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Senate

The Senate met at 10 a.m. and was called to order by the Honorable JONI ERNST, a Senator from the State of Iowa.

PRAYER

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

Let us pray.

O God, our rock and fortress, we trust the unfolding of Your loving providence. May our lawmakers find refuge in the shadow of Your citadel. Give our Senators eyes that are willing to see their own mistakes and to be patient with the faults of others. May our legislators walk with reverence and sensitivity through all the seasons of their lives. Lord, give them steadfast hearts as they strive to glorify You in all they think, say, and do. Open their minds to think Your thoughts and their hearts to do Your will.

We pray in Your merciful 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 senior assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,

Washington, DC, September 5, 2018.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JONI ERNST, a Senator

from the State of Iowa, to perform the duties of the Chair.

ORRIN G. HATCH,
President pro tempore.

Mrs. ERNST thereupon assumed the Chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

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

WELCOMING SENATOR KYL

Mr. McCONNELL. Madam President, over the weekend, Senator McCain was laid to rest at Annapolis. Our dear friend left a towering legacy of service and sacrifice. As Senator GRAHAM reminded us last week, while none of us can hope to fill his shoes, we should all strive to follow in his footsteps. Today, the great State of Arizona has sent us a successor who is as well-equipped as you could imagine to do just that.

Our friend and former colleague, Senator JON KYL, is one of the most serious, most expert, and most effective legislators with whom I have had the pleasure of serving. In his 18 years of Senate service, he forcefully defended the interests of Arizonans on issues local, national, and international. He mastered the details of water and natural resource issues. He became a go-to point person on missile defense, nuclear modernization, strategy, and arms control. He built a reputation as a steady and energetic public servant who put his State and his country first.

On a point of personal privilege, I am glad we will have JON back with us. He has great judgment and an even keel. He is a team player, a true friend, and an inspiring example of what a Senator can and should be.

It is a good thing, too, because Congress has a lot to accomplish in the coming weeks—like finalizing appropriations bills, completing our consid-

eration of Judge Kavanaugh, and confirming more of the President's qualified nominees. It is going to be all hands on deck for the American people. I could not be happier that this new, not-so-junior Senator from Arizona will be here to help us through this period.

SENATOR INHOFE NEXT CHAIRMAN OF THE ARMED SERVICES COMMITTEE

Mr. McCONNELL. Madam President, speaking of continuing John McCain's legacy, I am also happy that our colleagues on the Armed Services Committee have officially chosen Senator INHOFE to serve as their next chairman. JIM INHOFE filled in for Senator McCain during a difficult year. He rose to the occasion and helped lead the committee in passing crucial legislation that honored the example of his predecessor and the volunteers who defend our Nation. He possesses rich experience on the committee, including decades of work on behalf of American servicemembers, as well as his own military service. Congratulations and thanks to Senator INHOFE.

WORK OF THE SENATE

Mr. McCONNELL. Madam President, on another matter, the Senate continues work on a number of important priorities. This morning, I joined a number of our colleagues in the first conference committee meeting for the farm bill, including the occupant of the Chair. Others of our colleagues are continuing to confer with the House on appropriations bills so we can stay on track with respect to funding the government.

On the floor this week, we will continue attending to personnel business. We voted yesterday to advance the nomination of Elad Roisman to serve on the Securities and Exchange Commission. After we confirm him, we will

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



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turn to eight more qualified district court nominees.

Of course, the Nation turned its attention yesterday to the start of Brett Kavanaugh's confirmation hearings to serve as Associate Justice of the Supreme Court. Those who tuned in heard about a well-respected judge and well-respected professor with flawless judicial temperament and integrity, someone who makes those around him better. They heard these accounts from a former U.S. Secretary of State, a sitting U.S. Senator, and a prominent liberal litigator with extensive experience before the Supreme Court. From Judge Kavanaugh himself, they heard about his guiding principles—among them, “Interpret the Constitution as written, informed by history and tradition and precedent.”

In sum, the American people saw the impressive, talented, measured jurist they have heard so much about. Unfortunately, the country also saw disappointing displays of attempted partisan obstruction. The rude, disrespectful, and boorish behavior we saw yesterday in the Judiciary Committee was the confirmation hearing equivalent of an “abolish ICE” protest—the confirmation hearing equivalent of an “abolish ICE” protest right here in the Senate Judiciary Committee room.

Well, I guess we shouldn't be too surprised. The antics confirmed two things that our Democratic colleagues have told us before: Their minds are already made up—they have already made up their minds about the Kavanaugh nomination—and they will try anything to stop it.

Democrats interrupted Chairman GRASSLEY literally scores of times. They treated the nominee rudely, even insulting the patriotism of this devoted public servant and highly esteemed judge. They offered one stale process complaint after another—completely ignoring the fact that more documentation has been produced for Judge Kavanaugh's nomination than for the last five Supreme Court nominations combined.

I guess our Democratic friends' coordinated plan was to throw a pot of spaghetti at the wall and see if anything stuck. Nothing stuck. Nothing stuck except the complete contrast between a gracious, thoughtful, patient nominee and the hyperventilating by Senate Democrats who are obviously not interested in giving Judge Kavanaugh the fair consideration he deserves.

Half a million pages of documents, 12 years of opinions, the testimony of peers and colleagues from across the political spectrum—any Member who is actually willing to give Judge Kavanaugh fair consideration has every tool they already need to do so.

I implore my friends across the aisle, let's put the partisan theatrics behind us—it is rather embarrassing to see that in the Senate—and continue these hearings with the dignity befitting the serious task before us.

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. Under the previous order, 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 senior assistant legislative 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.

The ACTING PRESIDENT pro tempore. The question is, Will the Senate advise and consent to the Roisman nomination?

Mr. McCONNELL. I ask for the yeas and nays.

The ACTING PRESIDENT pro tempore. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

The result was announced—yeas 85, nays 14, as follows:

[Rollcall Vote No. 202 Ex.]

YEAS—85

Alexander	Graham	Paul
Barrasso	Grassley	Perdue
Bennet	Hassan	Peters
Blunt	Hatch	Portman
Boozman	Heinrich	Reed
Brown	Heitkamp	Risch
Burr	Heller	Roberts
Cantwell	Hirono	Rounds
Capito	Hoeven	Rubio
Cardin	Hyde-Smith	Sasse
Carper	Inhofe	Schatz
Casey	Isakson	Scott
Cassidy	Johnson	Shaheen
Collins	Jones	Shelby
Coons	Kaine	Smith
Corker	Kennedy	Stabenow
Cornyn	King	Sullivan
Cortez Masto	Klobuchar	Tester
Cotton	Lankford	Thune
Crapo	Leahy	Tillis
Cruz	Lee	Toomey
Daines	Manchin	Udall
Donnelly	McCaskill	Van Hollen
Duckworth	McConnell	Warner
Enzi	Moran	Wicker
Ernst	Murkowski	Wyden
Fischer	Murphy	Young
Flake	Murray	
Gardner	Nelson	

NAYS—14

Baldwin	Gillibrand	Sanders
Blumenthal	Harris	Schumer
Booker	Markey	Warren
Durbin	Menendez	Whitehouse
Feinstein	Merkley	

The nomination was confirmed.

The VICE PRESIDENT. The majority leader.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the motions to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action.

The VICE PRESIDENT. Is there objection?

Without objection, it is so ordered.

CERTIFICATE OF APPOINTMENT

The VICE PRESIDENT. The Chair lays before the Senate the certificate of appointment to fill the vacancy created by the passing of John S. McCain III, of Arizona. The certificate, the Chair is advised, is in the form suggested by the Senate.

If there be no objection, the reading of the certificate will be waived, and it will be printed in full in the RECORD.

There being no objection, the certificate was ordered to be printed in the RECORD, as follows:

STATE OF ARIZONA

CERTIFICATE OF APPOINTMENT

To the President of the Senate of the United States:

This is to certify that pursuant to the power vested in me by the Constitution of the United States and the laws of the State of Arizona, I, Douglas A. Ducey, the governor of said State, do hereby appoint Jon Llewellyn Kyl a Senator from said State to represent said State in the Senate of the United States until the vacancy therein caused by the death of John Sidney McCain III, is filled by election as provided by law.

Witness: His excellency our governor Douglas A. Ducey, and our seal hereto affixed at Phoenix, Arizona this 4th day of September in the year of our Lord 2018.

By the Governor:

DOUGLAS A. DUCEY,
Governor.
MICHELE REAGAN,
Secretary of State.

[State Seal Affixed]

ADMINISTRATION OF OATH OF OFFICE

The VICE PRESIDENT. If the Senator-designate will now present himself at the desk, the Chair will administer the oath of office.

The Senator-designate, JON LLEWELLYN KYL, escorted by Mr. FLAKE, advanced to the desk of the Vice President; the oath prescribed by law was administered to him by the Vice President; and he subscribed to the oath in the Official Oath Book.

The VICE PRESIDENT. Congratulations, Senator.

(Applause, Senators rising.)

The ACTING PRESIDENT pro tempore. The majority leader.

REQUEST FOR AUTHORITY FOR COMMITTEE TO MEET

Mr. McCONNELL. Madam President, I have a request for the Judiciary Committee to meet during today's session of the Senate. I ask unanimous consent that it be agreed to.

The ACTING PRESIDENT pro tempore. Is there objection?