

and worthy. That was a precious time to share my tiny, tiny experience in the air with Senator John McCain.

So, again, I just wanted to share with everyone, with my colleagues, with my constituents the fact that I value the time that I spent in the U.S. Senate with Senator McCain. He taught us all a lot about love of country, duty, honor, commitment, service, leadership, patriotism, forgiveness, and how to love your brother and your sister, regardless of who you are and where you come from. I will treasure that time; I will treasure the man.

To his family—they have my deepest sympathies in the loss of their husband, their father, their brother, their son, their uncle. I think we will all feel the hurt of the loss for a long time. His spirit will live on with us in this Chamber.

Every time I walk into an Armed Services Committee meeting, I will always think of John McCain and how he strove to be a great leader for all of us, the mentorship that he provided.

John, I know you are with us, and it is my turn to say thank you for everything that you have done for your great State of Arizona, for all of us who have served in the U.S. Senate, and of course for these great United States of America. We honor you, John; we thank you. God bless you. Thanks so much, John.

I suggest the absence of a quorum.

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

The assistant bill clerk proceeded to call the roll.

Mr. McCONNELL. I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

#### NOMINATION OF BRETT KAVANAUGH

Mr. McCONNELL. Mr. President, the Judiciary Committee has begun the hearing to consider Judge Brett Kavanaugh for confirmation as Associate Justice of the Supreme Court. One of the distinguished professionals asked to introduce Judge Kavanaugh is Lisa Blatt, a prominent and accomplished Supreme Court litigator. She also happens to be a self-described “liberal Democrat and feminist.”

Nevertheless, in a recent op-ed, Ms. Blatt laid out the case for why Democrats should support Judge Kavanaugh's nomination. Just last week, she spearheaded a letter that 41 veteran appellate advocates wrote to the committee. They said: “Based on our experience with Judge Kavanaugh and his work over 12 years of distin-

guished judicial service, we are confident that he possesses the character, temperament and intellect that will make him an asset for our Nation's highest Court.”

Our colleagues on the committee also received a letter from Bob Bennett. Like Ms. Blatt, he is also a Democrat and, in fact, he served as a personal lawyer to one of America's most prominent Democrats, President Bill Clinton, during a particularly acrimonious time in recent history. Yet Mr. Bennett concluded, in a letter to our colleagues, that Judge Kavanaugh is “the most qualified person any Republican President could possibly have nominated.”

He went on to say: “Were the Senate to fail to confirm Brett, it would not only mean passing up the opportunity to confirm a great jurist, but it would also undermine civility in politics.”

Those familiar with Judge Kavanaugh's judicial record and temperament come away impressed. So has the American Bar Association, an organization our Democratic friends have called “the gold standard” in evaluating judicial nominees. They deemed Judge Brett Kavanaugh to be unanimously “well qualified.” That is the highest possible rating they can give, unanimously “well qualified.”

Many of our Democratic colleagues have been determined to oppose Judge Kavanaugh's nomination, no matter what, since the day he was nominated. Some of our Democratic colleagues opposed him and anyone else before he was nominated, but they are running out of options. They can't find any substantive reasons why he doesn't deserve confirmation.

That explains the hyperventilation and orchestrated antics at this morning's hearing, where they talked about almost anything besides his distinguished record. Our colleagues keep falling back on the same process complaints that have failed to persuade anyone for weeks and weeks.

So let's review the facts.

The Judiciary Committee has received half a million pages of materials with respect to this nomination. This is by far—by far—the most materials provided in support of a Supreme Court nomination in our Nation's entire history. In fact, it is more material than was produced for the last five Supreme Court nominations combined.

Of course, this record-shattering tower of executive branch documents is all in addition to Judge Kavanaugh's 12-plus-year record on the DC Court of Appeals—obviously, the most relevant part of his record. Again, that judicial record was something our Democratic friends said was the best way to evaluate a judge, back when it was a Supreme Court nominee of a Democratic President whom the Senate was considering.

Judge Kavanaugh has issued over 300 opinions from what the legal community widely considers the second highest bench in the country. By any objec-

tive standard, by any fair metric, any Senator who is willing to give Judge Kavanaugh full and fair consideration is more than amply prepared to do so, but, of course, many of our Democratic colleagues haven't been interested in doing that.

As I said, many Senate Democrats made up their minds instantly upon Judge Kavanaugh's nomination that they would oppose him no matter what—no matter what his qualifications, no matter how many opinions are in the public record or how many pages of documents are provided. Many Senate Democrats were never going to give this nominee a fair hearing. There could be 1 million pages of documents or 5 million or 10 million, for that matter. Nothing will change the fact that one Democrat who serves on the committee declared she would oppose any nominee—any nominee—before Judge Kavanaugh was even announced. Nothing will change the fact that the very same night he was announced, two more Democrats on the Judiciary Committee publicly announced they finished their consideration and will vote against him. Nothing will change the fact that the very next morning, the Democratic leader stood up and said: “I will oppose him with everything I've got,” and more and more Democrats have followed suit.

Our colleagues will have the opportunity to thoroughly examine this nominee during this week's hearings, and afterward he will receive a vote on the floor. No amount of partisan opposition or political theater will stop the Senate from doing its job.

#### 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 resume consideration of the following nomination, which the clerk will report.

The assistant bill clerk read the nomination of Elad L. Roisman, of Maine, to be a Member of the Securities and Exchange Commission for a term expiring June 5, 2023.

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

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

The assistant bill clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

## CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, I am very grateful to my colleague from New Mexico, Senator UDALL, for joining me today for my 218th "Time to Wake Up" speech. Senator UDALL is a formidable advocate for conserving public lands and protecting endangered species—helping to ensure that future generations will inherit a healthy and beautiful planet. These lands and creatures Senator UDALL fights so hard to protect are under direct attack from the current administration and the heavy hand of industry that guides it both through regulatory rollbacks and other efforts to weaken protections for special places and special wildlife. These species and places are also under siege from the consequences of climate change.

Just last week, both the Washington Post and The Atlantic reported on a recent study in the prestigious journal *Science*. The titles of their articles were foreboding—"Climate change could render many of Earth's ecosystems unrecognizable" from the Washington Post and "No Ecosystem on Earth Is Safe from Climate Change" from The Atlantic. The study looked at historic vegetation and temperature records to predict how global warming will transform our world.

Dr. Stephen Jackson, a scientist with the U.S. Geological Survey and the lead author, told The Atlantic:

Anywhere on the globe, the more you change climate, the more likely you are to see major ecological change. Having this kind of change occur at such a massive scale in such a short period of time is going to create unprecedented challenges.

Dr. Dorothy Peteet, a researcher with NASA who commented on the article, said: "There are notable effects of climate change we are seeing today . . . and they will probably be much more exacerbated in the future."

From the mountains to the sea, from the North Pole to the South, climate change is wreaking havoc on our natural systems and the living creatures that rely on them for survival. A study from *Global Change Biology* earlier this year found "a strong association between rapid climate warming and declines of bird and mammal populations . . . showing that population declines have been greatest in areas that have experienced most rapid warming."

Birds are often seen as sentinels of an ecosystem's health and are especially vulnerable to climate change. In particular, migratory birds, some of which travel thousands of miles each year to breed, rely on a delicate balance of temperature cues and food availability to successfully make their impressive journeys.

Here on the east coast, Delaware Bay enjoys an annual visit from the rufa red knot, a bird with a body not larger than a teacup but whose wings carry it on a more than 9,000-mile journey from Tierra del Fuego on the southern tip of South America to the Canadian Arctic. After spending the summer nesting in

the north, they make their return trip back south to winter in the Southern Hemisphere.

On the northward journey, the red knots make a straight leg from the coast of Brazil to Delaware Bay. Think about that. These tiny birds take off from the coast of Brazil, and they fly all the way to Delaware Bay. They lose as much as half their body weight on this arduous trip, but Mother Nature provides a bounty for them upon their arrival.

Delaware Bay is the largest horseshoe crab spawning area in the world, and each May, millions of horseshoe crabs take part in a mating ritual that predates the dinosaurs. Each female horseshoe crab can lay up to 90,000 eggs, and horseshoe crab eggs make excellent fuel for little birds relishing a pause in their long journey. But warming waters and shifting seasons threaten to knock the timing of both species' cycles out of whack. If the environmental signal comes too early or too late and these little birds fly all that way and they get to Delaware Bay and the horseshoe crabs aren't there, that will shake the species.

Predictability in seasonal changes affects the survival of much of the world's wildlife. In 2014, the National Audubon Society published a comprehensive review of how climate change would affect the ranges of nearly 600 North American bird species. More than half of the species studied are at risk of losing more than 50 percent of their current range to climate change by 2080. Around a quarter of the species studied could see their range shrink that much by 2050.

Mr. President, may I interrupt my remarks for a moment? I see the minority leader on the floor. If he seeks recognition, Senator UDALL and I have time to do a pair of climate speeches. I am more than happy to interrupt and have him do what he needs to do.

I ask unanimous consent that at the conclusion of the leader's remarks, I be recognized and resume my remarks and that at the conclusion of them, Senator UDALL be recognized.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

## RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Democratic leader is recognized.

## NOMINATION OF BRETT KAVANAUGH

Mr. SCHUMER. First, let me thank my good friend—who did a great and outstanding job this morning on the Judiciary Committee—for his graciousness and thoughtfulness as always. I also thank my friend from New Mexico.

Mr. President, the Senate Judiciary Committee began hearings today on Judge Brett Kavanaugh's nomination to the Supreme Court. Democrats on the committee have pointed out that over 40,000 of Judge Kavanaugh's documents were handed over to the committee last night. It is the latest insult in what has been an insulting process

for reviewing the nominee's record on the issues. It has not just been insulting to Democrats in the Senate but insulting to the Senate as a whole and insulting to the American people: We can jam this through, and it doesn't matter what you think and what you need to know.

More than 90 percent of the nominee's record has been shielded from public scrutiny. The chairman keeps claiming that there are several hundred thousand pages that have been made available. That is not the point. If only 7 percent of the documents are made available, the question is, What looms in the other 93 percent? It is the percentage that matters because we want to know what is hidden.

Furthermore, we have no knowledge of why we were given these documents and not given the vast bulk of the documents. What is the rule? Is there some objective rule finding? They should make it public. Why? They haven't, and the reason is simple. The obvious conclusion—and we can't prove it because we don't have the documents—is that in the 93 percent, there are things they don't want to be made public. Otherwise, there would be a set system, and they would say: Here is why you are getting this, and here is why you are not getting that.

Again, it is not the number; it is the percentage. Almost everything the Republicans requested with Elena Kagan and Sotomayor when they were in the minority—in our position now—was granted. Very little of what we have requested has been granted. So the question looms: What are they hiding?

I commend my colleagues, sincerely and strongly, for standing up and raising these issues this morning. The Judiciary Committee members were lending their voices to a large and growing chorus of people out in America who are deeply concerned about how this process has been run. Every member of the Judiciary Committee was eloquent and forceful in their clarifying of just how far the Republicans have gone to keep Judge Kavanaugh's record a secret. Here, for the highest Court in the land—which has huge power over every one of our lives in many different ways—we are hiding what he really thinks. Maybe it is because they don't want the American people to know what he really thinks.

Nonetheless, the Judiciary Committee proceedings are going forward even though the Republican majority has taken great pains to shield a great bulk of Kavanaugh's record from the American public. Since they are in the majority, they can do this against the will of all of the Democrats and of, probably, much of the American people, but it is so wrong. Let's review what we already know about this nominee.

For the bulk of his career, Brett Kavanaugh has been a loyal Republican foot soldier who has consistently found himself near the center of the most heated, partisan legal fights of the past