

As a judge, she has presided over more than 1,000 cases that have gone to verdict or judgment—including more than 100 criminal jury trials.

She has been a leader on the superior court, as well as in the San Diego community. Most recently, she was presiding judge of the Juvenile Court from 2009 to 2012.

In 2012, the San Diego Juvenile Justice Commission named her Judge of the Year.

She served as chair of the San Diego Commission on Children, Youth, and Families, which advises the county board of supervisors on issues affecting family well-being.

She served on the San Diego County Child Abuse Prevention Coordinating Council as well.

She also has served as president and currently serves on the advisory board of the Lawyers Club of San Diego—a highly respected organization that works to promote gender equality in the legal profession.

She also has served on the board of the Children's Initiative of San Diego, which was established in 1992 to advocate for effective policies to support the health and well-being of children, youth, and families in San Diego.

Simply put, Judge Bashant is a perfect fit for this position. She has experience in private practice. She spent 11 years as a Federal prosecutor in San Diego. She has been running her own courtroom for 13 years.

I have no doubt she will hit the ground running on the Southern District, which has the third-greatest criminal caseload per judgeship in the Nation.

Beyond her qualifications and experience, Judge Bashant clearly is an outstanding woman and a real leader. As one of her judicial colleagues told my judicial selection committee, Judge Bashant is “an energetic, smart, really impressive hard worker who ‘really cares.’”

So, I am very proud to have recommended Judge Bashant to the President, and I urge my colleagues to support her nomination.

Mr. SCOTT. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

Mr. DURBIN. I announce that the Senator from Arkansas (Mr. PRYOR) is necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Arkansas (Mr. BOOZMAN), the Senator from Mississippi (Mr. COCHRAN), the Senator from Florida (Mr. RUBIO), the Senator from Louisiana (Mr. VITTER), and the Senator from Mississippi (Mr. WICKER).

The result was announced—yeas 94, nays 0, as follows:

[Rollcall Vote No. 122 Ex.]

#### YEAS—94

Alexander	Gillibrand	Moran
Ayotte	Graham	Murkowski
Baldwin	Grassley	Murphy
Barrasso	Hagan	Murray
Begich	Harkin	Nelson
Bennet	Hatch	Paul
Blumenthal	Heinrich	Portman
Blunt	Heitkamp	Reed
Booker	Heller	Reid
Boxer	Hirono	Risch
Brown	Hoeven	Roberts
Burr	Inhofe	Rockefeller
Cantwell	Isakson	Sanders
Cardin	Johanns	Schatz
Carper	Johnson (SD)	Schumer
Casey	Johnson (WI)	Scott
Chambliss	Kaine	Sessions
Coats	King	Shaheen
Coburn	Kirk	Shelby
Collins	Klobuchar	Stabenow
Coons	Landrieu	Tester
Corker	Leahy	Thune
Cornyn	Lee	Toomey
Crapo	Levin	Udall (CO)
Cruz	Manchin	Udall (NM)
Donnelly	Markley	Walsh
Durbin	McCain	Warner
Enzi	McCaskill	Warren
Feinstein	McConnell	Whitehouse
Fischer	Menendez	Wyden
Flake	Merkley	
Franken	Mikulski	

#### NOT VOTING—6

Boozman	Pryor	Vitter
Cochran	Rubio	Wicker

The nomination was confirmed.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, the last rollcall vote will occur in a matter of a few seconds, and after that there will be a voice vote.

The first series of votes tomorrow will be at 11:15 a.m. Starting at 1:45 p.m. tomorrow afternoon, we will have up to four votes. If we are fortunate, there will only be two or three votes.

This is the last vote tonight. We start at 11:15 a.m. tomorrow morning, and then at 1:45 p.m. tomorrow afternoon.

#### VOTE ON LEVY NOMINATION

The PRESIDING OFFICER. Under the previous order, the question is, Will the Senate advise and consent to the nomination of Jon David Levy, of Maine, to be United States District Judge for the District of Maine?

Mr. MENENDEZ. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Arkansas (Mr. PRYOR) is necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Arkansas (Mr. BOOZMAN), the Senator from Mississippi (Mr. COCHRAN), the Senator from Louisiana (Mr. VITTER), and the Senator from Mississippi (Mr. WICKER).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 75, nays 20, as follows:

[Rollcall Vote No. 123 Ex.]

#### YEAS—75

Alexander	Franken	Mikulski
Ayotte	Gillibrand	Murkowski
Baldwin	Grassley	Murphy
Begich	Hagan	Murray
Bennet	Harkin	Nelson
Blumenthal	Heinrich	Paul
Blunt	Heitkamp	Portman
Booker	Hirono	Reed
Boxer	Hoeven	Reid
Brown	Isakson	Rockefeller
Cantwell	Johnson (SD)	Rubio
Cardin	Kaine	Sanders
Carper	King	Schatz
Casey	Kirk	Schumer
Chambliss	Klobuchar	Shaheen
Coats	Landrieu	Stabenow
Collins	Leahy	Tester
Coons	Levin	Thune
Corker	Manchin	Udall (CO)
Cornyn	Markley	Udall (NM)
Donnelly	McCain	Walsh
Durbin	McCaskill	Warner
Feinstein	McConnell	Warren
Fischer	Menendez	Whitehouse
Flake	Merkley	Wyden

#### NAYS—20

Barrasso	Hatch	Risch
Burr	Heller	Roberts
Coburn	Inhofe	Scott
Crapo	Johanns	Sessions
Cruz	Johnson (WI)	Shelby
Enzi	Lee	Toomey
Graham	Moran	

#### NOT VOTING—5

Boozman	Pryor	Wicker
Cochran	Vitter	

The nomination was confirmed.

The PRESIDING OFFICER. On this vote the yeas are 75, the nays are 20. The nomination is confirmed.

#### VOTE ON WORK NOMINATION

Under the previous order, the question is, Will the Senate advise and consent to the nomination of Robert O. Work, of Virginia, to be Deputy Secretary of Defense?

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motions to reconsider are considered made and laid upon the table. The President will be immediately notified of the Senate's actions.

#### LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session.

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

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

#### MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

## SUPREME COURT DECISIONS

Mr. LEAHY. Mr. President, earlier this month, the U.S. Supreme Court once again chose to dismantle campaign finance laws which had protected hard-working Americans for decades. In *McCutcheon v. Federal Election Commission*, a sharply divided Court held that aggregate limits on campaign contributions are a violation of the First Amendment. These were the same five justices who, just 4 years ago, reversed a century of precedent in *Citizens United* by declaring that corporations have a First Amendment right to endlessly finance and influence elections. Rather than increasing access and encouraging participation for all Americans, this Court continues to rule against our democratic principles and in favor of moneyed interests.

The Court's recent dismantling of campaign finance laws has been devastating. As Justice Breyer warned in his dissent:

Taken together with *Citizens United*, [the *McCutcheon*] decision eviscerates our Nation's campaign finance laws, leaving a remnant incapable of dealing with the grave problems of democratic legitimacy that those laws were intended to resolve.

I could not agree with him more.

Nobody who has watched our elections or even tried to watch television since the *Citizens United* decision can deny the enormous impact that decision has had on our political process. In small states like Vermont, that decision coupled with *McCutcheon* poses an even greater risk. I have heard time and again from Vermonters concerned about these toxic effects, and I agree that something must be done. That is why I have cosponsored the DISCLOSE Act since 2010 to restore transparency and accountability to campaign finance laws, and that is why we have held multiple hearings in the Judiciary Committee on the impact of these alarming Supreme Court decisions. Earlier this month I announced that the Judiciary Committee would have another hearing on this issue. That hearing will take place in June. We will hear testimony from individuals who have witnessed the real impact these harmful decisions have had on Americans seeking to exercise their right to vote and to be heard.

The Judiciary Committee's hearing will also take place close to the anniversary of yet another devastating Supreme Court decision. Last June, as the Nation prepared to celebrate the 50th Anniversary of the March on Washington where Dr. Martin Luther King delivered his historic "I Have a Dream" speech, the same narrow majority of the Supreme Court struck down the coverage provision of the Voting Rights Act and effectively gutted the most successful piece of civil rights legislation in this Nation's history in *Shelby County v. Holder*.

The Voting Rights Act, including the coverage formula and Section 5, was reauthorized and signed into law by President George W. Bush in 2006, after

the Senate voted 98-0 and the House voted 390-33 in favor of the reauthorization. Yet the Court struck down a key provision of the Act despite the fact that it has worked to protect the Constitution's guarantees against racial discrimination in voting for nearly five decades. In striking down the coverage formula in the Voting Rights Act, the Court dramatically undercut Section 5's ability to protect American voters from racial discrimination in voting. The result is that many Americans who were protected by this law have now been left vulnerable to discriminatory practices and have had much greater difficulty accessing the ballot box. Along with other lawmakers, I have introduced a bipartisan and bicameral bill, S. 1945, to respond to the Court's decision and would reinvigorate the most vital protections of the Act. I hope Senate Republicans will work with me on this important effort.

This current Supreme Court's pattern of denying access to the ballot box for everyday Americans while expanding the ability of billionaires and corporations to buy elections is disturbing, to say the least. In an article by Ari Berman at *The Nation* dated April 2, the author states that "The Court's conservative majority believes that the First Amendment gives wealthy donors and powerful corporations the carte blanche to buy an election but that the Fifteenth Amendment does not give Americans the right to vote free of racial discrimination." Since the Court's ruling in *Shelby County*, eight states previously covered under Section 4 of the Voting Rights Act have since passed or implemented new voting restrictions and voters are already seeing the consequences of that lack of protection. Mr. Berman concludes that "[a] country that expands the rights of the powerful to dominate the political process but does not protect fundamental rights for all citizens doesn't sound much like a functioning democracy to me." I agree and I ask unanimous consent to have this article printed in the RECORD at the conclusion of my remarks.

Sara Mayeux at Harvard Law School observed that the Court began its *McCutcheon* opinion by noting that "There is no right more basic in our democracy than the right to participate in electing our political leaders" yet, this same narrow majority discarded that very principle just last year when it struck down a key provision of the Voting Rights Act in *Shelby County*—a case that was much more about the right to participate in electing our political leaders than this one.

The observation is consistent with the disturbing trend exhibited by this Court in *Citizens United*, *McCutcheon*, and *Shelby County*, which is that the Court underscores and endorses the rights of corporations and billionaires to participate in our democracy, and yet dismisses that same right for the average American to participate in our elections and to vote free from discrimination.

Every American should understand how devastating these rulings are to our system of democracy. Time and again, this narrow majority of conservative Justices has substituted their own preferences for those of the duly-elected Congress, despite the Supreme Court's own precedents. This Court's disregard for Congressional findings about both the threat of corruption and the irreparable harm of racial discrimination in voting demonstrates how out of touch with reality some of the Justices have become. These sharply-divided rulings undermine the fundamental concept that our democracy is supposed to work for all Americans. I will continue to work on behalf of the American people to see that all Americans and not just a wealthy few will continue to have a right to participate in our representative democracy and to have their voices heard.

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

[From *The Nation*, Apr. 2, 2014]

THE SUPREME COURT'S IDEOLOGY: MORE MONEY, LESS VOTING

(By Ari Berman)

In the past four years, under the leadership of Chief Justice John Roberts, the Supreme Court has made it far easier to buy an election and far harder to vote in one.

First came the Court's 2010 decision in *Citizens United v. FEC*, which brought us the Super PAC era.

Then came the Court's 2013 decision in *Shelby County v. Holder*, which gutted the centerpiece of the Voting Rights Act.

Now we have *McCutcheon v. FEC*, where the Court, in yet another controversial 5-4 opinion written by Roberts, struck down the limits on how much an individual can contribute to candidates, parties and political action committees. So instead of an individual donor being allowed to give \$117,000 to campaigns, parties and PACs in an election cycle (the aggregate limit in 2012), they can now give up to \$3.5 million, Andy Kroll of Mother Jones reports.

The Court's conservative majority believes that the First Amendment gives wealthy donors and powerful corporations the carte blanche right to buy an election, but that the Fifteenth Amendment does not give Americans the right to vote free of racial discrimination.

These are not unrelated issues—the same people, like the Koch brothers, who favor unlimited secret money in US elections are the ones funding the effort to make it harder for people to vote. The net effect is an attempt to concentrate the power of the top 1 percent in the political process and to drown out the voices and votes of everyone else.

Consider these stats from Demos on the impact of *Citizens United* in the 2012 election:

The top thirty-two Super PAC donors, giving an average of \$9.9 million each, matched the \$313.0 million that President Obama and Mitt Romney raised from all of their small donors combined—that's at least 3.7 million people giving less than \$200 each.

Nearly 60 percent of Super PAC funding came from just 159 donors contributing at least \$1 million. More than 93 percent of the money Super PACs raised came in contributions of at least \$10,000—from just 3,318 donors, or the equivalent of 0.0011 percent of the US population.

It would take 322,000 average-earning American families giving an equivalent