

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; further, that following leader remarks, the Senate resume consideration of H.R. 6147.

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

#### ORDER FOR ADJOURNMENT

Mr. MORAN. 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, following the remarks of Senator HIRONO.

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

The Senator from Hawaii.

#### NOMINATION OF BRETT KAVANAUGH

Ms. HIRONO. Mr. President, the Senate has a constitutional duty equal to the President's to provide advice and consent on all judicial nominees, including the President's Supreme Court nominee, Brett Kavanaugh. Our advice-and-consent role requires us to view the totality of Judge Kavanaugh's record and experiences, including the documents from his time in the executive branch.

Judge Kavanaugh worked as a fellow in the first Bush administration's Office of the Solicitor General, for Ken Starr in the Office of the Independent Counsel investigating President Clinton, and in President George W. Bush's White House in the office of White House Counsel and as Staff Secretary to the President.

As has been the practice for previous Supreme Court nominees, the Judiciary Committee should ask for and receive all records related to his work in these roles. Any document requested of the Bush library or the National Archives should parallel similar requests made for other Supreme Court nominees.

Take the request sent by the committee for Elena Kagan's nomination. This is the letter requesting information for Elena Kagan. We simply substituted Judge Kavanaugh's name where Elena Kagan's name appeared. You probably can't see it, but the request letter is signed by then-chair of the Judiciary Committee, PATRICK

LEAHY, and it was signed by our current Attorney General, but ranking member at that time, Jeff Sessions.

On May 18, 2010, just 8 days after her nomination to the Supreme Court by President Obama, the Judiciary Committee sent a bipartisan request to the Director of the Clinton Presidential Library asking for records from her time working at the White House and records related to her nomination to the DC Circuit. We should send a similar request for Judge Kavanaugh, just substituting Brett Kavanaugh's name for Elena Kagan's. However, the chairman of the Judiciary Committee, our colleague from Iowa, is refusing to work with us to request the totality of Judge Kavanaugh's record.

I have heard the objection to the request for all the records that rests on the volume of documents we might receive. The fact that there could be a lot of documents relevant to Judge Kavanaugh's time in the White House, or any relevant point in his career, is not the issue. The President knew there were a lot of documents related to Judge Kavanaugh. It was reported that the majority leader argued that Judge Kavanaugh's voluminous record could hurt his confirmation, tacitly acknowledging that the Senate would have to examine all of the documents.

Senator MCCONNELL understood that the record was relevant to the Senate's advice-and-consent responsibility in reviewing this nominee's qualifications and judicial philosophy. Even the nominee himself, Judge Kavanaugh, thinks the same. Judge Kavanaugh often refers to how his executive branch experience shapes his judicial philosophy.

In 2013, he wrote in a published law review article:

When people ask me which prior legal experience has been most useful for me as a judge, I tell them I certainly draw on all of them, the clerkships, private practice at Kirkland, Independent Counsel's office, even college jobs on the Hill at Ways and Means, but the five-and-a-half years in the White House, especially the three years as Staff Secretary for President Bush, are among the most interesting and most instructive. . . .

In 2016, he repeated that sentiment almost word for word. Again, quoting Judge Kavanaugh:

People sometimes ask what prior legal experience has been most useful for me as a judge. And I say, "I certainly draw on all of them," but I also say that my five-and-a-half years at the White House and especially my three years as staff secretary for President George W. Bush were the most interesting and informative for me.

Judge Kavanaugh emphasized that the most interesting and informative experiences he had were at the White House as Staff Secretary. So, of course, the Senate Judiciary Committee ought to be able to review all of the records of his time in the White House.

The scope of the request that Democrats on the Judiciary Committee are proposing is so obvious and common sense that it is hard to believe it is a topic of debate. In normal times, there would not be any question about what the committee is entitled to see, and no responsible Senate would object.

But these are not normal times. In these times, we have Senators trying to cover for an irresponsible, dangerous President, who, like in anything else he does, wants to bulldoze his nominee's way onto the highest Court in the land for life.

In these not-normal times, the simplest of processes—getting access to the records of a Supreme Court nominee—has become politicalized, and in these not-normal times, we have to wonder why the standards have suddenly changed, and we have to ask ourselves what could possibly be hiding in those documents.

When the President proposes a nominee to the Supreme Court, we owe it to ourselves and to our country to thoroughly examine that nominee's record, to diligently question them about their records and judicial philosophy, and to make a reasoned judgment about their fitness for the job.

The American people rely on us in the Senate, and particularly in the Judiciary Committee, to perform our constitutional advice-and-consent duties to the best of our abilities.

So I urge my Republican colleagues to join us in calling for the full release of all documents related to Judge Kavanaugh's record and experiences. This has happened in the past. It has always happened, and it should happen again.

I yield the floor.

ADJOURNMENT UNTIL 9:30 A.M.  
TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 9:30 a.m. tomorrow.

Thereupon, the Senate, at 7:31 p.m., adjourned until Thursday, July 26, 2018, at 9:30 a.m.