the bogus label of ''committee confidential'' is a dark development for the Senate. ''Committee confidential,'' by the way, means that Senators on the Judiciary Committee can see the documents, but they can't tell anyone about it—not their fellow Senators, not the American people. Why shouldn't the American people see them? There are key issues here that we need to understand better.

On Friday, three of my colleagues raised questions about Judge Kavanaugh's truthfulness regarding testimony he gave about the Bush administration's post 9/11 terrorism policies in 2006. We need to understand the issue better, and we also need to know what he thought about the Bush administration's efforts on warrantless wiretapping, efforts to curtail reproductive rights, and more. He testified in 2006, when he was nominated to join the DC Circuit, and we have to see if he was being truthful. This is such an important position, the Supreme Court. We should see those. The American people should.

Locking up documents in committee, even on those important issues, is an affront to transparency, openness, and to the basic integrity of the confirmation process. We have been given no reason—no legitimate reason—why the committee confidential documents are acceptable for some Senators but not others to see.

My understanding of the Senate rules is that every Senator has the right to access documents in the possession of a Senate committee, any Senate committee. I am now going to ask the Chair to confirm that understanding.

Mr. President, am I correct that under Rule 26.10(a) of the Standing Rules of the Senate, all committee records are the property of the Senate as a whole and that all Senators ''shall have access to such records''?

The ACTING PRESIDENT pro tempore. That is, in fact, in part how the rule reads.

Mr. SCHUMER. Thank you. The words say ''shall have access to those records.''

Is there anything that undoes those words in the rules?

The ACTING PRESIDENT pro tempore. Will the Senator restate the question?

Mr. SCHUMER. Yes. I asked if, under the rules, all committee Senate records are the property of the Senate as a whole and that all Senators shall have access to those records—shall have access.

The Presiding Officer said: Yes, those are, in part, the rules. Of course, those are not all of the rules.

Is there anything the Presiding Officer knows in the rules that would undercut that ruling in the Senate rules?

The ACTING PRESIDENT pro tempore. Rule 10(a) reads as follows:

All committee hearings, records, data, charts, and files shall be kept separate and distinct from the congressional office records of the Member serving as chairman of the committee; and such records shall be the property of the Senate and all members of the committee and the Senate shall have access to such records. Each committee is authorized to have printed and bound such testimony and other data presented at hearings held by the committee.

Mr. SCHUMER. Fine. Then it is clear there is nothing that undercuts—I appreciate the Chair's reading of the entire rule. Nothing in the rest of the rule undercuts what I have said, obviously.

Based on your ruling—the ruling of the Chair—I will therefore be submitting a request to the chairman and the ranking member of the Judiciary Committee for access by all Senators to all of the Kavanaugh documents in the possession of the committee. This request will include approximately 81,000 pages of documents that have been deemed ''committee confidential'' by the private lawyer, Mr. Burck, and by the chairman of the committee, Senator GRASSLEY. My colleagues should do the same.

Again, the purpose here isn't dilatory. We will work hard, day and night, to go through these documents to see if anything worth questioning Judge Kavanaugh arises in them. We certainly have that right, by the rules of the Senate, and I am glad the Chair so interpreted it.

This is not just about rules or about having more reading material. This is about the Senate, and by extension the American people, understanding the stakes and consequences of elevating Judge Kavanaugh to a lifetime appointment on our Nation's highest Court. This is about our constitutional duty to advise and consent on a Supreme Court nominee. Senators cannot do that in an informed manner without fair and full access to a nominee's record. And, of course, the Constitution assigns this duty to Senators on behalf of the American people. Without access to the nominee's record, the American people will be in the dark. That is unacceptable.

REVOKING SECURITY CLEARANCES

Mr. SCHUMER. Finally, on another matter—I see that my colleague from Vermont, who, incidentally, is doing an excellent job on the appropriations bills, which I believe he will want to discuss—is waiting. One more matter: Last week, the Trump administration announced it was revoking the security clearance of a former Director of the CIA. The action was taken not after a thorough review of the security clearance process. It did not affect a new policy. The revocation of the former CIA Director's security clearance was a gratuitous act of political retribution taken out of spite and malice—sometimes, unfortunately, attributes the President shows. It was an attempt to silence critics of the President—something the President regularly tries to do, usually unsuccessfully.

My Republican colleague, Senator CORKER, said this in July about the possibility of President Trump's revoking security clearances. This is Republican Senator BOB CORKER, a well-respected man in America. He said:

When you're going to start taking retribution against people who are your political enemies . . . that's the kind of thing that happens in Venezuela. . . . it's a banana republic kind of thing.

Senator CORKER is right. The abuse of the powers of public office to silence critics and punish political enemies is exactly what goes on in dictatorships, in banana republics. We are not one of those, thank God.

Then we found out on Saturday that the President is openly considering reaching into the Justice Department to revoke security clearances of a current career professional—this professional that the President mentioned works drug cases, anti-gang cases—based solely on rumors and innuendo spread by the chairman of the House Intelligence Committee—hardly a credible source—and spurious other sources. Revoking the clearance of current Justice Department officials without cause is so far out of bounds for what can be considered the proper use of Presidential power that it is appalling. The words of Senator CORKER are even more strongly felt.

What is next? Will President Trump decide to revoke the security clearance of everyone working for Special Counsel Mueller because he thinks it is in his craven political interest? There is enormous potential for gross abuse of Presidential power.

Congress, on a bipartisan basis, ought to make sure the President does not politicize the security clearance policy. Revoking a security clearance is a decision that should be done for national security reasons and national security reasons alone.

I yield the floor.

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.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2019

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of H.R. 6157, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 6157) making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes.

Pending:

Shelby amendment No. 3695, in the nature of a substitute.

McConnell (for Shelby) amendment No. 3699 (to amendment No. 3695), of a perfecting nature.