



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 115<sup>th</sup> CONGRESS, SECOND SESSION

Vol. 164

WASHINGTON, MONDAY, SEPTEMBER 24, 2018

No. 157

## Senate

The Senate met at 3 p.m. and was called to order by the President pro tempore (Mr. HATCH).

### PRAYER

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

Let us pray.

Eternal God, You are holy. We rejoice because we are sustained by Your strength. We receive honor because of the victories You bring to our lives.

Bless our lawmakers. Keep them from stumbling or slipping as You increase their faith in You. Lord, use them to fulfill Your purposes on Earth, bringing release to captives, sight to the morally blind, and freedom for the oppressed and downtrodden. May they make our Nation and world better for the glory of Your Name.

Lord, we praise You for Your glorious power. We celebrate Your mighty acts.

We pray in Your powerful 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.

### RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mr. KYL). The majority leader is recognized.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

### NOMINATION OF BRETT KAVANAUGH

Mr. McCONNELL. Mr. President, let me start with a quote: "I am going to fight this nomination with everything I've got." Well, that was the Democratic leader on television mere hours after Judge Brett Kavanaugh was first nominated to the Supreme Court. Others pledged their opposition before he was even named, before they reviewed a lick of evidence, before they heard a minute of testimony. Democrats had already made up their minds and chosen their tactics: delay, obstruct, and resist. Whatever it took, whatever the truth really was, they were going to do whatever they could to stop this qualified, experienced, and mainstream nominee.

Democrats have signaled for months that they would put on whatever performance the far left special interests demanded and throw all the mud they could manufacture. Well, it is not like they didn't warn us. But even by the far left's standards, this shameful smear campaign has hit a new low. I will get into the specifics in just a moment, but I want to be perfectly clear about what has taken place. Senate Democrats and their allies are trying to destroy a man's personal and professional life on the basis of decades-old allegations that are unsubstantiated and uncorroborated. That is where we are. This is what the so-called "resistance" has become—a smear campaign, pure and simple, aided and abetted by Members of the Senate.

Eight weeks ago, Democrats on the Judiciary Committee received a letter from Dr. Christine Blasey Ford with an uncorroborated allegation of misconduct. She had requested that the matter be handled discreetly and confidentially.

The responsible next step would have been alerting the full committee so a confidential, bipartisan investigation could begin. Committee staff would have followed their standard practice

for investigating background information. Senators could have questioned Judge Kavanaugh in their meetings or in closed session, while respecting Dr. Ford's request for confidentiality. But Democrats didn't do any of that. They sat on Dr. Ford's letter for 7 weeks. Kept it secret. They did nothing. They bid their time. Then they threw Professor Ford's wishes overboard and leaked it to the press. Our colleague from Delaware has himself indicated that either the ranking member's office or the Democratic committee staff likely leaked the document. As I have noted, we know the chain of custody of the letter went through the Democratic side of the Judiciary Committee.

Does this sound like Democratic Senators take their responsibility seriously and want to get to the truth, or does it sound like a choreographed smear campaign that ignored Dr. Ford's request for confidentiality in order to inflict maximum damage at the last minute on Judge Kavanaugh and his family?

This is an allegation of misconduct which all four supposed witnesses either flatly contradict or are unable to back up. In addition to Judge Kavanaugh, the other three supposed witnesses have said they have "no knowledge," "no recollection," and "no memory" of the alleged incident. It is not just one alleged witness who disagrees with the allegations; it is literally every person who was supposedly there. One of those supposed witnesses says she does not even know Judge Kavanaugh. So all the witnesses who Dr. Ford says were present at the party have told the committee—on the record and under penalty of felony—all confirm that they do not remember any such party, do not know Judge Kavanaugh, or have never seen him do anything remotely like what has been alleged.

This unsubstantiated allegation stands entirely at odds with everything we have heard about Judge

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



Printed on recycled paper.

S6265