

SUPREME COURT OF THE UNITED STATES

IN THE SUPREME COURT OF THE UNITED STATES

-----X
TO RECEIVE THE COMMISSION OF :
ASSOCIATE JUSTICE OF THE :
SUPREME COURT OF THE :
UNITED STATES :
BRETT M. KAVANAUGH :
-----X

Pages: 1 through 6

Place: Washington, D.C.

Date: November 8, 2018

HERITAGE REPORTING CORPORATION

Official Reporters
1220 L Street, N.W., Suite 206
Washington, D.C. 20005
(202) 628-4888
www.hrccourtreporters.com

1 IN THE SUPREME COURT OF THE UNITED STATES

2

3 -----X

4 TO RECEIVE THE COMMISSION OF :

5 ASSOCIATE JUSTICE OF THE :

6 SUPREME COURT OF THE :

7 UNITED STATES :

8 BRETT M. KAVANAUGH :

9 -----X

10

11 Washington, D.C.

12 Thursday, November 8, 2018

13

14 The above-entitled matter came on for oral
15 commission before the Supreme Court of the United
16 States at 10:05 a.m.

17

18

19 APPEARANCES:

20

21 MATTHEW G. WHITAKER, Attorney General (Acting)
22 of the United States, Department of Justice,
23 Washington, D.C.

24

25

26

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

P R O C E E D I N G S

(10:05 a.m.)

CHIEF JUSTICE ROBERTS: This special sitting of the Court is held today to receive the Commission of the newly appointed Associate Justice of the Supreme Court of the United States, Brett M. Kavanaugh.

We are pleased to have with us today the President of the United States. On behalf of the Court, Mr. President, I extend to you and the First Lady a warm welcome. We are also pleased to have with us our retired colleague, Justice Kennedy.

The Court now recognizes the Acting Attorney General of the United States, Matthew Whitaker.

GENERAL WHITAKER: Mr. Chief Justice, and may it please the Court:

I have the Commission which has been issued to the Honorable Brett M. Kavanaugh as an Associate Justice of the Supreme Court of the United States. The Commission has been duly signed by the President of the United States and attested by the Attorney General of the United States. I move that the Clerk read

1 the Commission and that it be made part of the
2 permanent record of the Court.

3 CHIEF JUSTICE ROBERTS: Thank you,
4 Attorney General Whitaker. Your motion is
5 granted.

6 Mr. Clerk, will you please read the
7 Commission.

8 THE CLERK: Donald J. Trump, President
9 of the United States of America, to all who
10 shall see these presents, greetings.

11 Know ye that proposing special trust
12 and confidence in the Wisdom, Uprightness, and
13 Learning of Brett M. Kavanaugh of Maryland, I
14 have nominated and, by and with the advice and
15 consent of the Senate, do appoint him an
16 Associate Justice of the Supreme Court of the
17 United States and do authorize and empower him
18 to execute and fulfill the duties of that
19 office according to the Constitution and laws
20 of the said United States, and to have and to
21 hold the said office with all the powers,
22 privileges, and emoluments of the same of right
23 appertaining unto Him, the said Brett M.
24 Kavanaugh, during his good behavior.

25 In testimony whereof, I have caused

1 these Letters to be made patent and the seal of
2 the Department of Justice to be hereunto
3 affixed.

4 Done this -- at the City of
5 Washington, this sixth day of October, in the
6 Year of Our Lord two thousand eighteen, and of
7 the Independence of the United States of
8 America, the two hundred and forty-third, by
9 the President, Donald J. Trump, Jefferson
10 B. Sessions, III, Attorney General.

11 CHIEF JUSTICE ROBERTS: I now ask the
12 Deputy Clerk of the Court to escort Justice
13 Kavanaugh to the Bench.

14 THE MARSHAL: Please remain seated.
15 Only the Bench will rise.

16 CHIEF JUSTICE ROBERTS: Please repeat
17 after me:

18 I, Brett M. Kavanaugh, do solemnly
19 swear --

20 JUSTICE KAVANAUGH: I, Brett M.
21 Kavanaugh, do solemnly swear --

22 CHIEF JUSTICE ROBERTS: -- that I will
23 administer justice without respect to
24 persons --

25 JUSTICE KAVANAUGH: -- that I will

1 administer justice without respect to
2 persons --

3 CHIEF JUSTICE ROBERTS: -- and do
4 equal right to the poor and to the rich --

5 JUSTICE KAVANAUGH: -- and do equal
6 right to the poor and to the rich --

7 CHIEF JUSTICE ROBERTS: -- and that I
8 will faithfully and impartially discharge and
9 perform --

10 JUSTICE KAVANAUGH: -- and that I will
11 faithfully and impartially discharge and
12 perform --

13 CHIEF JUSTICE ROBERTS: -- all the
14 duties incumbent upon me --

15 JUSTICE KAVANAUGH: -- all the duties
16 incumbent upon me --

17 CHIEF JUSTICE ROBERTS: -- as
18 Associate Justice of the Supreme Court of the
19 United States --

20 JUSTICE KAVANAUGH: -- as Associate
21 Justice of the Supreme Court of the United
22 States --

23 CHIEF JUSTICE ROBERTS: -- under the
24 Constitution and laws of the United States --

25 JUSTICE KAVANAUGH: -- under the

1 Constitution and laws of the United States --

2 CHIEF JUSTICE ROBERTS: -- so help me
3 God.

4 JUSTICE KAVANAUGH: -- so help me God.

5 CHIEF JUSTICE ROBERTS:
6 Congratulations.

7 JUSTICE KAVANAUGH: Thank you, Mr.
8 Chief Justice.

9 CHIEF JUSTICE ROBERTS: Justice
10 Kavanaugh, on behalf of all of the members of
11 the Court, it is my pleasure to extend to you a
12 very warm welcome as the 102nd Associate
13 Justice of the Supreme Court of the United
14 States. We wish for you a long and happy
15 career in our common calling.

16 JUSTICE KAVANAUGH: Thank you.

17 THE MARSHAL: The honorable Court is
18 now adjourned until Tuesday next, at 10:00. We
19 request that the guests remain in the courtroom
20 for a moment while the President departs and
21 the Bench clears. Thank you.

22 (Whereupon, at 10:10 a.m., the
23 investiture was adjourned.)

24

25

Official - Subject to Final Review

<p>1</p> <p>10:00 ^[1] 6:18 10:05 ^[2] 1:16 2:2 10:10 ^[1] 6:22 102nd ^[1] 6:12</p> <hr/> <p>2</p> <p>2018 ^[1] 1:12</p> <hr/> <p>8</p> <p>8 ^[1] 1:12</p> <hr/> <p>A</p> <p>a.m. ^[3] 1:16 2:2 6:22 above-entitled ^[1] 1:14 according ^[1] 3:19 Acting ^[2] 1:20 2:14 adjourned ^[2] 6:18,23 administer ^[2] 4:23 5:1 advice ^[1] 3:14 affixed ^[1] 4:3 America ^[2] 3:9 4:8 appertaining ^[1] 3:23 appoint ^[1] 3:15 appointed ^[1] 2:5 ASSOCIATE ^[7] 1:5 2:5,21 3:16 5:18,20 6:12 attested ^[1] 2:24 Attorney ^[5] 1:20 2:15,24 3:4 4:10 authorize ^[1] 3:17</p> <hr/> <p>B</p> <p>behalf ^[2] 2:9 6:10 behavior ^[1] 3:24 bench ^[3] 4:13,15 6:21 BRETT ^[7] 1:8 2:7,20 3:13,23 4:18,20</p> <hr/> <p>C</p> <p>calling ^[1] 6:15 came ^[1] 1:14 career ^[1] 6:15 caused ^[1] 3:25 CHIEF ^[15] 2:3,17 3:3 4:11,16,22 5:3,7,13,17,23 6:2,5,8,9 City ^[1] 4:4 clears ^[1] 6:21 Clerk ^[4] 2:25 3:6,8 4:12 colleague ^[1] 2:12 COMMISSION ^[7] 1:4,15 2:5,19,22 3:1,7 common ^[1] 6:15 confidence ^[1] 3:12 Congratulations ^[1] 6:6 consent ^[1] 3:15 Constitution ^[3] 3:19 5:24 6:1 COURT ^[17] 1:1,6,15 2:4,6,10,14,18,21 3:2,16 4:12 5:18,21 6:11,13,17 courtroom ^[1] 6:19</p> <hr/> <p>D</p> <p>D.C. ^[2] 1:11,22 day ^[1] 4:5 Department ^[2] 1:21 4:2</p>	<p>departs ^[1] 6:20 Deputy ^[1] 4:12 discharge ^[2] 5:8,11 Donald ^[2] 3:8 4:9 Done ^[1] 4:4 duly ^[1] 2:23 during ^[1] 3:24 duties ^[3] 3:18 5:14,15</p> <hr/> <p>E</p> <p>eighteen ^[1] 4:6 emoluments ^[1] 3:22 empower ^[1] 3:17 equal ^[2] 5:4,5 escort ^[1] 4:12 execute ^[1] 3:18 extend ^[2] 2:10 6:11</p> <hr/> <p>F</p> <p>faithfully ^[2] 5:8,11 First ^[1] 2:11 forty-third ^[1] 4:8 fulfill ^[1] 3:18</p> <hr/> <p>G</p> <p>General ^[6] 1:20 2:15,17,24 3:4 4:10 God ^[2] 6:3,4 granted ^[1] 3:5 greetings ^[1] 3:10 guests ^[1] 6:19</p> <hr/> <p>H</p> <p>happy ^[1] 6:14 held ^[1] 2:4 help ^[2] 6:2,4 hereunto ^[1] 4:2 hold ^[1] 3:21 Honorable ^[2] 2:20 6:17 hundred ^[1] 4:8</p> <hr/> <p>I</p> <p>Ill ^[1] 4:10 impartially ^[2] 5:8,11 incumbent ^[2] 5:14,16 Independence ^[1] 4:7 investiture ^[1] 6:23 issued ^[1] 2:20</p> <hr/> <p>J</p> <p>Jefferson ^[1] 4:9 JUSTICE ^[39] 1:5,21 2:3,6,13,17,21 3:3,16 4:2,11,12,16,20,22,23,25 5:1,3,5,7,10,13,15,17,18,20,21,23,25 6:2,4,5,7,8,9,9,13,16</p> <hr/> <p>K</p> <p>KAVANAUGH ^[19] 1:8 2:7,20 3:13,24 4:13,18,20,21,25 5:5,10,15,20,25 6:4,7,10,16 Kennedy ^[1] 2:13</p> <hr/> <p>L</p> <p>Lady ^[1] 2:11 laws ^[3] 3:19 5:24 6:1 Learning ^[1] 3:13</p>	<p>Letters ^[1] 4:1 long ^[1] 6:14 Lord ^[1] 4:6</p> <hr/> <p>M</p> <p>made ^[2] 3:1 4:1 MARSHAL ^[2] 4:14 6:17 Maryland ^[1] 3:13 matter ^[1] 1:14 MATTHEW ^[2] 1:20 2:15 members ^[1] 6:10 moment ^[1] 6:20 motion ^[1] 3:4 move ^[1] 2:25</p> <hr/> <p>N</p> <p>newly ^[1] 2:5 next ^[1] 6:18 nominated ^[1] 3:14 November ^[1] 1:12</p> <hr/> <p>O</p> <p>October ^[1] 4:5 office ^[2] 3:19,21 Only ^[1] 4:15 oral ^[1] 1:14</p> <hr/> <p>P</p> <p>part ^[1] 3:1 patent ^[1] 4:1 perform ^[2] 5:9,12 permanent ^[1] 3:2 persons ^[2] 4:24 5:2 please ^[4] 2:18 3:6 4:14,16 pleased ^[2] 2:8,12 pleasure ^[1] 6:11 poor ^[2] 5:4,6 powers ^[1] 3:21 presents ^[1] 3:10 President ^[6] 2:9,10,23 3:8 4:9 6:20 privileges ^[1] 3:22 proposing ^[1] 3:11</p> <hr/> <p>R</p> <p>read ^[2] 2:25 3:6 RECEIVE ^[2] 1:4 2:4 recognizes ^[1] 2:14 record ^[1] 3:2 remain ^[2] 4:14 6:19 repeat ^[1] 4:16 request ^[1] 6:19 respect ^[2] 4:23 5:1 retired ^[1] 2:12 rich ^[2] 5:4,6 rise ^[1] 4:15 ROBERTS ^[13] 2:3 3:3 4:11,16,22 5:3,7,13,17,23 6:2,5,9</p> <hr/> <p>S</p> <p>same ^[1] 3:22 seal ^[1] 4:1 seated ^[1] 4:14 see ^[1] 3:10 Senate ^[1] 3:15 Sessions ^[1] 4:10</p>	<p>shall ^[1] 3:10 signed ^[1] 2:23 sitting ^[1] 2:4 sixth ^[1] 4:5 solemnly ^[2] 4:18,21 special ^[2] 3:3 11 STATES ^[19] 1:1,7,16,21 2:7,9,15,22,24,25 3:9,17,20 4:7 5:19,22,24 6:1,14 SUPREME ^[9] 1:1,6,15 2:6,21 3:16 5:18,21 6:13 swear ^[2] 4:19,21</p> <hr/> <p>T</p> <p>testimony ^[1] 3:25 thousand ^[1] 4:6 Thursday ^[1] 1:12 today ^[2] 2:4,8 Trump ^[2] 3:8 4:9 trust ^[1] 3:11 Tuesday ^[1] 6:18 two ^[2] 4:6,8</p> <hr/> <p>U</p> <p>under ^[2] 5:23,25 UNITED ^[19] 1:1,7,15,21 2:6,9,15,22,23,25 3:9,17,20 4:7 5:19,21,24 6:1,13 until ^[1] 6:18 unto ^[1] 3:23 Uprightness ^[1] 3:12</p> <hr/> <p>W</p> <p>warm ^[2] 2:11 6:12 Washington ^[3] 1:11,22 4:5 welcome ^[2] 2:11 6:12 whereof ^[1] 3:25 Whereupon ^[1] 6:22 WHITAKER ^[4] 1:20 2:16,17 3:4 will ^[6] 3:6 4:15,22,25 5:8,10 Wisdom ^[1] 3:12 wish ^[1] 6:14 without ^[2] 4:23 5:1</p> <hr/> <p>Y</p> <p>ye ^[1] 3:11 Year ^[1] 4:6</p>
---	--	--	---