

And for the protection of agents and civilians alike, law enforcement needs to have the body cameras and to have them turned on, which the FOCUS Act would require. These are the kinds of basic safeguards that Democrats have been proposing over and over again, but the administration and the Republican majority doesn't want to act on it.

Now, we have a lot of policy debates here in Congress, but too often, we lose sight of the people behind the headlines and the people behind the statistics that are impacted by these policies.

Joan Sebastian Guerrero was one of those people, as are thousands of others living in fear today: mothers, fathers, sons, daughters, brothers, sisters. They are our friends. They are our coworkers and neighbors, all human beings deserving of basic dignity and humanity.

Last month, Joan Sebastian Guerrero got into his car expecting just a normal, regular day, and now his daughter will grow up in a world without him in it. She carries his memory with her for the rest of her life—not only of him, but how he was taken from her. She will remember that forever.

Colleagues, I implore that we remember as well. Let's learn from it and do everything possible to keep it from happening again because we are a nation of laws that need to be enforced, but a nation of laws includes being a nation of due process, of accountability, and above all, human dignity.

We should never accept an America where Federal agents hide their faces, abuse their authority, or take life without oversight and accountability.

It is a choice, folks, that we are making. What kind of a country are we working toward? It is a choice that this administration and congressional Republicans have made of what we are seeing on the streets. America deserves better. America deserves better.

I yield the floor.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The senior assistant executive 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 Erica Schwartz, of Florida, to be Director of the Centers for Disease Control and Prevention.

John Thune, Roger Marshall, Tim Scott of South Carolina, Jim Banks, Bill Cassidy, John Barrasso, John Boozman, Cynthia M. Lummis, Jon Husted, John Hoeven, John Cornyn, Joni Ernst, Bill Hagerty, Kevin Cramer, Chuck Grassley, Ted Budd.

The PRESIDING OFFICER. Under the previous order, the mandatory quorum call under rule XXII has been waived.

The question is, Is it the sense of the Senate that debate on the nomination

of Erica Schwartz, of Florida, to be Director of the Centers for Disease Control and Prevention, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. BARRASSO. The following Senators are necessarily absent: the Senator from Wisconsin (Mr. JOHNSON), the Senator from Kentucky (Mr. McCONNELL), and the Senator from North Carolina (Mr. TILLIS).

Further, if present and voting: the Senator from North Carolina (Mr. TILLIS) would have voted "yea."

Mr. DURBIN: I announce that the Senator from Arizona (Mr. GALLEGOS), the Senator from Hawaii (Ms. HIRONO), and the Senator from Minnesota (Ms. KLOBUCHAR) are necessarily absent.

The yeas and nays resulted—yeas 51, nays 43, as follows:

[Rollcall Vote No. 219 Ex.]

YEAS—51

Armstrong	Ernst	Moody
Banks	Fischer	Moran
Barrasso	Graham	Moreno
Blackburn	Grassley	Murkowski
Boozman	Hagerty	Paul
Britt	Hawley	Ricketts
Budd	Hoeven	Risch
Capito	Husted	Rounds
Cassidy	Hyde-Smith	Schmitt
Collins	Justice	Scott (FL)
Cornyn	Kaine	Scott (SC)
Cotton	Kennedy	Sheehy
Cramer	Lankford	Sullivan
Crapo	Lee	Thune
Cruz	Lummis	Tuberville
Curtis	Marshall	Wicker
Daines	McCormick	Young

NAYS—43

Alsobrooks	Hickenlooper	Schatz
Baldwin	Kelly	Schiff
Bennet	Kim	Schumer
Blumenthal	King	Shaheen
Blunt Rochester	Lujan	Slotkin
Booker	Markey	Smith
Cantwell	Merkley	Van Hollen
Coons	Murphy	Warner
Cortez Masto	Murray	Warnock
Duckworth	Ossoff	Warren
Durbin	Padilla	Welch
Fetterman	Peters	Whitehouse
Gillibrand	Reed	Wyden
Hassan	Rosen	
Heinrich	Sanders	

NOT VOTING—6

Gallago	Johnson	McConnell
Hirono	Klobuchar	Tillis

The PRESIDING OFFICER (Mr. RICKETTS). On this vote, the yeas are 51, the nays are 43.

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 Erica Schwartz, of Florida, to be Director of the Centers for Disease Control and Prevention.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CRAMER. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. DURBIN. 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 TODD BLANCHE

Mr. DURBIN. Mr. President, I am nearing the end of my Senate term, and I am reflecting on some historic events which I have witnessed at this table, at this desk. One of the most historic I remember—and specifically the date—January 6, 2021. The reason why that day was important was that the votes all across America had been counted to see who was elected President in the 2020 election, and the process involved certification by the House and the Senate of the electoral votes that were to be counted.

In the past, it has been almost a pro forma event, hardly noticed by anyone. But on January 6, 2021, it was much different—much different. The Presiding Officer of the Senate for that electoral vote count is the Vice President of the United States; in this case, it was Vice President Pence.

There was more security than usual in the Capitol Building. To those who are here today witnessing this session and visiting the Capitol, you are lucky. You are protected by one of the best security forces, police forces, in the Nation, the Capitol Hill Police. Most Americans don't know much about them. Those of us who serve in Congress know a lot about them. These are men and women who keep you safe and me safe in the Capitol Building and make sure that the visitors have peace of mind when they come and go.

We want to maintain the availability of this building to visitors from certainly the United States, but from all around the world. And these men and women—some in uniform, some in ordinary dress—make sure that happens. Well, on January 6, 2021, there was a special emphasis on security. The reason: It was not only a historic event with Members of Congress in their chairs and the Vice President of the United States presiding over the Senate. There was also a rally going on downtown by the outgoing President of the United States, Donald Trump, at the end of his first term.

He had summoned his supporters and friends to come for a rally down by the White House and the Washington Monument that day. No coincidence. It was an attempt to put pressure on Congress not to count the electoral votes.

You see, the President then and now had this fiction in his mind that he actually won the election. He was only off by 7 million votes—that is how much he lost it by. But he kept filing lawsuits and making protests and arguing that he should be President again. At one point, he dispatched the thousands—thousands—of people that he had summoned to Washington to leave the Washington Monument area and to march on the Capitol, and they did.

So we were sitting inside with the knowledge that these thousands of people were coming up to our building

here, the Capitol Building, where we did business on this historic day. We didn't quite know what they would do when they arrived. But if you witness the videotapes from that day, draw your own conclusions. They tried to storm the Capitol. They broke through locked doors, crashed through windows to come into the building.

At approximately 10 minutes after 2 o'clock in the afternoon on January 6, 2021, I was seated at this desk. Vice President Pence was presiding, and I noticed something curious: Those doors opened and members of the Secret Service came in and grabbed—literally grabbed—the Vice President to pull him out of that chair; took him out that door. And here we sat with no announcement, nothing, but we knew something was going on outside with this rally that had been directed up this way.

In a few minutes, a representative of the Capitol Police spoke to us in the Chamber and said: Stay calm. Stay where you are. We are going to make the Senate Chamber a safe place for you to stay no matter what happens in the rest of the building. So some of us relaxed in our chairs and looked around and waited for the next development.

The next development took about 10 minutes. Mr. President, 10 minutes later, the Capitol Police came and said: Disregard that earlier alert, leave in an orderly fashion, file through those doors, and follow us to a safe location.

So we abandoned the Senate Chamber and the Capitol and left to go to a building nearby and wait out this ordeal, which was going on in the Senate.

What happened you can witness yourself on videotape. It is all there. About 150 of our Capitol Police were assaulted by these demonstrators—some seriously injured, others pushed to the brink psychologically, which led to their deaths a day or two later. It was a horrible scene. It wasn't until late in the afternoon that we were able to return to the Senate to complete our business with the electoral vote.

What followed from that with the new President was an attempt to investigate what happened that day and who should be held responsible. There was nothing extraordinary about that. Anyone who did damage to this great building or the people in it obviously should be held accountable. And so the largest investigation in the history of the Department of Justice and the FBI started.

At the end of the day, almost 1,500 individuals were charged with a crime, and they were convicted. Some of them paid a fine, some served brief periods of time, and others more serious offenses depending on what they did. That was the reality of what happened.

Fast-forward four years, and what happened next? President Trump was reelected. And with the power under the Constitution to pardon those who committed crime, on his first day in office in his second term, President

Trump gave a full and unconditional pardon to every one of the convicted demonstrators who stormed this building.

If you remember the scenes afterwards, it wasn't just an orderly procession of people visiting this building. They crashed through doors. They broke windows. They did their darndest to cause as much damage as possible.

C-SPAN, which televises what happened here, kept the cameras running, and we were able to see them scramble into the Senate Chamber, pose for pictures sitting in the chair of the Presiding Officer, and riffle through our desks. I watched as some person—I still don't know who it was—went through my desk to look and see if there were some things that he could take that day. I don't know whether he did or not.

But that is the sort of thing that went on for 4 or 5 hours while an effort was made to mobilize police and state troopers and others to reclaim the Capitol Building from the demonstrators.

The reason I bring up this event years later is because there is an important issue to be voted on this week by the U.S. Senate, and that is the choice of the next Attorney General of the United States.

The Acting Attorney General is Todd Blanche, who was President Trump's personal lawyer when he was charged with crimes and who has been Deputy Attorney General for months now. He is seeking a full-time position.

One of the items of controversy is pretty easy to explain. President Trump believes—and Todd Blanche believed at one point—that the people who attacked the Capitol, the people who breached the Capitol, who crashed through the doors, broke down the windows, threatened individuals inside, should receive financial compensation for doing it. Financial compensation.

And you say to yourself: They got a full, unconditional pardon by President Trump. Now they want money too? And the answer is not only yes, but, unfortunately, they have done it with some pride.

The Trump administration proposed an Anti-Weaponization Fund. And just to give it a cute little twist, they appropriated \$1.776 billion for that purpose. Well, it didn't go over very well with Congress because as we read this decree by the Trump administration, people said: Wait a minute. We are giving money to people who were convicted of a crime of attacking the Capitol, disrupting the business of the Senate, injuring 149 Capitol policemen? We are going to give them not only a pardon, but some sort of financial compensation?

That was the plan: The Anti-Weaponization Fund. And who was the person who executed that plan? Todd Blanche, the person who is seeking to become the next full-time Attorney General of the United States.

The controversy involving that particular proposal is well-known. Not

only was there a bad reaction among Democrats to this idea but many Republicans as well.

Some of them kept their opposition behind closed doors. I understand. But others were very vocal about it. In fact, two members of the Senate Judiciary Committee said they want in writing, from Todd Blanche, a promise that he would never create this fund to reward cop beaters and demonstrators in the Capitol on January 6, 2021.

It went forward in the Senate Judiciary Committee and the negotiations between two Republican Senators and Todd Blanche continued until the beginning of this week when it was announced they had reached an agreement. Sadly, that agreement—the so-called agreement not to create the Anti-Weaponization Fund—is written in a way it wouldn't pass law school Contracts 101.

There is no signature on any of these pages of promises when it comes to future activity. They say: We are rescinding the previous order, but there is nothing to stop a new order from taking place. That is a gaping hole in the logic and the effectiveness of any of these documents.

We should have clear indications from the parties to that lawsuit that both sides agree; that would include the President of the United States, who was a party to the lawsuit that led up to this. But they can't bring it together because the President doesn't believe that the Anti-Weaponization Fund should go away. He said publicly over and over again he believes in it, wants to do it, wants to give the demonstrators money. Todd Blanche thinks he has taken care of this problem, but he has not produced any documentation to make that point clear.

Secondly, there was a provision in a lawsuit. Now, here is what the lawsuit is all about: The President sued the IRS and Treasury arguing that they disclosed his income tax returns without his permission.

They arrested the man who actually did it—they caught him—and he was prosecuted, as he should be. He broke the law. He knew he was breaking the law when he disclosed the President's income tax returns.

The President sued the IRS and Treasury for billions of dollars—billions—because they disclosed his income tax return. I have completed quite a few years of public service. I disclose my income tax return every year without fail as a Member of Congress and the Senate. I am not posing for holy pictures; I am just trying to tell you it isn't that big a deal if you follow the law.

Do you know what the settlement of the Trump lawsuit was for disclosing his income tax returns? Part of the settlement said—get this now, and Todd Blanche is the draftsman of this as well—part of it said neither the President, his family, or any of the companies in his Trump empire business can be held for violating any tax crimes in the United States.

How would you like that? Get-out-of-jail-free card. And that was part of the agreement, and it should be contested.

If we say no one in America is above the law, how in the world can you justify doing this for the Trump family and their businesses? And we know this President deals in big numbers when it comes to income.

His first year in office—estimates—between \$1.4 and \$2 billion in the President's first year in office of his second term—\$2 billion. How did he do it? Well, you won't be surprised to know that there are cryptocurrency fingerprints all over this deal.

The President made hundreds of millions of dollars off of a meme coin or some contraption that comes out of the cryptocurrency world. That is the reality.

And who was overseeing this operation? Todd Blanche, the man who wants to be the No. 1 law enforcement officer in the United States of America.

Well, I will tell you, I am not going to go much longer because I see some of my colleagues are gathering, and they want to speak on this issue as well.

This is a serious mistake for the Senate to approve Todd Blanche as the next Attorney General. If there was ever a moment in history when we need an Attorney General above reproach who is clearly dedicated to ending corruption, even at the highest level of our government, it is right now.

The history of this era will be written, and it will be a shameful history for those who are empowering this man, Todd Blanche, to take his personal representation of this President to the highest possible level as he becomes the next Attorney General.

I beg my colleagues on the other side of the aisle: I think I know how many of you feel privately, but I know you are afraid to cross this President. He has been guilty of retribution many times in the past, and he would be on this. But don't be in the history books on the wrong side when it comes to this issue. Come out against corruption; come out for the prosecution of corporate fraud; come out for changing the current situation in the United States to one that is more respectful of the law and more respectful of the families and voters who create this democracy.

I urge my colleagues to join me in opposing the nomination of Todd Blanche as the next Attorney General of the United States.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, I begin with a quote: "I am his lawyer."

"I am his lawyer" is what Todd Blanche said in the course of his confirmation hearing for the Judiciary Committee of the U.S. Senate. "I'm his lawyer," meaning, I am Donald Trump's lawyer.

Now, admittedly, he had no intention of saying it that way. He had no inten-

tion of allowing that revelation to slip, but it was a glaring illustration of his mindset. He was, he is now, and he will be Donald Trump's lawyer, his personal lawyer, as he was during the criminal and civil trials—a trusted, loyal consigliere.

He is not an independent lawyer with a law firm; he is in-house. He is literally kept by the President on his personal leash.

You may think I am overstating it, but, in fact, he demonstrated it throughout that hearing, and the through line was he will be guided by blind loyalty to the President and contempt for the law, enabling the President in continued corrupt crypto schemes, as well as condoning and empowering the President to establish a slush fund for January 6 rioters, as well as tax immunity. Even though, purportedly, those agreements were limited, he will enable the President to circumvent the so-called agreements, which are a sham. They are a fraud on the U.S. Senate just as Todd Blanche committed a fraud on the Florida U.S. district court that referred him to the New York bar for investigation in connection with that wrongdoing.

Maya Angelou famously said:

When people show you who they are, believe them the first time.

And Todd Blanche has shown us repeatedly who he is, who his boss is, and whose loyalty he will hold uppermost.

I was a U.S. attorney in Connecticut for 4½ years, part of the Department of Justice, which I revered—more than just respected; in fact, revered—because it epitomized what lawyers should be in upholding the highest standards of ethics and morality. Even when we made an error, we were supposed to state it—in effect, acknowledge it before the court.

I will never forget the first time I appeared before a U.S. district court judge in Connecticut, a former Federal prosecutor himself. And he asked me: Whom do you work for?

I said: The government.

He said: No. You work for and you represent the United States of America.

Think of it for a moment: walking into a courtroom representing the United States of America, sworn to uphold the Constitution—not any President, not a legislature, but the United States of America.

That is not what Todd Blanche has done as a Justice Department official under Donald Trump. It is not what he will do, as he showed clearly. Nothing epitomizes it better than the answer he gave at one point when he referred to the attack on the Capitol that occurred on January 6, 2021—we all remember it; we went through it; we saw it—the attack on the Capitol which injured and contributed to deaths of our Capitol Police. He referred to it as "events." He couldn't bring himself to refer to it as an attack, as it clearly was, because Donald Trump will not allow any of his nominees to refer to the January 6 riot

and insurrection as an attack on the Capitol. It was an attack designed to prevent the lawful and peaceful transition of power, and to call it anything else is disrespectful to the brave Capitol Police who defended us that day and disqualifying for a judicial nominee and for any position of trust in the U.S. Government.

Earlier today, I participated in a press conference with some of the prosecutors—the career prosecutors—who pursued convictions of those rioters for the serious violations of Federal law that they incurred. They made the point that the failure to acknowledge an attack on the Capitol or that President Biden won the 2020 election shows a lack of independence that should be disqualifying.

They have submitted a letter to all of us here. And I ask unanimous consent that it be printed in the RECORD because they make the point that these statements by nominees for executive office or for judgeships, in effect, perpetuate the Big Lie.

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

AUGUST 5, 2026.

TO THE MEMBERS OF THE UNITED STATES SENATE: We are attorneys who prosecuted cases related to the events of January 6, 2021, when thousands of people violently stormed the U.S. Capitol in an attempt to interrupt the House of Representatives and the Senate's work to count and certify the results of the 2020 presidential election.

January 6 was a violent attack on American democracy. It was also a vicious attack on the brave officers of the U.S. Capitol Police and Washington Metropolitan Police Department, more than 150 of whom were injured during the attack, and five of whom died in its aftermath. Rioters, some of whom were heavily armed, beat and injured police officers and reporters, and threatened the lives of the elected officials and staff members inside, while many rioters stole, damaged, and destroyed property, obstructed a government proceeding, and trespassed.

As career public servants dedicated to public safety and the rule of law, we charged more than 1,500 defendants in connection with January 6, convicting more than 1,270 (including 1,009 guilty pleas) before our work was halted in January 2025.

Unfortunately, President Trump has worked to erase the magnitude and meaning of January 6. On his first day of his second term in office, Trump commuted the sentences of 14 and granted a full, complete and unconditional pardon to all other people convicted of offenses related to events that occurred at or near the United States Capitol on January 6. Further, since President Trump returned to office in January of 2025, his judicial nominees, when asked, have been unwilling to tell the truth about the tragic events of January 6. None agreed that it was an insurrection, only one could bring themselves to use the term attack, and not one of the nearly 60 nominees could acknowledge the full trauma and suffering that the attackers caused that day.

This institutional denial of truth—especially by potential federal judges—is dangerous, yet it's become all too clear that President Trump expects his nominees to provide evasive answers about both the attack of January 6th, 2021, and the results of the 2020 presidential election.

No senator, regardless of party, should vote to confirm a judicial nominee who is

unable to state the most simple facts about the attack of January 6, 2021. Specifically, no judicial nominee should be confirmed if he or she cannot identify that (1) January 6 was an attack on our democracy, (2) the attack was led by supporters of Donald Trump, and (3) Joe Biden was legitimately elected in the 2020 election.

For judges nominated for lifetime seats in the judiciary branch, this refusal to contradict the President's lies is particularly dangerous, and raises significant questions about whether, once confirmed, a nominee could act independently and free from political interference from the president that nominated them. The truth matters.

We thank you for your consideration.

Brendan Ballou, Special Counsel, Antitrust Division (2016–17, 2020–25); Adam Dreher, Assistant United States Attorney, U.S. Attorney's Office for the District of Columbia (2022–2025); Mona Lee M. Furst, Senior Litigation Counsel, United States Attorney's Office for the District of Kansas (1998–2022); Alexis Loeb, Assistant United States Attorney, U.S. Attorney's Office for the Northern District of California (2013–2024); Jason M. Manning, Assistant U.S. Attorney, U.S. Attorney's Office, District of Columbia (2017–2024); Sean P. Murphy, Assistant U.S. Attorney, U.S. Attorney's Office for the District of Puerto Rico (2018–2025); Zachary Phillips, Assistant United States Attorney, U.S. Attorney's Office for the District of Colorado (2008–2026); Karen Rochlin, Assistant U.S. Attorney, U.S. Attorney's Office for the Southern District of Florida, (1989–2025); Michael J. Romano, Trial Attorney, Criminal Division, Public Integrity Section (2019–2025); Jacob Steiner, Trial Attorney, Criminal Division, Public Integrity Section (2020–2025); Andrew J. Tessman, Assistant United States Attorney, U.S. Attorney's Office for the Southern District of West Virginia (2019–2025); Samuel White, Assistant United States Attorney, U.S. Attorney's Office for the District of Columbia (2020–2026).

Mr. BLUMENTHAL. Election deniers have no place on the bench or in the Department of Justice. And, in fact, in response to my submitted question relating to the 2020 election, Todd Blanche refused to state that Joe Biden won the 2020 election, and he stood by his prior statements perpetuating the Big Lie.

The through line here is whatever Donald Trump says, Todd Blanche does. He will do anything, say anything, conceal anything that serves Donald Trump's interests.

Now, in some ways, the most tragic illustration of this through line is Todd Blanche's treatment of the Epstein survivors. Let's remember, he showed us again who he was when he revictimized those survivors by completely botching the release of the Epstein files. He failed to redact the survivors' personal information and defied the Epstein Files Transparency Act by redacting unnecessary information. Why? To shield Donald Trump.

That was the purpose of the meeting in the Situation Room when the threat to release additional files was to Donald Trump because he was mentioned in those files. And the Situation Room meeting, which is recounted in "Regime Change," a recent book by Jonathan Swan and Maggie Haberman, showed clearly the effort was not to do justice for the survivors but to protect Donald Trump.

He refused to meet with the survivors. He spent 2 whole days with Ghislaine Maxwell. Why? Well, we don't really know because there was certainly no information useful to any investigation that emerged from it. What did happen was that she was transferred to a cushy prison camp and has remained silent.

And when he finally agreed to meet with the survivors, they described it as demoralizing and degrading. In fact, they called it gaslighting.

He protected Donald Trump at the expense of those survivors, and one of the most heinous sexual abuse and trafficking rings in American history has yet to produce the kinds of convictions necessary—the convictions in court, the prosecutions of the co-conspirators and others complicit and legally responsible. That is not the conduct of an Attorney General; it is the conduct of Donald Trump's personal lawyer.

I'm his lawyer.

That is the through line. He certainly was acting as Donald Trump's lawyer when he issued two documents recently, supposedly ending the contract that was involved in the agreement on Donald Trump's purported, so-called lawsuit seeking damages from the revelation of his personal tax information.

We know that two of our colleagues, Senators CORNYN and TILLIS, said that they needed something in writing, but what they got in writing was virtually meaningless in showing that either the slush fund—the so-called anti-weaponization fund—or the tax immunity was in any way materially changed. In fact, the document that purported to say that the slush fund was dead, in reality, is a sham. It is a fraud on the U.S. Senate, just as he allegedly committed a fraud on the court in Florida.

The reason is quite simply that there was a contract here. The agreement produced that contract. The agreement was between Donald Trump and the United States. Donald Trump did not in any way forgo or renounce any rights under that contract. It is still binding. He could go into court tomorrow and force it to establish the \$1.8 billion thug fund.

And, likewise, the immunity agreement, which is unprecedented, worth hundreds of millions of dollars to Donald Trump, tax immunity from audits, in effect giving him a free pass for everything that occurred before this immunity, negotiated by Todd Blanche with only Todd Blanche's signature on it—the limiting of that immunity from tax audits to Donald Trump, his sons, his organization, worth hundreds of millions—unprecedented, unconscionable, and unacceptable from an Attorney General of the United States, dealing with potential tax violations of law, signing away tax liability no matter how serious it might be. It is unprecedented, and no one else but the President would even think of trying

to get it in this way, under these circumstances. And he was able to get it only because Todd Blanche acted as his personal lawyer, not as Attorney General of the United States.

Senator CORNYN himself put it well at the hearing about this contract for the slush fund:

To be clear, the President of the United States, who was the plaintiff in this lawsuit, has not agreed in writing to delete the weaponization fund, and there's no guarantee that he or one of the other plaintiffs might raise that issue by way of a breach of contract lawsuit in the future.

Todd Blanche answered in the affirmative. He well knows that the document that he prepared and released does nothing to change that contractual obligation.

The conversation that Todd Blanche had recently, talking to individuals interested in reproductive rights, I think is extremely revealing and important. In a private call just last week, he said the quiet part out loud; that he would work to restrict abortion in every single State all across the country.

He wants to block States enacting their own policies and laws. He wants to make abortion-access States follow the laws of abortion-ban States. In short, he wants to strip Americans of their right to choose and strip States of their right to govern. That is not the conduct or statement of an Attorney General of the United States carrying out and respecting the Constitution; it is fidelity to an ideologue—the President—who wants to impress his base, not represent the American people.

Todd Blanche showed us who he was when he ducked and dodged my question about deep-sixing an investigation into possible pay-to-play commutation of a federally convicted felon, David Gentile. David Gentile reportedly paid \$2.5 million to a broker to obtain clemency. That clemency robbed his victims of nearly \$16 million in restitution. When a U.S. attorney tried to investigate—the Eastern District of New York, U.S. attorney—Mr. Blanche reportedly killed the probe. That is not the behavior of an Attorney General; that is Donald Trump's personal lawyer.

So there is a powerful case against this nominee. I am under no illusion. We have seen this movie before. We saw it again when my two colleagues in effect caved—voted for his nomination yesterday. I am not here with rose-colored glasses. I know that Donald Trump will come down hard on any Republican colleague who has the temerity to say: We want a lawyer who represents the people, a lawyer who has fidelity to the Constitution and to the United States of America above the President, an Attorney General who will follow the law and insist that no one is above the law and no one is beneath it, an Attorney General who is true to the trust that we expect and to respect.

Todd Blanche might be the President's lawyer, but we don't have to be

the President's Senate. I urge my colleagues to vote against this confirmation and remain true to what we should be in upholding the trust and the Constitution of the United States.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Maryland.

Mr. VAN HOLLEN. Mr. President, I rise today to oppose the nomination of Todd Blanche to serve as Attorney General of the United States.

The Attorney General is supposed to be the people's lawyer, someone whose loyalty is to the Constitution and to the rule of law, not to any one person—even the President of the United States. But in this administration, the Attorney General and the Department of Justice are focused solely on pleasing one person, one man, no matter the cost to our country.

Lest anybody forget, huge banners like the one displayed here hang outside the Department of Justice, the front door, as pictured here, and the other entrance to the Department of Justice. Every single day, the folks who are supposed to uphold our Constitution and the rule of law walk beneath these banners, reminding them that in this administration, their loyalty is to Donald Trump, not to the people of the United States. One of the people who do that every day and who have demonstrated loyalty to the President over the Constitution is the person whose nomination is pending on this floor today to be the Attorney General.

It is crystal clear from Mr. Blanche's record as Acting Attorney General and before that as Deputy Attorney General that he is still acting like Donald Trump's personal lawyer—a position he held before going to the Justice Department. His record has shown us very clearly that he will continue to put the President's personal interests above the interests of the American people; that when he walks through that door to the great Department of Justice that is supposed to serve justice for the American people, he looks up and he sees Donald Trump.

He was formerly the personal lawyer to Donald Trump, and even now, at the Justice Department, he continues to demonstrate that he puts the President's interests above those in the Constitution and the rule of law.

The Department of Justice has used taxpayer dollars to punish the President's adversaries, to reward his friends, and to pursue the President's personal vendettas.

In a case that I am very familiar with, a Federal judge found that Mr. Blanche's statements about the Department's case against Kilmar Abrego Garcia showed clear evidence of a vindictive prosecution. In other words, the judge found that Todd Blanche and the Department of Justice brought a case against Kilmar Abrego Garcia in a Federal court because he had exercised his due process rights, to punish him for exercising his rights, so that judge threw out those charges.

Under Mr. Blanche's leadership, Department lawyers have resigned rather than participate in blatant prosecutions, like the prosecutions of James Comey and others.

Career, professional lawyers have resigned rather than participate in abuses of power, like the Department's criminal investigation against Renee Good's partner after the shooting in Minneapolis instead of holding accountable or pursuing accountability for those who killed Renee Good. Think about that. This Department of Justice launched an investigation into the partner of Renee Good, who was shot and killed by DHS agents, instead of investigating the shooting itself—again, to please the dear leader in the White House, not to uphold the rule of law.

We also know that the Department of Justice has lost 10,000 employees since the beginning of fiscal year 2025 and nearly one quarter of its lawyers—lawyers who signed up to uphold the rule of law and the Constitution, not serve the dear leader acting through the dear leader's former personal attorney Todd Blanche. Now they are hiring prosecutors with no prior legal experience and asking many of them to sign a pledge supporting not the Constitution but the President of the United States.

We have seen how Mr. Blanche has acted as the President's personal lawyer since he has been at the Justice Department. We know, of course, of the outrageous \$1.8 billion slush fund that was created to make payments to the President's political allies. When I asked Mr. Blanche at a hearing if those who assaulted police officers here on Capitol Hill on January 6 would be eligible for those payouts, taxpayer-funded payouts, he wouldn't rule it out. He wouldn't rule that out.

At the same time, he and the Department entered into a sweetheart settlement providing extraordinary tax liability protections to the President and his family and his businesses—essentially a get-out-of-jail-free card for nonpayment of taxes due if that was what had been ultimately found.

Now, after Republican Senators and only after Republican Senators threatened to block his nomination did Mr. Blanche issue an order supposedly rescinding the slush fund and narrowing the scope of those tax protections.

By the way, even if you narrow the scope the way it is supposed to there, the President and his family get essentially a get-out-of-jail-free card for past tax liabilities that may be due.

So this deal is a sham. It is not worth the paper it is written on. It is not written into the law, and nothing prevents the Department from restarting the slush fund once Mr. Blanche is confirmed.

That is not the only example of Mr. Blanche continuing to serve as the President's personal attorney while having the title of "Acting Attorney General." We also see that in his handling of the Epstein files.

During his time at the Justice Department, Mr. Blanche has withheld critical information regarding those files rather than seek justice for the brave survivors who have shared their stories of abuse by Jeffrey Epstein and his associates.

When Mr. Blanche appeared before the Appropriations subcommittee overseeing the Department of Justice, Senator MURRAY and I both asked him that if we connected him with the Epstein survivors, would he meet with them and hear them out?

His answer:

Absolutely.

He promised he would do so if we connected the survivors to him.

Well, we followed up multiple times. Nearly 2 months later, he had not fulfilled the promise he made in that Senate committee hearing. He had still not met with the survivors.

So Senator MURRAY and I wrote him a letter demanding that he fulfill the promise he made because that should be a bare minimum for someone seeking this post. And it is pretty clear he had zero intent on keeping the promise made in public at that committee hearing until Senator TILLIS said that he would not vote to move his nomination out of the committee until Mr. Blanche met with the survivors.

After that threat was made, the meeting happened, but it was clear from reports about the meeting by the survivors that Mr. Blanche did not do so out of respect for them and out of a genuine interest to hear what they had to say but simply to preserve chances of his confirmation, because according to the survivors, it was nothing more than a check-the-box exercise. In fact, they said Mr. Blanche was condescending, that he was rude, and that he was dismissive. They were interrupted and told to "get to the point."

Well, someone who can tell the survivors of Jeffrey Epstein's horrific crimes to "get to the point" is not a person we want defending the American people because a nominee for Attorney General should demonstrate that their loyalty will be to the Constitution and the rule of law and getting justice for everybody in America, including the survivors of Jeffrey Epstein's crimes, not to the President of the United States.

So I hope we will recognize that if we look at the conduct and actions and record of the Acting Attorney General, we will recognize that he is not suited for this position because his record shows he has not been upholding the rule of law and the Constitution. Instead, he has been doing the business of this one man.

This photo was taken today—taken today. These big banners of Donald Trump have been hanging outside the Department of Justice for a long time, and they send an unmistakable message to people who work inside that they better serve the interests of this

one person. If, instead, there is a conflict between the interests of the people of the United States and this person, this tells them: Serve the interests of the President of the United States.

That is not the job of the Department of Justice, and it is not the job of the Attorney General.

I urge my colleagues to oppose the nomination of Todd Blanche to be Attorney General of the United States.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Vermont.

Mr. WELCH. Mr. President, I listened to the presentation by my colleague from Maryland and agree with everything he said.

And the heart of the question is whether the person who has been nominated to serve as Attorney General will serve the people of the United States or will he serve the President to whom he has indicated blind, complete, servile loyalty?

And the recitation of facts about what Mr. Blanche has done in this incredibly important job as Acting Attorney General has made clear what his client is, who that client is.

There is no place at the top of the Justice Department for a person who pledges personal loyalty to anyone other than the American people. But, you know, the reality here is, the President won't appoint anybody to the Attorney General's position who won't act as his personal attorney.

And there is a sadness that I have about this whole story that is before us. It is the story of a person who when he was a young man, a young attorney, Todd Blanche was extraordinarily talented, was very idealistic, was a prosecutor's prosecutor, and who did abide by and uphold the rule of law.

He became a new person in service of a President that I believe is corrupt. Two billion dollars of income to the President of the United States in his first year raises more than a mild question.

And this person now to be Attorney General, in his Acting Attorney General role, essentially provided tax immunity to the President and to all of his children, family, and affiliates. It is totally outrageous. When you say it, you can't even believe the words are coming out of your mouth. It is absolutely unprecedented.

It has nothing to do with the way public business should be conducted. But Mr. Blanche, who has considerable talents, has used those talents to enable and to facilitate and to cover up and to revise and accommodate the corrupt goals of a President who, I believe, is corrupt.

And, by the way, as I mentioned earlier, that is whom the President wants. He wants someone who is going to do his work for him unquestioned, no matter what. But, you know, there is another question that belongs right here in the U.S. Senate. Is there no line that the U.S. Senate will not allow this President to cross?

The Senate confirmed Bondi; it confirmed Hegseth; it confirmed Patel; it confirmed Noem; and we are about to confirm Blanche. The President is abusing his authority, in my view, in every day and in every way. And that is shame on him, but the U.S. Senate is failing to use its authority, its power on any day or in any way. Shame on the U.S. Senate.

Should not the U.S. Senate use its advice and consent authority to demand competence and integrity? Did the Senate do that with Bondi, with Noem, with Hegseth, with Patel, and now with Blanche? Should not the U.S. Senate use its taxing authority to stop tariffs that the vast majority of this body believes is hurting the American people and is not the right of the Executive to impose?

Should not the U.S. Senate use its constitutional power of the purse to stop the invasion by President Trump into the power of the purse? And should not the U.S. Senate use its constitutional authority over the awesome power to declare war and stop this illegal war in Iran that, in fact, President Trump is losing?

The President is abusing his authority. We are failing to use ours. We can stop capitulating today by rejecting this nomination.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I am here today to join the chorus of opposition to Todd Blanche's nomination as Attorney General of the United States.

Things that Republicans have purported to care about are disastrous with this guy. Pam Bondi put the blame directly on Todd Blanche for the Department of Justice's foulup with the Epstein files.

That foulup was pretty deadly serious for the women who were victims, who had managed to keep that fact private until Todd Blanche and the DOJ fouled that up and put out their names, put out their addresses, put out their photographs, and in some cases put out photographs with very little clothing on—complete disruption of the lives of the victims of Epstein's depravity, complete incompetence from a document-production point of view.

And on the other side, this guy actually participated in the Epstein cover-up. Remember that there was a witness who spoke to FBI agents about having been assaulted by Donald Trump when she was about 14 years old, physically assaulted and sexually assaulted.

She spoke to the FBI at least four times. Those four times were recorded in FBI 302s. A 302 is the FBI name for the witness statement that the agents write up after an interview.

So four times this woman has been interviewed about what had happened to her as a girl. Three of those 302s specifically mentioned Donald Trump. In the disclosure that Todd Blanche made under the Epstein files law, the only

one of the four that got disclosed was the one that didn't mention Donald Trump.

That ought to be disqualifying right there. Luckily, some very sharp investigators realized through, like, gaps in Bates stamp numbers that documents were missing and that the three 302s had not been disclosed. And so Blanche was forced to cough those up.

But behind a 302 come the agent notes. And there are still 37 pages of documents relating to that that are still suppressed, that are still covered up, that look to be the agents' notes, which should have been disclosed. So the coverup continued with respect to allegations against Donald Trump. Where else did the coverup continue?

Well, the Treasury Department sent to the Department of Justice what are called suspicious activity reports. A suspicious activity report is what you get when international banking transactions look like something funny is afoot, look like there is, for instance, money laundering going on. In this case, it was money laundering and human-trafficking concerns that provoked the suspicious activity reports.

You don't have to be a genius investigator to look at a suspicious activity report and deduce it might have something to do with some suspicious activity. It is the title of the report, for Pete's sake.

Billions of dollars of transactions were behind those suspicious activity reports. How many were investigated by the Blanche Department of Justice? Zero. Turned a complete blind eye to that whole aspect of the Epstein files, even though the suspicious activity reports were right in front of them.

And then he goes running down to Tallahassee to interview Epstein's comrade-in-crime Ghislaine Maxwell. Did he use that interview to develop any new information, to go after people who were culpable in the Epstein files? No.

He used that interview to extract exculpatory comments from her about Donald Trump. Oh, that he was a perfect gentleman. And the next thing you know, she is rewarded with a transfer to a Club Fed-type prison.

What is the excuse for that? Oh, she was at risk. We felt she was in danger. Well, look, I have been around law enforcement for a long time, and this is the first time I have ever seen a prisoner allegedly in danger be transferred to a less secure setting to solve the problem of danger. Right? You move the prisoner to a more secure setting, not a less secure setting. It makes no sense. So in the Epstein files, Todd Blanche's fingerprints are all over the screwup and the coverup. Then we move on to the slush fund and the Trump family tax fraud amnesty, which was cooked up in a deal surrounding a Federal court proceeding, which was such a mess that the judge in that Federal court proceeding has gone back to look at what the heck happened.

She was looking at whether something happened called fraud upon the court. You probably haven't heard of fraud upon the court. It is unusually rare. It is a thermonuclear ethics accusation. We have looked. In the history of the Department of Justice, fraud on the court has not even been alleged against any senior DOJ official—ever. Ever.

And here you have a court that opened a proceeding, an inquiry, into whether or not there was fraud on the court, and that is still pending.

There is still every reason to believe that Blanche may be found culpable for putting a fraud on the court together to cook up the slush fund tax amnesty scheme. That is pretty unheard of.

Unfortunately, it is not uncommon in this Blanche Department of Justice. There is a cascade of criticism from Federal courts about misconduct by this Department of Justice—misconduct that is unprecedented.

I will tell you that I was the U.S. attorney for the District of Rhode Island. If judges had used words like this about my attorneys' conduct in their courtrooms, there would have been consequences. At a minimum, there would have been staff meetings. There could have been referrals to the Office of Professional Responsibility. There could have been apologies required to the court. There could have been a reboot, internal office discipline of what is going on with this case. But when a judge says that the government's argument is disingenuous, when the judge says that the government's argument is a pretext for something else, when the judge says that the government has engaged in bad faith, each one of those is a four-alarm fire word.

In medicine, there are things that they call never events, things that should never happen in a hospital that you protect against, these are never event words coming from Federal judges. And yet they are commonplace in the corrupted Department of Justice run by Todd Blanche.

As to his complicity in the Epstein files coverup, I ask unanimous consent that a letter from Epstein survivors to Senators TILLIS and CORNYN be printed in the RECORD at the end of my remarks.

With respect to the destruction of the Department of Justice that he has wrought, I would also ask that we add George Will's column called "Against Todd Blanche."

I ask unanimous consent that the article entitled "Against Todd Blanche" be printed in the RECORD.

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

[From the Washington Post, July 24, 2026]

AGAINST TODD BLANCHE

(By George F. Will)

What benefit of norms is owed to someone who disdains norms? There are many sufficient reasons to oppose confirming Todd Blanche as attorney general. Presidents generally are owed some deference in selecting

Cabinet members, but "some" implies limits, lest the Senate's advice-and-consent duty be drained of responsibility. And not all presidents are equally owed. Today's president is owed little, given his contempt for the unwritten rules of civility that can lubricate a congenial society's governance.

Eight days after the 2024 election, Donald Trump set the tone of his second term by announcing his beau ideal of an attorney general: Rep. Matt Gaetz. This insult lasted eight days, until Gaetz withdrew as nominee. He had resigned from the House earlier, reportedly to prevent release of the House Ethics Committee's report on his alleged drug use and sexual misconduct, which a woman said included sex with her twice when she was 17.

Trump settled for Pam Bondi as attorney general, with Blanche as her deputy. While Blanche was the Justice Department's second-in-command, the U.S. attorney for the District of Columbia, a Justice appendage, sought criminal indictments of six congressional Democrats, all with military or intelligence backgrounds. They had made a video.

Made while Trump's administration was killing people on boats (in international waters) suspected of carrying drugs, the video said what the Uniform Code of Military Justice says: Do not obey illegal orders. A grand jury did something vanishingly rare in criminal cases. It refused to indict the six.

Blanche was acting attorney general when the Justice Department took seriously Seashellgate. His department secured a second indictment of former FBI director James B. Comey, this time for posting a photograph of shells arranged on a beach to read "86 47"; "86" is slang for "remove." Trump is the 47th-president. Blanche's DOJ pretended to regard Comey's infantile gesture as a prosecutable threat.

Republican senators now have demanded Blanche's assurances that the proposed \$1.776 billion slush fund, for compensating persons Trump designates as victims of Biden administration persecution, is dead. But this grift was incubated in Blanche's DOJ.

Blanche, who serves at the pleasure of the president, signed a memo pledging that the IRS is "Forever Barred" from "examinations" of Trump, certain members of his family, the Trump Organization and "related or affiliated individuals." This "negotiated"—try not to snicker—settlement between the president and the executive branch he heads exemplifies the administration's sludge of self-dealing.

Trump sicced Blanche's compliant Justice Department on Federal Reserve Chair Jerome H. Powell, ostensibly about fictitious criminality in construction spending, actually to pressure Powell to resign. With Blanche as deputy, then acting, attorney general, the Justice Department (per the Economist) gave courts inaccurate information "nearly 100 times in Mr Trump's first 14 months."

POPULAR ARTICLES

In April, Blanche became acting attorney general when Trump fired Bondi. "Nobody has any idea why," said Blanche. Plausible reports said Trump considered Bondi insufficiently aggressive about prosecuting his enemies. Blanche has said, cloudily, that "some" Justice Department prosecutions "involve men, women, and entities" that Trump "has had issues with. . . . That is his right, and indeed it is his duty to do that, meaning, to lead this country."

Blanche said it is "completely false" that the president targets political enemies. Trump merely "wants justice." Blanche said he was not "celebrating" Trump's pardons of almost all the approximately 1,500 Jan. 6 rioters when, to a gathering of Trump sup-

porters, he praised the "generous" pardons as one of the administration's accomplishments.

If at most four Republican senators had, in committee or floor votes, behaved as independently as the Founders thought senators would, Bondi, Kristi Noem, Tulsi Gabbard, Pete Hegseth, Robert F. Kennedy Jr. and others would not have been confirmed to offices far above their competences. Children probably have died of measles, and of hepatitis B passed from mothers to infants, because of vaccine hesitancy promoted by Kennedy, who lied when he promised not to indulge in such quackery if confirmed as secretary of Health and Human Services.

Now comes Blanche. He received this embarrassingly backhanded endorsement (in the Wall Street Journal) from former attorney general William Barr: Blanche "will run the department as effectively as anyone could under President Trump." Is this sufficient reassurance for Republican senators? Or will, at last, a nominee trigger their gag reflexes?

Once, when someone noted that Sen. Richard Russell, the Georgia Democrat, had "served under" six presidents, Russell bristled, saying he "served with" six. It will be a pleasant surprise if, concerning Blanche, a few Republican senators become similarly sensitive about those prepositions.

Mr. WHITEHOUSE. And with respect to this litany of criticism of the honesty of the Blanche Department of Justice, I would like to add a ProPublica article entitled "Federal Judges Chastise Trump's Justice Department for 'Unlawful,' 'Unethical' and 'Unseemly' Conduct," whose first sentence begins:

Across the country, federal judges are calling out Department of Justice lawyers, questioning in unprecedented ways whether they can be trusted to tell the truth or uphold centuries-old legal norms.

I ask unanimous consent that the article entitled "Federal Judges Chastise Trump's Justice Department for 'Unlawful,' 'Unethical' and 'Unseemly' Conduct" be printed in the RECORD.

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

FEDERAL JUDGES CHASTISE TRUMP'S JUSTICE DEPARTMENT FOR "UNLAWFUL," "UNETHICAL" AND "UNSEEMLY" CONDUCT

(By J. David McSwane, Pratheek Rebala, and Carla Astudillo)

Across the country, federal judges are calling out Department of Justice lawyers, questioning in unprecedented ways whether they can be trusted to tell the truth or uphold centuries-old legal norms.

From Washington, D.C., to Rhode Island to Oregon, federal judges nominated by presidents from both parties, including Donald Trump, have zeroed in on what's called "the presumption of regularity." It essentially means that judges must presume that the government—whether it be federal prosecutors, an IRS auditor or an FBI agent—did their jobs according to the rules and in good faith.

Until Trump's second term, which has seen an exodus of veteran DOJ lawyers and a transformative shift in priorities from issues like enforcing civil rights to instead defending a mass deportation agenda, this foundational tenet had rarely been discussed in federal courtrooms, former judges, lawyers and scholars say. But as Trump's DOJ exhibits behavior that judges have called "unlawful," "unethical," "unseemly" or otherwise dishonest, adherence to that bedrock standard is now being questioned.

ProPublica reviewed hundreds of cases since Trump retook the White House in which judges criticized the actions of DOJ lawyers and found more than 40 in which they explicitly referenced the presumption of regularity. In many cases, judges have expressed frustration that they can no longer take the government at its word.

"Judges simply don't believe the representations that are being made by United States attorneys, assistant United States attorneys and the like," said John E. Jones, a former federal judge for the District of Pennsylvania, appointed by President George W. Bush.

"I don't think in the annals of the Department of Justice, in the history of jurisprudence in the United States, we've ever seen anything close to this."

In Rhode Island in May, Trump-appointed federal Judge Mary McElroy rebuked federal prosecutors' conduct—saying they withheld information and misrepresented facts—as she quashed their requests for a subpoena in their investigation into a hospital's care of transgender children. The judge alleged the DOJ had inappropriately claimed its investigation was operating out of Texas to secure subpoenas targeting sensitive medical records of patients in another state and that it falsely claimed the Rhode Island hospital hadn't communicated with the department.

"The discrepancy between the honorable conduct expected of federal prosecutors and DOJ's tactics in this case is unsettling," McElroy wrote. "The Court cannot help but share the sentiment that [t]he presumption of regularity that has previously been extended to [DOJ] that it could be taken at its word—with little doubt about its intentions and stated purposes—no longer holds."

Judges have emitted a chorus of condemnations against the legal basis for some of Trump's political agenda, including the mass firings of federal workers, an immigration dragnet that has imprisoned hundreds of U.S. citizens and retribution campaigns against the president's political enemies.

In doing so, federal judges are imbuing forceful language into their orders in a way that scholars say signals to the Trump administration that the third branch of government is losing trust in the Justice Department.

Federal judges rarely grant interviews, and none of the judges who criticized the Justice Department in their orders granted interviews to ProPublica.

In a statement, a spokesperson for the DOJ said its attorneys are "dedicated public servants who represent the United States with integrity, in accordance with their ethical obligations and the law."

"The Department stands firmly behind the professionalism and good faith of its attorneys," said spokesperson Kiersten Pels. The White House did not respond to a request for comment.

Federal judges have found that the government filed statements generated by artificial intelligence that referenced nonexistent case law, wrote briefs that ignored facts and filed declarations with inaccurate dates, the ProPublica review shows.

In one case, the government included documentation claiming a detainee had been convicted of marijuana possession in 2009. That detainee, the judge noted, citing what she called the government's persistent "sloppiness," would have been 4 years old.

"This Court will no longer blindly accept statements of fact from [the U.S. government] unless they are made under oath by an individual with personal knowledge," Judge Christine O'Hearn, a President Joe Biden appointee, wrote in New Jersey while reviewing a writ of habeas corpus petition filed by a man who claimed he was unlawfully impris-

oned by immigration officers. O'Hearn accused the government of defying her orders when, instead of releasing the man, Immigration and Customs Enforcement transferred him to a different facility in New York.

In Minnesota, the state's top political leaders had publicly clashed with the administration following the violent ICE raids that led to the deaths of two U.S. citizens. Then the administration filed a flurry of subpoenas against them.

Last month, Judge Patrick J. Schiltz, who was appointed by George W. Bush and clerked for Supreme Court Justice Antonin Scalia, slammed the government's actions and "spurious claims," saying the presumption of regularity was being abused.

"Initiating a criminal investigation in order to harass political opponents or to coerce them into taking official action—particularly official action that the federal government cannot directly require those political opponents to take—is a blatantly unlawful and unethical use [of] the grand-jury process," the judge wrote.

"BREAKDOWN" OF A PRESUMPTION

The presumption of regularity creates a high bar for those suing the government or defending themselves against it in criminal cases. They often must provide evidence that the government willfully violated a policy or otherwise deviated from its charge—that is, did something irregular—to overcome the standard.

It's a shield the government wields often, with little notice, and one that is almost always successful. But overcoming that presumption has become increasingly common under Trump's second term, according to court watchers.

About half of the cases ProPublica identified as questioning the presumption come from districts, including D.C., Maryland and Virginia, where by proximity and jurisdiction many of Trump's actions are challenged and often heard by Democratic-nominated judges. The Southern District of New York, which has issued repeated rebukes of Trump administration actions, and the Northern District of California, another Democratic stronghold, are other hotbeds of judicial scrutiny.

Last September, D.C. District Magistrate Judge Zia M. Faruqi accused the administration of working around the federal grand jury process, getting an indictment from a state court after prosecutors had failed to get one in his court, which he called "unseemly," if not "unlawful." He fired off one of the earliest signs that the presumption itself could come into question.

"This only deepens the growing mistrust of the actions of prosecutors," the judge wrote. "That is a sentiment that was once unthinkable, but the irregular is now the regular." While the case was largely managed by assistant U.S. attorney Caelainn Carney, according to court transcripts, Faruqi was aiming his frustration at her bosses, including senior prosecutor Jonathan R. Hornok, and the leadership at DOJ. Neither attorney responded to requests for comment.

Pels, the DOJ spokesperson, told ProPublica that Faruqi "was wrong on the law" and noted that after the government appealed to the district's chief judge, his order was overruled. "Judge Faruqi has a long-standing documented pattern of editorializing from the bench beyond the scope of the cases before him," Pels added.

But in recent months, skepticism about the presumption has also come from judges appointed by Republicans, such as McElroy, or in GOP strongholds.

In Indiana, Trump-appointed federal Judge James Patrick Hanlon ordered the release of

Salah Sarsour, president of the Islamic Society of Milwaukee and a lawful U.S. resident, from ICE custody in March. Sarsour's lawyers argued the government had targeted him to suppress his First Amendment right to free speech. The DOJ invoked the presumption of regularity and argued his arrest was part of an anti-terrorism dragnet, which the judge threw out.

In the Southern District of Ohio, Judge Michael R. Barrett, appointed by George W. Bush, ordered ICE to release a detainee after concluding the presumption had been overcome because the government hadn't presented a reasonable argument that the man was a flight risk.

News outlets, including CNN, have documented federal judges' ire with Trump's DOJ, and some of the cases under question have been well-publicized, such as the government's illegal deportation of Maryland resident Kilmar Abrego Garcia to El Salvador. In that case, Judge Paula Xinis, a President Barack Obama appointee, criticized the government, saying, "You have taken the presumption of regularity, and you've destroyed it."

Many of the rulings challenged one of Trump's hallmark efforts: immigration enforcement and deportations.

"The presumption of regularity and integrity previously and routinely afforded to the Executive branch and the United States Attorney's Office has been undeniably eroded in this jurisdiction and across the country," O'Hearn wrote in February, noting that the federal government had repeatedly violated court orders in her district and others related to immigration operations.

In another immigration detention case, this one in Washington state, Biden-appointed Judge Lauren King said, "[t]he 'presumption of regularity' is dislodged here by the numerous factual errors in Respondents' filings and by their conflicting representations."

Jeremy Fogel, executive director of the Berkeley Judicial Institute and a former federal judge from California, said what's happening in the courts feels more like a "political conflict" than the normal ebb and flow of the justice system.

"It's really one branch that is really sort of questioning the legitimacy of the other one," Fogel said. "I think the judges are trying to stand up for the legitimacy of their branch."

Just Security, an online law and policy journal, has been tracking cases in which federal judges have admonished Trump's prosecutors, including those involving the presumption.

"We're witnessing a breakdown in the ways in which any administration ordinarily carries out its responsibilities, through the Justice Department in particular," said Ryan Goodman, Just Security's co-editor-in-chief.

EROSION OF TRUST, ETHICS INQUIRIES

The erosion of trust from the federal bench comes as Trump has profoundly shifted priorities at the DOJ to align with his political platform: ending civil rights and diversity programs, deporting immigrants and stripping away environmental protections.

Those who deal with DOJ lawyers have noticed the difference in court.

Mitch Bernard, chief counsel at the non-profit Natural Resources Defense Council, has faced off on environmental issues with the DOJ many times. Although they may disagree, he said, he always expected his opponents to be "fair and above board."

That dynamic is gone, he said.

"I would call it a transformation of the role of the Justice Department," he said. "There are many different judges in different

jurisdictions not only ruling against the government but calling the government out for dishonesty and dissembling, and that's an extraordinary thing."

The result, Bernard said, is that "the government will lose more cases as a result of the way the Justice Department is behaving."

Meanwhile, groups such as his are benefitting from the government brain drain. "We hired 10 litigating attorneys last year," he said. Of those, eight came from the DOJ.

Judges aren't just losing faith in the DOJ. Some are pushing to sanction Justice Department lawyers.

This month, Miami federal Judge Kathleen M. Williams ruled that Trump's lawsuit against the IRS was an improper exercise in self-enrichment, citing the president's lawyers for a series of misstatements in the case.

The Obama appointee referred the lawyer who brought the president's case against the IRS, Alejandro Brito, to the Florida Bar for potential disciplinary proceedings. She also forwarded her ruling to disciplinary officials in New York, who had earlier received an ethics complaint about acting Attorney General Todd Blanche.

A DOJ spokesperson called the Blanche case "nothing more than a politically motivated bar complaint, filed by partisan activists who disagree with this Administration's policies." Brito did not respond to a request for comment.

In Rhode Island, McElroy referred DOJ lawyers to a review board for possible discipline for their handling of the hospital investigation.

"As citizens, we trust that federal prosecutors, when wielding this awesome power against a state, a company, or certainly against vulnerable children, will play fair and be honest with its counterparts and the judiciary," McElroy wrote. "DOJ has proven unworthy of this trust at every point in this case."

Mr. WHITEHOUSE. And then this isn't just a problem in American legal communities. There is a global magazine called *The Economist* magazine, which, by the way, does not run liberal. It is a fairly conservative publication.

The cover story in the July 18 *The Economist* is a picture of the Department of Justice logo and the title "Degradation in progress."

I ask that *The Economist* magazine article—there are actually two. One is the opening article that they lead with before they get to the main article; and the second is the main article—the two articles about the degradation of the Department of Justice under Todd Blanche be added to the *RECORD* as well.

I ask unanimous consent that the articles entitled "Degradation in progress" and "The rule of one" be printed in the *RECORD*.

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

[*The Economist*, July 18th 2026]

DEGRADATION IN PROGRESS

The pursuit of enemies grabs all the attention, and for good reason. Markets were shocked to see President Donald Trump set the Department of Justice (DOJ) on Jerome Powell when he was still the chairman of the Federal Reserve. Champions of press freedom cried foul last week when the department issued subpoenas to New York Times jour-

nalists for explaining the truth about Qatar's gift of a jet to the president. But Mr. Trump's grievance agenda isn't the half of it.

In a sign of how much he treats the department as his own personal law firm, he wants his actual lawyer to become attorney-general. Senate hearings begin this week for Todd Blanche, who is currently the acting attorney-general. Those on Mr. Trump's enemies list are not the only ones who should be worried. The president is also inflicting less-noticed harms on the DOJ that are as bad as the attention-grabbing ones. The damage is likely to be profound.

The DOJ is the government's lawyer, but it also serves as the guardian of the law, especially since Watergate. In 1979 Bill Barr, then Mr. Trump's pick for attorney-general, said that Americans "have to know that there are places in the government where the rule of law—not politics—holds sway" and that the Department of Justice "must be such a place". Mr. Trump has no time for that. Less than halfway through his second term, he has turned the DOJ from an arm of the law into a muscular limb of the presidency (see United States section).

For a start, he has dramatically redefined the department's priorities, which is legitimate, often by setting goals that blur policy and politics, which is not. Health-care fraud is being chased with particular zeal in states run by Democrats, such as California and Minnesota, where it can be used to discredit Mr. Trump's opponents, including the states' governors, Gavin Newsom and Tim Walz.

The DOJ is also an effective tool for pursuing his political agenda. Election fraud is consuming ever more of its resources—not because it is a real problem, but because it is a presidential obsession. The DOJ has sued states for access to their voter rolls. In January the FBI seized hundreds of boxes filled with ballots and other documents in Georgia's most populous county, part of an investigation of the presidential election in 2020. More recently, some 260 FBI analysts were dispatched to pore over Georgia's files, with a deadline to review records by July 17th. At the very least, this will shake voters' faith that elections are trustworthy—indeed, that may be its sinister design.

Matters of genuine public interest are left to languish. About a quarter of the DOJ's lawyers have left. Divisions that investigated cryptocurrency fraud and public corruption have withered. Financial-fraud indictments by prosecutors at DOJ headquarters and in Manhattan are down by 30% from the ten-year average. About 300 special agents who specialise in national security have quit the FBI, taking decades of experience in counterterrorism and cyber-warfare with them.

The department has also become more chaotic. Too often, cases encounter problems in court, though it is hard to distinguish sloppiness by DOJ staff from deliberate ill-intent. Nearly 100 times in Mr. Trump's first 14 months, the DOJ supplied courts with inaccurate information. It is quite something for the State to lose the benefit of the doubt in its own courtrooms.

More than 61,000 petitions from detained immigrants have bogged down courts and frustrated judges and federal prosecutors, who have moved lawyers from criminal divisions to help. By September last year, about a fifth of FBI agents had been diverted to immigration enforcement.

Meanwhile, the president's powers are increasing. In *Trump v. Slaughter* last month the Supreme Court ruled that the president could sack leaders of semi-independent agencies, such as the Federal Trade Commission (FTC) and the Securities and Exchange Commission (SEC). That gives the president the capacity to force agencies to work in league

with the DOJ. Imagine a co-ordinated campaign of pressure, in which the DOJ opens an antitrust inquiry, the FTC explores consumer fraud and the SEC investigates corporate disclosures.

Unfortunately, the permanent appointment of Mr. Blanche is unlikely to mark an improvement. He has done as much as anyone to advance Mr. Trump's agenda of prosecuting his enemies and protecting his friends—a powerful combination for encouraging people to comply with Mr. Trump's wishes. Under Mr. Blanche, the DOJ has recently threatened state election officials with criminal prosecution if they knowingly let non-citizens remain on voting rolls.

Democrats and more than 1,200 former DOJ lawyers have demanded that the Senate reject Mr. Blanche's nomination. The Senate now has the choice of confirming him, and thereby seeming to endorse Mr. Trump's broader agenda, or blocking him in a rare rebuke to the president. Unfortunately, a rejection may not accomplish all that much. Mr. Trump can retain Mr. Blanche as acting attorney-general for months or nominate someone just as pliable.

The best Americans can hope for, in the next two years, is that courts stand firm. So far they have generally checked the DOJ's worst impulses. On July 7th a federal judge blocked the department's effort to subpoena the names of election of workers in Georgia. On July 13th another federal judge nullified a settlement organised by the DOJ in response to a civil case brought by Mr. Trump that would have protected the president and his family from tax audits.

IN THE DOCK

Even if Americans elect a president who wants to restore the DOJ, the damage will be hard to reverse. Mr. Trump's acolytes would see the ejection of his partisan lawyers as a witch hunt that justifies the next purge when they take back power. Once the arrival of any new administration routinely entails a fresh round of sackings, professionals who care about the rule of law will think twice about signing up. After Watergate, statesmanship and a bipartisan effort were needed to create the modern DOJ. Today the stakes are as high, and the task is harder.

THE RULE OF ONE

Anyone who has ever worked as a lawyer for Donald Trump makes a bet. There is the possibility that you, too, will run afoul of the law—eight of the president's lawyers have themselves been indicted. Alternatively, your work might pay dividends. Such was Todd Blanche's calculus three years ago when his white-shoe firm gave him a choice: represent Mr. Trump, then a candidate and a criminal defendant, or remain a partner. Mr. Blanche chose Mr. Trump. Now the president has selected him to be America's top cop.

On July 15th the Senate began hearings to consider Mr. Blanche's nomination to lead the Department of Justice (DOJ). Whether lawmakers confirm him as attorney-general will test their willingness to endorse Mr. Trump's legal agenda, but even a rebuke would be only symbolic. The president will still get his way at the DOJ; Mr. Blanche can stay in the job on an acting basis for months and be replaced by someone similar after.

With or without Mr. Blanche, the president will continue to lead a transformation of dramatic scale. With warrants and subpoenas, the DOJ is pursuing Mr. Trump's critics and his hobby-horses, from political adversaries to election fraud to leaks in the press. The number of lawyers has dwindled by 20%; former prosecutors point to an incompatibility between the president's agenda and the fair application of law. The DOJ

is retreating from certain types of criminal enforcement. And, increasingly, judges are telling government lawyers that they cannot be taken at their word.

The DOJ's duties, at least as historically defined, include enforcing the law and defending the government in court. Ever since Richard Nixon urged his attorney-general to interfere with an investigation, politicians of both parties have generally agreed that the DOJ should operate at some distance from the presidency. Mr. Trump has bucked that consensus, claiming that Democrats weaponized the law against him. Joe Biden's DOJ indicted him twice, elected Democratic district-attorneys indicted him twice more and Letitia James, New York's attorney-general, sued him in civil court.

Pam Bondi, Mr. Trump's first attorney-general, was fired in April for being insufficiently aggressive. Mr. Blanche told the Senate this week that he is not the president's "yes man". But shortly after assuming his current post, Mr. Blanche was touting a second indictment against James Comey, a former FBI director and antagonist of the president. Mr. Comey had posted a photo of seashells on a beach arranged like "86 47". To "86" someone means to get rid of them; Mr. Trump is the 47th president. The DOJ contends that Mr. Comey was threatening to kill Mr. Trump.

This prosecution is almost certain to fail, just like the president's cases against Mr. James; Jerome Powell, the former chair of the Federal Reserve; and six Democratic lawmakers. Last month a court tossed subpoenas targeting Tim Walz, Minnesota's governor, and other Democratic officials in that state. The judge wrote that the subpoenas were "not issued to investigate, but to harass, coerce and retaliate" for the officials' refusal to aid the president's immigration crackdown.

Mr. Trump complements prosecutions of political foes with lenient treatment of his friends, through pardons and dropped charges. Last year political appointees at the DOJ ordered prosecutors to abandon a corruption case against Eric Adams, then New York's mayor. Unlike Mr. Walz, he had agreed to co-operate on immigration. A judge in New York wants to know whether a quid pro quo inspired the DOJ to drop fraud charges against Gautam Adani, an Indian billionaire who has promised to invest \$10bn in America.

Mr. Trump had sought to reward allies most explicitly through a \$1.8bn fund for supposed victim of government lawfare. Even Republican senators balked at that; in June Mr. Blanche said he had given up the idea. But it loomed over his confirmation hearing, with John Cornyn, a Republican senator, observing that his answers "don't lead inevitably to the conclusion that it's a dead".

The DOJ is vast; last year it charged 81,000 people. Politicized probes mark a radical departure from past norms, but they are not enough to upend that work. Yet broader change is underway, too, with the department itself depleted and redirected, at remarkable speed.

Mass attrition means that some of the most experienced lawyers have left, often for better pay in the private sector. A former prosecutor in the Virginia office had first indicted Mr. Comey recounts how, after charges were issued, nearly everyone in his unit started looking for new work. "These people have job options." Now the DOJ is struggling to fill its ranks, lowering hiring standards to rake applicants straight from law school and offering some recruits \$25,000 signing bonuses.

Units specialising in cryptocurrency fraud and corruption by public officials have been

guttled. (As it happens, Mr. Trump made more than \$1.4bn from cryptocurrency last year.) The group focused on counterintelligence and enforcing export controls has warned Congress of "unprecedented personnel constraints", with a 40% drop in prosecutors from a year and a half ago. Up to a third of the counterterrorism section has left, says a former prosecutor in that unit. The FBI, which sits within the DOJ, has lost about 300 special agents who worked on national security.

The DOJ's national-security division has expertise that most prosecutors lack, in handling classified information and charging complex statutes. They sift through dozens of FBI referrals and decide which to pursue. "What feels real versus which ones are idle chatter? When is the right time to disrupt a plot? Do we go now? Prosecutors learn that only by working these cases over many years," says one who left last year.

Fewer resources mean less enforcement in some domains. White-collar defence lawyers remark how work has slowed. Last year the number of financial-fraud indictments out of DOJ headquarters and the U.S. attorney's office in Manhattan fell by 30% from the ten-year average. Indictments are a lagging indicator of enforcement activity. Subpoenas of financial firms, which precede them, are "not happening, basically," says a white-collar lawyer in New York, who expects even fewer indictments to come. "Nobody's investigating those things." Cases targeting political graft have largely dried up. Mr. Trump is notably lax about that, having granted clemency to at least 20 politicians convicted of self-dealing over his two terms.

Instead the DOJ has made a big show around the president's bugbears: healthcare and benefits fraud; anything connected to cartels; transgender care; diversity, equity and inclusion; and election fraud. Recently the FBI dispatched 260 analysts to investigate debunked claims of vote-rigging in the 2020 election in Georgia, which Mr. Trump maintains he won. In January the FBI seized records related to that race in Georgia's Fulton County. Last week a judge quashed the DOJ's subpoena seeking names of poll workers there: an "overly broad fishing expedition is bad and is not allowed," he said.

The DOJ will be at the tip of the spear if Mr. Trump attempts to intervene in the midterm elections in November. Ominously, it has all but shut the unit that normally monitors election-related crimes. A prosecutor who left that section last year says he thinks the administration is "taking steps to be in a position to put its thumb on the scale in 2026 or 2028".

Election-year training for FBI agents and DOJ staff, once mandatory, has been cancelled. The department seems to have no intention to stand up the National Election Command Post, which normally monitors irregularities. Instead, election deniers populate the DOJ, including several who worked to overturn the 2020 result. Recently they threatened to prosecute election officials who let non-citizens vote.

No issue has consumed the attention of the Trump administration like immigration. By September the FBI had diverted a fifth of its roughly 14,000 agents to immigration enforcement. What is striking is not that the president has made immigration a priority—he said he would do as much—but the manner in which DOJ lawyers are pursuing those cases.

In the autumn Mr. Blanche showed up in Chicago, the site of a surge of agents dubbed "Operation Midway Blitz", and decreed "an organised effort by domestic terrorists to actually injure and hurt" those agents. Then his deputy told prosecutors to "go big and go loud" against protesters.

A prosecutor in Chicago who left earlier this year says that every unit there, including ones focused on cyber and national-security crime, was dragooned into protester cases, which became a "dreaded thing". He says the pressure from the front office to file charges was so great that prosecutors had to present a compelling argument not to do so. That is the inverse of how decisions are usually made.

Agents arrested nearly 4,000 immigrants during Midway Blitz. The crack-down in Chicago also became a stark example of how to drive away lawyers. In the U.S. attorney's office, which has seven criminal sections, each chief serving at the start of Midway Blitz has quit. Seven of their 15 deputies and at least a quarter of the 90 or so staff prosecutors have left, too.

Across the country, there have been hundreds of shaky cases brought against protesters. Many collapse before trial. A jury rebellion awaits those that do make it that far. Ten of 13 resulted in an acquittal as of March, according to Steven Salky, a defence lawyer who tracks unusual charging decisions. By contrast, across all federal trials last year, the acquittal rate was 12%.

Some cases have veered into the absurd. A jury took 35 minutes to acquit a man accused of pointing a laser at the president's helicopter. Once unusual practices are more common. In October prosecutors charged six Democratic activists and politicians in Chicago with conspiring to impede a federal agent, in a case known as the "Broadview Six". After a judge reviewed transcripts from the grand-jury sitting—held in secret, without judges or defence lawyers—she said she had never seen such misbehaviour by prosecutors. Among other no-nos, they had dismissed sceptical jurors (including one who called the case "a crock of shit") who might have been unlikely to return an indictment. In May prosecutors dropped the case.

A consequence of all this is that the DOJ is losing credibility in the courts. Increasingly judges are calling out lapses by government lawyers, saying they cannot take them at face value. The judge overseeing the Broadview Six case said she believed that "most government attorneys are doing the best they can to do the right thing". Then she added: "That trust has been broken." More judges are now requiring depositions and documents to verify that the government's claims are true, and threatening sanctions when its lawyers obfuscate or fail to comply. In the first 14 months of Mr. Trump's second term, according to Just Security, a site for legal commentary, the DOJ gave courts inaccurate information in nearly 100 instances.

The problem is acute in immigration cases. The administration's mass-detention policy led to a twentyfold spike in "habeas" petitions by detained immigrants suing for release between 2024 and 2025. Just Security found nearly 800 instances of non-compliance with court orders in habeas cases, and 13 sanctions and contempt-of-court findings against DOJ lawyers. The administration's response has been to label any judge who disagrees with it a "rogue activist". Mr. Blanche has called it a "war" on the judiciary.

Seen one way, that fighting talk reflects something positive: the guardrails in the judicial system holding up, to the administration's dismay. Already the department's alumni are asking what it will take to reconstitute it when Mr. Trump leaves office. A former prosecutor says he and his former colleagues want to return. Still, the appeal of the department diminishes somewhat with the prospect that the next person overseeing it may sack you, or harness the law for their personal ends. For decades the DOJ enjoyed

some protection from the politics that have fractured America. That era seems over.

Mr. WHITEHOUSE. Last, there is a group called Just Security, which keeps track of what goes on in Federal courts. This is a binder of the cases that they have put together in which a Federal judge is harshly criticizing the integrity or the competence of the Department of Justice.

This binder, frankly, should not exist. This is two-sided, by the way. These many cases—it is just astounding. I am not going to ask that this all be put into the RECORD. But I will note that if you look at justsecurity.org, you can look at their report published on March 19, 2026. It gets regularly updated.

And if you want to go through it, you can see truly appalling criticisms by Federal judges of every appointment background against incompetence and dishonesty by the Blanche Department of Justice.

Where that really hits the road is with something called the presumption of regularity. You might not know what the presumption of regularity is, but it is a benefit that the government enjoys—that as a matter of policy, the Federal judiciary has determined that the Federal Government is generally so honest and competent that its proceedings will be given the presumption of regularity that the benefit of the doubt will go to the Department of Justice lawyers and to the government Agencies involved.

Unless the adversary can prove otherwise, courts will presume that the government has done the right thing. And over and over again, we have seen judges say that presumption of regularity is now shot because there is so much dishonesty and incompetence coming out of the Department of Justice. That is unprecedented.

There are hundreds of other reasons to vote against this most reprehensible Attorney General nominee in American history, but the very specific ones about his complicity in the Epstein files screwup and coverup, his being the first senior Department of Justice official in the history of the United States to face a fraud on the courts inquiry, where the judge already decided that the proceeding was a sham and that the parties were in collusion with each other and that the whole thing was done in bad faith, and that that is not an isolated incident—that is part of a pattern of incompetence and dishonesty out of the Department of Justice that has never before happened in the United States of America.

If my Republican colleagues want to get behind that—if they are cool with an Attorney General who has that record—that is on you.

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

DEAR SENATORS: We write to you as survivors of Jeffrey Epstein and Ghislaine Maxwell's sex-trafficking operation to urge you to vote no on Todd Blanche's confirmation

as attorney general. We understand that both of you remain open to opposing his nomination, and we are asking you to stand with survivors of human trafficking and sexual assault at this critical moment.

Under Todd Blanche's leadership, the Justice Department released survivors' names, identifying information and images while the names of alleged abusers and enablers remained hidden. More than a thousand women and girls were abused, yet no one beyond Epstein and Maxwell has been prosecuted.

During Todd Blanche's meeting with survivors, survivors asked direct questions about how these redaction failures happened and whether he would pursue the investigative leads that remain. Survivors received an hour of deflection, interruption and gaslighting. Todd Blanche showed no remorse for the horrific release of materials that exposed survivors' identities and images. He also gave no indication that he believed there were investigative leads worth pursuing, or that he intended to seek accountability beyond Jeffrey Epstein and Ghislaine Maxwell.

Senator Tillis, when you urged Todd Blanche to meet with survivors, we believed you expected a serious and meaningful conversation. What occurred was a box-checking exercise arranged only after his confirmation was put at risk. Blanche's willingness to sit in a room with us should not matter more than how he treated us once he was there.

Both of you have records of standing with survivors of human trafficking and sexual assault. A vote to confirm Todd Blanche would be a vote against those survivors. It would reward someone who has refused to take responsibility for the harm they've caused, failed to provide meaningful answers and shown no credible commitment to pursuing the full truth.

We urge you to vote no on Todd Blanche's confirmation.

Sincerely,

Annie Farmer, Jane Doe, Jena-Lisa Jones, Lara Blume McGee, Michelle Licata, Ashley Rubright, Jane Doe, Jennifer, Lisa Phillips, Rachel Benavidez, Audra Lynn, Jane Doe, Jess Michaels, Liz Stein, Roza, Dani Bensky, Jane Doe, Joanna Harrison, Marijke Chartouni, Sharlene Rochard, Jane Doe, Jane Doe, Juliette Bryant, Marina Lacerda, Teresa J. Helm, Wendy Pesante.

Mr. WHITEHOUSE. I yield the floor.
The PRESIDING OFFICER (Mr. BANKS). The Senator from North Carolina.

HEMP

Mr. BUDD. Mr. President, every parent in America, they want the same thing. They want to know that their kids are safe. As U.S. Senators, each of us has a responsibility to the millions of parents we represent for the safety and welfare of American kids first.

And that is exactly why—just 9 months ago on this very floor—76 Members of this body voted to close the hemp loophole that allowed these dangerous substances to be sold in unregulated retail stores.

But since last November, the intoxicating hemp industry has attempted to delay our effort to close this dangerous loophole.

May I show you some of the products that you can find in some of these stores?

It looks like a familiar brand, but if you look closely—well, sometimes they use the brand name. But how about something like Slizzles? Pretty deceptive.

You know, these companies want to continue selling these intoxicating THC substances loosely labeled as hemp products. They want to put them on the shelves of local convenience stores, gas stations, and grocery stores nationwide.

And the problem doesn't stop there. The packaging is unmistakably designed to appeal to kids. Using these bright colors, they intentionally mimic popular snack food and candy brands like this.

But what is most concerning is how easy it is for a child to walk into a convenience store and pick up what looks like their favorite snack or their favorite candy without realizing that they are actually buying an intoxicating substance.

See a familiar—what might be a familiar brand here, but it is Stoneo. How about that?

So it is difficult enough for an adult to distinguish the minor difference on these name-brand products and intoxicating substances on the shelves. I mean, just look at the examples. So are you telling me that this is not intentional?

You know, the four basic principles of marketing are product, price, place, and promotion. And what we are looking at right here, it is a crash course in all four: how to package a product; how to make it appealing; how to put it in front of consumers; and how to promote it, while attempting to evade Federal law.

You know, this is not some innocent coincidence. You don't accidentally create packaging for an intoxicating substance that bears a strange resemblance to a recognizable brand. You don't accidentally make an intoxicating product look something like a child would recognize from a grocery store shelf without reasonable intent.

Now this is marketing by design, and it is designed—it is designed—to evade the law. The resemblance here is absolutely outrageous, and it is putting our kids at risk each and every day.

And over the past few years, we have already seen the horrifying consequences play out in emergency rooms across the country.

From 2018 to 2023, emergency departments in the United States that responded to pediatric cannabis poisoning increased by 461 percent; 91 percent of those patients were 4 years or younger—91 percent. And 45 percent of those kids—ages zero to 11—45 percent of them required hospitalization.

These numbers, they are not just statistics. They represent children ending up in emergency rooms—45 percent of them. And why? Because the intoxicating hemp industry wants to make a cheap dollar.

Now, in my home State of North Carolina, cannabis consumption-coded emergency department visits among minors, they increased by 969 percent between 2017 and 2025. That is almost 1,000 percent increase, and that is nothing short of alarming.

THC can have very serious consequences for adults. It can trigger psychosis, addiction, manic episodes, bipolar relapse, depression, anxiety, and suicidal ideation. And having assessed those risks, it makes it utterly irresponsible to turn around and put those same THC substances within reach of our kids.

It is also impacting our workforce. Able-bodied adults, they are unable to hold jobs that require them to take a drug test. Stores near military bases sell these products to men and women in the armed services, making them ineligible for military service. And that is also no accident.

I can't tell you how many times that I have sat down with a family in my office that has tragically lost a son or a daughter because they became addicted to these disguised substances, and it is just heartbreaking to witness. It is heartbreaking to have those conversations, and, yet, they keep coming to my office. We keep hearing their stories.

There are young people who no longer walk this Earth. They will never graduate. They will never go to college. They will never start a career. They will never get married. They will never have children. And they will never get the chance to experience the life that was ahead of them because these dangerous substances robbed them of their future.

And I am appalled at the well-oiled, slick lobbying machine—which is very well connected in this town, by the way—that has chosen to wage this surreptitious war against our efforts to protect American children.

So let me be clear to my colleagues. I am not going to back down on this. I am not going to waver. I am not going to stop until this life-threatening loophole is closed permanently.

And we are going to have this fight before the end of this Congress, and I can assure you that I am not going to stop fighting to protect American children.

And I have already had numerous conversations with the White House about this issue, and I am willing to have a larger conversation about marijuana. We may not agree, but I will have the conversation.

But I want to make one thing really, really clear: Making THC intoxicating substances readily accessible to our kids is an entirely different issue from the medical marijuana movement.

Today, we are talking about unregulated hemp products being sold on the shelves of nearly every corner store in America. These intoxicating substances—they are hiding in plain sight, and they are putting our kids at risk.

Parents should never have to face the fear that sending their child into a convenience store for a snack or a treat could mean that that child walks out with a product that can get them high.

And that is not too much to ask. It is just common sense. And it is our responsibility to make sure that the mil-

lions of parents that we represent—that they can trust the product sitting on store shelves, that they are safe for their kids.

I am not here to obstruct the Senate for the sake of obstruction. I am here because I have a duty to the millions of parents in North Carolina who have sent me to Washington to be their voice and, above all, to protect their children.

To every parent in North Carolina: I hear you. I stand with you. You have my word I am not going to back down, and I am not going to stop fighting until we get this right.

This is a public health crisis that deserves this Senate's immediate attention. Our children should never be the testing ground for an industry willing to exploit a loophole in Federal law for profit.

We need to strip this amendment from the continuing resolution and regulate these harmful substances for exactly what they are, not what the industry wants to call it.

So if substances cause intoxication—like marijuana—then it should be regulated as such, not given a free pass as hemp. There is no loophole worth putting a child's well-being at risk.

I yield the floor.

VOTE ON SCHWARTZ NOMINATION

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

Mr. BUDD. 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 senior assistant legislative clerk called the roll.

Mr. BARRASSO. The following Senators are necessarily absent: the Senator from Tennessee (Mrs. BLACKBURN), the Senator from Wisconsin (Mr. JOHNSON), and the Senator from Kentucky (Mr. McConnell).

Mr. DURBIN. I announce that the Senator from Arizona (Mr. GALLEGO), and the Senator from Minnesota (Ms. KLOBUCHAR) are necessarily absent.

The result was announced—yeas 51, nays 44, as follows:

[Rollcall Vote No. 220 Ex.]

YEAS—51

Armstrong	Fischer	Moran
Banks	Graham	Moreno
Barrasso	Grassley	Murkowski
Boozman	Hagerty	Paul
Britt	Hawley	Ricketts
Budd	Hoeven	Risch
Capito	Husted	Rounds
Cassidy	Hyde-Smith	Schmitt
Collins	Justice	Scott (FL)
Cornyn	Kaine	Scott (SC)
Cotton	Kennedy	Sheehy
Cramer	Lankford	Sullivan
Crapo	Lee	Thune
Cruz	Lummis	Tillis
Curtis	Marshall	Tuberville
Daines	McCormick	Wicker
Ernst	Moody	Young

NAYS—44

Alsobrooks	Bennet	Blunt Rochester
Baldwin	Blumenthal	Booker

Cantwell	King	Schiff
Coons	Lujan	Schumer
Cortez Masto	Markey	Shaheen
Duckworth	Merkley	Slotkin
Durbin	Murphy	Smith
Fetterman	Murray	Van Hollen
Gillibrand	Ossoff	Warner
Hassan	Padilla	Warnock
Heinrich	Peters	Warren
Hickenlooper	Reed	Welch
Hirono	Rosen	Whitehouse
Kelly	Sanders	Wyden
Kim	Schatz	

NOT VOTING—5

Blackburn	Johnson	McConnell
Gallego	Klobuchar	

The nomination was confirmed.

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

S. RES. 817

Ms. CANTWELL. Mr. President, I rise in opposition to the en bloc nominations process and in opposition to almost all of these nominees.

While the en bloc process unfortunately means that I have to cast a single vote for or against all 74 nominees today, I do want to reaffirm my strong support of both Democratic nominees that were reported with unanimous approval out of the Commerce Committee, Thomas Chapman and Karen Hedlund.

Thomas Chapman was renominated to the National Transportation Safety Board. He is an industry veteran who previously served on Commerce Committee staff and has a demonstrated commitment to fact-based investigations into aviation and other transportation disasters.

Karen Hedlund was renominated to serve on the Surface Transportation Board. She has served with distinction since 2022. The Surface Transportation Board is currently evaluating the largest proposed rail merger in our Nation's history. Given her prior experience at STB and years of service at USDOT, I am confident Ms. Hedlund will continue putting the public's interest first and foremost.

While I strongly support these Democratic nominees, I have more significant concerns about other nominations in the bloc.

Unfortunately, the en bloc process means that I have to cast a single vote today. Even though I support some of the nominations in the bloc, I must stand up today to speak against the other nominations and the lack of bipartisan representation at independent agencies.

I look forward to working with my colleagues to ensure qualified candidates from both parties are appointed in the future.

CLOTURE MOTION

The PRESIDING OFFICER. 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: