

chairman of the Senate Judiciary Committee trusts Donald Trump to pick “the right type of people” for the Supreme Court. I can’t think of a worse idea than placing the power to pick the next Supreme Court Justice in the hands of an unhinged individual who derides women, who calls them dogs and pigs. Look at the front page of the New York Times, at how he and Howard Stern decided how they were going to treat women. Read it. It is demeaning to my wife, my daughter, and my 9 or 10 granddaughters. I have them mixed up. There are 19. It is an uneven number, but they are close. I can’t think of a worse idea than placing the power to pick the next Supreme Court Justice in the hands of this unhinged individual. He calls Latinos rapists and murderers.

This is the Supreme Court of the United States we are talking about—the Court that decided *Marbury v. Madison* and *Brown v. Board of Education*, the anniversary of which is coming up next Tuesday. This is not Donald Trump’s reality show. This is the real world. This is no game. This is not a choice about whether Meatloaf or Gary Busey made a better art project; it is a choice about the future of America. The balance of the Supreme Court has real-life consequences for all of us.

Rational people don’t want Donald Trump filling a Supreme Court vacancy. Iowans don’t. The American people don’t. But Senate Republicans obviously do, and Senator GRASSLEY does—or I should say he does now. Two weeks ago, before Donald Trump wrapped up the Republican nomination to my dismay, the senior Senator from Iowa sang a much different tune. Back then—all of 13 days ago—before Donald Trump was his standard bearer, Senator GRASSLEY said it would be a risk to let Trump pick a Supreme Court nominee. That was less than 2 weeks ago. This is what he said: “If Trump’s elected president, it probably is a little more unknown. . . . I would have to admit it’s a gamble.” It is a gamble, and it is not at a Las Vegas crap table or a slot machine. That it is a gamble is an understatement.

Trump picking a Supreme Court nominee is a guaranteed recipe for disaster. But now that Trump is the nominee, Republicans are marching in lockstep with him on the Supreme Court vacancy. Republicans want to put the Supreme Court in the hands of an unbalanced egomaniac.

Senator GRASSLEY and his colleagues say they want the future of the highest Court to be determined by an anti-woman, anti-Latino, and anti-middle-class billionaire who demeans women every day. Yesterday GRASSLEY told a reporter that “there’s no problem with Trump appointing people to the Supreme Court.” But what had he said 2 weeks earlier? That it is a gamble.

Donald Trump wants to ban all Muslims from even coming into our country. That is whom Republicans want picking the Justices to do the work of

our judiciary system, deciding questions about civil liberties—somebody who says Muslims shouldn’t even come to this country. Trump encouraged supporters to physically assault protesters. Here is what he said: “Knock the crap out of them.” That is whom the Republicans want to select Justices to interpret the law. It is insane that my Republican colleagues are willing to entrust such an important responsibility to this egomaniac.

Instead of relying on the whims of an unscrupulous real estate tycoon—who inherited his money, by the way—Senate Republicans should trust in the Senate’s time-honored process of considering Supreme Court nominees. Republicans can start by reviewing Judge Garland’s nominee questionnaire, which the Senate got yesterday. After that, the Senate Judiciary Committee and Chairman GRASSLEY should do their job and hold a hearing. Then the Republican leader should bring Merrick Garland’s nomination to the floor for a vote. A hearing and a vote—that is what we need to have, and that is how we will get, in Senator GRASSLEY’s words, the right type of people on the Supreme Court. Meet with the man, hold hearings, and vote.

This year the Republican Senate is on pace to work fewer days than any Senate in the past six decades—60-plus years. So in that we are not doing much anyway, couldn’t we just work in a little time to have a Supreme Court nominee?

Senator GRASSLEY was right the first time. Letting Donald Trump pick a Supreme Court Justice is indeed a gamble. It is a risk the American people can’t afford and shouldn’t afford. Instead of waiting for Donald Trump, Republicans should just do their job and at least allow the Court to have a full complement of nine Justices.

Mr. President, I see no one here on the floor, so I ask the Chair to announce the business of the day.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS ACT, 2016

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.R. 2028, which the clerk will report.

The legislative clerk read as follows:
A bill (H.R. 2028) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

Pending:

Alexander/Feinstein amendment No. 3801, in the nature of a substitute.

McConnell (for Cotton) amendment No. 3878 (to amendment No. 3801), of a perfecting nature.

Mr. REID. Mr. President, I suggest the absence of a quorum, but I ask that

the time be charged equally to both sides.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. BOOZMAN). Without objection, it is so ordered.

Mr. ALEXANDER. Mr. President, in about 5 or 6 minutes, the Senate will proceed to the scheduled vote on the Cotton amendment on the Energy and Water appropriations bill. Actually, it will be cloture on the Cotton amendment. Before that vote, I ask unanimous consent that I first be allowed to speak for a few minutes, and following me, Senator FEINSTEIN, and then we vote.

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

Mr. ALEXANDER. Mr. President, I will save most of my remarks for after the vote, but I wish to make two kinds of remarks. One is to give an update on the bill, where we are. The second remark is to restate my reasons why I will not vote for cloture on the Cotton amendment. First, in terms of where we are, we have the Cotton amendment at 10:30. The Senator from California and I have agreed—and I think our staffs and the Republican and Democratic leaders have discussed it—that there could be a vote for Senator CARDIN and Senator FISCHER at 60 votes, a voice vote on Senator FLAKE. That is it. Then we would have another cloture vote if we need it and a vote on final passage.

In my view, and I believe in terms of Senator FEINSTEIN’s view, we ought to easily be able to finish the bill today. I think we should finish it today. I thank the Republican leader, Senator MCCONNELL, for starting the appropriations process earlier this year than it ever has been started before. I thank the Democratic leader, Senator REID, for working with us through some difficult issues we had on this first bill that we didn’t expect and to make it possible for us to come to what looks like a prompt conclusion.

This is an important bill. The Senators know that. We have had nearly 80 Senators contribute parts of this bill. Some are very important to their States and this country. Whether it deepens the Mobile port or the west coast ports or rebuilds locks in Kentucky, Ohio, and Tennessee or whether it properly funds the national laboratories across the country or moves ahead with our nuclear weapons program, this is one of the most important appropriations bills that we have.

Today we will have spent 2 weeks on it, not counting the week we had for recess. We will have processed 21 amendments, if I go through the amendments I just described. If we succeed today in finishing the bill, it will