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Senate

The Senate met at 3 p.m. and was called to order by the Honorable JOHN BARRASSO, a Senator from the State of Wyoming.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Shepherd of Love, help our lawmakers to live in such magnanimity and restraint that they will be salt and light to their generation. May they make the world more palatable as they bring the illumination of Your Word to the problems they seek to solve. Guided by Your love, lead them to live to glorify Your Name. Lord, give them the wisdom to consistently strive to live in conformity to Your Will.

We praise You, mighty God, for You are slow to anger, abounding in love and mercy. In accordance with Your great love, continue to bless America.

We pray in Your strong Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. HATCH).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, July 16, 2018.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JOHN BARRASSO, a

Senator from the State of Wyoming, to perform the duties of the Chair.

ORRIN G. HATCH,
President pro tempore.

Mr. BARRASSO thereupon assumed the Chair as Acting President pro tempore.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to executive session to consider the following nomination, which the clerk will report.

The legislative clerk read the nomination of Scott Stump, of Colorado, to be Assistant Secretary for Career, Technical, and Adult Education, Department of Education.

The ACTING PRESIDENT pro tempore. Under the previous order, the time until 5:30 p.m. will be equally divided between the two leaders or their designees.

Who yields time?

If no one yields time, the time will be charged equally to both sides.

The Senator from Texas.

NOMINATION OF BRETT KAVANAUGH

Mr. CORNYN. Mr. President, last week I had the chance to reconnect with Judge Brett Kavanaugh, the President's choice to be Associate Justice of the U.S. Supreme Court, succeeding Anthony Kennedy, who has announced his retirement effective at the

end of this month. I say reconnect because I actually met Judge Kavanaugh back in 2000, when, as attorney general of Texas, I had the great privilege to represent my State in front of the U.S. Supreme Court in an oral argument.

As part of my preparation for that argument—something that is sort of like the Super Bowl for lawyers—I had a chance to practice that argument in a moot court, as it is called, in front of three distinguished Supreme Court advocates, including Brett Kavanaugh, who at that time was a private lawyer. I am sure I benefitted from his help, as I did from the help of the other two.

I have followed Judge Kavanaugh's career closely in the 18 years since I met him. Of course, in the last 12 years, he has served with distinction on the DC Circuit Court of Appeals, which some have called the second most powerful court in the Nation, since most of the controversial litigation involving the Federal Government tends to come up through that appellate court from the district courts here in the District of Columbia.

Based on what I know of Brett Kavanaugh, I am pleased with the nominee the President has chosen. After talking to him again, I look forward to supporting his nomination and doing everything I can to ensure his bipartisan confirmation.

On the issue of bipartisanship, let me just point out that Justice Gorsuch was confirmed by 54 votes, a bipartisan vote of confirmation. I would expect, based upon his similar qualifications in many ways—outstanding academic record, outstanding experience, and demonstrated ability on a circuit court of appeals—that I would think and expect that Justice Kavanaugh would get a bipartisan confirmation vote, much as Justice Gorsuch has. Obviously, they are two different individuals, but in terms of their experience, education, preparation, and judicial philosophy, I think it would be difficult to explain why one would vote for Justice

• This “bullet” symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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Gorsuch's confirmation and vote against Justice Kavanaugh.

I know Members of the Senate take our responsibilities to provide advice and consent very seriously. I know a number of our colleagues who don't have the benefit of 18 years of familiarity with the judge will want to do their homework, and that is exactly as it should be.

A bipartisan questionnaire has now gone out to the judge from the Judiciary Committee. Senator FEINSTEIN, the Democratic ranking member, and Senator GRASSLEY, the Republican chairman, have sent a questionnaire, asking him to answer a litany of questions necessary for the Judiciary Committee to prepare for the hearing, which I hope will occur sometime in mid-August or so. We know also that nominees for judicial office get a very extensive background check, and that will have to be updated. I am sure that will take place as well.

Then, we all will have the chance to meet with Judge Kavanaugh, as I did, and to make our own personal assessment after asking questions and getting his answers to those questions.

Many people have now become familiar with the arc of his career: graduating with honors from Yale College, graduating Yale Law School, clerking for two appellate judges before clerking for Justice Anthony Kennedy on the Supreme Court. From there he went on to work as the Staff Secretary at the White House.

I want to pause and talk about what the Staff Secretary at the White House does. This is kind of an obscure but important position. Basically, you are the last eyes on a document before the President signs it. So what that means is there is a tremendous responsibility to coordinate and to verify the accuracy of the contents of the documents and that they reflect the policies that the President does indeed support before it is presented to him for his signature.

I mention the Staff Secretary position because the last time Judge Kavanaugh was confirmed to the DC Circuit Court of Appeals, there was no discussion about getting the voluminous copies of records that came across his desk as Staff Secretary. No one particularly thought that those were very useful, and that is for understandable reasons. He didn't author those documents. He didn't create them, but he was responsible for their verification and authentication and to see that they got to the President after having been reviewed as they should be. So as for any excuse that we hear along this confirmation process that the thousands—maybe hundreds of thousands, maybe millions—of documents that would have come across his desk as Staff Secretary will have to all be produced before Senators can vote on his confirmation, well, they didn't do that back when he was confirmed to the DC Circuit Court of Appeals. I think it makes no logical sense that documents

that came across his desk that he did not create and he did not vouch for are relevant, but, rather, that represents a fishing expedition designed to delay the confirmation process unnecessarily.

After he was Staff Secretary at the White House, he practiced law. Then, of course, he was confirmed to the Federal bench. His resume is really one that speaks for itself, but I want to address some of the character assassinations that have already begun about the judge because it is pretty troubling, knowing him as I have come to know him, to hear these accusations and descriptions, which I think are pure fantasy. They are worse than that. As I said, they are character assassinations. They are conspiracy theories. They are designed to cause good people to doubt this nominee, but there is a good answer to each of them.

First comes one from House Minority Leader PELOSI, who has no role whatsoever in the Supreme Court process. The Senate has the responsibility of providing advice and consent. The House of Representatives is a virtual spectator, like the rest of the American population. She called his nomination "a clear and respectful assault on the fundamental rights of women." It is an outrageous statement.

NARAL Pro-Choice America, the national abortion rights action league, has claimed that any vote to confirm him would be one that would "punish women." This same group also degenerated into a middle-school mocking of his name. I am not sure what relevance that has, but it shows, I believe, how desperate opponents of this nomination are.

If you don't have anything substantive to offer as criticism or if you don't have policy differences that you want to debate, engage in name calling. That is all this is.

A Yale Law professor, Amy Chua, wrote last week in the Wall Street Journal about how Judge Kavanaugh had been a mentor to young female lawyers whom he has engaged with over his legal career. The professor wrote that since he joined the Court of Appeals for the DC Circuit in 2006, a quarter of the judge's law clerks, the most valued members of his staff, have been members of a minority group—one or the other—and more than half, 25 out of 48, have been women. Years ago, when I was a member of the Texas Supreme Court, it seemed as though I also had a similar proclivity to hire female clerks.

I asked one of them one day: Why is it you think I hired you to be my law clerk?

She said: It is easy, Judge—women are smarter, and they work harder.

Perhaps that is what Judge Kavanaugh discovered during his experience too.

These women, these former clerks, have spoken glowingly about Judge Kavanaugh's mentorship and his personal decency and support and encour-

agement for their careers. It is absurd and hyperbolic to call Judge Kavanaugh anti-woman. It is so ridiculous. You would wonder why anybody would feel as if they needed to respond. Here in Washington, DC, in the echo chamber inside the beltway and with all the special interest groups and the mainstream media unfortunately many times repeating these falsehoods over and over again, it is necessary for some of us to stand up and say: This is blatantly false.

The women who know Judge Kavanaugh best and worked alongside him in his chambers would take issue with Ms. PELOSI's characterization.

A second line of conspiracy theories regarding Judge Kavanaugh relates to Presidential power. Some have claimed that Judge Kavanaugh believes that a President cannot be indicted for a crime and that that should be an automatic disqualification for Supreme Court consideration. Well, this arises out of a misreading and a misunderstanding of a 2009 Minnesota Law Review article he wrote that explored a gray area of the law and suggested that Congress consider legislation that would defer civil lawsuits and criminal charges until after the President leaves office.

As people will remember, Judge Kavanaugh worked for a while for the independent counsel who was investigating then-President Clinton. He said he learned from that experience that a President is busy doing so many things, it really makes sense not to provide immunity but, rather, to defer litigation of those criminal indictments, should there be any, and civil cases until after the President leaves office. He was quick to note that if the President ever engaged in serious misconduct, there was always the option of impeachment, which is very different from a criminal case. It is one where Congress expresses its view on the suitability of an office holder to continue holding office, and that is always a last resort.

As one fact checker found, his position is different from saying that Presidents can't ever be indicted. Professors like Noah Feldman at Harvard Law have agreed. The Fact Checker from the Washington Post concluded by calling these claims "an extreme distortion" of Judge Kavanaugh's views and I believe gave it two Pinocchios for being false and misleading.

A third and final line of bogus arguments I want to address this afternoon hinges on his views regarding the Affordable Care Act, sometimes called ObamaCare, with the senior Senator from Massachusetts saying that he is "hostile to healthcare." That is as preposterous as saying he is hostile to women. Who is hostile to healthcare? Well, that was also fact-checked by the New York Times, which found hers and other claims to be highly exaggerated.

The reality is that Judge Kavanaugh, in his official capacity, has issued two

dissenting opinions and legal challenges to the Affordable Care Act, both highly technical in nature. Clearly, he is not against healthcare. That is really just a dumb comment. He is simply a judge, who has no role in evaluating the wisdom or efficacy of policies. His job is to call balls and strikes, as an umpire would, to decide whether something is within the law or outside of the law. I believe he will continue to do that when confirmed as a Justice on the Supreme Court.

I agree with the majority leader, Senator MCCONNELL, who last week said Judge Kavanaugh's qualifications are "so obvious, and his reputation so excellent, that unhinged attacks are all that remains in the far left's arsenal." I agree with him, but that doesn't mean we won't continue to hear these unhinged, ridiculous charges against a good man. Judge Kavanaugh, by all accounts, is a fair and thoughtful judge who approaches each judicial decision with precise reasoning and careful analysis. That is why the conspiracy theories will not work. They are doomed to fail, and the cracks are already beginning to show.

As I said, the Judiciary Committee will conduct a thorough and timely hearing, and then we will follow with an up-or-down vote in the committee and then on the Senate floor this fall, prior to the time the Supreme Court's new term begins in October. The eventual outcome from this process should be that Judge Kavanaugh will be easily confirmed. That is what he and I believe the American people deserve.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

TRUMP-PUTIN SUMMIT

Mr. NELSON. Mr. President, almost everybody in the world knows by now that the President met with Vladimir Putin today. While nobody knows what the two Presidents said in their private meeting, what they said afterward certainly should alarm all of us.

President Trump refused, once again, to accept the fact that Russia, at Putin's order, interfered in our elections. What the President said was alarming, it was embarrassing, and it is unacceptable. We know Putin interfered, and we know he will do it again in our upcoming elections. This is from the unanimous report of the intelligence community of this country and was reaffirmed earlier today by the Director of National Intelligence, former Senator Dan Coats, who was President Trump's appointee.

In its January 2017 assessment, the IC assessed that Russian President Putin ordered an influence campaign in the 2016 election, which was aimed at

the U.S. Presidential election. That assessment described the campaign as a mix of cyber operations that were conducted by Russian intelligence services in its overt use of propaganda and fake social media accounts and trolls.

Take it from President Trump's own administration. Then-Director of the CIA and now-Secretary of State Mike Pompeo acknowledged the Russian interference. He stood by the intelligence community's assessments, and that was a year and a half ago. He even said he had every expectation that Russia would continue to try to interfere in our elections.

A few days ago, Dan Coats, who is the Director of the DNI, said:

The warning lights are blinking red again. . . . The digital infrastructure that serves this country is literally under attack.

Just this past Friday, the Justice Department announced the indictment of 12 Russian intelligence officers for hacking the Clinton campaign and the DNC. This is just the latest in a series of indictments.

Today, though, the President, while standing right next to Vladimir Putin, said that while the men and women of the U.S. intelligence community concluded with high confidence that Putin did, indeed, interfere in our elections, President Trump said:

[President Putin] said it's not Russia. I don't see any reason why it would be.

That is rather curious.

Even worse, the President stood next to Putin and said the United States was to blame for the Russian aggression. Let me repeat that. The President stood next to Putin and said the United States was to blame for the Russian aggression. This Senator believes our own intelligence community, not a former KGB spy and colonel who is bent on undermining democracy and the rule of law around the world, is whom you ought to believe.

What does a spy do? In order to achieve a spy's ends, the spy lies. That is what and how Vladimir Putin was trained, and it is obvious he is no friend of the United States.

There has been a lot of discussion about Russia, and I know that, at times, it can be confusing to everyday folks. Yet amidst all of the talk and the disinformation, it is critically important that we don't lose sight of the threat to our democracy. That is what Russian interference in our elections is. It is an attack on the very foundation of our democratic institutions. Of course, that is what Putin is trying to do—invalidate our own democracy in order to divide us; it is to undermine our own faith in our own institutions, and to ultimately undermine American leadership in the world.

This should not be a partisan issue in America, in our domestic politics. I hope we come together quickly, in a bipartisan way, to defend ourselves and to finally push back on Putin. I hope we insist that the White House enforces all of the economic sanctions the Congress has already pushed

through but that the White House has been very slow to enact. I hope this Congress is also going to enact more economic sanctions and get them to where they will really start causing a crimp in the step of the Russian leaders. Why not start freezing the bank accounts of some of its highest leaders?

First, the United States, led by our President, has to see the enemy and the threat for what they are. Now, going on 2 years into his administration, the President is unwilling to stand up to Putin—man-to-man, eyeball-to-eyeball—and to defend our country.

I yield the floor.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

NOMINATION OF BRETT KAVANAUGH

Mr. MCCONNELL. Mr. President, it has been less than a week since the President nominated Judge Brett Kavanaugh to serve as an Associate Justice of the Supreme Court. Already, praise has poured in for his legal abilities, professional accomplishments, and personal character.

Some of the most interesting testimony has come from the men and women who may know better than anyone how Judge Kavanaugh approaches his work—his law clerks. You can learn a lot about a leader by asking the men and women who work for and with him. Thirty-four of his past clerks sent an open letter to Chairman GRASSLEY and Senator FEINSTEIN last week.

Their own political and legal views are quite diverse:

Our ranks include Republicans, Democrats, and Independents. But we are united in this: our admiration and fondness for Judge Kavanaugh run deep.

They describe his commitment to legal excellence:

We never once saw him take a shortcut, treat a case as unimportant, or search for an easy answer. Instead, in each case, large or small, he masters every detail and rereads every precedent.

They also compliment the way Judge Kavanaugh conducts himself both inside and outside the courtroom. They call him "unfailing warm and gracious, grounded, and kind." They describe a "fundamental humility."

A subset of those clerks wrote a second letter. It was from every one of Judge Kavanaugh's female clerks whose current employments allowed them to sign it.

These 18 women explain: "We feel compelled to write separately to convey our uniformly positive experiences with the Judge as a boss on issues of gender and equality in the workplace."

"In our view," they write, "the Judge has been one of the strongest advocates in the Federal judiciary for women lawyers."

They explain how Judge Kavanaugh seeks out the best and brightest, how he goes above and beyond to advise and mentor all of his clerks.

Judge Kavanaugh's hiring reflects, in their words, "rare gender parity." Note

that I did not say “equity” but “parity”—25 women clerks and 23 men. In 2014, in fact, all four of Judge Kavanaugh’s clerks were women—a first for a judge on the DC Circuit. There have been 84 percent of those 25 women who have gone on to Supreme Court clerkships, thanks, in large part, to Judge Kavanaugh’s guidance and support.

Here is how they conclude their letter:

As you likely know by now, Judge Kavanaugh has two daughters, Margaret and Liza. If they decide to follow in their dad’s—and grandmother’s—footsteps and become lawyers, they will enter a legal profession that is fairer and more equal because of Judge Kavanaugh.

We have also heard from Professor Amy Chua, who has served on Yale Law School’s clerkship committee for most of the last decade. During that time, 10 Yale Law School graduates have clerked for Judge Kavanaugh, 8 of whom are women.

She emailed them to ask about their experiences. As she explained in the Wall Street Journal, they lauded his work ethic, his commitment to excellence, his humility, and his decency, and “to a person they described his extraordinary mentorship.”

One woman said:

He’s been an incredible mentor to me despite the fact that I am a left-of-center woman. He always takes into account my goals rather than giving me generic advice.

With respect to Judge Kavanaugh’s approach to deciding cases, Professor Chua pointed out that he “actively seeks out clerks from across the ideological spectrum who will question and disagree with him” because “he wants to hear other perspectives before deciding a case.”

“Above all,” she observed, Judge Kavanaugh “believes in the law and wants to figure out, without prejudging, what it requires.”

Again, we have already heard so many speak up to recommend this impressive nominee.

In the weeks ahead, we will hear more, including from Judge Kavanaugh himself, when our colleagues on the Judiciary Committee conduct hearings on his nomination. Yet I wanted to call special attention today to the warm words of those who have worked with and for Judge Kavanaugh. They have seen firsthand just how rigorously he approaches his work as a judge and how graciously he shares his time and his talent with others. Judge Kavanaugh is certainly an impressive nominee.

TAX REFORM

Mr. President, on another matter, fueled by American workers and job creators and assisted by the pro-growth policies of this Republican government, our economy continues to surge ahead.

Last week, we examined the Department of Labor’s June jobs report, which indicated another month of remarkable growth—213,000 new jobs. On

Friday, economists at the Florida Chamber of Commerce announced that the Sunshine State’s GDP had surpassed \$1 trillion for the first time. That is \$1 trillion for the GDP of Florida. If Florida were a sovereign nation, it would be the 17th largest national economy in the world. In the past year, Floridians, alone, have created 182,000 new jobs. It is hard to argue with the facts, but it is even harder to argue with reports that come straight from hard-working Americans.

Last month, during his visit to Duluth, MN, President Trump met with local workers and job creators to discuss tax reform and economic growth in their communities, and he heard them loud and clear. Republican policies are working.

Adam Morse, a production truck-driver for U.S. Steel Minntac, told President Trump that “the tax plan is working, and I’m seeing a difference in my paycheck.”

Ray Klosowski, Commissioner of the Duluth Seaway Port Authority, says that the past year has brought significant steps forward for the port and the jobs it supports. They added a first-ever intermodal freight area, which has allowed Duluth to process containers from the west coast and significantly expand shipping capabilities. There are millions of dollars in new contracts and commitments to hire hundreds of new workers at the port. Mr. Klosowski summed it up, saying:

The customers . . . we’ve been used to—our old tried-and-true customers—have experienced expansion because of the new tax structure. . . . They’re coming to us with more business than we’ve [ever] seen in the past.

Our Democratic colleagues are still grasping for ways to put a negative spin on all of this good news and the Republican policies that are helping it along. But all around the country, Americans are trying to get their attention so that they can explain just how tax reform, regulatory reform, and the rest of our policy agenda are helping to improve their businesses and their lives.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

RECOGNITION OF THE MINORITY LEADER

The Democratic leader is recognized.

TRUMP-PUTIN SUMMIT

Mr. SCHUMER. Mr. President, like any patriotic American—Democrat, Republican, or Independent—I was appalled by the press conference that capped off the President’s trip to Europe this morning. President Trump hardly pressed President Putin on a single issue, saying that “both countries” are responsible for the state of relations between the United States and Russia.

When it comes to interference in the 2016 elections, the President has managed to point the finger at just about everyone except the culprit. The one person he hasn’t blamed is the man who is actually responsible—Vladimir Putin. Rather than taking the opportunity to confront Putin and stand up in defense of the United States, rather than demanding that Putin hand over the Russian intelligence agents who were indicted last week, the President took the word of the KGB over the brave, hard-working men and women of the CIA. It is amazing. When has a President ever done something like that—believed our enemies instead of our own intelligence agents, who have worked so diligently and hard to keep us safe?

Vladimir Putin’s goal for over a decade has been the weakening of American leadership and the erosion of vital international alliances, such as NATO, that promote American values of democracy, freedom, and open markets. He has labored for 10 years, and he didn’t get very far, and now President Trump is handing him the keys to the city.

President Putin could hardly have scripted a more successful foreign trip for his interests than the one we have just witnessed by President Trump. Now, because of President Trump’s inexplicable actions, Americans and citizens of the world from one end to the other are scratching their heads, saying: What is going on inside the President’s head? Because of the President’s almost inexplicable actions, a single, ominous question hangs over the White House: What could possibly cause the President to put the interests of Russia over those of the United States? Millions of Americans will continue to wonder if the only possible explanation for this dangerous and inexplicable behavior is the possibility—the very real possibility—that President Putin holds damaging information over President Trump.

The questions of the moment—now that our security has been put at risk by the President—are these: Where are our Republican colleagues? Where are the Republicans who cheered Reagan’s famous challenge to Gorbachev to “tear down this wall”? Where are the Republicans who demanded a strong response from President Obama when Putin annexed Crimea? Where are the Republicans who surely know in their hearts that trusting Putin over American intelligence, defense, and law enforcement diminishes the standing of our great country?

Now is the time, if there ever were one, for Republicans to stand up. If we wait much longer, our global alliance will fracture; the institutions America created in the ashes of World War II will crumble; and our allies will consider abandoning us, maybe even embracing China, if the consequences—economic and military—are devastating for our country; and Putin’s Russia will emerge all the stronger for

it. American power, prestige, and even our economy will be deeply damaged.

I am pleading—pleading—with my Republican colleagues to push back by doing four things:

First, ratchet up—not water down—sanctions against Russia.

Second, join us in demanding that the President's national security team immediately come to Congress and testify.

Third, end attacks by so many on the hard right on the Department of Justice, the FBI, and Special Counsel Mueller. These attacks are beyond the pale, but now that the President has done this with Putin, these attacks are dangerous to the future of the Republic.

The special counsel needs to finish his work. The President needs to sit for an interview with the special counsel, as previous Presidents have done and as Republicans demanded of President Clinton.

The President has no problem breaking bread with a man who maliciously attacked America during our elections, but he can't sit down with a man charged with investigating it—Special Counsel Mueller. Please. What is the President afraid of? What is he hiding that we don't know?

Fourth, our Republican colleagues must demand with us that the President insist that the 12 indicted Russians be sent to the United States immediately to stand trial.

Every one of these actions is important. Every one should be bipartisan. Every one of our Republican colleagues, no matter what their ideologies within the Republican Party are, should choose country over party—what is good for America over the politics of the moment. Let us show strength and not fear when President Trump shows weakness, as he has today.

I am asking Leader MCCONNELL and Speaker RYAN, both friends, to make sure the four things we have asked for are done. I am pleading with them, for the sake of the country, to do so.

The President is doing grave harm to the standing of the United States, to the strength of the United States, to the security of the United States, and to the economic robustness of the United States by kowtowing to Vladimir Putin. The President will continue to do it if he is not checked, and the best check is our Republican colleagues, if they only have the decency, the honor, and the courage to stand up at a time when the moment calls for it. Some have—Senator MCCAIN, Senator GRAHAM, and Senator SASSE—but where are the others? Where is Leader MCCONNELL?

The summit today was an insult to all Americans—Democrats, Republicans, and Independents. We have to stand up together and push back.

NOMINATION OF BRETT KAVANAUGH

On a related matter, Mr. President, I wish to speak for a moment on President Trump's nomination of Brett Kavanaugh to the Supreme Court.

We know President Trump promised to pick a judge who would be hostile to a woman's right to choose—to *Roe v. Wade*—and to the healthcare law, including protections for Americans with preexisting conditions. That is incredibly troubling in and of itself, but I have little doubt that every one of those 25, in the eyes of the Federalist Society and the Heritage Foundation, which put together the list, would do those two things that would so hurt America in my judgment.

There is another troubling aspect of Judge Kavanaugh's nomination: His views on Presidential power and whether Presidents should be treated as though they are above the law. Judge Kavanaugh seems to take an almost monarchical view of Executive power. He has written that a sitting President should not be subject to criminal or civil investigation or prosecution while in office. He has even written that a President doesn't need to enforce a law that the President "deems" unconstitutional. It contradicts the well-settled principle—something at the heart of our Constitution and what the Founding Fathers in their greatness did back in 1789—that Presidents should not be above the law.

Now, those are dangerous beliefs at any time, but at this moment in time, with this President, those beliefs are especially dangerous. Anyone who followed the President's trip overseas and his summit today with President Putin saw a reckless, self-centered President willing to bully allies and comfort adversaries, seemingly on a whim.

President Trump's first 1½ years in office has been marked by numerous examples of the President stretching Executive authority, testing the rule of law, and the separation of powers.

Now, more than ever—and especially in light of today's events—we need a Supreme Court Justice who understands and respects the important boundaries the Constitution and our system of government place on the Chief Executive. We don't need a Justice who is ideologically predisposed to favor almost unchecked Executive power, especially with Donald Trump as President of the United States.

Judge Kavanaugh has clearly tipped his hand that he prefers to give broad deference to the Executive. Perhaps that is why Judge Kavanaugh was ultimately selected from the list of 25. That all had been given the Good Housekeeping Seal of Approval by the Federalist Society, intent on repealing *Roe*, and by the Heritage Foundation, intent on rolling back government-involved healthcare, whether it be ACA, protecting preexisting conditions, or Medicaid.

Special Counsel Mueller's probe appears to be discovering more and more evidence of President Putin's interference in our election and potential cooperation of American citizens in that interference. Given that a Justice Kavanaugh could one day be faced with a ruling on the matter of whether a sit-

ting President can be indicted or subpoenaed, I hope Senators from both parties scrutinize Judge Kavanaugh's beliefs about Executive power.

On all other courts, potential defendants don't get to pick their jurors. The President—particularly this President—shouldn't have that power either.

I yield the floor.

The PRESIDING OFFICER (Mrs. ERNST). The Senator from Connecticut.

TRUMP-PUTIN SUMMIT

Mr. MURPHY. Madam President, in my lifetime, no American President has ever had a more disastrous overseas trip than the one that was just concluded by President Trump—5 days of disaster after disaster, insult after insult, capitulation after capitulation. Today, Donald Trump has America weaker in the world than at any time in recent memory.

Let's start with what just happened today that has the whole world reeling. To the shock and horror of the American public, President Trump stood on stage with Vladimir Putin and told the world that he believes Putin when Putin insists that Russia did not try to interfere in the American elections in Trump's favor in 2016.

Despite what President Trump wants us to believe these days, there are still some truths left in the world. Not everything is political spin. Not everything in the world today is up for debate. Russia did attack our elections in 2016. They plan on attacking our elections in 2018. In 2016, they did so with the explicit purpose of trying to elect Donald Trump. All 100 Senators agree on this. Every U.S. intelligence agency agrees on this. Every U.S. law enforcement agency in the country agrees on this. Everyone working for Donald Trump in his national security cabinet agrees on this.

Now, we actually have the specific names of the specific Russian individuals who carried out these attacks. They have been indicted by Donald Trump's Department of Justice. There is simply no question, no debate over whether the Russian Government engaged in a massive, willful, illegal campaign to push the 2016 election to Donald Trump. It is a fact.

President Trump, no doubt, doesn't like this fact. First, because there is an investigation that is pending right now over the outstanding question of whether he knew it was happening and whether he and his campaign team coordinated with the Russians to make that happen. There is increasing evidence that this might be the case, but we will have to wait for the Mueller report to know.

Second, without the Russians' help, it is possible that Donald Trump might not be President. We don't know this, but the slim margins where the President prevailed in certain States leave room to surmise that without Russia's help, Donald Trump might not have been elected President.

Regardless of whether Trump coordinated with the Russians and regardless

of whether their support tipped the balance, it frankly doesn't explain what just happened in Helsinki. When asked if Trump agrees with his staff, every Member of the Senate, and every law enforcement and intelligence agency in his government or Russia, he chose Russia.

Let me say that again. When asked whether the President of the United States believed his own government or Russia, our President said he believed Russia. He took sides against American national security interests, and we are left with a question of why. We raise that question because, frankly, the expectations for this summit, this meeting between the American President and the Russian leader, were very low. All President Trump had to do at that press conference today was to offer some mild pushback—an acknowledgment of Russia's interference in the election—and to stand up and, in mild terms, offer America's support for the sovereignty of Ukraine. He didn't do any of that. So we are left with this question of why.

Now I don't know what Mueller knows. I don't know what Vladimir Putin knows. But Americans should be freaked out today that there is some explanation that we don't know for why our President is so friendly to Russian national security interests and so hostile to our own.

Of course, today, my colleagues, was just the icing on the cake. We already have forgotten what happened on the first 4 days of this trip. Shortly before the meeting with Putin, Trump announced to the world that after several days of meetings and consultations with our European partners, he could definitively say that Europe was an enemy of the United States. He called the European Union a foe. That conclusion was bracketed by his comments upon his arrival in Europe, when he announced that his meeting with Putin was going to be a whole lot easier than his meetings were going to be with Europe.

Let's be clear. First, Europe is our most important friend and ally, and it has been that way for a very long time, and nothing has changed. In the last 70 years, when we have needed help in the world, the first place we turn to is Europe. It shares our democratic values. They are our most important trading partner. The post-World War II order that has ushered in an order of relative global stability never before seen in the world is reliant on the continued alliance of the United States and Europe.

We have always had our grievances. We may want them to spend a little bit more money on defense. They may want us to shoulder a little bit more of the burden with respect to the world's refugee crisis and not leave it all up to them. But the alliance is just as important as it ever has been, and Europe is just as important a partner as it ever has been.

Here is the other thing to make clear. Donald Trump's intent is to

smash the European Union and to break the United States and Europe apart from each other. His advisers and Cabinet members may go on TV or show up to hearings on Capitol Hill, and they may say all the right things about the strength of the transatlantic alliance and America's rock-solid commitment to NATO. I have heard them say it. I saw John Bolton say it on TV this weekend. I watched Secretary Pompeo come to the Foreign Relations Committee and testify to such before Congress.

But the people who work for President Trump don't set U.S. policy. The President does, and the President has made it clear over and over that NATO is temporarily functionally irrelevant.

That sounds like a radical thing to say, but let's just admit that it is true for the time being. Trump has made it crystal clear that if Russia ever perpetuated a Ukraine-style attack on a NATO country, one that was in plain sight for everybody to see but that was officially denied by the Kremlin—does that sound familiar? That is what happened in Ukraine—a clear Russian invasion but officially denied by the Kremlin. Does this sound familiar? The 2016 attacks on American elections are there for everyone to see, and they are denied by the Kremlin. Trump has made it clear that if Russia ever perpetuated an attack like that against a NATO country, Trump would believe Russia and not his own eyes, not his own government. He has telegraphed to Russia that if you simply deny the invasion or the attack, we will believe you, not our own government, not our own intelligence and security agencies. That is what he told us.

That is what would likely happen if Europe was attacked. The Europeans know this. Why we are so much weaker today is because that message to the Europeans comes with a price. If the Europeans don't feel that we are going to get their back, having watched the President mock and insult them over the course of the last 4 days, it is now in doubt as to whether they would come to our defense if we asked, as we did after the attacks on September 11.

None of our European partners will say that. They are going to try to save face. They are going to try to be the bigger party to this contest and say that the strength of the alliance is as strong as it ever has been. But it is not, and there are consequences—potentially serious ones for the United States.

For as bad a shape as the President left NATO, the EU is in no better condition today. It is in tatters in large part because of a President who continues to cheerlead those who want to break apart the EU. There are people who understand the genius of the European Union who are working hard to keep it together, and I am going to cheerlead them, but President Trump spent his time in Britain telling anybody who would listen, including the press, that unless Britain carried out a

clean break from the EU, there would be consequences from the United States. That is madness. Our policy should be the opposite—that if Britain and the EU want to reconcile, America will be there to assist.

Let's bring it back to Vladimir Putin again because his top priority—his No. 1 goal—is the dissolution of the European Union, which is his main political and economic rival on the Eurasian continent. The breakup of NATO is right up there as well. His chief ally in the deconstruction of the EU and NATO today is the President of the United States.

America is so much weaker today than we were just 5 days ago, and that is saying a lot. Our Nation and the world has never seen a more cataclysmic foreign trip than the one that we just witnessed.

This country can survive a lot. We are resilient. But President Trump is making this country a laughing stock. We used to be a pillar of strength, an example to be looked up to. Now we are the butt of jokes. We are seen as weak—a total pushover. All you need to do if you are a despot or an autocrat or an enemy of America is to get in the room with the U.S. President, and he will give you everything you want, with no price to pay.

That is America in the world today, and I couldn't be sadder about it.

I yield back.

THE PRESIDING OFFICER (Mr. LANKFORD). The Senator from Washington.

Mrs. MURRAY. Mr. President, I come to the floor in support of the nomination of Scott Stump, to be Assistant Secretary of Education for Career, Technical, and Adult Education.

As President Trump and Secretary DeVos continue to roll back protections for students and make it easier for predatory for-profit colleges to take advantage of our students, students need someone at the Department who will remain committed to putting them first no matter what Secretary DeVos tries to pressure him to do.

Although most of the nominees President Trump has picked for the Department have pledged their allegiance to Secretary DeVos and her agenda, I believe Mr. Stump will be different. If confirmed, Mr. Stump would be responsible for advising Secretary DeVos on career and technical education, adult education and literacy, and community college education while overseeing over \$2 billion in funding to provide our students and workers with the education and skills they need to compete and get ahead in the 21st century.

Mr. Stump's resume shows he is a nominee who is qualified for this position. He has served as the assistant provost for career and technical education for the Colorado Community College System. He was elected by his peers to serve as the president of the National Association of State Directors of Career Technical Education Consortium. He also earned the support

of a number of key stakeholders and advocacy groups.

If confirmed, Mr. Stump would be responsible for adult education and literacy, which would help adults get the basic skills they need to be productive workers and family members and citizens, and which would help community colleges ensure students have the education and skills they need to advance in their education and their careers in order to remain competitive in the 21st century.

Finally, the Office of Career, Technical, and Adult Education at the Department of Education is responsible for implementing the Perkins Career and Technical Education Act. It is a critical law that gives students and workers the education and skills they need to succeed, and it provides businesses with a high-quality talent pipeline of workers with in-demand skills to compete in a 21st century economy.

Last month, members of our HELP Committee set partisan differences aside and passed the reauthorization of the Perkins CTE Act, which makes important updates to support an education system that prepares students and workers for an economy and a country that works for everyone.

In order to help students, workers, and businesses compete in a rapidly changing global economy, it is critically important that we pass that reauthorization, which would allow programs to adapt to the unique needs of their communities and continue to provide students and workers with the education and training that is necessary for them to get better jobs, earn higher wages, and climb up the economic ladder.

As Members of Congress, we should always be looking for ways to help make people's lives better, which is why I hope we can advance this long overdue bill to the floor in a timely fashion.

If the Senate confirms Mr. Stump, I hope he will remain committed to putting students and workers first no matter what pressure he gets. If he is able to do that, I look forward to working with him to help provide high-quality education and to ensure that, above all, our focus is on students and their success.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

All time has expired.

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

Mrs. ERNST. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: The Senator from Arkansas (Mr. BOOZMAN), the Senator from South Carolina (Mr. GRAHAM), the Senator from Nevada (Mr. HELLER), the Senator from Oklahoma (Mr. INHOFE), the Senator from Georgia (Mr. ISAKSON), the Senator from Louisiana (Mr. KENNEDY), the Senator from Arizona (Mr. MCCAIN), the Senator from Kansas (Mr. MORAN), and the Senator from Alabama (Mr. SHELBY).

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

Mr. DURBIN. I announce that the Senator from New York (Ms. GILLIBRAND), the Senator from Alabama (Mr. JONES), the Senator from Vermont (Mr. LEAHY), the Senator from Michigan (Mr. PETERS), the Senator from New Hampshire (Mrs. SHAHEEN), and the Senator from Michigan (Ms. STABENOW) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 85, nays 0, as follows:

[Rollcall Vote No. 155 Ex.]

YEAS—85

Alexander	Feinstein	Paul
Baldwin	Fischer	Perdue
Barrasso	Flake	Portman
Bennet	Gardner	Reed
Blumenthal	Grassley	Risch
Blunt	Harris	Roberts
Booker	Hassan	Rounds
Brown	Hatch	Rubio
Burr	Heinrich	Sanders
Cantwell	Heitkamp	Sasse
Capito	Hirono	Schatz
Cardin	Hoeven	Schumer
Carper	Hyde-Smith	Scott
Casey	Johnson	Smith
Cassidy	Kaine	Sullivan
Collins	King	Tester
Coons	Klobuchar	Thune
Corker	Lankford	Tillis
Cornyn	Lee	Toomey
Cortez Masto	Manchin	Udall
Cotton	Markey	Van Hollen
Crapo	McCaskill	Warner
Cruz	McConnell	Warren
Daines	Menendez	Whitehouse
Donnelly	Merkley	Wicker
Duckworth	Murkowski	Wyden
Durbin	Murphy	Young
Enzi	Murray	
Ernst	Nelson	

NOT VOTING—15

Boozman	Isakson	Moran
Gillibrand	Jones	Peters
Graham	Kennedy	Shaheen
Heller	Leahy	Shelby
Inhofe	McCain	Stabenow

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 Idaho.

EXECUTIVE CALENDAR

Mr. RISCH. Mr. President, I ask that the Senate now proceed to Executive Calendar No. 601, as under the previous order.

The PRESIDING OFFICER. The clerk will report the nomination.

The bill clerk read the nomination of James Blew, of California, to be Assistant Secretary for Planning, Evaluation, and Policy Development, Department of Education.

The PRESIDING OFFICER. The majority leader.

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate resume 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.

(At the request of Mr. SCHUMER, the following statement was ordered to be printed in the RECORD.)

VOTE EXPLANATION

• Ms. STABENOW. Mr. President, due to travel issues, I was unable to attend today's rollcall vote on the nomination of Scott Stump to be Assistant Secretary for Career, Technical, and Adult Education at the Department of Education.

Had I been able to attend, I would have supported his nomination. •

TAX REFORM

Mr. RISCH. Mr. President, as you may know, I enthusiastically supported the Tax Cuts and Jobs Act that passed the Senate and was signed into law 6 months ago. Over the past 6 months, the law's positive impact on our country's economy has not gone unnoticed. Companies, both large and small, are distributing bonuses, raising wages, and investing in their businesses. While many observers recognize the positive ways in which the law is increasing economic confidence and lowering rates for individual taxpayers, the benefits to small businesses are sometimes overlooked. As chairman of the Senate Committee on Small Business and Entrepreneurship, I strongly supported the tax law because I believed it would reduce taxes for small businesses responsible for employing millions of Americans, allowing small business owners to invest in their businesses and increase economic growth. I recently began this series of speeches to bring attention to the benefits this law provides for small businesses.

While many reports over the past 6 months focus on the new tax law's impact on large corporations, I rise today to bring attention to how tax reform is benefiting HBM Technology Partners, a small business in Reno, NV. HEM Technology Partners provides computer hardware, information technology systems, and computer services