

for the dairy industry, which is a growing industry in my State of South Dakota. We need to conclude more strong trade agreements going forward that will expand markets for American agriculture products.

The President also mentioned the trade agreement we are negotiating with China. The President recently signed phase one of the agreement, which includes a pledge from China to substantially increase its imports of American agriculture products. That is excellent news for farmers and ranchers, but we need to make sure that China actually lives up to its commitments. As we know, China doesn't have the best record in this regard, and it is important that the United States make clear that any agreements must be honored.

We have made a lot of progress for the American people over the past 3 years, but, as I said, there is more work to be done. I hope to work with my colleagues of both parties this year to continue to build on the economic progress we have made and create more opportunities for American workers. I will continue to make the needs of our Nation's farmers and ranchers one of my top priorities. I am committed to seeing our Nation's farm economy catch up to our economy as a whole.

I am proud that Republican economic policies have made life better for American workers. I will continue to work to ensure that every American has access to the benefits of our strong economy.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded the call the roll.

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 Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. LOEFFLER). Without objection, it is so ordered.

#### REMEMBERING BILLIE SUE HOGGARD

Mr. COTTON. Madam President, our Nation functions thanks to the extraordinary devotion and patriotism of the American people. Every city, every county, every State, and every party has a few patriots who go above and beyond, dedicating their whole lives to making sure that our system works and that our way of life is preserved so that we can pass on our Republic as a precious inheritance to our children and our grandchildren.

Billie Sue Hoggard was just such a patriot. She devoted her life to her neighbors and fellow citizens in Jonesboro in northeast Arkansas. Billie Sue went home to be with the Lord on Sunday at age 76.

Billie Sue loved America, she loved Arkansas, she loved the Republican Party with all of her heart, and she devoted all of her energy to making them great.

As a young child, sadly, Billie Sue knew the meaning of sacrifice. Her adoptive father was killed in action during the Battle of the Bulge in World War II. Although they had not met, he kept her baby photo in his wallet. No doubt, he was proud to know the baby girl he adopted grew up to carry on his legacy of service to others. I bet he told her that on Sunday when they were reunited.

Billie Sue worked as a teacher in northeast Arkansas for decades, helping young people grow up to become better citizens. Her career as an educator was just one part of her commitment to public service. She also served as a justice of the peace and the Republican Party committee chair for Craighead County, where she brought energy and joy and a little bit of feistiness to every meeting and every local gathering.

Billie Sue was also a Republican well ahead of the pack, back in the day when many counties didn't even have committees and some counties could probably meet in a telephone booth. Her energy and commitment were instrumental in helping our party win the trust and support of our candidates in Jonesboro, in Craighead County, in northeast Arkansas, and all around our State. It is thanks in no small part to her efforts that RICK CRAWFORD now represents northeast Arkansas in the House of Representatives, the first Republican to hold that seat since reconstruction.

I met Billie Sue shortly after my election to the House. She encouraged me to run for the Senate. She promised to deliver Craighead County if I did, and I can tell you, she kept that promise and then some, as she always did.

Of course, Billie Sue was most committed of all to her family. Her four children, seven grandchildren, and three great-grandchildren were the loves of her life. In a fitting turn of fate, Billie Sue, the adopted daughter of a servicemember, served herself as guardian to two of her young granddaughters in her later years. She was in her seventies when she raised those two young girls. In an act of love, she stepped up for her family in its hour of need.

Billy Sue's health declined over the last year of her life. We all know how the battles of illness can rob people we love of their vitality in their final days. But while cancer could ravage her body, it could never dampen Billy Sue's spirit. When I called her over this last year to check on her, I always heard the same energy and passion—and, yes, feistiness—as she wanted to skip over quickly how she was doing and talk about the latest legislative battles here in Congress and political campaigns in Arkansas.

Now Billie Sue has gone back to be with the Lord, but she is not forgotten. Arkansans will remember her as a local leader and a patriot who made her community and our State better through decades of tireless service. May she rest in peace.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

#### RESERVATION OF LEADER TIME

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

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

#### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session and resume consideration of the following nomination, which the clerk will report.

The bill clerk read the nomination of Andrew Lynn Brasher, of Alabama, to be United States Circuit Judge for the Eleventh Circuit.

The PRESIDING OFFICER. The Democratic leader.

#### ELECTION SECURITY

Mr. SCHUMER. Mr. President, the 2020 primary elections are already underway, and the national election is only 9 months away. We know that foreign entities—Putin, China, perhaps others—are already scheming to undermine the public confidence in our elections. The threats to our next elections are real and growing nearer each day.

Last week the Senate concluded an impeachment trial of the President, who was accused of abusing the powers of his office to solicit the help of a foreign power in his reelection—solicit the help. It didn't just happen. He was soliciting it.

My Republican Senate friends refused to hold the President accountable for his misconduct—refused to even hold a fair trial. Now, what do we think the President will conclude after the Senate Republican majority let him off the hook for trying to cheat in our elections? He will conclude that he can try to do it again. Anyone who knows him knows that is what he will do.

Because Senate Republicans chose to look the other way, the need for election security legislation is greater now than ever before. We cannot trust this President to stand up for the integrity of our elections. So Congress must stand up in his stead.

In a few moments, my colleagues Senator WARNER, Senator WYDEN, and

Senator BLUMENTHAL will ask for unanimous consent to pass crucial election security legislation. They will talk about what their legislation will do. But know this: Protecting our elections should not be partisan. It should not be controversial. It should earn the unanimous support of every Member.

The very wellspring of our democracy is the principle of free and fair elections. Will our Republican colleagues stand up for free and fair elections today or will they once again block commonsense legislation to defend our democracy?

I yield to the Senator from Virginia.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, I thank the Democratic leader.

I am here today because I think, as we all know, our elections remain vulnerable to foreign election interference. Russia attacked our democracy in 2016, with the goal of undermining confidence in our system, a system of free and fair elections—literally, the bedrock of our democracy.

Their cyber attacks and disinformation efforts continue to this day, and our own FBI Director, Christopher Wray, has reassured or, potentially, warned us that they will be back in full force this year. Not only that, but we will have to contend with potential interference from China, Iran, North Korea, and others who have basically copied the Russia playbook.

The threat is real, it is ongoing, and we are not doing enough to be ready. Time and again we hear these same warnings from our intelligence community leadership, from companies like Facebook, from the special counsel, and many others. The truth is that the alarm bells are going off, and we are running out of time to actually do something about it.

Unfortunately, the White House and the U.S. Senate seem to be the only ones not taking this threat seriously. Since 2016, this body, which we all have the honor to serve in, has failed to vote on a single piece of standalone election security legislation. Three times last year I came to the floor in an attempt to pass bipartisan election security legislation by unanimous consent, and each time these efforts were blocked by some of my Republican colleagues—blocked and actually earned applause from the President on Twitter for their actions.

Well, I am back again today because the security of our elections cannot wait. In a moment, I will ask unanimous consent to pass my legislation known as the FIRE Act. This bill would simply say to all Presidential campaigns going forward that if a foreign power reaches out to your campaign offering assistance or offering dirt on a political opponent, the appropriate response is not to say thank you. The appropriate response is to call the FBI.

I introduced this bipartisan legislation months before the facts came to

light about the President pressuring Ukraine into announcing a politically motivated investigation into the Bidens.

Now, I am not here to rehash the impeachment trial, but I do want to note one thing. A number of my Republican colleagues justified their votes by saying that, while not impeachable, it was wrong for the President to solicit foreign interference in our elections. I take my colleagues at their word that they believe foreign interference has no place in our elections, but if I take you at your word, you have got to put your money where your mouth is. We are under attack from our adversaries, who see this new era of cyber warfare and disinformation as a unique and golden opportunity to undermine American democracy.

We cannot afford to have a system that allows any Presidential candidate to welcome this kind of interference with open arms. If we can't trust the President of the United States and his campaign to do the right thing and report foreign interference, then we need to require it by law.

UNANIMOUS CONSENT REQUEST—S. 2242

Mr. President, as in legislative session, I ask unanimous consent that the Rules Committee be discharged from further consideration of S. 2242, the FIRE Act; that the Senate proceed to its immediate consideration; that the bill be considered read a third time and passed; and that the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mrs. BLACKBURN. Mr. President, I reserve the right to object.

The PRESIDING OFFICER. The Senator from Tennessee.

Mrs. BLACKBURN. Mr. President, I would like to articulate the reason for the objection to the legislation brought forward by the minority.

You would think that, after spending weeks in this Chamber litigating the finer points of their disagreements with the President's foreign policy, our friends in the minority would be weary of picking another partisan fight. But here we go again.

They are attempting to bypass this body's Rules Committee on behalf of various bills that will seize control over elections from the States and take it from the States. And where do they want to put it? They want it to rest in the hands of Washington, DC, bureaucrats.

As I have said on this floor before, I served on a local election commission. I know how hard our friends and neighbors and our local election commissions and our State election commissions work to ensure the integrity of the ballot box.

What would these bills that are going to be brought forward this morning do? They would centralize control over the vote, and what we have seen is big centralized out-of-control government. We

would end up having a less safe electoral process. It would be more vulnerable to attack.

It is absolutely baffling to me that the minority would fight so hard for such a disastrous vision, but, as I said, here we go again. Their actions show complete contempt for the progress that Congress, the intelligence community, and State-level authorities have made to protect our elections without resorting to a Federal power grab.

Since fiscal year 2018, Congress has invested \$805 million in protecting the vote. This is the largest investment in elections since the 2002 Help America Vote Act. And do you know what? It is making a difference. It is making a difference.

Why, then, would the minority continue to demand changes that would redirect that investment to support groups like the Iowa Democratic Party, whose mishandling of their own caucus ended in what has been termed by everyone as an unmitigated disaster?

They know it is not necessary, and yet time and again they are trying to force this issue. They feel like only the bureaucrats in Washington, DC, can handle this.

So in response to this gross hypocrisy, today I am filing my own bill directing the Government Accountability Office to look into the debacle in Iowa.

I send a bill to the desk, and I ask that it be appropriately referred.

This is not an attack. This is a recognition that any complex process comes with the risk of mistakes or mismanagement. We are all vulnerable. We must recognize this. We must investigate allegations of fraud and mismanagement, and, of course, there should be lessons learned from the past. To ignore these problems is to resign ourselves to a fatally flawed democratic process.

On that note, I do object to the motion, and I ask my colleagues to remember that we have reached a bipartisan consensus on the importance of securing our elections. We are all against election interference. We are all against foreign interference in elections. We are all for free and fair elections, and we are all for protecting the ballot box.

So I hope my Democratic colleagues do not resort to sending out more fundraising letters saying that the Republicans are opposed to a secure election process, because that is a falsehood. We are not. We are for a fair process. We do not believe federalizing that process and taking the power away from local governments and State governments is the way to do that.

So let's focus on the bipartisan consensus, and let's not throw that away in the name of having another partisan grudge match.

I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, I appreciate my colleague's comments about

State and local election security, which I support.

I see two members of the Senate Intelligence Committee on the floor, and I am extraordinarily proud of the bipartisan, unanimous work that we have done to point out what happened in 2016 and to lay out with a great deal of specificity what we need to do as a nation to protect ourselves in 2020.

This legislation I am proposing today is really kind of the simplest, lowest hanging fruit. I think we all say that we don't want foreigners interfering in our elections. All this legislation says is if a foreign government or foreign agents interfere to try to help or hurt any Presidential candidate, we ought to make sure there is no ambiguity that the appropriate response is not to say thank you but the appropriate response is to call the FBI.

That is the message we have heard from Director Wray. That is the message we have heard from the intelligence community. If we can't agree on that, gracious, where are we?

And, candidly, in other times we might not have needed this kind of legislation. It seems so patently obvious.

I am disappointed with the objection. We will keep trying.

With that, I yield the floor to my colleague from Oregon.

The PRESIDING OFFICER. Objection is heard.

The Senator from Oregon.

UNANIMOUS CONSENT REQUEST—S. 2238

Mr. WYDEN. Mr. President, I want to thank the vice chair of the Select Committee on Intelligence and pick up on his remarks.

For my colleagues, I believe they have asked that I give my remarks before I offer my unanimous consent request, and that is what I will do.

Mr. President, America is 266 days away from the 2020 elections, and Majority Leader McCONNELL has yet to take any concrete steps to protect our foreign elections from hacking or foreign interference. Thanks to this legislative blockade, the Senate has been totally derelict in its duty to stop foreign cyber attacks on our election.

I want to give just one concrete example, having listened to my colleague from Tennessee. There is not one single nationwide, mandatory election cyber security standard on the books. That means there is not even a prohibition on voting machines having an open connection to the internet. Colleagues, that is the equivalent of stashing our ballots in the Kremlin. There is no such cyber security prohibition.

The election security debacle of 2016 was 4 years ago, but still this body has refused to act. We know Russian hackers probed all 50 State election systems. They hacked at least one election vendor. Russians penetrated two Florida county election systems, according to Florida's Governor. That is just what we know about.

Despite all the ways foreign hackers have already made it into our election infrastructure, the Congress has re-

fused to arm State and county officials with the knowledge and funding they need to secure their systems.

I will state what I tell my constituents at townhall meetings at home—and I have more of them scheduled this weekend—I believe, as of today, the 2020 election is going to make 2016 look like small potatoes. The list of threats and vulnerabilities ought to be a wake-up call—a wake-up call—for every Member of this Senate. There were the ES&S voting machines that for years came with preinstalled remote-access software. There is the fact that Russia hacked an election vendor called VR Systems in the summer of 2016. VR Systems electronic poll books in North Carolina malfunctioned on election day that year, and one polling place had to shut down for hours. It was 2½ years before the Department of Homeland Security even investigated what had happened, and the government still has not adequately responded to questions I and Senator KLOBUCHAR have asked about this.

Right now, many election officials across the country are buying election systems that they believe in good faith are high tech, but they are in fact vulnerable to hacking and are outdated the moment they come out of the box. There is the alarming trend of states using mobile voting apps, like Voatz, that haven't been vetted by top security experts.

This is the reason why so many cyber security experts have been sounding the alarms for years, warning that putting computers between a voter and their ballots is a prescription for disaster. What happens when a "glitch" changes a candidate's vote totals by just 2 percent or 5 percent instead of 50 percent? What happens when a glitch shuts down machines in some precincts and not others, disenfranchising voters and skewing election results?

Five States still exclusively use hackable, paperless voting machines, and nine other States still use paperless machines in some counties.

These are serious problems, but there are some clear solutions. I proposed a bill called the PAVE Act, which has three key priorities that are universally supported by people who are knowledgeable in the election security field: paper ballots, routine post-election risk-limiting audits, and mandatory Federal cyber security standards for election systems.

Last year, the House passed a major election security bill called the SAFE Act, which included most of the PAVE Act. Senator KLOBUCHAR and I, on behalf of colleagues on this side of the aisle, introduced the Senate version of the SAFE Act. The SAFE Act has all three key elements recommended by our Nation's top cyber security experts—paper ballots, security standards, and postelection audits—as well as the funding necessary to make sure States can live up to the new standards.

The SAFE Act, in my view, represents the most comprehensive com-

monsense defense against foreign election hacking. I strongly urge my colleagues to reconsider their opposition to this vitally important legislation.

Mr. President, as if in legislative session, I ask unanimous consent that the Rules and Administration Committee be discharged from further consideration of S. 2238, the SAFE Act; that the Senate proceed to its immediate consideration; that the bill be considered read a third time and passed; and that the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from Tennessee.

Mrs. BLACKBURN. I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Oregon.

Mr. WYDEN. Just to give a brief response, I think it is unfortunate that my colleague is not even willing to engage in this discussion with respect to this.

I just want my colleagues on the other side of the aisle to think about their claims. They are saying, for example, that, well, they are sympathetic to the idea that there should be more money for election officials. The recent appropriations funding doesn't even have a requirement that it be spent on election security. States can buy brand new, insecure paperless voting machines that are pretty much useless when they come out of the box. They can even use the money to buy office chairs or a water cooler for the election office.

Again, I come back, and I hope my colleague from Tennessee will reflect on this because she is somebody who has spent a lot of time on technology issues.

The idea that this Senate is willing to say "You know, we are not even going to do something. We are not even going to act" when you can have voting machines with an open connection to the internet—it is just like stashing our ballots in the Kremlin. Something really is out of whack, and we ought to be coming together and passing the SAFE Act. We at least ought to be talking about it. What we have is a specific, documented case for an important piece of legislation, and the majority just says: That is the way it is. We are happy to say that you can have voting machines with an open connection to the internet. We are not even going to talk about it.

I think it is very unfortunate.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

UNANIMOUS CONSENT REQUEST—S. 1247

Mr. BLUMENTHAL. Mr. President, as if in legislative session, I ask unanimous consent that the Rules and Administration Committee be discharged from further consideration of S. 1247 and the Senate proceed to its immediate consideration; that the bill be considered read a third time and

passed; and that the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from Tennessee.

Mrs. BLACKBURN. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. BLUMENTHAL. Mr. President, I really regret there is an objection again to this bill which we have been seeking for floor consideration in this body to debate and pass.

We have been asking for floor consideration of various election security bills in the last several months—the PAVE Act, the Honest Ads Act, and the SHIELD Act—but, sadly and unfortunately for the country, the majority continues to stonewall. Our decisions are under attack, our elections are under siege, and 2016 was only a dress rehearsal.

Just yesterday, Attorney General Barr announced that Trump's personal attorney, Rudy Giuliani, is going to be feeding the Department of Justice unverified dirt from Ukraine on the President's political rival. In effect, the Department of Justice will become a political tool for the President. He is weaponizing law enforcement for his personal political end, and the Attorney General of the United States is becoming an aider and abettor to that polarization and politicization of the Department of Justice.

Only last week, for the first time in our Nation's history, we saw bipartisan support for removing the President from office. The basis for that bipartisan vote was, in fact, President Trump's illegal solicitation of election interference from a foreign government.

As Senator ROMNEY put it last week, Trump's demands of Ukraine constitute a "flagrant assault on our electoral rights, our national security and our fundamental values," noting that "corrupting an election to keep oneself in office is perhaps the most abusive and destructive violation of one's oath of office that I can imagine." He is right. We cannot allow this abuse to become the new normal, and it is fast becoming normalized.

My other Republican colleagues are running out of time to be on the right side of history. Others have conceded that what the President did was "wrong. Inappropriate . . . crossing the line," as Senator ALEXANDER put it.

Senator MURKOWSKI stated that she believed that "the President's behavior was shameful and wrong. His personal interests do not take precedence over those of this great nation."

Senator COLLINS, who first claimed that Trump learned his "lesson," has since admitted that she "may not be correct on that" after the President refused to admit any wrongdoing.

Now that Senate Republicans have let President Trump off the hook, there is no doubt that he will only be

emboldened in his efforts to illegally enlist foreign governments in his re-election campaign.

What is happening with Rudy Giuliani, Senator GRAHAM has said, may be that he has been "played by the Russians." That, in fact, is likely what is happening, but the President's personal attorney, Rudy Giuliani, may also be playing the President, and the President most certainly will be playing the country if he uses the Department of Justice for his personal political aims and enlists foreign interference in our election.

That is why this bill is so critically important. The Duty to Report Act offers my Republican colleagues the opportunity to start redeeming themselves for their votes last week.

If they really believe the President's actions were wrong, they should support this legislation. It is a very simple idea. Really, it is so simple that a lot of people believe it is already the law—if you see something, say something. If you see a violation of law with a foreign government interfering in our election, if you see an attempt to enlist that foreign government, if you see an acceptance of assistance, report it.

The Duty to Report Act would require campaigns, candidates, and family members to immediately report to the FBI and the Federal Election Commission any offers of foreign assistance. Simple. It codifies into law what is already a moral duty, a patriotic duty, and basic common sense.

It is already illegal to accept foreign assistance during a campaign. It is already illegal to solicit foreign assistance during a campaign. All this bill does is require campaigns and individuals to report what is already illegal to the FBI so law enforcement can protect our great Nation. This legislation would ensure that if the Trump campaign or any campaign were offered assistance from a foreign, hostile government in a future election, the FBI would be informed and could act to protect our country.

Let me repeat: 2016 was a dress rehearsal for what our intelligence community is already reporting as ongoing right now in election interference, and it is more than Russia. It is other nations. Already, Iran has proved to be an active and present disrupter, and other nations will follow their lead.

With the 2020 election looming, we need to stop this kind of foreign interference and ensure that it is the American people, not Russia, China, Iran, or any other nation, who decides who our leaders will be and the direction of our democracy—and not just decide but also influence and impact in ways that are opaque and concealed, pernicious and insidious. We need to act to provide a duty to report.

I regret the objection to our unanimous consent request, and I, certainly, along with my colleagues on this side of the aisle, will continue this effort to fight to protect our Nation against foreign interference.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SHELBY. Mr. President, I ask unanimous consent that before we recess, I be allowed to finish my remarks.

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

NOMINATION OF ANDREW LYNN BRASHER

Mr. SHELBY. Mr. President, I rise today in the U.S. Senate in support of Andrew Brasher of Montgomery, AL, whom I recommended and was later nominated by President Trump to sit on the U.S. Court of Appeals for the Eleventh Circuit, a very important post.

I believe Judge Brasher to be an esteemed choice for this high honor. Formerly Alabama's solicitor general and currently a U.S. district judge for the Middle District of Alabama, Judge Brasher is no stranger to the courtroom. I have the utmost regard for his vast legal ability and his commitment to the rule of law, and I believe he is well suited for this respected position.

Judge Brasher excelled academically from a young age. He earned his bachelor of arts with honors from Samford University in Birmingham, AL, where he graduated summa cum laude and met his wife Julia there. He currently serves on the school's board of overseers.

Judge Brasher went on from Samford University in Birmingham to graduate cum laude from Harvard Law School and was the first in his family to receive his juris doctorate. While in law school at Harvard, he was a member of the Harvard Law Review and received the Victor Brudney Prize. The Presiding Officer probably recalls this, but this is a high honor at Harvard granted annually at the law school to the best student paper on a subject associated with corporate governance. This is a very high honor.

Upon graduation, Judge Brasher served as a law clerk to Judge William H. Pryor, Jr., of the U.S. Court of Appeals for the Eleventh Circuit, making him neither a stranger to the courtroom nor to the Eleventh Circuit. Following his clerkship with Judge Pryor, Andrew Brasher practiced law in Birmingham, AL, with the law firm Bradley Arant Boulton Cummings. During his time with Bradley Arant, he worked in the firm's litigation and white-collar criminal defense practice groups. He eventually joined the Alabama attorney general's office, serving for several years as the deputy solicitor general and then went on to become the solicitor general for the State of Alabama.

Judge Brasher's experience speaks for itself. He has argued and won cases before the U.S. Supreme Court, the U.S. Court of Appeals for the Eleventh Circuit, and the Supreme Court of Alabama. While serving as solicitor general of the State of Alabama, Judge Brasher won two Best Brief Award honors from the National Association of Attorneys General. This accomplishment, as the Presiding Officer knows,

is no easy feat. He proved to be an exceptionally skilled attorney, but his ambitions did not stop there.

In 2018, the Presiding Officer probably will remember, I recommended and President Trump nominated Andrew Brasher to serve on the U.S. District Court for the Middle District of Alabama. Last year, he was confirmed by the full Senate to sit on the court as a Federal district judge.

Since his confirmation, Judge Brasher has served the State of Alabama and the Nation with integrity and purpose. I am confident that in his new capacity, he will continue to do so. I believe Judge Brasher is very worthy of this nomination. His judicial temperament and respect for the law, as it is written, will help him exhibit, I believe, impartiality and fairness with tact.

President Trump, I believe, has made the right decision in selecting Judge Brasher for this important job. I believe he will be an asset to our judicial branch on the Eleventh Circuit Court of Appeals.

I am hopeful that my colleagues on both sides of the aisle will vote to confirm Andrew Brasher without reservation later today. I remain confident that his dedication to justice will contribute to the respected standards of our Nation's judicial system. I wish Judge Brasher and his wife Julia—along with their two boys, Hank and Drew—all the best as they take on this new opportunity and responsibility.

I yield the floor.

#### JUDICIAL NOMINATIONS

Mr. DURBIN. Mr. President, this week, Senator MCCONNELL has scheduled votes on five judicial nominees.

Some of these nominees, I will oppose, including 11th Circuit nominee Andrew Brasher. Some, I will support, including John Kness, a nominee for the Northern District of Illinois, who was part of a bipartisan package of nominees in my State.

But first, I want to point out that, under this Republican majority, the Senate simply doesn't do legislation any more. There are literally hundreds of bills that have passed the House of Representatives and are gathering dust on the Senate desk.

These bills deal with critical issues like reducing prescription drug prices, protecting pensions, securing our elections from foreign interference, and closing gaps in our gun background check system, but time and again, when Senate Republicans have the opportunity to bring bills to the floor, they take a pass. They just don't want to do the hard work of legislating. Last year, the Senate voted on only 22 amendments all year. I remember when we used to vote on that many amendments in a single day.

Sadly, under this Republican majority, the Senate is becoming an appendage of the White House and no more than a conveyor belt for President Trump's judicial nominees. We are abdicating our responsibility to legislate

on matters of importance to the American people.

The Constitution assigns the Senate important roles as part of a coequal legislative branch. We are not rising to meet these challenges. When we look at this week's nominations votes, we are reminded yet again of how the Senate is abdicating its authority.

Andrew Brasher is the 18th Trump circuit court nominee who has been moved through the Senate Judiciary Committee without blue slips from both home State Senators. For a century, blue slips served as a critical check in the system, helping ensure that Senators, as the elected representatives of their State's citizens, have a role in choosing the Federal judges who will serve lifetime appointments in their State.

But Republicans, who used blue slips to obstruct many of President Obama's nominees, cast aside the blue slip once President Trump came into office. Now, circuit court nominees are routinely being rammed through the Senate over the objections of home State Senators. Some of these nominees are lightly qualified, to put it nicely. Some have barely practiced law in the State in which they have been nominated to serve. Some have barely seen the inside of a courtroom.

Today's nominee, 38-year-old Andrew Brasher, was confirmed as a district court judge last year without bipartisan support. Less than a year later, he is being put forward for the 11th Circuit. A former solicitor general of Alabama, he worked on controversial efforts to restrict voting rights, limit reproductive rights, and undermine gun safety laws.

But beyond the controversial advocacy that he undertook on behalf of his clients, Andrew Brasher also made comments in his personal capacity that call into question his impartiality and temperament. This includes a 2015 blog post he wrote in opposition to same-sex marriage and a speech he gave at a 2014 pro-life political rally where he said, "The ACLU and Planned Parenthood want a fight and we will give them one."

I will oppose the Brasher nomination, and I will also oppose Alaska district court nominee Joshua Kindred, who has a lengthy record of opposition to environmental protections. Mr. Kindred once described environmentalists as being driven by "passionate ignorance."

I will vote in support of the nomination of John Kness to the Northern District of Illinois. Mr. Kness is the final part of a package of four Illinois district court nominees that was agreed upon between myself, Senator DUCKWORTH, the Illinois Republican congressional delegation, and the White House. It is a good bipartisan package.

Mr. Kness is a graduate of Northwestern and Northwestern Law and a former Assistant U.S. Attorney. He is currently the general counsel for the

College of DuPage. He is diligent, thoughtful, and principled, and I urge my colleagues to support his nomination.

#### RECESS

The PRESIDING OFFICER. The Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:38 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mrs. CAPITO).

#### NOMINATION OF ANDREW LYNN BRASHER

Mr. LEAHY. Mr. President, today, the Senate will vote on the nomination of Andrew Brasher for an Alabama seat on the 11th Circuit. This is over the objection of Senator JONES, who was not meaningfully consulted by the administration and did not return a blue slip. Senator JONES is as reasonable as they come; the fact that he was denied a voice in this process shows just how disinterested the White House is in being reasonable when it comes to selecting judges who will shape the laws in our States for decades to come.

It is clear the President views the courts as a mere extension of his power, not as an independent body critical to the checks and balances of our constitutional system. The President knows that no matter who is nominated, whether or not qualified or within the mainstream, the Judiciary Committee of today and the Senate of today—led by a majority leader who describes the Senate's role as a mere conveyor belt for President Trump's nominees—will confirm them.

The President likes to brag about the number of judges that have been confirmed under his administration. Less attention is paid to the cost. Of the last 20 circuit court nominees the Judiciary Committee has reported, 15 have been along party lines, and 13 had a negative blue slip. My friends across the aisle apparently no longer care about the constitutional principle of providing advice and consent to nominees in your home State, a tradition that, until recently, had been guarded by members of both parties.

Blue slips aside, Andrew Brasher had served as district court judge for just 7 months before receiving this Presidential promotion. Every single Democrat opposed his nomination when it was reported out of the Judiciary Committee and again when it was considered on the Senate floor. During his short tenure as a district court judge, he has presided over only three cases that have gone to verdict or judgment. In his questionnaire, when asked what significant opinions on Federal constitutional issues he has written, he simply wrote "none."

But of course, the President did not select Brasher for his judicial experience. A partisan judicial philosophy, along with youth, seem to be the only qualifications of many of this administration's nominees. Before becoming a judge, Brasher spent his short legal career systematically restricting the