

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 reelection 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 Boult 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