

It is a pretty straightforward piece of legislation, and it has been in this Senate for 83 days now. For 83 days, it has been sitting right here in the Senate, but the Republican leader will not let us take it up to debate it or to vote on it.

I mentioned another bill that came over from the House that would get rid of secret money in politics. What do I mean by that?

After the Supreme Court decision in *Citizens United*, we had two things happen. One was that just a flood of corporate money flew into elections because, before that decision, corporations could not spend money directly to try to elect public officials. The Congress had previously passed a law to prevent that, and previous Supreme Courts had upheld that ban on corporate spending to try to elect public officials. In *Citizens United*, they decided, well, corporations are people, too, for the purpose of spending money in elections. So they got rid of that law.

If you read that opinion, even those who voted to overturn those laws said that what is going to protect the system will be the public's knowing who will be spending all of that money. They said: All right, we are going to let corporations spend all of that money. We are going to let 501(c)(4)s spend all of that money. Do you know what? The public will know, and that will serve as a check on the system. That will provide transparency, and the transparency will provide accountability.

Guess what. It didn't happen. In fact, the Senate's Republican leader has been one of the arch opponents of any kind of transparency and disclosure. I have had a long-running back-and-forth with him on this issue because, even if you look at the proponents of the terrible *Citizens United* decision, as I said, those Justices said: Well, transparency will take care of it. The reality is that people spend millions and millions of dollars in secret money in elections.

Let me just tell people that it may be secret to the public, but it is not a big secret to the candidates who are running. It is not a big secret to them who is spending millions of dollars to try to get them elected or to defeat them. That is a farce. Years ago, when I was in the House, I authored something called the *DISCLOSE Act*. It passed the House. It died here by one vote. We got 59 votes on an almost identical bill. It didn't get 60. So we still have secret money in politics today.

My view is that voters have a right to know who is spending millions of dollars to try to influence their decisions, and that is a big part of the bill that came over from the House 74 days ago. It is called the *For the People Act*. It has a lot of other important provisions in it to protect our elections and important provisions to make sure that we uphold the right to vote.

Among the important provisions is the *DISCLOSE Act*—to get rid of secret

money in politics. That is sitting over here and has been for 74 days.

What else has the House sent over? It sent over the *Equal Pay Act*, which has a pretty straightforward idea, and I think most Americans agree with it. In fact, public surveys show that people agree that if you put in an equal day's work—if you put in the sweat equity, if you do the job—and if a woman does the job just like the man does the job, by God, obviously, she should get paid the same amount. It is a pretty simple concept. That came over from the House. In fact, it came over from the House just 55 days ago. For 55 days, it has been sitting here.

Another bill that has come over from the House also relates to making sure that we address issues that are important to all of us, but it has specifically dealt with the *Violence Against Women Act*. What we say within the *Violence Against Women Act*, in the House bill, is that if you have someone who is abusing you in a relationship—it doesn't have to be your spouse; it could be someone else who is abusing you in a relationship—they shouldn't be able to go out and buy a gun. What we have seen from the sad statistics is that those kinds of situations often escalate into somebody's getting killed when someone is in a relationship in which one of the people in that relationship is abusing the other.

Just as we prevent the sale of guns to spouses who have records of domestic violence and domestic abuse, we should extend that prohibition on running out and getting guns to other abusive relationships. That was the reauthorization of the *Violence Against Women Act*, and it passed out of the House 47 days ago. So, 47 days ago, the House passed the reauthorization of the *Violence Against Women Act*.

It passed the *Paycheck Fairness Act*—equal pay for equal work—55 days ago.

It passed the *For the People Act* 74 days ago, which includes the provision to get rid of secret money in politics.

It also passed the *Bipartisan Background Checks Act*—to reduce the death toll from gun violence in our country—83 days ago.

All of those bills are sitting right here in the Senate. We could be debating them today if the Republican leader would allow them to come up. Instead of taking up that important work, we are here, acting like those in a factory who churn out more judges who have records of stripping women of their right to reproductive choice. It is a very, very dark time in the Senate, and I hope that we will get about the business of the American people and stop stripping women of their constitutional rights.

I yield the floor.

The PRESIDING OFFICER (Mr. PERDUE). The Senator from Missouri.

NOMINATION OF STEPHEN R. CLARK

Mr. BLUNT. Mr. President, I think, by any standard, it is a stretch to suggest that we are churning out judges.

We are doing our constitutional job of confirming judges that the President is constitutionally required to nominate. We are going to vote on a Missouri judge today, Judge Stephen Clark, to be a judge on the U.S. District Court for the Eastern District of Missouri.

In the process of churning out judges, Judge Clark—or soon-to-be Judge Clark, I hope—was told by the White House in July of 2017 that he was going to be its nominee for this place on the court. If it were July of 2017 and it is now May of 2019, the churning is, obviously, not going very well. In fact, to get people to even serve in these jobs is going to get increasingly difficult.

In the case of Steve Clark and his family, he had a pretty unique practice that was focused on him and a couple of associates. I am not even sure of the kind of law they practiced, but I am sure it was not the kind of law that was referred to a minute ago. His wife was the assistant in the office, and I think they had an associate or two.

Yet, if all of your clients have been told for 20 months or so that you are going to be a district judge, the first question they ask is, Can you handle this case?

The answer you give is, Well, I don't know, but probably not. Eventually, Congress will get to this, and, eventually, I will be confirmed.

From the time of July 2017 to November 2018, there was nobody coming in the door anymore, and the law practice closed, as it should. It was not forced to close. Clearly, the best thing to do was to go ahead and admit that the supporting effort of that practice had gone away but that the overhead was still there. Since November, Stephen Clark has been waiting for this day to happen. This is not churning out judges, and I may get back to this topic in just a minute.

Certainly, for nominees like him who are willing to have their names submitted—who are willing to say yes when asked if they would be willing to be nominees—we have to do a better job, not the job of suggesting that somehow this happens easily to people who aren't qualified.

Steve Clark has been a respected, practicing attorney in the Eastern District of Missouri for 28 years. He knows the law; he knows the community. The American Bar Association rated him "well qualified" to hold this job.

He has been approved by the Senate Judiciary Committee twice now, once in 2016—see if I have that right; there is so much history here, it is hard to even know what the book would look like—and once before the 2018 election. Then all of these nominees had to be sent back to the White House, so after the 2018 election, after the Congress started work again in January of 2019, his name had to be resubmitted. The committee had to vote on him again. They had to look once again to see that he was "well qualified" to hold this job. They had to once again verify that he had 28 years in private practice.

We even had a past president of the Missouri Bar Association, who is a Democrat, say: "Steve Clark will make an excellent addition to the federal court bench."

The very idea that we characterize judges we are putting on the courts as enemies of any group of people is pretty offensive when you think about it. The law of the land is the law of the land. Judges are bound by precedent. Certainly, lawyers are bound by precedent. There is nothing to suggest anything other than the "well qualified" status of the bar association.

We need to fill this vacancy. We even have a temporary judgeship in the Eastern District. The workload is so great that the temporary judgeship should become permanent, but that is not the judgeship we are talking about here.

We are talking about somebody who is ready for this job, willing to give up his law practice with what should have been an absolute certainty he would be confirmed, but no absolute certainty he would be confirmed. I certainly wish the process hadn't taken so long, but I am glad we were able to adjust the rules of the Senate last month to start getting more people through that process. Without that, people in this case in my State—the people in the Eastern District of Missouri—would have to wait even longer. We may have never gotten this judgeship filled if we hadn't changed the rules.

Unfortunately, there are still a whole lot of people waiting to be confirmed to important jobs in the government. There is still too much obstruction for no real reason.

In fact, in past Congresses, judgeships like this would have been filled by unanimous consent. We would have filled five or six a day if we had vacancies of well-qualified candidates at the end of the day with no debate, but our friends on the other side have decided: No, we are going to take the maximum amount of debatable time available for, say, a Supreme Court Justice or the Attorney General of the United States, and we are going to apply that to every job—district judges, the assistant secretary of whatever, who is the lowest person appointed in whatever Cabinet office there is. We are going to apply the 30 hours to them. Of course, what you did to do that is use up all of this time because nothing else can happen on the floor during that 30 hours.

Was debate happening on the floor during that 30 hours? Of course not. The average debate time used during that 30 hours was 24 minutes. So for the other 29 hours and 36 minutes, nothing happened that related to that judgeship.

This morning, when I was driving to the Capitol, I actually heard somebody on one of the news programs say: Now they are forcing judges to be confirmed with only 2 hours of debate instead of the 30 hours that should have been used.

That would have been a valid criticism if the 30 hours were ever used, but

when the 30 hours is only 24 minutes, it is no criticism at all. It is a ridiculous position to take. You don't have to be a genius to see that it is designed to not allow the President to have the jobs confirmed in the government that the Congress has determined that the Senate would have to confirm. There are, I think, about 970 of them. By the way, if you took 30 hours for each of the 970, I think it would have been impossible—and we were proving it was impossible—for the President to ever get a government in place.

Then the judicial vacancies that occur—this is a vacancy we are filling today that was vacant months before President Trump was elected, maybe 3 months, maybe 4 months, but we haven't had anybody in this judgeship now for well over 2 years. In fact, as I said earlier, we have had, for 22 months, somebody who was told they were going to be the nominee and to prepare to serve.

In the 3 weeks we were in session before the rule change, we were able to confirm seven nominees in 3 weeks, and that was the principal work we were doing in that 3 weeks. These nominees fill jobs that are running the government or court positions that they are appointed to serve in for a long time. We filled seven of them in 3 weeks.

In the 3 weeks after we had the rule change, we cleared 24 nominees in that period of time.

By the way, the debate spent an average of 3 minutes—of the 2 hours that were available to those 24 nominees, the average time spent debating was 3 minutes. The minority is still suggesting that we are going to use the maximum time no matter how little time is used, no matter how little time is called for, because even if it is not 30 hours—it is now 2 hours—we can force 2 hours of no legislative opportunity and no legislative planning as the Senate tries to do part of the job that only the Senate can do. The House doesn't do this; only the Senate can do this. This is a job that is done by the President, who nominates, and the Senate, which confirms.

If you can keep the Senate confirming part to a maximum use of time, if you are in the minority, you can keep the legislating opportunities to a minimum.

Now, somebody might say: Well, gee, what would they bring to the floor? There are a lot of things we would bring to the floor if we had the time to get on them and stay on them.

Of course, we would really like to bring the appropriating bills to the floor soon and do those.

We cleared 24 nominees with an average of 3 minutes of talking about each one—maybe a few minutes. I think that even includes the time just making aspersions about these nominees in general, which don't relate to anybody. That would be included in that 3 minutes as well.

We continue to have a lack of cooperation to do the job of the Senate in the way that for 200 years it was done.

I hope my friends on the other side will begin to work with us and begin to understand that everybody has caught on. The people in this building and outside this building know what has been happening for almost 2.5 years now, and more responsibility is going to have to be taken than has been taken up until now.

I will say, again—almost 2 years after Steve Clark was nominated—I believe we will finish that job today, and if we do, it will be a good day for him, a good day for his family, and a good day for people waiting to get an opportunity on the Federal court docket in the Eastern District of Missouri to have a person not decided by me to be well qualified for the job but decided by the American Bar Association and twice approved by the Judiciary Committee of the U.S. Senate. While this work has taken a long time to get done, it will be good to see it done.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

#### INFRASTRUCTURE

Mr. DURBIN. Mr. President, this morning we had a meeting in Speaker PELOSI's office of the Democratic congressional leaders. It was in preparation for a meeting with President Trump.

Three weeks ago, NANCY PELOSI and CHUCK SCHUMER, the Democratic leaders of the House and Senate, asked for a sit-down with the President in the Cabinet Room to discuss the infrastructure of the United States of America—the backbone of our economy, a part of America that, sadly, has been neglected for too many years.

President Trump promised in his campaign there would be an infrastructure program—put America to work to build the roads, the bridges, and the airports, and I might say broadband and so many other things that need to be done—so that the strength of this economy would be there to entertain new business opportunities, to attract new jobs.

We had this meeting 3 weeks ago, and it was amazing how well it went. I was sitting just a couple of seats removed from the President and heard an agreement in the room from the Democratic leaders and the President—\$2 trillion, the President said. He rejected our offer of \$1.5 trillion and said: No, make it \$2 trillion that we will spend on our infrastructure.

Everybody sat up straight in their chairs and said: Well, this President is serious.

We said: Mr. President, will it be 80 percent Federal spending and 20 percent local, the way it has always been?

Yes.

Can we include rural broadband in here so those of us who represent small towns—rural areas that don't have the benefit of broadband services—can get into the 21st century in terms of education and telemedicine and all of the things that brings?

Yes.