

right mental health grants and track the status of those grants. This bill could truly be a lifeline to officers reeling from staffing issues or difficult cases.

In his interview, Ashland Police Chief Brady said:

I love this community. The hours that I'm putting in are because of my care for the people.

That dedication is what we honor during National Police Week, but let's not leave our appreciation for our selfless hard-working police officers behind on Saturday when Police Week ends. I urge my colleagues to continue backing the blue throughout the year and, especially, to pass these very critical bills.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

NOMINATION OF NANCY G. ABUDU

Mr. RICKETTS. Mr. President, I rise today in opposition to the nomination of Nancy Abudu to the U.S. Court of Appeals.

I served as Governor for 8 years, and, in that time, I had the great privilege of appointing dozens of judicial appointments to Nebraska courts. I appointed four of the current Nebraska Supreme Court justices and many more to lower courts.

When I considered a prospective nominee, I was often reminded of our State's motto: "Equality Before the law." That motto reflects a common-sense American principle that all people should receive equal treatment and equal opportunity, regardless of one's race or background. The women and men who serve in our courts should reflect this motto.

When I considered nominees, I looked at a few things. I looked at whether they were leaders with high integrity and character. I looked at their experience, and I looked at how they understood their role as a judge. Did they think the job of a judge was to make the law or to interpret the law?

I looked at if they had a respect for the law and whether they had the temperament to bring a thoughtful and fairminded approach to each case they would have at hand. I looked at whether they were respected by their peers. And I am proud of the appointments that I made.

Nancy Abudu is not someone I would have considered for a judgeship. Ms. Abudu is the kind of soft-on-crime, anti-police, activist we actually must keep off of the bench. And I want to take a moment to go over her record.

Ms. Abudu has argued publicly and repeatedly that American voting laws and the criminal justice system are racist and discriminatory. She has spe-

cifically maligned the three States that comprise the Eleventh Circuit that she is being considered for. In Alabama, she said that Jim Crow continues to cast a long shadow on the State's elections.

She said that Florida is engaged in a "war to strip poor and low-income people of all political power." And she accused Georgia State legislators of "punishing voters and undermining democracy" and said that the State is a "bad actor" and "simply cannot be trusted to protect the rights of voters."

At a time when Americans require certainty and security of our elections, Ms. Abudu has consistently argued dangerous and misleading positions, trying to undermine the public's trust of our elections and our voting rights. She has argued that prohibiting felons from voting is "practically the same system as during slavery." She argued that requiring voters to present identification is voter suppression.

My colleague, Ranking Member GRASSLEY, described Abudu as one of the "most activist judicial nominees we've ever seen." During her confirmation hearing, the Judiciary Committee heard Abudu double down in defense of her work in 2018 to challenge a Miami ordinance that banned sex offenders from living within 2,500 feet of a school.

Senator GRASSLEY questioned Abudu about a 2016 article where she advocated for laws that "would allow non-citizens to vote in local elections" and suggested that opponents of such legislation are "trying to incite hysteria that undocumented immigrants are also taking over the ballot box in addition to our country."

When asked which election she thought noncitizens should be permitted to vote in, Abudu declined to substantively respond, saying:

In the article, I noted that some cities allow noncitizens to vote in local elections.

Republican members of the Senate Judiciary Committee questioned Abudu about numerous partisan and inflammatory statements she has also made, including:

Systemic racism [is] embedded in the criminal justice system and other parts of our society.

That the "problem" with southern States when it comes to voting laws "is they're not always doing the right thing and the resentment they feel is that historically, the Federal Government has not allowed them to get away with it."

Governor DeSantis is digging his heels in to ensure poor people in his State are blocked from voting.

With respect to the privatization of schools, she said:

[W]e are not in an environment or a culture where we want to rely on our State legislators to do the right thing by our children, especially if they are Black or Brown.

Nancy Abudu's work at the Southern Poverty Law Center, SPLC, since 2019 and currently as the Strategic Litiga-

tion Director are also extremely concerning positions. For those unfamiliar, the Southern Poverty Law Center is a far-left activist organization that only targets conservatives whom they disagree with politically. The SPLC is well-known for, unapologetically and often without any justification, labeling conservative and religious organizations and individuals as "hate groups" or "extremists."

As a Federal judge recently found that the SPLC hate list does not "depend upon objective data or evidence" and its application of the "hate group" designation is "entirely subjective."

Another Federal judge ruled that SPLC's "representation or description" of a nonprofit organization as a hate group "is not one 'of fact.'"

SPLC's Hate Map, as they call it, is "outright fraud" and "a willful deception designed to scare older liberals into writing checks to the SPLC."

Their misinformation has real-world implications ranging from careless to incendiary and deadly. Floyd Lee Corkins entered the Family Research Council's headquarters with a 9-millimeter pistol, multiple ammunition clips, and a box of extra rounds, and the intent to "kill as many people as possible." Fortunately, Corkins was stopped by the building manager from carrying out this mass shooting.

Under FBI interrogation, Corkins said he chose to carry out the attack on FRC after it was labeled a "hate group" on the Southern Poverty Law Center's website.

In 2018, the SPLC paid \$3.375 million in damages after brandishing British Muslim reformer Maajid Nawaz as an anti-Muslim extremist.

Similarly, the SPLC was compelled to issue an official apology for placing Dr. Ben Carson under their extremist watchlist back in 2014.

In 2021, in Nebraska, we saw the Southern Poverty Law Center's reckless and misguided definition of "hate groups" used against University of Nebraska-Lincoln students. A Christian student organization called Ratio Christi filed a lawsuit alleging the University discriminated against the organization's conservative and Christian views when it denied funds for a speaker.

I spoke out at the time urging the University to support speakers from a wide variety of viewpoints on campus, including Christian speakers. The group of students had secured legal defense from the Alliance Defending Freedom, a religious freedom organization. The Southern Poverty Law Center's designation of ADF as a hate group was then used against the students in media reports across the State.

Fortunately, justice prevailed; and in a victory for free speech at public universities, a Federal court entered a partial judgment against the University of Nebraska-Lincoln officials who discriminated against Christian student organizations. The University revised its funding policies to provide

transparency and accountability in the process.

In 2023, an FBI whistleblower revealed the Bureau issued an internal memo—now rescinded—on “radical-traditionalist Christian ideology,” citing the SPLC. The memo characterized radical traditionalist Catholics primarily by their rejection of church developments since the Second Vatican Council—Vatican II—and opposition to homosexuality. The memo suggests the FBI should monitor these Catholics through “the development of sources with access,” including in places of worship. It presents a list of hate groups published by the SPLC as a place to start with this work.

The SPLC’s hate label destroys civil discourse and breeds contempt for those with different views.

Americans want judges that understand their role to interpret our laws, not make them. Americans want judges who want to give every litigant a fair shake. Americans want judges that believe in our Founding documents.

Ms. Abudu has failed to demonstrate she understands the critical role that a judge should play in our legal system. Her record proves that she is far outside the mainstream. Far-left activists do not belong on the Federal bench. I call on my colleagues to join me in opposing this radical nominee.

I yield the floor.

Mr. DURBIN. Mr. President, today, the members of this Senate have a chance to make history. We will vote to confirm Nancy Abudu to the U.S. Court of Appeals for the Eleventh Circuit.

A graduate of Columbia University and Tulane Law School, Ms. Abudu has dedicated her career to defending the civil rights of all Americans. She has experience litigating and overseeing complex civil matters. She also has significant appellate experience, filing a number of briefs in the U.S. Supreme Court and arguing five cases before Federal courts of appeals.

Throughout her career, Ms. Abudu has defended voting rights, protected religious freedom, and advanced criminal justice reform. Her perspective and experience will be a valuable addition to the Eleventh Circuit, which currently has no former civil rights lawyers on the bench. And when confirmed, Ms. Abudu will also be the first Black woman ever to serve on the Eleventh Circuit. She was rated “well qualified” by the American Bar Association and has the strong support of her home state Senators: Mr. WARNOCK and Mr. OSSOFF.

As a lifelong champion of equal justice under law, Ms. Abudu will make an exceptional appellate judge. I am honored to support her nomination, and I urge my colleagues to join me.

The PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. Mr. President, today I rise to speak in opposition to the nomination of Nancy Abudu to serve on the

U.S. Court of Appeals for the Eleventh Circuit. Ms. Abudu may well be the most radical judicial nominee nominated to date by President Biden.

I have had concerns with Ms. Abudu’s radical views and her apparent lack of respect for the rules of the court ever since her nomination. During her confirmation hearing, I asked her about allegations of potential judge shopping raised by Judge Burke of the U.S. District Court for the Northern District of Alabama in a series of cases brought by the Southern Poverty Law Center as a result of troubling attorney conduct.

In this series of cases, the three Federal district courts in Alabama took the extraordinary and joint measure of convening to hear concerns raised by Judge Burke that Ms. Abudu’s litigation team and their cocouncil brazenly abused the judicial process.

Ms. Abudu is, to be clear, the Director of Strategic Litigation for the Southern Poverty Law Center. And strategic litigation is what they do. That is what they are about. She is the director of this division.

When I asked her about her strategic litigation decisions in this series of cases, she stated:

As Director of Strategic Litigation, my responsibility is to oversee and provide general management for our cases, but it is the subject matter experts in the litigation team that handle the day-to-day, including the filing of complaints, the briefing, and any oral arguments.

In response to my questioning, she refused to be forthright. She didn’t deny her oversight of these cases. She simply refused to admit that she was responsible for the strategic decisions the three Alabama Federal district courts found so troubling.

Her lack of candor and her apparent disregard for the protections built into our legal system disqualify her for a position on the U.S. Court of Appeals for the Eleventh Circuit.

As I asked her about these—about these cases—pointing out only that the day-to-day litigation management was handled by other attorneys—which was obvious—she was openly, directly avoiding a direct line of inquiry, a line of inquiry that was very relevant to her nomination, to her confirmation process.

But, unfortunately, my concerns with Ms. Abudu’s nomination do not end—and they didn’t begin—with this troubling series of cases that I just described. You see, the attorneys general in every single State of the Eleventh Circuit—who are joined, by the way, by the attorneys general in a number of other States—but every single attorney general serving within the Eleventh Circuit is part of this letter articulating concerns and confirming that there are grave dangers in confirming Ms. Abudu to the Eleventh Circuit.

These attorneys general, along with attorneys general from 15 additional States, including my home State of Utah, recently sent a letter to the lead-

ership of this body expressing their numerous concerns with Ms. Abudu’s nomination.

The attorneys general of the people who would be subject to coming before Ms. Abudu in Federal cases are justifiably worried about her potential confirmation today. These are people who really need to be able to have the confidence that when appearing before Judge Abudu, she will not only respect the law, but that she will handle their cases without any preconceived biases—biases that could lead her off course as she administers justice in her courtroom. If anyone has preconceived notions, biases regarding how justice ought to be administered such that litigants could come to the conclusion that they won’t get a fair shake in front of that judge—not to mention the preconceived prejudices against the good people living in the Eleventh Circuit—Ms. Abudu has certainly demonstrated that she does.

Ms. Abudu is a longtime and current member and past leader of an entity called the National Lawyers Guild. This group identifies itself as consisting of a radical movement of legal activists—their words, not mine. After violent protests against Atlanta police officers, the National Lawyers Guild declared that “policing is the true threat to our collective safety.”

Imagine that. It is not crime, it is not other problems that police deal with; it is the police themselves policing—the act of policing.

They didn’t say specific police officers who may, unlike most officers, not be doing their jobs right. They said policing—policing itself—is the true threat to our collective safety.

Imagine that.

I agree with these attorneys general that Ms. Abudu’s longstanding and ongoing association with this radical anti-police group is, alone, grounds for refusing, rejecting her nomination.

I find it very troubling indeed that those who would be subject to having to come before Ms. Abudu find her track record dishonest and divisive. Let me quote from the letter outlining their concerns:

We are familiar with Ms. Abudu’s work and her willingness to demonize those with whom she disagrees, and we know well the importance of the seat on the Eleventh Circuit that she would fill. Ms. Abudu has proven herself unfit for that role. She has compared her fellow Americans to Jim-Crow-era racists. She has aligned herself with self-proclaimed “radical movement legal activists” who view “policing” as “the true threat to our collective safety.”

And the quote continues:

And she has proclaimed that our criminal justice system is “practically the same system as during slavery.” These spurious and outrageous statements vividly demonstrate that she lacks the judgment, fair-mindedness, and integrity required of a Federal judge.

Now, to be clear, Ms. Abudu chose to associate herself with the Southern Poverty Law Center, which is itself well known for leveling unfounded

charges of “hate” against any person or any group with which that organization happens to disagree.

She became a leader in that organization and fully embraced its deplorable tactics, which are not intended to foster debate and understanding but rather to silence opposition.

They are well known for publishing things. Their hate list has brought about hate. It led to a shooting in Washington, DC, of an entity here. Someone got shot after believing that the Southern Poverty Law Center had indicated that that was the appropriate action.

She has made offensive and baseless assertions against the people in the Eleventh Circuit. Now I want to quote some more from the Attorneys General letter:

Since becoming a leader [of the Southern Poverty Law Center], Ms. Abudu has engaged in [the] deplorable tactics [beloved by that organization] by disparaging those in her way, including each of the three States within the jurisdiction of the Eleventh Circuit Court of Appeals. For example, she and her team submitted a “Report” to Congress about Alabama’s supposed “unyielding record of racial discrimination in voting.” The Alabama Attorney General’s Office set the record straight in a follow-up report that went claim-by-claim, documenting the SPLC’s many misrepresentations.

The quote continues:

Each misrepresentation served the overarching theme of Ms. Abudu’s report—that any disagreement over policy is proof that her political opponents are evil. Indeed, according to Ms. Abudu, things in Alabama are the same or worse today than they were in 1965. As she tells it, Alabama’s goal—today—is to—

Now, these are her words—

“establish white supremacy in this State.”

The letter continues:

While some might see room for good faith debate, for example, about the merits of Alabama’s voter identification law, (which was upheld by the Eleventh Circuit)—

The Court on which she has been nominated to serve—

Ms. Abudu sees only a “relentless commitment to finding new ways to keep . . . Alabamians from making their voices heard,” all . . . part of a desperate attempt “to perpetuate majority white control.”

Her words, not mine.

The letter concludes:

These assertions are as offensive as they are baseless, and they are disqualifying for an aspiring Federal judge.

To quote one more time from the letter, another part of the letter says:

Though Ms. Abudu is surely aware of [the] facts, she prefers to use her powerful position at [the Southern Poverty Law Center] to sow division and erode trust among Americans—declaring that “Jim Crow is still alive and well [in the South].” But as the Supreme Court has recognized (and as any fair-minded person knows): “Things have changed in the South.” Ms. Abudu’s contrary contention doesn’t show simple professional disagreement. It shows, at best, insuperable bias. It more likely shows dishonesty. And it certainly shows unfitness for judicial office.

Mr. President, I ask unanimous consent that the letter from these Attorneys General be printed in the RECORD.

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

STATE OF ALABAMA,
OFFICE OF THE ATTORNEY GENERAL,
March 22, 2023.

Hon. CHUCK SCHUMER,
Majority Leader, U.S. Senate,
Washington, DC.

Hon. MITCH MCCONNELL,
Minority Leader, U.S. Senate,
Washington, DC.

DEAR MAJORITY LEADER SCHUMER AND MINORITY LEADER MCCONNELL: On behalf of the State of Alabama and other concerned States, we write to warn you of the dishonest and divisive track record of Nancy Abudu, who President Biden has nominated to be a United States Circuit Judge for the Eleventh Circuit Court of Appeals. We are familiar with Ms. Abudu’s work and her willingness to demonize those with whom she disagrees, and we know well the importance of the seat on the Eleventh Circuit that she would fill. Ms. Abudu has proven herself unfit for that role. She has compared her fellow Americans to Jim-Crow-era racists. She has aligned herself with self-proclaimed “radical movement legal activists” who view “policing” as “the true threat to our collective safety.” And she has proclaimed that our criminal justice system is “practically the same system as during slavery.” These spurious and outrageous statements vividly demonstrate that she lacks the judgment, fair-mindedness, and integrity required of a federal judge. Her nomination should be rejected.

As you know, Ms. Abudu has been the Director of Strategic Litigation for the Alabama-based Southern Poverty Law Center since 2019. The SPLC is infamous for leveling unfounded charges of “hate” against political opponents.

Since becoming a leader in that organization, Ms. Abudu has engaged in those same deplorable tactics by disparaging those in her way, including each of the three States within the jurisdiction of the Eleventh Circuit Court of Appeals. For example, she and her team submitted a “Report” to Congress about Alabama’s supposed “unyielding record of racial discrimination in voting.” The Alabama Attorney General’s Office set the record straight in a follow-up report that went claim-by-claim, documenting the SPLC’s many misrepresentations. Each misrepresentation served the overarching theme of Ms. Abudu’s report—that any disagreement over policy is proof that her political opponents are evil. Indeed, according to Ms. Abudu, things in Alabama are the same or worse today than they were in 1965. As she tells it, Alabama’s goal—today—is to “establish white supremacy in this State.” While some might see room for good faith debate, for example, about the merits of Alabama’s voter identification law (which was upheld by the Eleventh Circuit), Ms. Abudu sees only a “relentless commitment to finding new ways to keep Black Alabamians from making their voices heard,” all as part of a desperate attempt “to perpetuate majority white control.”

These assertions are as offensive as they are baseless, and they are disqualifying for an aspiring federal judge. For decades, black and white voter registration and turnout in Alabama has been at or near parity. In 2018, Alabama had the second highest black voter registration rate in the entire country.” Though Ms. Abudu is surely aware of these facts, she prefers to use her powerful position at SPLC to sow division and erode trust among Americans—declaring that “Jim Crow is still alive and well.” But as the Supreme Court has recognized (and as any fair-minded person knows): “Things have

changed in the South.” Ms. Abudu’s contrary contention doesn’t show simple professional disagreement. It shows, at best, insuperable bias. It more likely shows dishonesty. And it certainly shows unfitness for judicial office.

Ms. Abudu has a similar track record of misstatements when it comes to Florida. She baselessly accused Governor DeSantis of “digging in his heels to ensure poor people in his state are blocked from voting” and suggested that Florida is engaged in a “war to strip poor and low-income people of all political power.”

She has also demonstrated marked hostility to the State of Georgia and especially its law enforcement officers. Without evidence, she has asserted that Georgia has a “culture of law enforcement that still targets Black and Brown people.” She has derided the entire State, claiming that “Georgia continues to be a bad actor,” and that the state legislature “is committed to keeping us in the past and that is scary.” How could Ms. Abudu impartially adjudicate the many Eleventh Circuit cases involving Georgia, its statutes, its citizens, and especially its law enforcement officers, when she already believes that the State is a “bad actor” with a “culture of law enforcement” that “targets Black and Brown people”?

It’s also important to recognize that Ms. Abudu attempted to leverage misrepresentations and invective to affect this Chamber’s vote on legislation. She derided the supposed “anti-voter legislatures . . . in the Deep South” as justification for a federal overhaul of State elections. She even insisted on “abolishing the filibuster” to accomplish her goal, referring to it as “a legislative tool popular with pro-Jim Crow senators of the past.” Fortunately, the Senate saw through this divisive narrative. But if the Senate confirms Ms. Abudu to a seat on the Eleventh Circuit Court of Appeals, she will be empowered to press her radical agenda from a position of power checked only by the occasional review of the United States Supreme Court. This Chamber must not reward her behavior with a lifetime appointment to a seat where she would decide appeals in important cases involving the very States she says are irredeemably trapped in 1965.

The SPLC’s unethical conduct goes beyond Ms. Abudu’s misrepresentations to this body. Several SPLC attorneys are currently being investigated by a three-judge federal district court for attempts to circumvent court rules by filing and then re-filing litigation against the State of Alabama. Ms. Abudu protests that she “was not involved” in the conduct under investigation but that’s hard to square with her job directing the SPLC’s strategic litigation, including her self-described role of “the review and approval of litigation requests.” Even if it’s true that Ms. Abudu wasn’t involved in the decision to try to circumvent federal court rules, this conduct occurred on her watch, which raises further questions about her judgment.

More recently, another SPLC attorney—presumably someone under Ms. Abudu’s supervision in her role as Director of Strategic Litigation—was arrested and charged with domestic terrorism in relation to violent “protests” related to police facilities in Atlanta. The arrested attorney worked in the same office that Ms. Abudu lists as her work address. In response to the arrest, the SPLC tacitly approved its employee’s alleged terrorism, choosing instead to put out a joint statement with the radical National Lawyers Guild criticizing the supposed “heavy-handed law enforcement intervention against protesters.” It’s not clear whether Ms. Abudu was involved with that attorney or the SPLC’s response to his arrest, but the SPLC’s response shows the culture of its office and its attitude toward the rule of law and law enforcement.

Ms. Abudu's status as a current member and past leader of the National Lawyers Guild is similarly troubling. The NLG is a self-described group of "radical movement legal activists." And in response to violent protests against the Atlanta police facilities mentioned above, NLG declared that "policing is the true threat to our collective safety." Ms. Abudu's longstanding and ongoing association with this radical, anti-police group is yet another ground for rejecting her nomination.

It would be hard to overstate the importance of federal circuit courts of appeals. Nearly every federal appeal ends at the circuit court. Attorneys in our offices regularly practice before these courts, and we have great respect for these judges who dedicate their lives to the rule of law and to ensuring that all litigants before them are fairly heard.

Ms. Abudu's dishonest and divisive record shows that she would not be such a judge. She is an activist. She has repeatedly used misrepresentations and hateful rhetoric to advance her political goals. And she has thus shown herself unfit for this lifetime appointment. Because our judiciary needs jurists who will uphold the rule of law, not "radical movement legal activists" in robes, the Senate should reject Ms. Abudu's nomination.

Sincerely,

Steve Marshall, Alabama Attorney General; Tim Griffin, Arkansas Attorney General; Chris Carr, Georgia Attorney General; Todd Rokita, Indiana Attorney General; Daniel Cameron, Kentucky Attorney General; Lynn Fitch, Mississippi Attorney General; Ashley Moody, Florida Attorney General; Raúl Labrador, Idaho Attorney General; Brenna Bird, Attorney General of Iowa; Jeff Landry, Louisiana Attorney General; Andrew Bailey, Missouri Attorney General; Mike Hilgers, Nebraska Attorney General; Austin Knudsen, Montana Attorney General; Dave Yost, Ohio Attorney General; Ken Paxton, Attorney General of Texas; Alan Wilson, South Carolina Attorney General; Sean D. Reyes, Utah Attorney General; Patrick Morrisey, West Virginia Attorney General.

Mr. LEE. She has shown marked hostility toward Alabamians, Floridians, and Georgians. She has accused them of suppressing minorities and poor people from voting. She has accused their police officers of targeting minorities, and all throughout her accusations is the threat of racism. It animates her every action, her every assault, her every view.

She accuses Georgia of being "committed to keeping us in the past and that is scary."

As the Attorneys General appropriately ask, "How could Ms. Abudu impartially adjudicate the many Eleventh Circuit cases involving Georgia, its statutes, its citizens, and especially its law enforcement officers, when she already believes the State is a 'bad actor' with a 'culture of law enforcement' that 'targets Black and Brown people'?"

There again, they are quoting her words. Ms. Abudu's record of hostility toward the people and the laws of the Eleventh Circuit is nothing short of alarming. When you combine that hostility with her lack of respect for the judicial system and her ongoing commitment to a group of self-described "radical movement legal activists," I

simply don't know how any Member of this body can still believe she will serve the people of the Eleventh Circuit or, even less, our judicial system well.

But the only way one can justify voting for this nominee is if one agrees with her hostile views and is comfortable with her activist approach. I am not, and I oppose her nomination in the strongest possible terms.

VOTE ON ABUDU NOMINATION

The PRESIDING OFFICER. The Senator from Wisconsin.

Ms. BALDWIN: Mr. President, I know of no further debate.

The PRESIDING OFFICER. Is there further debate?

Hearing none, under the previous order, The question is, Will the Senate advise and consent to the Abudu nomination?

Ms. BALDWIN. 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 bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Vermont (Mr. SANDERS) is necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Iowa (Ms. ERNST), the Senator from Kansas (Mr. MORAN), and the Senator from Florida (Mr. RUBIO).

Further, if present and voting: the Senator from Florida (Mr. RUBIO) would have voted "no."

The result was announced—yeas 49, nays 47, as follows:

[Rollcall Vote No. 132 Ex.]

YEAS—49

Baldwin	Heinrich	Rosen
Bennet	Hickenlooper	Schatz
Blumenthal	Hirono	Schumer
Booker	Kaine	Shaheen
Brown	Kelly	Sinema
Cantwell	King	Smith
Cardin	Klobuchar	Stabenow
Carper	Lujan	Tester
Casey	Markey	Van Hollen
Cools	Menendez	Warner
Cortez Masto	Merkley	Warnock
Duckworth	Murphy	Warren
Durbin	Murray	Welch
Feinstein	Ossoff	Whitehouse
Fetterman	Padilla	Wyden
Gillibrand	Peters	
Hassan	Reed	

NAYS—47

Barrasso	Graham	Paul
Blackburn	Grassley	Ricketts
Boozman	Hagerty	Risch
Braun	Hawley	Romney
Britt	Hoeven	Rounds
Budd	Hyde-Smith	Schmitt
Capito	Johnson	Scott (FL)
Cassidy	Kennedy	Scott (SC)
Collins	Lankford	Sullivan
Cornyn	Lee	Thune
Cotton	Lummis	Tillis
Cramer	Manchin	Tuberville
Crapo	Marshall	Vance
Cruz	McConnell	Wicker
Daines	Mullin	Young
Fischer	Murkowski	

NOT VOTING—4

Ernst	Rubio
Moran	Sanders

The nomination was confirmed.

The PRESIDING OFFICER (Mr. SCHATZ). Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's actions.

The PRESIDING OFFICER (Mr. BOOKER). The Senator from South Carolina.

JUDICIAL NOMINATIONS

Mr. GRAHAM. Mr. President, I would like to speak for just a few minutes here.

No. 1, the judge we just confirmed, I think to the 11th Judicial Circuit, Ms. Abudu, is an example of the system being broken. This nominee, whom I voted against in committee, is way beyond what I think the market should be bearing. This is, in my view, a partisan's dream.

It is OK to be a litigant in causes I don't agree with. It is OK to represent organizations that I differ with. I don't hold a client against a lawyer, but I do hold positions against the lawyer when it comes to cause-driven litigation.

This nominee, at every turn, has taken the left fork in the road, to the point of being in the ditch. As a lawyer, she sued a Florida community that was trying to protect children from sexual predators by having requirements of notice but also being away from schools certain distances, and she sued the community basically claiming that was unfair to the sexual abuser.

It is moments like this that should be a wake-up call for this body. Her record as an advocate is not just representing liberal causes, but the rhetoric used and the arguments made convinced me in committee that this is an activist on steroids.

I have tried to work with my Democratic colleagues, voting for circuit and district court judges, understanding that Democrats would pick someone I would not choose. That is the way the system works. But, in this case, it was a partisan vote. Not one Republican voted for this nominee, and her record, I think, is one of activism and stridency that will, in my view, shape her time as a judge and shape the court in a way that is inconsistent with the rule of law as I know it.

So to my Democratic colleagues, you have confirmed this nominee, but I am sure this is not the last we will hear about Ms. Abudu.

Today, it was announced that Rachael Rollins, the U.S. Attorney for Massachusetts, is going to resign, I think. She is under investigation for unethical behavior and using her office for revenge.

She is one of the few and may be the only U.S. attorney that I voted against in this Congress. There may have been one other. But it was pretty obvious to those of us on the committee that the warning signs regarding Ms. Rollins were rampant and that we were buying a problem.

The point I am trying to make to my colleagues is, after we changed the