

This nominee was born in Brooklyn. He earned a B.S. from Cornell, a J.D. from Brooklyn Law School, and his L.L.M. from New York University Law School. In addition to an Eastern District clerkship, Reyes had a varied legal practice over the course of 13 years, representing corporate defendants in a large firm, helping draft legislation from the New York City Council, handling both civil and criminal matters, and assisting a U.S. attorney in the Southern District of New York.

Reyes was appointed in 2006 to serve as the Federal magistrate judge for the Eastern District of New York. Since taking the bench, Judge Reyes has presided over 33 trials—15 jury trials and 18 bench trials. They cover a range of cases that come before this district court, including criminal matters, employment issues, and civil rights cases.

With his significant trial experience and depth of knowledge of the district to which he has been nominated, Judge Reyes will be a tremendous asset to the Eastern District of New York, and I urge my colleagues to support him.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

NOMINATION OF JULIA E. KOBICK

Mr. SCHUMER. Mr. President, in a few moments, the Senate will confirm Julia Kobick as district judge for the District of Massachusetts.

I have great news: The Senate is about to confirm the 100th woman and the 150th judge overall to the Federal bench since we took the majority.

One judge at a time, this Democratic majority is making the Federal bench look more like America, and that is why the confirmation of the 100th woman to the court is so important. It is not only double the amount confirmed by President Trump in all his 4 years, it is also considerably more women than any full first term of any President. In fact, two-thirds—two-thirds—of all the judges we have confirmed under President Biden are women, and we have confirmed more women of color to the bench than any other President's entire time in office.

These hundred women are historic taken together, but they also include many who are historic in their own right. They include, of course, the first Black woman confirmed to the Supreme Court, Ketanji Brown Jackson. They include the first Muslim-American woman on the Federal bench. They include the first Navajo Federal judge, and much more. We are getting the bench to look like America. It has been long overdue, but it is happening and happening in large steps under this Senate Democratic majority.

Now, I want to let America know we are proud to have reached this historic milestone, but we are not slowing down. Confirming more women on the bench is long, long overdue. The Senate, which has made strides more than any year to make that a reality, will continue to keep working to confirm more judicial nominations in the weeks and months to come.

I yield the floor.

VOTE ON KOBICK NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Kobick nomination?

Mrs. GILLIBRAND. 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. THUNE. The following Senators are necessarily absent: the Senator from Alabama (Mrs. BRITT) and the Senator from South Carolina (Mr. SCOTT).

The result was announced—yeas 52, nays 46, as follows:

[Rollcall Vote No. 297 Ex.]

YEAS—52

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

NAYS—46

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

NOT VOTING—2

Britt	Scott (SC)
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The nomination was confirmed.

The ACTING PRESIDENT pro tempore. 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 action.

CLOTURE MOTION

The ACTING PRESIDENT pro tempore. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 38, Ramon Ernesto Reyes, Jr., of New York, to be United States District Judge for the Eastern District of New York.

Charles E. Schumer, Richard J. Durbin, Alex Padilla, Tim Kaine, Margaret Wood Hassan, Ben Ray Lujan, Raphael G. Warnock, Tammy Duckworth, Jack Reed, John W. Hickenlooper, Catherine Cortez Masto, Tammy Baldwin, Brian Schatz, Christopher Murphy, Tina Smith, Debbie Stabenow, Sheldon Whitehouse.

The ACTING PRESIDENT pro tempore. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Ramon Ernesto Reyes, Jr., of New York, to be United States District Judge for the Eastern District of New York, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Colorado (Mr. HICKENLOOPER) is necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Alabama (Mrs. BRITT), the Senator from Louisiana (Mr. CASSIDY), and the Senator from South Carolina (Mr. SCOTT).

The yeas and nays resulted—yeas 50, nays 46, as follows:

[Rollcall Vote No. 298 Ex.]

YEAS—50

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

NAYS—46

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

NOT VOTING—4

Britt	Hickenlooper
Cassidy	Scott (SC)

The PRESIDING OFFICER (Mr. KELLY). On this vote, the yeas are 50, the nays are 46.

The motion is agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Ramon Ernesto

Reyes, Jr., of New York, to be United States District Judge for the Eastern District of New York.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I further ask unanimous consent that Senators BLUMENTHAL, HIRONO, WELCH, and myself be allowed to engage in a colloquy on the Senate floor.

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

U.S. SUPREME COURT

Mr. WHITEHOUSE. Mr. President, the subject of our colloquy is going to be the enormous, secret gifts that have recently been disclosed going into the pockets of certain Supreme Court Justices.

The first thing that is remarkable about these gifts is how magnificent they are—luxury trips on private jets, luxury trips on superyachts, paying for a Justice's mother's home, paying for private school tuition of dependents, \$500,000 donations to organizations that the spouse worked for, \$25,000 fees into a spouse's consulting firm, jet and fishing trips across the country. So it is all pretty rich stuff.

In Rhode Island, if you want to take a gift from somebody—let's say you are a municipal employee, and they want to take you to lunch across the street from city hall. It is 25 bucks. That is your limit, and you have to disclose it. You get to do that three times, and then you are all done. Then you can't even take the \$25 lunch if you disclose it. So in Rhode Island, people are really upset about these multi-hundred-thousand-dollar gifts.

It gets worse. It is not just the size of the gifts. It is the network. It is the web. The billionaires who are involved in giving these gifts overlap with an array of front groups that are involved with the billionaires and with the gifts, and there is a common "fixer" who ties many of these threads together. The trips very often involve the fixer and the Justices and the billionaires, and the whole mess is interwoven. The donations go through the front groups to the Justice from the fixer over and over. This thing is a web, and we are working hard in the Judiciary Committee to try to untangle it.

On Thursday, we will be taking up the question of subpoenas to the billionaires and the front group corporations that have participated in these different gifts to find out what really went on. How bad, really, was it? What we know already is bad enough, but there is more to discover.

With that, let me yield to my colleague Senator BLUMENTHAL, and then I will wrap up after Senator HIRONO and Senator WELCH have had their chance to speak as well.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, I want to thank Senator WHITEHOUSE for his leadership on this issue—persistent, consistent, constant in seeking the truth; very simply, seeking the facts.

We are here about the authorization of a subpoena to three individuals—Harlan Crow, Leonard Leo, and Robin Arkley—who have engaged in, we know for sure, a pattern of gift-giving, including lavish vacations, private jet flights, school tuition, and even a luxury RV. These wealthy political activists have given those gratuities, we know for sure, but we know very little else because the Supreme Court has no code of ethics.

The U.S. Supreme Court could defuse a lot of the degrading rumor and speculation if it were simply to do as every other branch of government, as every other judge except for the U.S. Supreme Court does and impose a code of ethics. Its refusal to adopt a code of ethics lies at the core of our reason for being here today.

But, in my view, these subpoenas are part of an effort to save the Court from its own self-inflicted ethical crisis. It is an ethical conflagration of its own making. The Supreme Court Justices are the only Federal judges who are not subject to a binding and enforceable ethical code, and that leads to the next point.

The Judicial Conference is a creation of this body, the U.S. Congress. We are looking into what the Judicial Conference should be doing and what it may know and should be held accountable for knowing. Our investigative effort directly concerns a creation legislatively of the Congress. It is perfectly proper. It raises no constitutional issues.

All this stuff about the independence of the Supreme Court—yes, it is an independent branch of government, but it is not nonaccountable. Funds for it are appropriated. Rules of evidence are created. There are numerous ways that it, in effect, is held a part of an overall and overarching Government of the United States of America.

The small circle of individuals here who have engaged in these gifts—all of them far-right, wealthy donors; some of them having cases before the Court—raises issues that are profoundly important to the credibility of the Court itself. So, again, we are seeking to save the Court, in a sense, from its own potentially self-inflicted continuing degrading and diminishing.

The fact that the polls show the Supreme Court has plummeted in public opinion is not the reason for us to investigate, but they reflect a secrecy, combined with these potentially improper gifts, that is undermining the Court as an institution.

I say it sadly because I was a law clerk on the U.S. Supreme Court to Justice Harry Blackmun—who, by the way, would not even go to dinner with someone who might at some point in the future have a case before the Court. I have argued cases before them, before the U.S. Supreme Court. I have real reverence for the Court as an institution. So I am especially sad but also particularly angry that the Court is failing—totally failing—to take action

that it owes the American people and itself, because the Supreme Court as an institution will be diminished by its continued refusal to create an ethics code and the refusal to disclose the truth about these financial relationships. These twin refusals bring us here today.

Authorizing a subpoena is not a step that I take lightly. None of my colleagues do. But the weight of the Court's ethical crisis makes it necessary.

The American people deserve a Supreme Court that is ethical, impartial, and accountable. The highest Court in the land is not higher than the law. It is not above accountability. It may be independent, but it is not unto its own, as it seems to believe it is.

We are past Halloween. All of the charades and shams that have been offered as arguments are about as valid as the costumes people were wearing the other day, October 31.

The Supreme Court has a commitment and a promise under our Constitution. It has to deliver on that promise or its credibility will be further diminished, and the Supreme Court as a pillar of justice—and it must be a pillar of justice—will be eviscerated in the eyes of the American people.

I look forward to authorizing these subpoenas and helping to restore the reputation of our United States Supreme Court.

I yield to my colleague from Hawaii, Senator HIRONO.

The PRESIDING OFFICER. The Senator from Hawaii.

Ms. HIRONO. Mr. President, I rise today because I, like the majority of Americans, am increasingly concerned about the legitimacy crisis at the U.S. Supreme Court.

The Court consists of nine members who have lifetime appointments and can make decisions regarding the quality of the air we breathe; the exercise of free speech on the internet; the autonomy and control of our bodies; protection of our homes, cars, and cell phones from government intrusion. These are just a few ways the Supreme Court's decisions impact the lives of every single American every single day.

These individuals with immense power, shouldn't they be held to the highest level of ethical accountability—not because we disagree with some of the Court's decisions but because its legitimacy depends on Americans having faith that those decisions are arrived at fairly and objectively, not influenced by money or special interests. Yet, instead of having the strongest ethical rules—or any binding ethical rules, for that matter—the Supreme Court purports to follow a "collection of principles" that are both nonbinding and weaker than the rules for government workers, for Members of Congress, and for many private sector employees.