agenda, even when it was against his State's interests. At least in one instance, he signed the State of Montana onto a brief without even bothering to read it.

Among the briefs Mr. VanDyke signed in his home State of Montana during his tenure as solicitor general was one asking the Supreme Court to strike down Roe v. Wade and all of the reproductive cases that followed Roe. When it comes to a woman's right to make her decisions about her own body, Mr. VanDyke's views and actions are far outside the mainstream, and they are far out of step with the views of the people of Nevada.

I am also concerned about the comments Mr. VanDyke has made about LGBTQ Americans. In 2004, Mr. VanDyke wrote that there is ''ample reason for concern that same-sex marriage will hurt families, and consequentially children and society.''

The LGBTQ community is at a critical point in its fight for equality. This term, the Supreme Court is considering whether employers in the United States can fire an individual merely for being gay or transgender. When the next case on LGBTQ rights comes up for judicial consideration, it could come before Lawrence VanDyke.

If that isn't enough, here is one more thing to consider. The American Bar Association has, by a substantial majority, rated Mr. VanDyke as unqualified. For a lifetime appointment, we should always strive for a candidate who is very qualified. No, they gave us Lawrence VanDyke, who was rated ''not qualified.''

Why did the ABA make this determination? Well, I will let the ABA's words speak for themselves. Based on interviews with 60 individuals who have worked with Mr. VanDyke over the years, including more than 40 lawyers and over a dozen judges, this is what the ABA said.

Mr. VanDyke's past work is offset by the assessments of interviewees that Mr. VanDyke is . . . lazy, an ideologue, and lacking in knowledge of the day-to-day practice including procedural rules. There was a theme that the nominee lacks humility, has an ''entitlement'' temperament, does not have an open mind, and does not always have a commitment to being candid and truthful.

Surely you agree, no matter who is in the White House or who controls the Senate, you would want the Federal judges in your States to come from and reflect your communities. You would want to trust these judges to be fair to your constituents and not use cases to advance their own ideological agenda, and you would want your judges to be, at a minimum, qualified to serve on the bench.

I oppose the nomination of Mr. VanDyke, and if it is withdrawn or voted down, I will be ready that day to work with this White House on finding nominees from Nevada who are qualified and fair and nonpartisan. The people of my home State of Nevada, particularly today, on Nevada Day, deserve nothing less.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

LEGISLATION

Mr. CORNYN. Mr. President, the end of the fiscal year for the U.S. Government came and went without a new funding bill in place. It was a big disappointment because this summer I thought we had reached an agreement on a 2-year budget package designed to make the appropriations process much simpler and eliminate the uncertainty that comes from continuing resolutions and stop-start funding for government agencies.

We agreed to topline funding for defense and nondefense spending. It was a big deal. There was also a promise not to derail the process with poison pill policy riders, and we got it done with plenty of time to spare.

I remember at the time thinking, hey, maybe we can help restore some regular order and put the function back in Congress rather than the dysfunction. But, unfortunately, politics got in the way. When the time came last month to make good on the promises that were made during that 2-year budget cap deal, Senate Democrats blocked a bill to fund our national defense. You heard me right. Senate Democrats blocked the appropriations for our national defense.

If there is one thing we should make a priority here in Washington, DC, it is protecting our country, keeping our men and women in uniform adequately trained with the equipment and the resources they need in order to fight and win the Nation's wars, and, even better, to prevent a war from being fought in the first place.

But our Democratic colleagues simply blocked it. It wasn't a disagreement over the amount. No, it was something they had already agreed to last summer. They blocked the bill because, frankly, they don't want President Trump to have any sort of wins here, even when it undermines our national security.

It was a remarkable show of priorities. Their animosity toward the President exceeded their desire to see funding flow to the men and women in uniform and to defend the Nation. We could have provided our troops with the largest pay raise in a decade. We could have sent vital funding to our military as they battle looming threats around the world. We could have put the appropriations process back on track and restored the basic functioning of Congress. But, no, our Democratic colleagues chose to put politics ahead of any of that.

With our only options being a government shutdown or a short-term funding bill, we chose the lesser of two evils. But it is still evil in the sense that it is much less than we should be doing to serve the Nation and serve our constituents. We pushed the deadline, and we kicked the can down the road to November 21. We hoped our colleagues on the other side of the aisle would have a change of heart, but now they have proved us wrong.

Democrats have blocked money for the military again and again. This is beginning to feel like ''Groundhog Day.'' They continue choosing to put their ongoing feud with the President before our most important responsibility as a Congress: to provide for the common defense.

As if we needed to be reminded of the importance of our strong military, earlier this week, our highly skilled Special Forces troops took out the leader of ISIS, one of the most feared and dangerous terrorist leaders in the world. That terrorist is no longer a threat, thanks to the men and women of our military—Special Forces, in particular.

It was a tremendous victory for the United States and for our allies and underscored the need for us to continue to support our troops by funding the Defense bill. For our forces to continue fighting and risking death and injury itself while defeating evil in every corner of the world, they need our support, and there is no more tangible way to demonstrate that support than for Congress to pass this funding bill.

We also know, because of the need to plan, they need stability. They need a long-term funding bill and not just to stop-start, kick the can down the road a few weeks, and then come back and refight the same fights over and over and over again. That is really a pathetic response to our duty to help support our men and women in uniform. They need the unwavering support of every man and woman in this Chamber.

But, right now, our Democratic colleagues seem content just to say no, to get in the way, and to block this funding. Will they pay any price for doing that? I don't know. They don't seem to really particularly care.

I have no doubt that this obstruction is tied to the obsession that the House

of Representatives has to remove President Trump from office. We have heard over and over again from our Democratic colleagues that impeachment will not interfere with their ability to legislate and to get work done, but their actions speak louder than words.

While I think the decision to block defense funding is the most egregious example so far, it is far from the only one. The extent to which they will go to try to defeat and slow down and impede the President and anything he might be able to point to as a victory—here is another example.

It has been more than a year since the landmark trade agreement between Mexico and Canada was announced, but we are still waiting for Speaker PELOSI to show the green light and pass the USMCA and send it to the Senate, where I am sure it will pass overwhelmingly. This agreement will provide billions of dollars in economic growth, new jobs here at home, and greater stability for our economy, but we haven't been able to reap those benefits because the agreement is being stalled in the House.

Well, why is that? Well, it could be because they are obsessed with and preoccupied with impeachment, and they can't seem to get anything else done. The Speaker claims progress is being made, but it has been the same song and dance for months with nothing to show for it.

In the Senate, unfortunately, things aren't a lot different. A bill I introduced with our Democratic colleague, Senator BLUMENTHAL from Connecticut, to reduce drug prices, has gotten caught in the crosshairs of this partisan fighting too. This bill has broad bipartisan support. It would lower Federal spending by more than one-half billion dollars in over 10 years. It would also save consumers out-of-pocket costs for prescription drugs.

According to Politico, the Democratic leader is blocking the bill, despite the fact that folks in both parties in Congress, as well as the President, have said that they are eager to pass legislation to reduce drug prices. The Democratic leader will not let it come to the floor.

To me, this is the greatest example of our dysfunction here: When the President is for something, when Democrats are for something, when Republicans are for something, when the House is for something, when the Senate is for something, we still can't seem to get it done. That is a hard one to explain. Sadly, the list doesn't stop there.

Here is another example. Earlier this year, the Senate unanimously—unanimously—passed a bill I introduced to reauthorize the Debbie Smith Act. This program supplies funding to State and local crime labs to test DNA, or forensic evidence, and to reduce the rape kit backlog. It is about as nonpartisan an issue as they come. Unfortunately, that didn't make it immune from the gamesmanship in the House. After months of refusing to act on this bill, we sent it over—I think it was in May. They did nothing for a long time, and they allowed the Debbie Smith Act to expire.

When something as noncontroversial as reducing the rape kit backlog gets politicized, you know you are in trouble. Well, I was finally glad to see last week that the House changed its tune, thanks to a lot of pressure both from within and without, because their refusal to reauthorize the Debbie Smith Act and this critical rape kit backlog funding was indefensible. So I am hopeful we can get that bill to the President's desk now after this long and unnecessary delay.

We all knew that the Democratic obsession with removing the President from office began before he was inaugurated, but no one expected it to get this far out of hand or for the dysfunction to be so pervasive. Their impeach-at-any-cost attitude has now brought the work of Congress to a screeching halt. Legislation is collecting cobwebs in the corner while our Democratic colleagues are conducting secret hearings behind closed doors in an effort to reverse the 2016 election.

While they are continuing this charade here in Washington, their constituents are likely wondering what it is their elected representatives are doing to make their lives better at home. Are they passing bills to bring down drug prices, like the bill I have with Senator BLUMENTHAL? Are they trying to strengthen the economy by improving trading relationships among Mexico, Canada and the United States? Are they passing legislation to support our men and women in the military?

I am sad to say that for our Democratic colleagues, the answer to each of those questions is no—no time for tackling the big problems but plenty of time for the politics of trying to remove the President from office, 1 year before the next general election.

Speaker PELOSI knows this is going to divide the country, and it is going to occupy everyone's attention here in Washington, DC, until it is concluded, and she also knows that the likelihood of getting 66 votes in the Senate to convict the President and to remove him is incredibly unlikely. It has never happened in our Nation's history, even though President Nixon did resign. No previous President who has been impeached has actually been convicted and removed from office.

The inability to separate their obsession with the President from their duties here in Congress should be embarrassing.

Impeachment may consume the news cycle, but it shouldn't stop all of us from working together in the best interests of our constituents and the American people. I hope our Democratic colleagues will reconsider.

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.

Mr. CARPER. 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. CARPER. Mr. President, I am here on a sad note and then on a happier note as well. I am going to try to tie the two together.

REMEMBERING KAY HAGAN

Mr. CARPER. Mr. President, I have been privileged to serve, and this my 19th year here in the U.S. Senate. A long time ago, I served as a naval officer in the Vietnam war and as later State treasurer, Congressman, Governor of Delaware, and now I serve as U.S. Senator. I have had the privilege of serving with literally hundreds of people here, in the House, as Governor, and certainly in the Navy and the armed services during the Vietnam war.

Among my all-time favorite colleagues of all of those, whether it was in the military service, the State of Delaware, or here in Congress, one of my all-time favorite people to serve with was a woman from North Carolina, from a place called Shelby.

My wife is from North Carolina, from a place called Boone. Her family is from North Carolina. She has her father down there. Boone is up in the mountains. She has sisters. She has sisters in Raleigh, and some of her family has actually lived in Shelby, NC.

There was a woman born there on May 26, 1953, named Kay Hagan. I don't know that she was born Kay Hagan, but she became Kay Hagan, and maybe that was after getting married. But she was the daughter of a homemaker named Jeanette, and her dad had a tire business. Later, he worked as a real estate broker. Apparently, politics was in her blood. Her dad also served as mayor, later on, of Lakeland, FL. That was where Kay Hagan spent most of her childhood.

Lakeland, FL, is near to me because it is the spring training camp for the Detroit Tigers. I have been a Detroit Tigers fan since I was 9 years old. So it has been a while. For the people watching the World Series, three of the best pitchers in baseball used to pitch for my Tigers. They went through training camp in Lakeland and ended up with other teams that took them into the World Series.

Kay was not around to watch any of those former Tigers pitch because she passed away just about 3 days ago.

Her uncle was a former Governor of Florida, with whom I served. Lawton Chiles was one of the sweetest, best guys I have ever known. He served here in the U.S. Senate for many years—sort of a centrist Democrat. He was beloved in his State and beloved here as well.

Both Kay's dad and her brother served in the U.S. Navy. I did 23 years