**Senator Dick Durbin**
**Ranking Member, Senate Judiciary Committee**
**Written Questions for Robert E. Long, Jr.**
**Nominee to be U.S. District Judge for the Middle District of Florida**
**October 7, 2026**

**1.** In *In Re Jane Doe*, a 17-year-old just one month shy of her 18th birthday sought a judicial waiver to Florida's parental consent requirement so she could terminate her pregnancy. After a 10-minute Zoom hearing, the trial court denied her waiver, which you affirmed on appeal in a three-sentence per curiam decision. The majority determined that she failed to show she was mature enough to make her own decisions, despite being solely responsible for the care of her one-year-old daughter, working a full-time job, and not relying on her parents for support. The dissent noted that she did not need a waiver of parental consent since she satisfied the requirements for an exception as the parent of a dependent minor child.

**Given the facts in this case, why did you uphold the trial court's denial of the judicial bypass?**

**Response:** The Florida Code of Judicial Conduct prohibits me from going behind my judicial decisions and providing additional substantive judicial reasoning or explanations. *See* Fla. Code of Jud. Conduct 3. As a result, the opinions will have to speak for themselves. I only clarify that the appellate court did not determine that the petitioner failed to demonstrate sufficient maturity. The trial court judge made that decision. And while the dissent noted that she may not have needed a waiver in the first place, the majority also noted that and provided a citation to the relevant statutory provision in the majority decision.

**2.** While you served as general counsel for the Leon County Sheriff's Office from 2014 to 2016, you issued a directive informing officers that it "may be unconstitutional" for officers to detain individuals based solely on requests by Immigration and Customs Enforcement.

**Can you explain your reasoning for this directive?**

**Response:** The directive stated that "courts have determined it may be unconstitutional to detain an individual based solely on" an Immigration and Customs Enforcement Agent's request. At the time the directive was issued, some federal courts had reached that conclusion and had held law enforcement agencies liable under such conditions.

**3.** In your application to serve on the Florida Supreme Court, you wrote: "As a lawyer, I have tried major felonies and advised a Navy Admiral on the Law of the Sea and Rules of Engagement." In 2025, Secretary of Defense Pete Hegseth and Admiral Frank Bradley reportedly gave orders to kill survivors of an airstrike on an alleged Venezuelan drug boat, in a potential violation of U.S. and international law.

**Based on your experience, does an order to kill survivors of a military strike violate U.S. and international law?**

**Response:** I was not involved in any way with the referenced incident, and I am not familiar with its details. The Code of Conduct for United States Judges and the Florida Code of Judicial Conduct prohibit me from publicly opining on this legal question. *See, e.g.,* Code of Conduct for U.S. Judges, Canons 2, 3(A)(6), 5; Fla. Code of Jud. Conduct.

4. **Did President Trump lose the 2020 election?**

**Response:** Consistent with the Code of Conduct for United States Judges and the positions taken by prior nominees, as a pending judicial nominee and a sitting judge, it would be inappropriate for me to publicly weigh in on any subject of political debate. Questions involving who won the popular vote in the 2020 election have become matters of political controversy often discussed and debated by political leaders of both parties. Consistent with the precedent established by Justice Jackson, as a judicial nominee it would be inappropriate for me to comment on those disputed political and legal questions. However, I can state that Joseph R. Biden was certified as the winner of the 2020 presidential election by a joint session of Congress after the counting of the Electoral College votes.

5. **Where were you on January 6, 2021?**

**Response:** On January 6, 2021, I was in court presiding over oral argument in Tallahassee, Florida as a judge on Florida's First District Court of Appeal.

6. **Do you denounce the January 6 insurrection?**

**Response:** I denounce all violence, including violence against law enforcement and political violence. Beyond that, the Code of Conduct for United States Judges and the Florida Code of Judicial Conduct prohibit me from publicly opining on this issue. *See, e.g.,* Code of Conduct for U.S. Judges, Canons 2, 3(A)(6), 5; Fla. Code of Jud. Conduct.

7. **Do you believe that January 6 rioters who were convicted of violent assaults on police officers should have been given full and unconditional pardons?**

**Response:** The Code of Conduct for United States Judges and the Florida Code of Judicial Conduct prohibit me from publicly opining on this political question. *See, e.g.,* Code of Conduct for U.S. Judges, Canons 2, 3(A)(6), 5; Fla. Code of Jud. Conduct.

8. The Justice Department is currently defending the Trump Administration in a number of lawsuits challenging executive actions taken by the Administration. Federal judges—both Republican and Democratic appointees—have enjoined some of these actions, holding that they are illegal or unconstitutional. Alarmingly, President Trump, his allies, and even

some nominees before the Senate Judiciary Committee have responded by questioning whether the executive branch must follow court orders.

**a. What options do litigants—including the executive branch—have if they disagree with a court order?**

**Response:** Parties are generally required to comply with court orders when the issuing court has jurisdiction over the matter. There are procedural safeguards to seek review of court orders, including stays and appeals. The U.S. Supreme Court has recognized a narrow group of circumstances in which it might be appropriate for a litigant to fail to follow a court order. For example, sometimes an order can only be appealed if it is violated. *See Mohawk Indus., Inc. v. Carpenter*, 558 U.S. 100, 111 (2009).

**b. Do you believe a litigant can ever lawfully defy an order from a lower federal court? If yes, in what circumstances?**

**Response:** Please see my answer to Question 8(a).

**c. Under the separation of powers, which branch of the federal government is responsible for determining whether a federal court order is lawful?**

**Response:** The judiciary is generally responsible for determining the legality of court orders.

**9.** District judges have occasionally issued non-party injunctions, which may include "nationwide injunctions" and "universal injunctions."

**a. Are non-party injunctions constitutional?**

**Response:** The United State Supreme Court addressed this issue in *Trump v. CASA, Inc.,* 145 S. Ct. 2540 (2025). If confirmed, I will follow all binding precedent on this and any other matter.

**b. Are non-party injunctions a legitimate exercise of judicial power?**

**Response:** Please see my response to Question 9(a).

**c. Is it ever appropriate for a district judge to issue a non-party injunction? If so, under what circumstances is it appropriate?**

**Response:** Please see my response to Question 9(a).

**d. As a litigator, have you ever sought a non-party injunction as a form of relief? If so, please list each matter in which you have sought such relief.**

**Response:** No.

**10. At any point during your selection process, did you have any discussions with anyone—including individuals at the White House, the Justice Department, or any outside groups—about loyalty to President Trump? If so, please provide details.**

**Response:** No.

**11. Does the U.S. Constitution permit a president to serve three terms?**

**Response:** The 22nd Amendment states that "[n]o person shall be elected to the office of the President more than twice." The text of the Amendment speaks for itself.

**12.** On May 26, 2025, in a Truth Social post, President Trump referred to some judges whose decisions he disagrees with, as "USA HATING JUDGES" and "MONSTERS", who "…SUFFER FROM AN IDEOLOGY THAT IS SICK, AND VERY DANGEROUS FOR OUR COUNTRY…"[1]

**a. Do you agree that these federal judges are "USA HATING" and "MONSTERS" who "…SUFFER FROM AN IDEOLOGY THAT IS SICK, AND VERY DANGEROUS FOR OUR COUNTRY…"?**

**Response:** The Code of Conduct for United States Judges and the Florida Code of Judicial Conduct prohibit me from publicly opining on political disputes and ongoing litigation. *See, e.g.,* Code of Conduct for U.S. Judges, Canons 2, 3(A)(6), 5; Fla. Code of Jud. Conduct.

**b. Do you believe this rhetoric endangers the lives of judges and their families?**

**Response:** Please see my answer to Question 12(a).

**13.** In addition to the President's own attacks on judges, his adviser Stephen Miller took to social media to call a federal trade court's ruling against President Trump's tariffs a "judicial coup"[2] and later reposted the images of the three judges who decided the case and wrote, "we are living under a judicial tyranny."[3]

**a. Do you agree that these judges are engaged in a "judicial coup" and that "we are living under a judicial tyranny"?**

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[1] Donald J. Trump (@realDonaldTrump), TRUTH SOCIAL (May 26, 2025, 7:22 AM), https://truthsocial.com/@realDonaldTrump/posts/114573871728757682.
[2] Stephen Miller (@StephenM), X, (May 28, 2025, 7:48 PM), https://x.com/StephenM/status/1927874604531409314.
[3] Stephen Miller (@StephenM), X, (May 29, 2025, 8:25 AM), https://x.com/StephenM/status/1928065122657845516.

**Response:** The Code of Conduct for United States Judges and the Florida Code of Judicial Conduct prohibit me from publicly opining on political debates and ongoing litigation. *See, e.g.,* Code of Conduct for U.S. Judges, Canons 2, 3(A)(6), 5; Fla. Code of Jud. Conduct.

**b. Do you believe this rhetoric endangers the lives of judges and their families?**

**Response:** Please see my answer to Question 13(a).

**c. Would you feel comfortable with any politician or their adviser sharing a picture of you on social media if you issue a decision they disagree with?**

**Response:** I understand that with public service comes public scrutiny. If I am fortunate enough to be confirmed, I will not allow public criticism to influence my work as a judge. The Code of Conduct for United States Judges and the Florida Code of Judicial Conduct prohibit me from further publicly opining on political or policy issues. *See, e.g.,* Code of Conduct for U.S. Judges, Canons 2, 3(A)(6), 5; Fla. Code of Jud. Conduct.

**14. When, if ever, may a lower court depart from Supreme Court precedent?**

**Response:** Never.

**15. When, in your opinion, would it be appropriate for a circuit court to overturn its own precedent?**

**Response:** If confirmed as a United States District Court Judge, I would follow United States Supreme Court precedent and United States Court of Appeals for the Eleventh Circuit precedent. I would have no occasion to overturn a circuit court's precedent.

**16. When, in your opinion, would it be appropriate for the Supreme Court to overrule its own precedent?**

**Response:** When the Supreme Court is asked to overrule its own constitutional precedents, it applies the standard articulated in *Dobbs v. Jackson Women's Health Org.*, 597 U.S. 215, 268 (2022).

**17. Please answer yes or no as to whether the following cases were correctly decided by the Supreme Court:**

**a. *Brown v. Board of Education***

**Response:** It is generally inappropriate for me to comment publicly with approval or disapproval on U.S. Supreme Court decisions. Doing so is generally prohibited by the Florida Canons of Judicial Conduct. *See* Fla. Code of Jud. Conduct 2. However, past nominees, including all nine justices on the United

States Supreme Court, have recognized that *Brown v. Board of Education* and *Loving v. Virginia* were correctly decided landmark rulings that are limited exceptions to the prohibition on commenting on past court decisions. For any other court decisions, I respectfully decline to comment on their merits. If confirmed, I will follow all binding precedents.

**b.** ***Plyler v. Doe***

**Response:** Please see my response to Question 17(a).

**c.** ***Loving v. Virginia***

**Response:** Please see my response to Question 17(a).

**d.** ***Griswold v. Connecticut***

**Response:** Please see my response to Question 17(a).

**e.** ***Trump v. United States***

**Response:** Please see my response to Question 17(a).

**f.** ***Dobbs v. Jackson Women's Health Organization***

**Response:** Please see my response to Question 17(a).

**g.** ***New York State Rifle & Pistol Association, Inc. v. Bruen***

**Response:** Please see my response to Question 17(a).

**h.** ***Obergefell v. Hodges***

**Response:** Please see my response to Question 17(a).

**i.** ***Bostock v. Clayton County***

**Response:** Please see my response to Question 17(a).

**j.** ***Masterpiece Cakeshop v. Colorado***

**Response:** Please see my response to Question 17(a).

**k.** ***303 Creative LLC v. Elenis***

**Response:** Please see my response to Question 17(a).

**l.** ***United States v. Rahimi***

**Response:** Please see my response to Question 17(a).

**m.** ***Loper Bright Enterprises v. Raimondo***

**Response:** Please see my response to Question 17(a).

**18. With respect to constitutional interpretation, do you believe judges should rely on the "original meaning" of the Constitution?**

**Response:** Yes, generally. The United States Supreme Court often seeks to understand the original public meaning of constitutional texts. *See*, *e.g., District of Columbia v. Heller*, 554 U.S. 570 (2008); *Crawford v. Washington*, 541 U.S. 36 (2004); *Wilson v. Arkansas*, 514 U.S. 927 (1995). I would follow all binding precedent.

**19. How do you decide when the Constitution's "original meaning" should be controlling?**

**Response:** Please see my answer to Question 18.

**20. Does the "original meaning" of the Constitution support a constitutional right to same-sex marriage?**

**Response:** In *Obergefell v. Hodges*, 576 U.S. 644 (2015), the Supreme Court held that the Fourteenth Amendment requires a state to license marriages between two people of the same sex on the same terms and conditions as marriages between two people of the opposite sex. As a lower court judge, I would apply all Supreme Court precedents without regard to critiques about their consistency with the concept of original public meaning. If confirmed, I would faithfully follow *Obergefell* and all other precedents of the Supreme Court.

**21. Does the "original meaning" of the Constitution support the constitutional right to marry persons of a different race?**

**Response:** In *Loving v. Virginia*, 388 U.S. 1 (1967), the Supreme Court invalidated a state law prohibiting interracial couples from marrying. I will follow all binding precedent.

**22. What is your understanding of the Equal Protection and Due Process clauses of the Fourteenth Amendment?**

**Response:** The Fourteenth Amendment states, in relevant part, that no state shall "deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws." I will faithfully apply all binding precedent regarding both of these important provisions.

**23. How do these clauses apply to individuals that the Framers of the amendment likely did not have in mind, such as women? Or LGBTQ+ individuals?**

**Response:** The Supreme Court has applied these constitutional provisions to claims based on sex, *see, e.g.*, *United States v. Virginia*, 518 U.S. 515 (1996), and sexual orientation, *see, e.g.*, *Romer v. Evans*, 517 U.S. 620 (1996); *Lawrence v. Texas*, 539 U.S. 558 (2003); *Obergefell v. Hodges*, 576 U.S. 644 (2015). As with all other precedents of the Supreme Court, I would faithfully apply these decisions if confirmed. The Code of Conduct for United States Judges and the Florida Code of Judicial Conduct prohibit me from publicly opining on ongoing litigation regarding these legal questions. *See, e.g.,* Code of Conduct for U.S. Judges, Canons 2, 3(A)(6), 5; Fla. Code of Jud. Conduct.

**24. Do you believe that judges should be "originalist" and adhere to the original public meaning of constitutional provisions when applying those provisions today?**

**Response:** Please see my response to Question 18.

**25. If so, do you believe that courts should adhere to the original public meaning of the Foreign Emoluments Clause when interpreting and applying the Clause today?**

**Response:** Please see my response to Question 18.

**26. Under the U.S. Constitution, who is entitled to First Amendment protections?**

**Response:** The First Amendment provides that "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances." The Supreme Court has issued substantial precedent interpreting and applying these protections. If confirmed, I would faithfully apply that binding precedent and its progeny. Beyond that, it would be inappropriate for me as a judicial nominee to comment further on issues that could come before me if I am confirmed. *See, e.g.,* Code of Conduct for U.S. Judges, Canons 2, 3(A)(6), 5; Fla. Code of Jud. Conduct.

**27. How would you determine whether a law that regulates speech is "content-based" or "content-neutral"? What are some of the key questions that would inform your analysis?**

**Response:** There is substantial binding precedent on these questions. They generally look to whether the regulation addresses the speech itself or addresses the time, place, and manner of the speech. If confirmed, I would faithfully apply all binding precedents from the U.S. Supreme Court and the Eleventh Circuit Court of Appeals on these important First Amendment questions.

**28. What is the standard for determining whether a statement is protected speech under the true threats doctrine?**

**Response:** The Supreme Court has held that "'[t]rue threats' of violence" are not protected by the Free Speech Clause. *Counterman v. Colorado*, 600 U.S. 66, 74 (2023). As the Court explained, "True threats are serious expressions conveying that a speaker means to commit an act of unlawful violence." Id. (quotation marks and brackets omitted). If confirmed, I would faithfully apply this and all other binding Supreme Court precedent concerning the true-threats doctrine.

**29. Is every individual within the United States entitled to due process?**

**Response:** The U.S. Supreme Court has held that "all 'persons' within the United States, including aliens, whether their presence here is lawful, unlawful, temporary, or permanent" are entitled to certain levels of due process. *Zadvydas v. Davis*, 533 U.S. 678, 693 (2001). I would follow all binding precedent. This matter is being actively litigated, and it would be inappropriate for me, as a sitting state court judge and district court nominee, to opine further on the underlying issues. *See* Code of Conduct for U.S. Judges, Canons 3(A)(6), 5; Fla. Code of Jud. Conduct 3(B)(9)-(10).

**30. Can U.S. citizens be transported to other countries for the purpose of being detained, incarcerated, or otherwise penalized?**

**Response:** The Code of Conduct for United States Judges and the Florida Code of Judicial Conduct prohibit me from publicly opining on matters of ongoing litigation. *See, e.g.,* Code of Conduct for U.S. Judges, Canons 2, 3(A)(6), 5; Fla. Code of Jud. Conduct.

**31.** The Fourteenth Amendment states: "All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside."

**a. Is every person born in the United States a citizen under the Fourteenth Amendment?**

**Response:** I will faithfully apply all binding precedent, including *Trump v. Barbara*. Beyond that, the Code of Conduct for United States Judges and the Florida Code of Judicial Conduct prohibit me from publicly opining on ongoing litigation. *See, e.g.,* Code of Conduct for U.S. Judges, Canons 2, 3(A)(6), 5; Fla. Code of Jud. Conduct.

**b. Is the citizenship or immigration status of the parents of an individual born in the United States relevant for determining whether the individual is a citizen under the Fourteenth Amendment?**

**Response:** Please see my response to Question 31(a).

**32. Do you believe that demographic and professional diversity on the federal bench is important? Please explain your views.**

**Response:** I believe that people from all backgrounds should be eligible to serve as federal judges. In my time serving on two different state courts, I have found that the courts benefit from the service of judges from different backgrounds and professional experiences.

**33.** The bipartisan *First Step Act of 2018*, which was signed into law by President Trump, is one of the most important pieces of criminal justice legislation to be enacted during my time in Congress. At its core, the Act was based on a few key, evidence-based principles. First, incarcerated people can and should have meaningful access to rehabilitative programming and support in order to reduce recidivism and help our communities prosper. Second, overincarceration through the use of draconian mandatory minimum sentences does not serve the purposes of sentencing and ultimately causes greater, unnecessary harm to our communities. With these rehabilitative principles in mind, one thing Congress sought to achieve through this Act was giving greater discretion to judges—both before and after sentencing—to ensure that the criminal justice system effectively and efficiently fosters public safety for the benefit of all Americans.

**a. How do you view the role of federal judges in implementing the *First Step Act*?**

**Response:** I will faithfully apply the *First Step Act*, any other relevant federal law, and all binding precedent.

**b. Will you commit to fully and fairly considering the individualized circumstances of each defendant who comes before you when imposing sentences to ensure that they are properly tailored to promote the goals of sentencing and avoid terms of imprisonment in excess of what is necessary?**

**Response:** Yes.

**34.** The Federalist Society seeks to "reorder[] priorities within the legal system to place a premium on individual liberty, traditional values, and the rule of law."

**a. In your Questionnaire, you state that you are currently or were previously a member of the Federalist Society. What is your understanding of "traditional values"?**

**Response:** I am not familiar with the quoted text or the context from which it comes.

**b. President Trump wrote on Truth Social that the Federalist Society gave him "bad advice" on "numerous Judicial Nominations." He also wrote that Leonard Leo is a "sleazebag" who "probably hates America." If you are not familiar with this post, please refer to it in the footnote.[4]**

[4] Donald J. Trump (@realDonaldTrump), TRUTH SOCIAL (May 29, 2025, 8:10 PM), https://truthsocial.com/@realDonaldTrump/posts/114593880455063168.

i. **Do you agree with President Trump that the Federalist Society provided President Trump with bad advice during his first term? Why or why not?**

**Response:** The Code of Conduct for United States Judges and the Florida Code of Judicial Conduct prohibit me from publicly opining on this political issue. *See, e.g.,* Code of Conduct for U.S. Judges, Canons 2, 3(A)(6), 5; Fla. Code of Jud. Conduct.

ii. **Do you agree with President Trump that Leo is a sleazebag who probably hates America? Why or why not?**

**Response:** Please see my answer to Question 34(b)(i).

iii. **If you are confirmed, do you plan to remain affiliated with the Federalist Society?**

**Response:** Yes.

c. **During your selection process, have you spoken to or corresponded with any individuals associated with the Federalist Society, including Leonard Leo or Steven G. Calabresi? If so, please provide details of those discussions.**

**Response:** I have not spoken with Leonard Leo or Steven Calabresi about my nomination or selection process. The Federalist Society has thousands of members. I have several personal friends that are members of the Federalist Society, and I have communicated with some of them about my nomination.

d. **Have you ever been asked to and/or provided services to the Federalist Society, including research, analysis, advice, speeches, or appearing at events?**

**Response:** Yes, as disclosed in my Senate Judiciary Questionnaire.

e. **Have you ever been paid honoraria by the Federalist Society? If so, how much were you paid, and for what services?**

**Response:** No.

**35.** The Teneo Network states that its purpose is to "Recruit, Connect, and Deploy talented conservatives who lead opinion and shape the industries that shape society."

a. **During your selection process, have you spoken to or corresponded with any individuals associated with the Teneo Network, including Leonard Leo? If so, please provide details of those discussions.**

**Response:** No, not that I know of.

**b. Have you ever been asked to and/or provided services to the Teneo Network, including research, analysis, advice, speeches, or appearing at events?**

**Response:** No.

**c. Have you ever been paid honoraria by the Teneo Network? If so, how much were you paid, and for what services?**

**Response:** No.

**36.** The Heritage Foundation states that its mission is to "formulate and promote public policies based on the principles of free enterprise, limited government, individual freedom, traditional American values, and a strong national defense." Heritage Action, which is affiliated with the Heritage Foundation, seeks to "fight for conservative policies in Washington, D.C. and in state capitals across the country."

**a. During your selection process, have you spoken to or corresponded with any individuals associated with the Heritage Foundation or Heritage Action, including Kevin D. Roberts? If so, please provide details of those discussions.**

**Response:** No, not that I know of.

**b. Have you ever been asked to and/or provided services to the Heritage Foundation or Heritage Action, including research, analysis, advice, speeches, or appearing at events?**

**Response:** No.

**c. Were you ever involved in or asked to contribute to Project 2025 in any way?**

**Response:** No.

**d. Have you ever been paid honoraria by the Heritage Foundation or Heritage Action? If so, how much were you paid, and for what services?**

**Response:** No.

**37.** The America First Policy Institute (AFPI) states that its "guiding principles are liberty, free enterprise, national greatness, American military superiority, foreign-policy engagement in the American interest, and the primacy of American workers, families, and communities in all we do."

**a. During your selection process, have you spoken to or corresponded with any individuals associated with AFPI? If so, please provide details of those discussions.**

**Response:** No, not that I know of.

**b. Have you ever been asked to and/or provided services to AFPI, including research, analysis, advice, speeches, or appearing at events?**

**Response:** No.

**c. Have you ever been paid honoraria by AFPI? If so, how much were you paid, and for what services?**

**Response:** No.

**38.** The America First Legal Institute (AFLI) states that it seeks to "oppose the radical left's anti-jobs, anti-freedom, anti-faith, anti-borders, anti-police, and anti-American crusade."

**a. During your selection process, have you spoken to or corresponded with any individuals associated with AFLI, including Stephen Miller, Gene Hamilton, or Daniel Epstein? If so, please provide details of those discussions.**

**Response:** No, not that I know of.

**b. Have you ever been asked to and/or provided services to AFLI, including but not limited to research, analysis, advice, speeches, or appearing at events?**

**Response:** No.

**c. Have you ever been paid honoraria by AFLI? If so, how much were you paid, and for what services?**

**Response:** No.

**39.** The Article III Project is an organization which claims that, "The left is weaponizing the power of the judiciary against ordinary citizens."

**a. During your selection process, have you spoken to or corresponded with any individuals associated with the Article III Project, including Mike Davis, Will Chamberlain, or Josh Hammer? If so, please provide details of those discussions.**

**Response:** No, not that I know of.

**b. Have you ever been asked to and/or provided services to the Article III Project, including research, analysis, advice, speeches, or appearing at events?**

**Response:** No.

**c. Have you ever been paid honoraria by the Article III Project? If so, how much were you paid, and for what services?**

**Response:** No.

**40.** The Alliance Defending Freedom (ADF) states that it is "the world's largest legal organization committed to protecting religious freedom, free speech, the sanctity of life, marriage and family, and parental rights."

**a. During your selection process, have you spoken to or corresponded with any individuals associated with ADF? If so, please provide details of those discussions.**

**Response:** I have several friends from the Blackstone Legal Fellowship. I have talked with some of them about my nomination.

**b. Have you ever been asked to and/or provided services to ADF, including research, analysis, advice, speeches, or appearing at events?**

**Response:** I was a Blackstone Legal Fellow in 2006, but I do not recall providing ADF with any services, research, analysis, advice, or speeches.

**c. Have you ever been paid honoraria by ADF? If so, how much were you paid, and for what services?**

**Response:** No.

**41.** The Concord Fund, also known as the Judicial Crisis Network, states that it is committed "to the Constitution and the Founders' vision of a nation of limited government; dedicated to the rule of law; with a fair and impartial judiciary." It is affiliated with the 85 Fund, also known as the Honest Elections Project and the Judicial Education Project.

**a. During your selection process, have you spoken to or corresponded with any individuals associated with these organizations, including Leonard Leo or Carrie Severino? If so, please provide details of those discussions.**

**Response:** No, not that I know of.

**b. Have you ever been asked to and/or provided services to these organizations, including research, analysis, advice, speeches, or appearing at events?**

**Response:** No.

**c. Have you ever been paid honoraria by these organizations? If so, how much were you paid, and for what services?**

**Response:** No.

**d. Do you have any concerns about outside groups or special interests making undisclosed donations to front organizations like the Concord Fund or 85 Fund in support of your nomination? Note that I am not asking whether you have solicited any such donations, I am asking whether you would find such donations to be problematic.**

**Response:** I am not aware of any donations to any organization in support of my nomination.

**e. If you learn of any such donations, will you commit to call for the undisclosed donors to make their donations public so that if you are confirmed you can have this information when you make decisions about recusal in cases that these donors may have an interest in?**

**Response:** I am not aware of any donations to any organization in support of my nomination. If confirmed, I will follow all relevant recusal statutes and all ethical requirements of the Code of Conduct for United States Judges. To the extent the question seeks my comment on the proper policy toward political donations, under the Code of Conduct for United States Judges and the Florida Code of Judicial Conduct, it would not be appropriate for me as a sitting judge and judicial nominee to comment on political and policy issues.

**f. Will you condemn any attempt to make undisclosed donations to the Concord Fund or 85 Fund on behalf of your nomination?**

**Response:** Please see my answer to Question 41(e).

**Nomination of Robert E. Long, Jr.**
**Nominee to the U.S. District Court for the Middle District of Florida**
**Questions for the Record**
**Submitted October 7, 2026**

## QUESTIONS FROM SENATOR WHITEHOUSE

**Please answer each question and sub-question individually and as specifically as possible.**

1. You said in your questionnaire that you have been a member of the Federalist Society since 2005. Have you ever spoken with the following individuals or groups about your nomination? If so, please describe the conversation(s) with specificity.

    a. Leonard Leo?

    **Response:** No.

    b. Anyone affiliated with an entity led or funded by Leonard Leo?

    **Response:** Not that I know of.

    c. Carrie Severino?

    **Response:** No.

    d. Mike Davis?

    **Response:** No.

    e. Anyone affiliated with The Article III Project?

    **Response:** Not that I know of.

    f. Mark Paoletta?

    **Response:** No.

2. You said in your questionnaire that you were a Blackstone Legal Fellow at the Alliance Defense Fund (now Alliance Defending Freedom) in 2006.

    a. Were you aware that Alan Sears, who served as the President and CEO of ADF between 1993 and 2017, wrote a 2003 book entitled "The Homosexual Agenda: Exposing the Principal Threat to Religious Freedom Today," which described gay

individuals as "trapped" and gay-rights advocates as bent on creating a nation of "broken families and broken lives"[1]?

**Response:** No.

b. Were you aware that in 2003, ADF submitted an amicus brief arguing in support of criminalizing homosexuality in *Lawrence v. Texas*?

**Response:** No.

c. Were you aware that in 2004, ADF sued to force then-Mayor of San Francisco Gavin Newsom to stop granting same-sex marriage licenses?

**Response:** No.

[1] Erik Eckholm, *Legal Alliance Gains Host of Court Victories for Conservative Christian Movement*, NEW YORK TIMES (May 11, 2014), https://www.nytimes.com/2014/05/12/us/legal-alliance-gains-host-of-court-victories-for-conservative-christian-movement.html.

**Nomination of Robert Long, Jr.**
**to the United States District Court for the Middle District of Florida**
**Questions for the Record**
**Submitted October 5, 2026**

## QUESTIONS FROM SENATOR COONS

1. Do you believe that the Senate Judiciary Committee has a responsibility to evaluate judicial nominees to the best of its ability, including by asking questions on the record to make each nominee's unique background and viewpoint clear to the American people?

   **Response:** Yes.

2. Do you believe that you, as a judicial nominee, have a responsibility to the American people to give full and complete answers to the Committee's questions to the best of your ability and in good faith?

   **Response:** Yes.

3. Do you believe you fulfilled this responsibility with the answers you have provided to my questions for the record?

   **Response:** Yes.

   a. Did you receive assistance from staff in the White House, the Department of Justice, or any other organization in writing your responses to these questions? If so, from whom did you receive assistance and what was the nature of the assistance you received?

      **Response:** I drafted my own answers. I received feedback from the Department of Justice's Office of Legal Policy before finalizing my answers. My answers are my own.

   b. Do you believe it is appropriate for a nominee to answer my questions for the record with the verbatim answers of previous nominees who answered the same questions?

      **Response:** It may be appropriate depending on the nature of the question and answer.

   c. Did you review the answers to my questions for the record submitted by previous judicial nominees before answering these questions?

      **Response:** Yes.

   d. To your knowledge, are any of your answers to these questions for the record exact duplicates of answers provided by previous nominees?

**Response:** Many of your questions call for yes or no answers and my answers may be the same as other nominees.

4. At any point during the process that led to your nomination, did you make any representations or commitments to anyone—including but not limited to individuals at the White House, at the Justice Department, or at outside groups—as to how you would handle a particular case or matter if confirmed? If so, explain fully.

   **Response:** No.

   a. At any point during the process that led to your nomination, were you asked about your opinion on any cases that involve President Trump or the Trump administration?

      **Response:** No.

5. In your Senate Judiciary Questionnaire, you note that you spoke with President Trump on August 18, 2026, and during that conversation, he informed you that he planned to nominate you to a judgeship.

   a. Did that conversation happen in person or via telephone?

      **Response:** Telephone.

   b. How long did the conversation last?

      **Response:** Less than 10 minutes.

   c. What topics or issues were discussed?

      **Response:** We discussed his intention to nominate me to the United States District Court for the Middle District of Florida.

   d. Other than you and President Trump, did anyone else join the conversation? If so, who?

      **Response:** I have no knowledge of anyone else joining the conversation.

6. When it comes to conducting yourself ethically, who in the legal profession do you see as a role model?

   **Response:** I greatly admire the ethics of retired Florida Supreme Court Justice Major Harding, and I seek to emulate his approach to judicial work.

7. How would you describe your judicial philosophy?

**Response:** I am committed to treating everyone that comes before the court with respect. I work to give every case the seriousness it deserves. And I strive to faithfully and objectively apply the law as it is written, along with applicable precedent, to the disputes before me.

8. With respect to substantive due process, what factors do you look to when a case requires you to determine whether a right is fundamental and protected under the Fourteenth Amendment?

**Response:** According to the Supreme Court, the Fourteenth Amendment's Due Process Clause "has been held to guarantee some rights that are not mentioned in the Constitution, but any such right must be 'deeply rooted in this Nation's history and tradition' and 'implicit in the concept of ordered liberty.'" *Dobbs v. Jackson Women's Health Org.*, 597 U.S. 215, 231 (2022) (quoting *Washington v. Glucksberg*, 521 U.S. 702, 721 (1997) (internal quotation marks omitted)). If confirmed, I will apply all controlling United States Supreme Court and United States Court of Appeals for the Eleventh Circuit precedent on this and any other issue.

a. Would you consider whether the right is expressly enumerated in the Constitution?

**Response:** Yes.

b. Would you consider whether the right is deeply rooted in this nation's history and tradition? If so, what types of sources would you consult to determine whether a right is deeply rooted in this nation's history and tradition?

**Response:** Yes; the Supreme Court's decisions in *Dobbs* and *Glucksberg* provide examples of the types of sources that are appropriate for a court to consult.

c. Would you consider whether the right has previously been recognized by Supreme Court or circuit precedent? What about the precedent of another court of appeals?

**Response:** Yes, and, if confirmed, I will apply all controlling United States Supreme Court and United States Court of Appeals for the Eleventh Circuit precedent on this and any other issue.

d. Would you consider whether a *similar* right has previously been recognized by Supreme Court or circuit precedent?

**Response:** Yes.

e. What other factors would you consider?

**Response:** The Supreme Court's decisions in *Dobbs* and *Glucksberg* provide examples of the appropriate way for a court to evaluate such claims. If confirmed, I will apply all controlling United States Supreme Court and United

States Court of Appeals for the Eleventh Circuit precedent on this and any other issue.

9. If you concluded that the President had violated his constitutional duty to faithfully execute the laws and then had to determine the remedy, what process would you use to perform that analysis? I assume you would faithfully follow binding precedent, but what specific precedents and/or other sources of law would you look to?

   **Response:** Courts have addressed such claims in many contexts throughout our history. The appropriate analysis and remedy depend on the nature of the case, the claims, and the relief sought. It is difficult to forecast potential applicable precedents without more information. If such a case came before me, I would apply all controlling United States Supreme Court and United States Court of Appeals for the Eleventh Circuit precedent on this and any other issue. I would decide the matter based on the record, the parties' arguments, and the controlling law. Because these questions are the subject of pending litigation, it would be inappropriate for me to opine further. See Code of Conduct for United States Judges, Canon 3(A)(6).

10. The 22nd Amendment states: "No person shall be elected to the office of the President more than twice."

    a. Was President Trump elected to the office of the President twice?

       **Response:** Yes; President Trump was certified as the winner of the Electoral College following the 2016 and 2024 elections.

    b. If President Trump were elected again in 2028, how many times in total would he have been elected to the office of the President?

       **Response:** Three.

    c. Is President Trump eligible to be elected President for a third term in 2028?

       **Response:** No; the 22nd Amendment states that "[n]o person shall be elected to the office of the President more than twice."

11. If Congress certifies a candidate as being the winner of a presidential election, does that mean that the candidate won the election? If not, what is the difference between being certified as the winner of a presidential election and actually winning the presidential election?

    **Response:** Under our Constitution, the person certified as the winner of the Electoral College wins a presidential election.

12. At your hearing, Senator Blumenthal asked you who won the 2020 election to which you responded that "Joe Biden was certified as the winner of the 2020 election."

a. In advance of the hearing, did you prepare a potential answer or set of answers to question(s) you might receive related to who won the 2020 election? If so, what information or sources did you use to develop your answer(s)?

**Response:** In advance of the hearing, I conducted legal research and read the Constitution. I also reviewed videos of other nominees at prior hearings and considered how I would answer similar questions.

b. Prior to the hearing, did anyone instruct, suggest, imply, or otherwise represent that you should avoid directly answering questions about who won the 2020 election? If so, please explain. If not, please explain how you, without any outside input, made the decision to reply with who was *certified* the winner when asked about who *won* the 2020 election.

**Response:** No one told me how to answer any questions. In advance of the hearing, I conducted legal research and read the Constitution. I also reviewed videos of other nominees at prior hearings and considered how I would answer similar questions.

13. The *New York Times* reported that on March 25, 2026, President Trump stated the following at a National Republican Congressional Committee event: "The time has also come for Republicans to pass a tough new crime bill that imposes harsh penalties for dangerous repeat offenders, cracks down on rogue judges. We got rogue judges that are criminals. They are criminals, what they do to our country. The decisions that they hand down and hurt our country."

a. Is it a crime for a judge to rule against President Trump's desired outcome in a particular case?

**Response:** I am not aware of any criminal law prohibiting a judge from ruling against a President's position in a case. As a judicial nominee and a sitting judge, the Canons prohibit me from further opining on political issues or statements by elected officials or political figures. See Code of Conduct for United States Judges, Canons 3(A)(6); 5. Fla. Code of Jud. Conduct 3(B)(9)-(10).

b. Do you think that judges ruling against President Trump's desired outcome should be "crack[ed] down on"?

**Response:** I am not familiar with these statements and the Code of Conduct for United States Judges and the Florida Code of Judicial Conduct prohibit me from opining on political statements by public or political figures. *See, e.g.,* Code of Conduct for U.S. Judges, Canons 2, 3(A)(6), 5; Fla. Code of Jud. Conduct 2.

c. Is it possible for a judge's decision to be correct, as a matter of fact and law, even if it differs from President Trump's desired outcome?

**Response:** Yes.

d. Do you agree with President Trump that we need a "tough new crime bill" that "cracks down on rogue judges"?

**Response:** Please see my response to Question 13(b).

e. Do you think that rhetoric like the example quoted above could discourage a judge from ruling against President Trump's desired outcome?

**Response:** Please see my response to Question 13(b).

f. If you were confirmed and you ruled against President Trump's desired outcome in a case, would you consider yourself a "rogue judge[]" and a "criminal[]"?

**Response:** Please see my response to Question 13(b).

g. Do you think statements like those made by President Trump quoted above make federal judges more or less safe?

**Response:** Please see my response to Question 13(b).

14. Under 28 U.S.C. § 455, "[a]ny justice, judge, or magistrate judge of the United States shall disqualify [themself] in any proceeding in which [their] impartiality might reasonably be questioned." As a general matter, what criteria would you use when deciding whether to recuse yourself from a case?

**Response:** If confirmed, I will follow all relevant recusal statutes and all ethical requirements of the Code of Conduct for United States Judges. I will also consult additional authorities, such as opinions from the Committee on Codes of Conduct for the Judicial Conference, the opinions and experiences of my colleagues, and guidance from the United States Court of Appeals for the Eleventh Circuit.

15. I have been proud to co-lead the bipartisan *Safer Supervision Act*, a bill to reform our federal supervised release system that has received substantial conservative and law enforcement support. The premise of the bill is that our federal supervision system has strayed far from how Congress designed it, as courts impose it mechanically in essentially every case, which means that probation officers do not have time to properly supervise those who most need it. The bill reinforces courts' existing obligations under 18 U.S.C. §§ 3553 and 3583 to impose supervision as warranted by the individual facts of the case and encourages more robust use of early termination when warranted to provide positive incentives encouraging rehabilitation. At the encouragement of a bipartisan group of members of Congress, the U.S. Sentencing Commission adopted an amendment to supervision guidelines implementing certain parts of the bill; this amendment went into effect on November 1.

a. As a sentencing judge, would you endeavor to impose supervision thoughtfully and on the basis of the individual facts of the case consistent with 18 U.S.C. § 3553 and 18 U.S.C. § 3583?

**Response:** Yes.

b. Would you agree that the availability of early termination under 18 U.S.C. § 3583(e)(1) can provide individuals positive incentives to rehabilitate?

**Response:** Yes.

c. Will you commit if confirmed to reviewing the *Safer Supervision Act* and the recent Sentencing Commission amendment and considering them as you develop your approach to sentencing of supervised release?

**Response:** Yes.

16. If you had to determine whether it is appropriate for the President of the United States to punish a law firm for taking on a client that the President did not like, what process would you use to perform that analysis? I assume you would faithfully follow binding precedent, but what specific precedents and/or other sources of law would you look to?

**Response:** I would evaluate the arguments of the parties, review the law they cite, conduct my own legal research, and evaluate the nature, scope, and severity of the alleged harm. I would seek out and do my best to faithfully follow the controlling law and any binding precedent from the U.S. Supreme Court and the Eleventh Circuit Court of Appeals.

17. Do you agree that the constitutional right to travel across state lines is fundamental and well established?

**Response:** The Supreme Court has stated that "the 'constitutional right to travel from one State to another' is firmly embedded in our jurisprudence." *Saenz v. Roe*, 526 U.S. 489, 498 (1999). I will faithfully follow this and all other binding precedent.

a. If you had to determine whether it is constitutional for a state to restrict the interstate travel of its citizens, what process would you use to perform that analysis? I assume you would faithfully follow binding precedent, but what specific precedents and/or other sources of law would you look to?

**Response:** I would evaluate the arguments of the parties, review the law they cite, conduct my own legal research, and evaluate the nature, scope, and severity of the alleged harm. I would seek out and do my best to faithfully follow the controlling law and any binding precedent from the U.S. Supreme Court and the Eleventh Circuit Court of Appeals.

18. Do you believe that the Constitution protects a fundamental right to privacy?

**Response:** I will faithfully follow all binding precedent on this issue, including *Griswold v. Connecticut*, 381 U.S. 479 (1965) and *Eisenstadt v. Baird*, 405 U.S. 438 (1972). The

Code of Conduct for United States Judges and the Florida Code of Judicial Conduct prohibit me from opining further on or prejudging legal questions. *See, e.g.,* Code of Conduct for U.S. Judges, Canons 2, 3(A)(6), 5; Fla. Code of Jud. Conduct.

a. Do you agree that that right protects a woman's right to use contraceptives? If you do not agree, please explain whether this right is protected or not and which constitutional rights or provisions encompass it.

**Response:** Please see my response to Question 18.

19. Does the public's original understanding of the meaning of a constitutional provision constrain its application decades or centuries later?

**Response:** Generally, yes. But I will faithfully follow all binding precedent.

a. What specific sources would you employ to discern the public's original understanding of the meaning of a constitutional provision? Please provide three examples of sources you consider reliable in this regard.

**Response:** I would consult the language of the Constitution, United States Supreme Court precedent, United States Court of Appeals for the Eleventh Circuit precent, and historical sources from the time of ratification to better understand the meaning of the words or phrases.

20. What specific method of analysis do you apply when interpreting constitutional provisions?

**Response:** I generally follow the principles of originalism, and I will also faithfully follow all binding precedent.

a. Why do you apply this method of analysis? On what grounds do you conclude this method is the correct one to apply?

**Response:** As part of my judicial philosophy, I follow the principles of originalism, therefore, I strive to apply the law as it is written to the disputes before me. I have concluded that this method is the correct one because it best protects our constitutional structure and the separation of powers. It helps limit courts to the proper bounds of the judicial power. It is also the method used by the U.S. Supreme Court. I will also faithfully follow all binding precedent.

21. Do you believe that immigrants, regardless of legal status, are entitled to due process and fair adjudication of their claims?

**Response:** The Supreme Court held that "the Due Process Clause applies to all 'persons' within the United States, including aliens, whether their presence here is lawful, unlawful, temporary, or permanent." *Zadvydas v. Davis*, 533 U.S. 678, 693 (2001). I

would faithfully follow this and other controlling Supreme Court precedent. Beyond that, there is active litigation regarding this question. The Code of Conduct for United States Judges and the Florida Code of Judicial Conduct prohibit me from opining on or prejudging legal questions. *See, e.g.,* Code of Conduct for U.S. Judges, Canons 2, 3(A)(6), 5; Fla. Code of Jud. Conduct.

22. What was the holding of the Supreme Court's ruling in *Trump v. Barbara*? Will you faithfully apply that precedent if confirmed?

**Response:** The Court addressed the parameters of the Fourteenth Amendment's citizenship clause. I will faithfully follow this and all other binding precedent.

23. Should you be confirmed, what would you do if a party refuses to comply with one of your orders?

**Response:** If I am fortunate enough to be confirmed, I will consider the circumstances and all relevant binding laws, rules, and precedent. It is my understanding that when proper processes are followed, federal courts have the power to order sanctions, including civil and criminal contempt proceedings. Courts may also order litigants or parties to appear and show cause as to whether they have complied with an order or otherwise provide information regarding compliance efforts.

24. What facts, circumstances, and authoritative precedent would you use to determine whether a party was engaging in abusive litigation tactics, such as excessive discovery requests, repeatedly or frivolously filing motions, or other procedural delays?

**Response:** If fortunate enough to be confirmed, I would determine whether a party was engaging in abusive litigation tactics such as those you describe above by reviewing the case docket and filings, the arguments of the parties, the federal rules of procedure concerning discovery, and binding precedent.

a. If you determined that a party was engaging in such tactics, how would you address it?

**Response:** I would consider all the relevant facts, any arguments made by the parties, any resulting prejudice, and any applicable rules, law, or precedent. I would then consider whether sanctions would be appropriate in a given case. And I would consider and employ case management tools to ensure that abusive tactics did not persist and cause further delay.

25. What role, if any, should the practical consequences of a particular ruling play in a judge's rendering of a decision?

**Response:** A judge should always follow the law wherever it leads without regard for personal or policy preferences.

26. What role, if any, should a judge's personal life experience play in his or her decision-making process?

**Response:** Judges are human beings who bring their life experiences with them. Those experiences can bring wisdom and inform judgment. But a judge should always follow the law wherever it leads without regard for personal or policy preferences.

27. What role, if any, should empathy play in a judge's decision-making process?

**Response:** Empathy can help with evaluating witness testimony and achieving reliable fact-finding. But a judge should always follow the law wherever it leads without regard for empathy or personal or policy preferences.

28. What case or legal matter are you most proud of having worked on during your career?

**Response:** I have worked on many cases as a lawyer advocating for clients and as a judge objectively adjudicating disputes. There are many that are important for different reasons. But if I must pick one, I would say I am particularly proud of the work on *United States v. McVeigh*, (Berger, J.) (Dates of representation: 2010 – 2012). This was a murder case that was a fully contested jury trial. I represented the defendant. It was a hard case with hard facts and difficult evidence. I don't mean to say that it was the most fun or had the broadest impact. But, looking back, I know I put all I had into that case, and I knew it was important. That case, more than any other, shaped me as a lawyer and judge. And though I'm sure it wasn't perfect, I am proud of my work in that case.

29. Some district court judges have issued standing orders indicating that the court will favor holding an oral argument when there is a representation that the argument would be handled by a junior lawyer. Such efforts are intended to provide more speaking opportunities in court for junior lawyers. Would you consider issuing a standing order that would encourage more junior lawyers to handle oral arguments? Why or why not?

**Response:** I have not considered issuing such an order. But I am generally inclined to allow the parties to decide how their cases are to be litigated.

a. How else would you support the skills development of junior lawyers appearing before you?

**Response:** As I do now, I will continue to participate in educational opportunities for young lawyers, volunteer to speak at student events, and engage with Inn of Court and bar association activities.

30. Discuss your proposed hiring process for law clerks.

**Response:** In my chambers on Florida's First District Court of Appeal, I have primarily found and hired law clerks by posting openings and working with law schools. I then

review the candidates, conduct interviews, and endeavor to hire the best qualified law clerks. I would continue to use a similar process if confirmed.

a. Do you think law clerks should be protected by Title VII of the Civil Rights Act?

**Response:** The Code of Conduct for United States Judges and the Florida Code of Judicial Conduct prohibit me from publicly opining on policy related questions. *See, e.g.,* Code of Conduct for U.S. Judges, Canons 2, 3(A)(6), 5; Fla. Code of Jud. Conduct.

31. Recently, multiple studies have revealed ongoing problems with workplace conduct policies and outcomes in the federal judiciary. In a national climate survey, hundreds of judiciary employees reported that they experienced sexual harassment, discrimination, or other forms of misconduct on the job. A study by the Federal Judicial Center and the National Academy of Public Administration found the branch has failed to set up trusted reporting systems for employees who experience misconduct or ensure those handling complaints are adequately trained.

a. If confirmed, what proactive steps would you take to ensure that the clerks and judicial assistants who work in your chambers are treated with respect and are not subject to misconduct?

**Response:** The judge sets the tone in chambers. As I do in my chambers now, I will treat all employees with respect and require others to do the same. I will not tolerate abuse, harassment, or inappropriate behavior of any kind.

b. What proactive steps would you take to ensure that any workplace-related concerns that your clerks and judicial assistants may have are fully addressed?

**Response:** The judge sets the tone in chambers. As I do in my chambers now, I will treat all employees with respect and require others to do the same. I will not tolerate abuse, harassment, or inappropriate behavior of any kind.

c. If you are confirmed and you later hear from a colleague or your chambers staff that another judge is acting inappropriately, what steps would you take to help ensure the problem is addressed?

**Response:** My actions would be guided by the circumstances and context of the allegations. I would likely begin by seeking guidance from the Chief Judge and other colleagues.

32. Do you agree with me that the attack at the U.S. Capitol on January 6, 2021, was an insurrection? Why or why not?

**Response:** How the events at the Capitol on January 6, 2021, are characterized is a matter of political debate. Also, the effect of pardons issued to those prosecuted for

actions taken related to the events at the Capitol on January 6, 2021, is subject to ongoing litigation that could arise in cases that could come before me if I am confirmed to serve as a district court judge. The Code of Conduct for United States Judges and the Florida Code of Judicial Conduct prohibit me from publicly opining on this legal question. *See, e.g.,* Code of Conduct for U.S. Judges, Canons 2, 3(A)(6), 5; Fla. Code of Jud. Conduct.

a. If you think this question would require you to express an opinion on "political" matters, as some judicial nominees have responded when asked this question, please explain why labeling the events of January 6, 2021, as either "an insurrection" or "not an insurrection" requires you to opine on a "political" matter.

**Response:** The characterization of the events on January 6, 2021, have been the subject of litigation in courts across the country. The Code of Conduct for United States Judges and the Florida Code of Judicial Conduct prohibit me from publicly opining on both matters of political controversy and the opinions of other judges. *See, e.g.,* Code of Conduct for U.S. Judges, Canons 2, 3(A)(6), 5; Fla. Code of Jud. Conduct.

33. As you know, the President has the power under the Constitution to grant executive clemency relief. Even so, in your opinion, do you think the individuals convicted of assaulting law enforcement officers at the Capitol on January 6, 2021, deserved to be pardoned? I am asking for your opinion about whether the pardons were prudent, not whether the President has the authority to issue them.

**Response:** The Code of Conduct for United States Judges and the Florida Code of Judicial Conduct prohibit me from publicly opining on this political question. *See, e.g.,* Code of Conduct for U.S. Judges, Canons 2, 3(A)(6), 5; Fla. Code of Jud. Conduct.

34. If you were the President on January 20, 2025, would you have pardoned the individuals convicted of assaulting law enforcement officers at the Capitol on January 6, 2021? Again, I know that the President has the power under the Constitution to grant executive clemency relief. I want to know whether you—if serving as President on January 20, 2025—would have chosen to issue pardons to those convicted of assaulting law enforcement officers at the Capitol on January 6, 2021.

**Response:** The Code of Conduct for United States Judges and the Florida Code of Judicial Conduct prohibit me from publicly opining on this political question. *See, e.g.,* Code of Conduct for U.S. Judges, Canons 2, 3(A)(6), 5; Fla. Code of Jud. Conduct.

35. What specific practices have you, or will you plan to, adopt to ensure that litigants of all races, ethnicities, national origins, religions, sexes, genders, sexual orientations, ages, disabilities, and socioeconomic backgrounds, as well as litigants of every political affiliation, are treated fairly and equally in your courtroom?

**Response:** I will treat all parties fairly and equally.

36. Does the phrase "separation of church and state" accurately describe what the Establishment Clause requires? Why or why not?

**Response:** The First Amendment has two provisions concerning religion: the Establishment Clause and the Free Exercise Clause. There is a large body of law that addresses the definition of the Establishment Clause. The Supreme Court's approach generally engages in a history and tradition focused analysis when examining the scope of the Establishment Clause. *See Kennedy v. Bremerton School District*, 597 U.S. 507 (2022); and *Town of Greece v. Galloway*, 572 U.S. 565 (2014). If I am fortunate enough to be confirmed, I will follow all binding precedent on this topic. Beyond that, the Code of Conduct for United States Judges and the Florida Code of Judicial Conduct prohibit me from publicly opining on this potential legal question that could come before me. *See, e.g.,* Code of Conduct for U.S. Judges, Canons 2, 3(A)(6), 5; Fla. Code of Jud. Conduct.

**Questions for the Record for Judge Robert Edward Long, Jr.**
**Submitted by Senator Richard Blumenthal**
**October 7, 2026**

1. If confirmed, will you recuse yourself from any case where a reasonable person, knowing all the relevant facts, might question your impartiality, even if you personally believe you can be fair?

   **Response:** If confirmed, I will follow all relevant recusal statutes and all ethical requirements of the Code of Conduct for United States Judges. I will also consult additional authorities, such as opinions from the Committee on Codes of Conduct for the Judicial Conference, the opinions and experiences of my colleagues, and guidance from the United States Court of Appeals for the Eleventh Circuit.

   a. If confirmed, will you recuse yourself from cases involving individuals, organizations, or entities to which you or your family members have made political contributions or provided political support?

      **Response:** Please see my response to Question 1.

   b. If confirmed, will you recuse yourself from cases involving former clients, former law firms, or organizations with which you have had significant professional relationships?

      **Response:** Please see my response to Question 1.

   c. If confirmed, will you recuse yourself from cases involving personal friends, social acquaintances, or individuals with whom you have ongoing personal relationships?

      **Response:** Please see my response to Question 1.

2. If confirmed, will you commit to avoiding all *ex parte* communications about pending cases, including informal discussions at social events or professional gatherings?

   **Response:** If confirmed, I will comply with the Code of Conduct for United States Judges and any other applicable laws, rules, and obligations governing judicial conduct.

   d. If confirmed, will you avoid discussing pending cases or judicial business with elected officials, political appointees, or political operatives?

      **Response:** Please see my response to Question 2.

   e. If confirmed, will you commit to declining meetings or communications with lobbyists, advocacy groups, or special interests seeking to influence your judicial decisions?

**Response:** Please see my response to Question 2.

f. If confirmed, will you refrain from making public statements about legal or political issues that could reasonably be expected to come before your court?

**Response:** Please see my response to Question 2.

3. If confirmed, will you commit to filing complete and accurate financial disclosure reports that include all required information about your financial interests and activities?

**Response:** If confirmed, I will diligently comply with all laws, statutes, rules, and court practices relating to the filing of complete and accurate financial disclosure reports.

g. If confirmed, will you decline all gifts from parties who might appear before your court or who have interests that could be affected by your judicial decisions?

**Response:** Please see my response to Question 3.

h. If confirmed, will you decline privately funded travel, hospitality, or entertainment that could create an appearance of impropriety or special access?

**Response:** Please see my response to Question 3.

i. If confirmed, will you ensure that any teaching, speaking, or writing activities comply with judicial ethics requirements and do not create conflicts with your judicial duties?

**Response:** Please see my response to Question 3.

4. The House Republican-authored budget reconciliation bill for Fiscal Year 2026 had included a provision that would have limited federal judges' ability to hold government officials in contempt. While the Senate Parliamentarian ruled that the provision violated the Byrd Rule, and it was, therefore, removed, it would have prohibited federal courts from issuing contempt penalties against officials who disobey preliminary injunctions or Temporary Restraining Orders if the party seeking the order did not provide financial security to cover potential future damages for wrongful enjoining.

The contempt power was first codified in law in the Judiciary Act of 1789. In 1873, the Supreme Court described it as "inherent in all courts" and "essential to the preservation of order in judicial proceedings and to the enforcement of the judgements, orders, and writs of the courts, and consequently to the due administration of justice." Yet House Republicans are seeking to exempt government officials from this key tool for judicial enforcement.

a. Do you believe the contempt power is "essential . . . to the due administration of justice[?]"

**Response:** This quote appears to come from the Supreme Court's decision in *Ex parte Robinson*, 86 U.S. 505, 510 (1873). The Court has explained that "the power to punish for contempts is inherent in all courts, has been many times decided and may be regarded as settled law. It is essential to the administration of justice." *Michaelson v. United States*, 266 U.S. 42, 65 (1924). To the extent the question asks me for comment on current political issues, under the canons of judicial conduct, it would be inappropriate to offer my opinion on the matter. *See* Code of Conduct U.S. Judges, Canona 2, 3(A)(6), 5; Fla. Code of Jud. Conduct 2.

b. Do you believe that federal judges should be limited in their ability to hold government officials who defy court orders in contempt?

**Response:** If confirmed, I will follow all precedent of the United States Supreme Court and the Eleventh Circuit Court of Appeals. To the extent the question asks me for comment on current political issues, under the canons of judicial conduct, it would be inappropriate to offer my opinion on the matter. *See* Code of Conduct U.S. Judges, Canons 2, 3(A)(6), 5; Fla. Code of Jud. Conduct 2.

5. If confirmed, you, like all other members of the federal bench, would have the ability to issue orders. On February 9, 2025, Vice President Vance posted on X that "[j]udges aren't allowed to control the executive's legitimate power." This raises an extremely concerning specter of Executive Branch defiance of court orders.

a. If confirmed, would you have the ability to issue orders?

**Response:** Yes. If confirmed, I would have the ability to issue orders after the President signs my commission.

i. Would you have the ability to enforce those orders?

**Response:** Yes.

ii. What powers would you have to enforce those orders?

**Response:** Courts have several options to enforce orders, among them are the contempt power and the power to sanction.

b. Does there exist a legal basis for federal Executive Branch officials to defy federal court orders? If so, what basis and in which circumstances?

**Response:** Parties are generally required to comply with court orders when the issuing court has jurisdiction over the matter. There are procedural safeguards to seek review of court orders, including stays and appeals.

c. Does there exist a legal basis for state officials to defy federal court orders? If so, what basis and in which circumstances?

**Response:** Please see my response to Question 5(b).

d. What would make a court order unlawful?

**Response:** An order could be issued in error if it violates or is inconsistent with the Constitution, controlling federal law, binding decisions of a higher court, or if it is issued without jurisdiction.

i. What is the process a party should follow if it believes a court order to be unlawful?

**Response:** The answer depends on the case and its procedural posture. Some options may include seeking a stay, rehearing or reconsideration by the issuing court, or pursuing appellate review.

ii. Is it ever acceptable to not follow this process? When and why?

**Response:** Please see my response to Question 5(b).

6. Were you in Washington, D.C. on January 6, 2021?

**Response:** No.

a. Were you inside the U.S. Capitol or on the U.S. Capitol grounds on January 6, 2021?

**Response:** No.

**Senator Mazie K. Hirono**
**Senate Judiciary Committee**

**Nomination Hearing**
**Questions for the Record for Robert Long**

1. The following refer to *Bostock v. Clayton County*, 590 U.S. 644 (2020):
    a. **Did Justice Gorsuch write "[a]n employer who fires an individual for being homosexual or transgender fires that person for traits or actions it would not have questioned in members of a different sex," yes or no?**

       **Response:** Yes.

    b. **What do you understand the ruling in *Bostock* to mean?**

       **Response:** The opinion speaks for itself. The U.S. Supreme Court held in *Bostock v. Clayton County* that, under Title VII of the Civil Rights Act, an employer cannot "fire someone simply for being homosexual or transgender." 590 U.S. 644, 651 (2020). I will faithfully follow all binding precedent. The applicability of *Bostock* to other civil rights laws is a topic of current legal and political dispute. Under the Code of Conduct for United States Judges and the Florida Code of Judicial Conduct it would be inappropriate for me as a judicial nominee to comment further. *See, e.g.,* Code of Conduct for U.S. Judges, Canons 2, 3(A)(6), 5; Fla. Code of Jud. Conduct.

    c. **Does the ruling in *Bostock* conflict with your personal views on LGBTQ individuals?**

       **Response:** My personal views will play no role in my judicial work. A judge should always follow the law wherever it leads without regard for personal or policy preferences.

    d. **If confirmed, will you faithfully apply the ruling in *Bostock*?**

       **Response:** I will faithfully follow all binding precedent.

    e. **If your answers to c and d are in conflict, explain how you reconcile the conflict.**

       **Response:** They are not in conflict.

2. The following refer to the Blackstone Legal Fellowship.
    a. **Were you awarded the Blackstone Legal Fellowship in 2006?**

       **Response:** Yes.

b. **What was the nature of this fellowship?**

**Response:** It was a summer legal fellowship during the summer between my first and second years of law school.

c. **What was the application process for this fellowship?**

**Response:** I do not recall exactly. I believe I submitted an application with my academic performance and outlining my professional background.

d. **Why do you believe you were selected for this fellowship?**

**Response:** I was not involved in my own selection and can only speculate. But I was likely selected because I was a strong candidate, with excellent academics and an interesting background that demonstrated a sustained work ethic in demanding professional environments.

e. **Are you aware that this fellowship is offered by the Alliance Defending Freedom?**

**Response:** Yes.

**f. Are you aware that the Alliance Defending Freedom has often taken positions opposing civil rights for LGBTQ people, including opposition to same-sex marriage and support for criminalizing sexual activity between consenting LGBTQ adults?**

**Response:** I have not participated in any of Alliance Defending Freedom's litigation efforts, nor have I been involved with crafting any of their legal positions. If I am fortunate enough to be confirmed, none of my former internships will influence my impartial decision making as a district court judge.

g. **Do you share the Alliance Defending Freedom's opposition to same-sex marriage?**

**Response:** Regardless of any positions advanced by the Alliance Defending Freedom, my personal views will play no role in my judicial work. A judge should always follow the law wherever it leads without regard for personal or policy preferences.

h. **Do you share the Alliance Defending Freedom's support for criminalizing sexual activity between consenting LGBTQ adults?**

**Response:** Please see my response to Question 2(g).

**Nomination of Robert E. Long, Jr.**
**United States District Court for the Middle District of Florida**
**Questions for the Record**
**Submitted October 7, 2026**

## QUESTIONS FROM SENATOR BOOKER

1. Have you ever discussed with President Trump, or any person associated with him or his Administration, pursuing a nomination to the U.S. Supreme Court? Describe the nature of the discussion, the name of the individual, and the date of the discussion.

   **Response:** No.

2. Explain the factors you would consider, if you are confirmed, to determine whether to recuse yourself in matters involving former clients, recent legal work and advocacy, and parties with whom you have had substantial financial relationships.

   **Response:** If confirmed, I will follow all relevant recusal statutes and all ethical requirements of the Code of Conduct for United States Judges. I will also consult additional authorities, such as opinions from the Committee on Codes of Conduct for the Judicial Conference, the opinions and experiences of my colleagues, and guidance from the United States Court of Appeals for the Eleventh Circuit.

3. If you are confirmed, how would you handle a request or directive from President Trump, or anyone affiliated with him acting on his behalf, to decide a matter in a way that would benefit the President personally, financially, or politically?

   **Response:** If confirmed, I will always endeavor to neutrally and objectively follow the law no matter where it leads, regardless of who the parties may be. I will also comply with the Code of Conduct for United States Judges, the judicial canons, and any other applicable laws, rules, and obligations governing judicial conduct.

   a. What ethical obligations govern your response to such a request or directive?

      **Response:** Please see my response to Question 2.

   b. Do you believe existing recusal and conduct rules are sufficient to address this scenario?

      **Response:** Please see my response to Question 2.

4. President Trump has repeatedly responded to adverse judicial rulings by threatening sitting judges, including calling for their impeachment and publicly disparaging them by name.

   a. Do you believe those statements are consistent with the rule of law?

**Response:** Under the Code of Conduct for United States Judges and the Florida Code of Judicial Conduct, it would be inappropriate for me, as a sitting judge and judicial nominee, to opine on this political question. *See, e.g.,* Code of Conduct for U.S. Judges, Canons 2, 3(A)(6), 5; Fla. Code of Jud. Conduct 2.

b. If you were to rule against the Administration and face similar attacks, would you take any action in response?

**Response:** Under the Code of Conduct for United States Judges and the Florida Code of Judicial Conduct, it would be inappropriate for me, as a sitting judge and judicial nominee, to opine on this political question or on potential legal consequences to parties. *See, e.g.,* Code of Conduct for U.S. Judges, Canons 2, 3(A)(6), 5; Fla. Code of Jud. Conduct 2.

c. Do you believe a President's public attacks on the judiciary constitute an attempt to interfere with the independence of the federal courts?

**Response:** Please see my response to Question 4(a).

d. Are you aware of any ethical obligation on the part of judges to speak out when the independence of the judiciary is threatened by the political branches?

**Response:** Please see my response to Question 4(b).

5. The Code of Conduct for United States Judges requires judges to avoid impropriety and the appearance of impropriety in all activities (Canon 2). The Code does not list the acts that would create an appearance of impropriety. Instead, the commentary to Canon 2A explains that the prohibition is "cast in general terms that extend to conduct by judges that is harmful although not specifically mentioned in the Code."[1]

a. How do you interpret the appearance-of-impropriety standard? Provide examples of conduct that are not per se improper but could create an appearance of impropriety that a judge should avoid.

**Response:** If confirmed, I will follow all relevant recusal statutes and all ethical requirements of the Code of Conduct for United States Judges. To address individual, fact specific situations, I will consult additional authorities, such as opinions from the Committee on Codes of Conduct for the Judicial Conference, the opinions and experiences of my colleagues, and any guidance from the United States Supreme Court and the United States Court of Appeals for the Eleventh Circuit.

6. Under 18 U.S.C. § 1001, knowingly and willfully making a materially false statement in a matter within the jurisdiction of the legislative branch is a federal crime punishable by up to five years in prison.

[1] Code of Conduct for United States Judges, https://www.uscourts.gov/administration-policies/judiciary-policies/ethics-policies/code-conduct-united-states-judges.

a. When this Committee evaluates a nominee for the federal bench, is any knowingly false statement made by that nominee to the Committee—even one that would not meet Section 1001's materiality requirement — probative of the nominee's fitness for a judgeship? Explain.

**Response:** Under the Code of Conduct for United States Judges and the Florida Code of Judicial Conduct, it would be inappropriate for me as a sitting judge and judicial nominee to opine on this legal question. *See, e.g.,* Code of Conduct for U.S. Judges, Canons 2, 3(A)(6), 5; Fla. Code of Jud. Conduct 2.

b. When this Committee evaluates assessing the nomination of a political appointee, is any knowingly false statement made by that appointee to the Committee—even one that would not meet Section 1001's materiality requirement — probative of the nominee's fitness for executive service? Explain.

**Response:** Please see my answer to Question 6(a).

7. If this Committee were to determine that a sitting federal judge knowingly provided false testimony to it, what process do you believe should follow, and what consequences would be appropriate?

**Response:** I presume procedures are in place to effectively address that situation if it arose, and I would defer to this Committee to follow those procedures. As a judicial nominee, it would be inappropriate for me to opine on this hypothetical political and legal dispute. *See, e.g.,* Code of Conduct for U.S. Judges, Canons 2, 3(A)(6), 5; Fla. Code of Jud. Conduct 2.

8. If this Committee were to establish that a political appointee knowingly provided false testimony to it, what process do you believe should follow, and what consequences would be appropriate?

**Response:** Please see my answer to Question 7.

9. How would you characterize your judicial philosophy?

**Response:** I am committed to treating everyone that comes before the court with respect. I work to give every case the seriousness it deserves. And I strive to faithfully and objectively apply the law as it is written, along with applicable precedent, to the disputes before me.

10. What do you understand originalism to mean?

**Response:** Generally, I understand originalism to mean applying the written law as it would have been understood by the public at the time the provision was adopted.

11. Do you consider yourself an originalist? If so, provide an example of an opinion you authored that applies originalist analysis, and explain how that analysis determined the outcome. If not, describe the interpretive approach you apply to constitutional questions.

**Response:** Yes. *See Byrd v. Black Voters Matter*, 375 So. 3d 335 (Fla. 1st DCA 2023) (Long, J., concurring).

12. What do you understand textualism to mean?

**Response:** Generally, I understand textualism to mean adjudicating cases by applying the written law.

13. Do you consider yourself a textualist? If so, provide an example of an opinion you authored that applies textualist analysis, and explain how that analysis determined the outcome. If not, describe the interpretive approach you apply to constitutional questions.

**Response:** Yes. *See R.C. v. Dep't of Agric & Consumer Servs.,* 323 So. 3d 275 (Fla. 1st DCA 2021).

14. Legislative history refers to the record Congress produces during the process of passing a bill into law, such as detailed reports by congressional committees about a pending bill or statements by key congressional leaders while a law was being drafted. Some federal judges consider legislative history when analyzing the meaning of a statute.

    a. If you are confirmed to serve on the federal bench, would you consult and cite legislative history to analyze or interpret a federal statute?

    **Response:** The words enacted by a legislative body are the best reflection of their intent. I generally do not use legislative history, but, if confirmed, I would follow any decision from the United States Supreme Court and the United States Court of Appeals for the Eleventh Circuit that applies to legislative history.

    b. Do you believe that congressional intent matters when interpreting a statute? Why or why not.

    **Response:** Please see my response to Question 14(a).

15. According to an academic study, Black men were 65 percent more likely than similarly-situated white men to be charged with federal offenses that carry harsh mandatory minimum sentences.[2]

    a. What do you attribute this to?

    **Response:** I am not familiar with the study or the data referenced in this question.

[2] Sonja B. Starr & M. Marit Rehavi, *Racial Disparity in Federal Criminal Sentences*, 122 J. POL. ECON. 1320, 1323 (2014).

16. A recent report by the United States Sentencing Commission observed demographic differences in sentences imposed during the five-year period studied, with Black men receiving federal prison sentences that were 13.4 percent longer than white men.[3]

    a. What do you attribute this to?

    **Response:** I am not familiar with the study or the data referenced in this question.

17. What role do you think federal judges, who review difficult, complex criminal cases, can play in ensuring that a person's race did not factor into a prosecutor's decision or other instances where officials exercise discretion in our criminal justice system?

    **Response:** Federal judges, like all judges, must objectively apply all relevant statutes, rules, and binding precedents, when deciding every case without regard to race. To the extent that race has been used illegally by a prosecutor in making charging decisions, courts should consider what appropriate remedies are available, if any.

18. Do you believe it is an important goal for there to be demographic diversity in the judicial branch? Why or why not.

    **Response:** I commit, wholeheartedly, to never making any hiring decisions based on race or sex.

19. Indicate whether you have ever published written material or made any public statements relating to the following topics. If so, provide a description of the written or public statement, the date and place/publication where the statement was made or published, and a summary of its subject matter. Mere reference to the list of publications and statements provided in your Senate Judiciary Questionnaire is insufficient; provide specific responses.

    If you have not disclosed a copy of the publication or a transcript of the statement to the Judiciary Committee, attach a copy or link to the materials and explain why you have not previously disclosed them.

    a. Abortion
    b. Affirmative action
    c. Contraceptives or birth control
    d. Gender-affirming care
    e. Firearms
    f. Immigration
    g. Same-sex marriage
    h. Miscegenation
    i. Participation of transgender people in sports
    j. Service of transgender people in the U.S. military
    k. Racial discrimination

[3] U.S. SENTENCING COMM'N, DEMOGRAPHIC DIFFERENCES IN SENTENCING 2 (Nov. 2023), https://www.ussc.gov/sites/default/files/pdf/research-and-publications/research-publications/2023/20231114_Demographic-Differences.pdf.

l. Sex discrimination
m. Religious discrimination
n. Disability discrimination
o. Climate change or environmental disasters
p. "DEI" or Diversity Equity and Inclusion

**Response:** To the best of my knowledge, I have not published written material or made public comments on any of these topics beyond what I provided in my Senate Judiciary Questionnaire.

20. Under what circumstances would it be acceptable for an executive branch official to ignore or defy a federal court order?

**Response:** Parties are generally required to comply with court orders when the issuing court has jurisdiction over the matter. There are procedural safeguards to seek review of court orders, including stays and appeals.

a. If an executive branch official ignores or defies a federal court order, what legal analysis would you employ to determine whether that official should be held in contempt?

**Response:** My general understanding is that federal court orders must be followed in nearly every circumstance, except for perhaps in situations where compliance is impossible or where there is a lack of jurisdiction on the part of the federal court. *See*, *e.g.*, *United States v. Rylander*, 460 U.S. 752, 757 (1983) ("Where compliance is impossible, neither the moving party nor the court has any reason to proceed with the civil contempt action."). If confirmed, I would expect parties to follow my orders.

b. Is there any legal basis that would allow an executive branch official to ignore or defy temporary restraining orders and preliminary injunctions issued by federal district court judges? Provide each one and the justification.

**Response:** Please see my answer to Question 20(a).

21. Does the president have the power to ignore or nullify laws passed by Congress?

**Response:** Article II, § 3 of the Constitution requires the President to "take Care that the Laws be faithfully executed." Questions pertaining to how this take-care power interacts with other powers vested in the executive branch—for example, that branch's "exclusive authority and absolute discretion to decide whether to prosecute a case," *United States v. Nixon*, 418 U.S. 683, 693 (1974)—have been, and are currently, the subject of litigation. *See, e.g.*, *United States v. Texas*, 599 U.S. 670, 678–79 (2023). As a judicial nominee, it would be inappropriate for me to forecast how I would resolve these or other disputes that may come before me if I am confirmed. *See* Code of Conduct of United States Judges, Canon 3.

22. Does the president have the power to withhold funds appropriated by Congress?

**Response:** This question appears to ask about matters of political controversy, that are the subject of current litigation, or that may come before me. Under the Code of Conduct for United States Judges and the Florida Code of Judicial Conduct, it would be inappropriate for me to do so or provide legal advice. *See, e.g.,* Code of Conduct for U.S. Judges, Canons 3(A)(6), 5; Fla. Code of Jud. Conduct 3(B)(9)-(10).

23. Does the president have the power to discriminate by withholding funds against state or local jurisdictions based on the political party of a jurisdiction's elected officials?

**Response:** Please see my response to Question 22.

24. Does the Supremacy Clause of the U.S. Constitution establish that federal laws supersede conflicting state laws?

**Response:** Yes.

25. Does the U.S. Constitution apply to non-citizens present in the United States?

**Response:** The U.S. Supreme Court has held that "all 'persons' within the United States, including aliens, whether their presence here is lawful, unlawful, temporary, or permanent" are entitled to certain levels of due process. *Zadvydas v. Davis*, 533 U.S. 678, 693 (2001). I would follow all binding precedent. This matter is being actively litigated, and it would be inappropriate for me, as a sitting state court judge and district court nominee, to opine further on the underlying issues. *See* Code of Conduct for U.S. Judges, Canons 3(A)(6), 5; Fla. Code of Jud. Conduct 3(B)(9)-(10).

26. Is it constitutional for Congress to delegate to federal agencies the power to implement statutes through rulemaking?

**Response:** In *Federal Communications Commission v. Consumers' Research*, 606 U.S. 656, 673 (2025), the U.S. Supreme Court stated that Congress may delegate to federal agencies the power to implement statutes through rulemaking where Congress provides the agency with an "'intelligible principle' to guide what it has given the agency to do."

27. Was *Brown v. Board of Education*, 347 U.S. 483 (1954), correctly decided?

**Response:** It is generally inappropriate for me to comment with approval or disapproval on U.S. Supreme Court decisions. Doing so is generally prohibited by the Florida Canons of Judicial Conduct. *See* Fla. Code of Jud. Conduct 2. However, I join past nominees, including all nine justices on the United States Supreme Court, that have recognized that *Brown v. Board of Education* was a correctly decided landmark ruling that is a limited exception to the prohibition on commenting on past court decisions.

28. Is *Griswold v. Connecticut*, 381 U.S. 479 (1965), binding precedent? Describe the facts and holding of this case.

**Response:** Yes, *Griswold v. Connecticut* is binding precedent. In *Griswold*, the U.S. Supreme Court held that there is an individual right to use contraceptives protected by the Fourteenth Amendment.

29. Is *Lawrence v. Texas*, 539 U.S. 558 (2003), binding precedent? Describe the facts and holding of this case.

**Response:** Yes, *Lawrence v. Texas* is binding precedent. In *Lawrence*, the U. S. Supreme Court held that laws prohibiting same-sex sexual acts violate the Fourteenth Amendment.

30. Is *Obergefell v. Hodges*, 576 U.S. 644 (2015), binding precedent? Describe the facts and holding of this case.

**Response:** Yes, *Obergefell v. Hodges* is binding precedent. In *Obergefell*, the U.S. Supreme Court held that the Fourteenth Amendment protects a right to same-sex marriage.

31. Do you believe that President Biden won the 2020 election? Note that this question is not asking who was certified as president in the 2020 election. A response that references only certification will be treated as a refusal to answer.

**Response:** Consistent with the Code of Conduct for United States Judges and the positions taken by prior nominees, as a pending judicial nominee and a sitting judge, it would be inappropriate for me to publicly weigh in on any subject of political debate. Questions involving who won the popular vote in the 2020 election have become matters of political controversy often discussed and debated by political leaders of both parties. Consistent with the precedent established by Justice Jackson, as a judicial nominee it would be inappropriate for me to comment on those disputed political and legal questions. However, I can state that Joseph R. Biden was certified as the winner of the 2020 presidential election by a joint session of Congress after the counting of the Electoral College votes.

a. Did Biden win a majority of the electoral vote in the 2020 election?

**Response:** Please see my response to Question 31.

b. Do you believe that the results of the 2020 election, meaning the vote count, were accurate? If not, explain why not and examples.

**Response:** Please see my response to Question 31.

32. The 22nd Amendment says that "no person shall be elected to the office of the President more than twice."[4]

[4] U.S. CONST. amend. XXII.

a. Do you acknowledge that this is the law of the land?

**Response:** Yes, that language is in the Constitution.

b. Do you agree that President Trump was elected to the office of the President in the 2016 election?

**Response:** President Trump was certified as the winner of the Electoral College following the 2016 election.

c. Did Trump win a majority of the electoral vote in the 2016 election?

**Response:** Please see my response to Question 32(b).

d. Do you agree that President Trump was elected to the office of the President in the 2024 election?

**Response:** President Trump was certified as the winner of the Electoral College following the 2024 election.

e. Did Trump win a majority of the electoral vote in the 2024 election?

**Response:** Please see my response to Question 32(d).

f. Do you agree that the 22nd Amendment, absent a constitutional amendment, prevents President Trump from running for a third presidential term?

**Response:** The Amendment states that "[n]o person shall be elected to the office of the President more than twice." The text of the Amendment speaks for itself.

33. Has any official from the White House or the Department of Justice, or anyone else involved in your nomination or confirmation process, instructed or suggested that you not opine on whether any past Supreme Court decisions were correctly decided?

**Response:** No.

34. Have you spoken or corresponded with Elon Musk since November 2024? If yes, provide the dates, mode, and content of those discussions and communications.

**Response:** No.

35. Have you spoken or corresponded with any member of the Department of Government Efficiency (DOGE) since November 2024? If yes, identify the member(s) and provide the dates, mode, and content of those discussions and communications.

**Response:** No.

36. Have you spoken or corresponded with Stephen Miller since November 2024? If yes, provide the dates, mode, and content of those discussions and communications.

**Response:** No.

37. Have you spoken or corresponded with Chad Mizelle since November 2024? If yes, provide the dates, mode, and content of those discussions and communications.

**Response:** No.

38. Have you spoken or corresponded with Pam Bondi since November 2024? If yes, provide the dates, mode, and content of those discussions and communications.

**Response:** No.

39. Have you spoken or corresponded with Todd Blanche since November 2024? If yes, provide the dates, mode, and content of those discussions and communications.

**Response:** No.

40. Have you spoken or corresponded with Emil Bove since November 2024? If yes, provide the dates, mode, and content of those discussions and communications.

**Response:** No.

41. Have you spoken or corresponded with Leonard Leo since November 2024? If yes, provide the dates, mode, and content of those discussions and communications.

**Response:** No.

42. Have you—personally or through any of your affiliated companies or organizations, agents, or employees—provided financial support or other resources to any members of the Proud Boys or of the Oath Keepers for their legal fees or for other purposes? If yes, state the amount of financial support provided, dates provided, and for what purposes.

**Response:** No.

43. Have you ever spoken or corresponded with any of the following individuals? If yes, provide the dates, mode, and content of those discussions and communications.
    a. Enrique Tarrio
    b. Stewart Rhodes
    c. Kelly Meggs
    d. Kenneth Harrelson
    e. Thomas Caldwell
    f. Jessica Watkins
    g. Roberto Minuta

h. Edward Vallejo
i. David Moerschel
j. Joseph Hackett
k. Ethan Nordean
l. Joseph Biggs
m. Zachary Rehl
n. Dominic Pezzola
o. Jeremy Bertino
p. Julian Khater

**Response:** No.

44. Have you ever spoken or corresponded with any individuals convicted and later pardoned of offenses related to the January 6, 2021 attack on the U.S. Capitol? If yes, identify the individual(s) and provide the dates, mode, and content of those discussions and communications.

**Response:** No.

45. Federal judges must file annual financial disclosure reports and periodic transaction reports. If you are confirmed to the federal bench, do you commit to filing these disclosures and to doing so on time?

**Response:** Yes.

46. Article III Project (A3P) "defends constitutionalist judges and the rule of law." According to Mike Davis, Founder & President of A3P, "I started the Article III Project in 2019 after I helped Trump win the Gorsuch and Kavanaugh fights. We saw then how relentless—and evil—too many of today's Democrats have become. They're Marxists who hate America. They believe in censorship. They have politicized and weaponized our justice systems."[5]

a. Do you agree with the above statement?

**Response:** I am not familiar with these statements. The Code of Conduct for United States Judges and the Florida Code of Judicial Conduct prohibit me from opining on public statements or this political debate. *See, e.g.,* Code of Conduct for U.S. Judges, Canons 2, 3(A)(6), 5; Fla. Code of Jud. Conduct 2.

b. Have you discussed any aspect of your nomination to the federal bench with any officials from or anyone directly associated with A3P, or did anyone do so on your behalf? If yes, identify the individual(s) and provide the dates, mode, and content of those discussions and communications.

**Response:** No.

[5] https://www.article3project.org/about

47. Since you were first approached about the possibility of being nominated, did anyone associated with the Trump Administration or Senate Republicans provide you guidance or advice about which cases to list on your Senate Judiciary Questionnaire (SJQ)?

**Response:** No.

a. If so, who? What advice did they give?

**Response:** Not applicable.

b. Did anyone suggest that you omit or include any particular case or type of case in your SJQ?

**Response:** No.

48. Explain, with particularity, the process whereby you answered these written questions, including whether you personally drafted initial responses and whether anyone helped draft, review, or edit the answers.

**Response:** Before receiving the questions, I reviewed responses from prior nominees to familiarize myself with the process. After receiving the questions, I read them and drafted answers. To thoughtfully answer each question, I reviewed the submissions from past nominees and conducted legal research. After I finished drafting my responses I received feedback from the Department of Justice's Office of Legal Policy. I then finalized my answers and authorized my responses to be submitted to the Committee.

**Questions for the Record from Senator Alex Padilla**
**Senate Judiciary Committee**
**"Nominations"**

**September 30, 2026**

**Questions for Robert E. Long, Jr. (M.D. Fla.):**

1. The following are yes or no questions related to the 2020 election:
    a. According to Wisconsin's certified 2020 General Election results, did Joe Biden receive more than 19,000 votes more than Donald Trump?

        **Response:** I am not familiar with the vote tallies in particular states.

    b. According to Pennsylvania's certified 2020 General Election results, did Joe Biden receive more than 80,000 votes more than Donald Trump?

        **Response:** Please see my response to Question 1(a).

    c. According to Georgia's certified 2020 General Election results, did Joe Biden receive more than 11,000 votes more than Donald Trump?

        **Response:** Please see my response to Question 1(a).

    d. According to Arizona's certified 2020 General Election results, did Joe Biden receive more than 10,000 votes more than Donald Trump?

        **Response:** Please see my response to Question 1(a).

    e. According to Nevada's certified 2020 General Election results, did Joe Biden receive more than 20,000 votes more than Donald Trump?

        **Response:** Please see my response to Question 1(a).

    f. According to Michigan's certified 2020 General Election results, did Joe Biden receive more than 154,000 votes more than Donald Trump?

        **Response:** Please see my response to Question 1(a).

    g. Setting aside the precise vote totals, do you accept that, according to each state's certified results, Joe Biden received more votes than Donald Trump in Wisconsin, Pennsylvania, Georgia, Arizona, Nevada, and Michigan in the 2020 General Election?

        **Response:** Please see my response to Question 1(a).

h. Are you aware of any evidence that Joe Biden did not win more votes than Donald Trump in each of the states listed above? If so, please explain.

**Response:** I have no personal knowledge regarding vote tallies in the states listed above.

2. Some judicial nominees have stated that Joe Biden "legally" won the 2020 election or won the election "as a matter of law." Setting aside any legal characterization: as a matter of fact, did Joe Biden win the 2020 presidential election?

**Response:** Consistent with the Code of Conduct for United States Judges and the positions taken by prior nominees, as a pending judicial nominee and a sitting judge, it would be inappropriate for me to publicly weigh in on any subject of political debate. Questions involving who won the popular vote in the 2020 election have become matters of political controversy often discussed and debated by political leaders of both parties. Consistent with the precedent established by Justice Jackson, as a judicial nominee it would be inappropriate for me to comment on those disputed political and legal questions. However, I can state that Joseph R. Biden was certified as the winner of the 2020 presidential election by a joint session of Congress after the counting of the Electoral College votes.

3. Do you have any reason to believe that the outcome of any state's presidential vote was impacted by irregularities or fraud? If so, please explain.

**Response:** Consistent with the Code of Conduct for United States Judges and the positions taken by prior nominees, as a pending judicial nominee and a sitting judge, it would be inappropriate for me to publicly weigh in on any subject of political debate.

4. On January 7, 2021, a joint session of Congress certified 306 electoral votes for Joe Biden and 232 electoral votes for Donald Trump. Joe Biden received more votes than Donald Trump across 25 states, DC, and NE-02 in the 2020 election.

a. Do you have any reason to believe that Congress was wrong to certify each state's electoral votes?

**Response:** Please see my response to Question 3.

5. On January 6, 2021, a mob attacked the United States Capitol and more than 140 law enforcement officers were assaulted. President Trump has repeatedly described that day as "a day of love."

a. Do you believe that January 6, 2021 was a "day of love"?

**Response:** The Code of Conduct for United States Judges and the Florida Code of Judicial Conduct prohibit me from publicly opining on political statements by political figures. *See, e.g.,* Code of Conduct for U.S. Judges, Canons 2, 3(A)(6), 5; Fla. Code of Jud. Conduct.

6. More than 60 federal and state lawsuits, including those presided over by judges appointed by Republican presidents, dismissed legal challenges to the 2020 presidential election results for lack of evidence, lack of standing, or lack of merit.

    a. Do you have any reason to believe that any of those courts reached the wrong conclusion?

    **Response:** I am not familiar with each of the lawsuits mentioned in this question. Regardless, under the Code of Conduct for U.S. Judges, it would be inappropriate for me to publicly comment on other judges' decisions.

    b. Do you have any reason to believe that any one of those judges -- many of whom were appointed by Republican presidents, including President Trump -- acted improperly or in bad faith in dismissing those challenges?

    **Response:** Please see my response to Question 6(a).

7. Have you ever, publicly or in an official capacity, questioned or disparaged: (i) the legitimacy of the 2020 presidential election results; (ii) Congress's certification of those results; or (iii) any federal or state court ruling rejecting legal challenges to those results? If so, please explain.

    **Response:** No.

8. To the extent you would decline to answer any election-related question on the ground that the 2020 result is a "subject of political debate," please identify what you believe remains genuinely debatable about whether Joe Biden received more votes than Donald Trump in the states at issue, given that those results were certified by the responsible state officials and upheld in more than sixty state and federal proceedings.

    **Response:** Under our Constitution, the person certified as the winner of the Electoral College wins a presidential election. In 2020, that person was Joseph Biden.

9. Do you believe in a constitutional right to privacy? If so, please explain the constitutional basis for that right.

    **Response:** The United States Supreme Court addressed this issue in *Griswold v. Connecticut*, 381 U.S. 479 (1965). I will faithfully follow all binding precedent.

    a. Do you believe that *Griswold v. Connecticut* was correctly decided?

    **Response:** It is generally inappropriate for me to comment with approval or disapproval on U.S. Supreme Court decisions. Doing so is generally prohibited by the Florida Canons of Judicial Conduct. *See* Fla. Code of Jud. Conduct 2. However, if confirmed, I will follow and faithfully apply all decisions of the Supreme Court and

the United States Court of Appeals for the Eleventh Circuit including *Griswold v. Connecticut*.

10. What judges or justices would you consider foundational to your judicial philosophy, and why?

**Response:** The writings of Justices Antonin Scalia and Clarence Thomas were formative in developing my view of the proper role of the federal courts. Former Florida Supreme Court Justice Major Harding set a tremendous example of how to engage in the work of the law with humility and respect for everyone involved in every case. I seek to emulate his example.

11. If confirmed, cases involving reproductive rights -- including access to abortion, contraception, and assisted reproductive technology -- may come before you. Do you believe that individuals have any constitutionally protected right to make reproductive healthcare decisions? Please explain.

**Response:** I will faithfully follow all binding precedent, including those that relate to the above-referenced topics. The Code of Conduct for United States Judges and the Florida Code of Judicial Conduct prohibit me from opining on or prejudging legal questions. *See, e.g.,* Code of Conduct for U.S. Judges, Canons 2, 3(A)(6), 5; Fla. Code of Jud. Conduct.

12. Judicial clerkships serve several important professional roles. They are a meaningful opportunity for recent law graduates to learn from an experienced mentor, and they serve as an important -- and often necessary -- step toward the highest levels of our legal profession. Too often, students from diverse backgrounds are overlooked for these opportunities despite equivalent qualifications.

    a. Do you believe that diversity at all levels of the federal judiciary is important? Please explain your view.

    **Response:** In my chambers on Florida's First District Court of Appeal, I hire the best qualified judicial law clerk candidates available without regard for their race or gender. If confirmed, I will continue to do so on the federal court.

    b. When selecting your law clerks, will you commit to considering qualified applicants from a broad range of backgrounds, including candidates from a variety of law schools, from varying socioeconomic circumstances, and of differing races, ethnicities, religions, gender identities, sexual orientations, and abilities?

    **Response:** Please see my response to Question 12(a).

    c. Please describe how you plan to find and hire law clerks. Will you consider candidates from various law schools and backgrounds, including first-generation lawyers?

**Response:** I am a first-generation lawyer. In my chambers on Florida's First District Court of Appeal, I have primarily found and hired law clerks by posting openings and working with law schools. I do now, and if confirmed would continue to, consider candidates from various law schools and backgrounds, including first-generation lawyers.

d. Will you make your clerkship hiring criteria and application process transparent and accessible to applicants who lack the networks or institutional connections that often drive clerkship hiring?

**Response:** Yes.

e. If confirmed, how will you personally ensure diversity among your law clerk classes?

**Response:** In my chambers on Florida's First District Court of Appeal, I hire the best qualified judicial law clerk candidates available without regard for their race or gender. If confirmed, I will continue to do so on the federal court.

13. I want to give you an opportunity to discuss your views on the 22nd Amendment.

a. What does the 22nd Amendment state?

**Response:** The Twenty-Second Amendment states: "Section 1. No person shall be elected to the office of the President more than twice, and no person who has held the office of President, or acted as President, for more than two years of a term to which some other person was elected President shall be elected to the office of the President more than once. But this Article shall not apply to any person holding the office of President when this Article was proposed by the Congress, and shall not prevent any person who may be holding the office of President, or acting as President, during the term within which this Article becomes operative from holding the office of President or acting as President during the remainder of such term. Section 2. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within seven years from the date of its submission to the States by the Congress."

b. Under the text of that amendment, is there any basis on which an individual who has already been elected President twice could lawfully be elected to a third term?

**Response:** No.

c. Donald Trump was elected President in 2016 and again in 2024. How many times has Donald Trump been elected President?

**Response:** Twice; President Trump was certified as the winner of the Electoral College following the 2016 and 2024 elections.

d. Are you aware of any provision of the Constitution, federal statute, or judicial precedent that would permit Donald Trump to be elected to a third term?

**Response:** No.

e. If a case came before you challenging the eligibility of any individual to appear on a presidential ballot in violation of the 22nd Amendment and you concluded a candidate was ineligible under that amendment, would you have any hesitation in ruling against them regardless of that individual's political standing or the political consequences of your decision?

**Response:** I would faithfully follow the law regardless of the individual's political standing or any potential political consequences of the decision.

14. If confirmed, cases involving discrimination claims brought by LGBTQ+ individuals under Title VII or other federal civil rights statutes may come before you. Will you commit to treating these individuals with dignity by ensuring that your courtroom is a forum where all LGBTQ+ litigants, witnesses, and counsel are addressed respectfully -- including by use of their correct name and gender identity -- and where their claims receive the same full and fair consideration afforded to all parties?

**Response:** If confirmed, I will ensure that everyone is treated with respect and receives the same full and fair consideration of their matters as any other party.

15. Do you believe that individuals in immigration removal proceedings, including those who entered the United States without authorization, are entitled to the due process protections guaranteed under the US Constitution? Please explain.

**Response:** There is active litigation regarding this question. I will faithfully follow all binding precedent, such as *Zadvydas v. Davis*, 533 U.S. 678, 693 (2001), where the United States Supreme Court has stated that "the Due Process Clause applies to all 'persons' within the United States, including aliens, whether their presence here is lawful, unlawful, temporary, or permanent." The Code of Conduct for United States Judges and the Florida Code of Judicial Conduct prohibit me from further opining on or prejudging legal questions. *See, e.g.,* Code of Conduct for U.S. Judges, Canons 2, 3(A)(6), 5; Fla. Code of Jud. Conduct.

16. If confirmed, will you commit to ensuring that every person who appears before you is treated with dignity and afforded the full protection of the Constitution and federal law regardless of their immigration status, national origin, or language?

**Response:** If confirmed, I will ensure that everyone who appears before me is treated with dignity and respect.

17. What recourse do you believe is available to a federal judge whose orders are not followed?

**Response:** Courts have several options for addressing non-compliant parties, including sanctions and contempt. Beyond that the Code of Conduct for United States Judges and the Florida Code of Judicial Conduct prohibit me from opining on potential legal consequences to parties. *See, e.g.,* Code of Conduct for U.S. Judges, Canons 2, 3(A)(6), 5; Fla. Code of Jud. Conduct 2.

18. In the documents you provided the Senate Judiciary Committee, have you identified every publicly accessible -- or previously publicly accessible -- social media, blog, forum, or other online account that you have created, maintained, controlled, contributed to, or posted under, on any platform?

    If not, please identify any publicly accessible social media, blog, forum, or other online account that you have created, maintained, controlled, contributed to, or posted under, on any platform. Please include any non-private (or any previously non-private) accounts on Twitter/X, Facebook, Instagram, LinkedIn, YouTube, TikTok, Truth Social, Substack, Reddit, any personal blogs or websites, or any comparable platforms. For each account, please state:

    a. the platform or service;

    b. the username, handle, screen name, and any display name associated with the account;

    c. the approximate dates the account was active;

    d. whether the account was maintained in your own name, under a pseudonym, or anonymously; and

    e. the account's current status (active, deactivated, deleted, or set to private).

    **Response:** I have disclosed all responsive materials in my Senate Judiciary Questionnaire.

19. Since you were first under consideration for this nomination, have you deleted, deactivated, archived, restricted the visibility of, or removed content from any online account, or directed or requested that anyone do so on your behalf? If so, please identify the account and describe what was changed or removed and when.

    **Response:** I have not removed any content from any online accounts since I became aware of this nomination. I do not maintain an online social media presence, nor do I create or post content of any kind for social media consumption.

20. Article III states that federal courts decide "cases" and "controversies."

    a. What do you look for when deciding whether a matter before you is actually a dispute constituting a "case" or "controversy?"

**Response:** Article III generally vests federal courts with power to decide cases and controversies. This has been interpreted to mean that courts may hear only disputes in which the plaintiff has "Article III standing." To have standing, the Supreme Court has held that a plaintiff "must have (1) suffered an injury in fact, (2) that is fairly traceable to the challenged conduct of the defendant, and (3) that is likely to be redressed by a favorable judicial decision." *Spokeo, Inc. v. Robins*, 578 U.S. 330, 338 (2016). If confirmed, I would follow United States Supreme Court precedent and United States Court of Appeals for the Eleventh Circuit precedent regarding the cases and controversies requirement.

b. What harms could arise if a court were to decide a dispute that fails to meet the case-or-controversy requirement?

**Response:** If a court issued orders in such circumstances, the court would appear to be operating outside of the lawful judicial power and could potentially violate the constitutional separation of powers.

c. If neither party raises that requirement — even if both parties are satisfied with their positions or purported settlement agreements — does a judge still have an independent obligation to ensure that any case before them meets all constitutional requirements?

**Response:** Generally, a court has an obligation to ensure it has jurisdiction before exercising the judicial power in a particular case.

d. What recourse is available to a judge who concludes the parties before them are not adverse as constitutionally required?

**Response:** A judge could dismiss the case.

21. In 2014, as General Counsel of the Leon County Sheriff's Office, you authored a directive which in part stated that "it may be unconstitutional" for officers to continue to hold individuals based solely on detainer requests from Immigration and Customs Enforcement.

a. What legal authorities did you rely on in coming to this conclusion?

**Response:** The directive says that "courts have determined it may be unconstitutional to detain an individual based solely on" an Immigration and Customs Enforcement Agent's request. At the time the directive was issued, some federal courts had reached that conclusion and had held law enforcement agencies liable under such conditions.

b. Do you still believe that detaining a person based solely on an ICE detainer, without a judicial warrant, a court order from an immigration judge, or any other articulable probable cause determination, may violate the Fourth Amendment? If your view has changed, please explain why.

**Response:** The directive stated that "courts have determined it may be unconstitutional to detain an individual based solely on" an Immigration and Customs Enforcement Agent's request. At the time the directive was issued some federal courts had reached that conclusion and had held law enforcement agencies liable under such conditions. The directive clarified and memorialized agency policy in light of those court decisions.

c. What are your views on ICE's May 12, 2025 memorandum authorizing officers to enter private homes without judicial warrants and only with administrative warrants that, as you noted in your directive, "are not orders from a court and do not require probable cause to support the individual's detention"? If confirmed, will you apply the Fourth Amendment to immigration-related arrests on private property without judicial warrants exactly as you would to any other search or seizure?

**Response:** I will faithfully follow all binding precedent. The Code of Conduct for United States Judges and the Florida Code of Judicial Conduct prohibit me from opining on or prejudging legal questions. *See, e.g.,* Code of Conduct for U.S. Judges, Canons 2, 3(A)(6), 5; Fla. Code of Jud. Conduct.

22. In 2017, you told the Tallahassee Rotary Club that 72 percent of juveniles arrested in your circuit were Black, against a Black population of 39 percent.

a. What do you believe contributes to the disparity you described?

**Response:** My 2017 talk did not attempt to explain the disparity. I created a mentorship program in partnership with the local Big Brothers Big Sisters organization to provide mentors to children in the juvenile delinquency system. The talk was one of many that discussed the state of the delinquency system in Florida and focused primarily on recruiting new volunteer mentors.

b. Do you believe that implicit bias in policing and charging decisions may play a role in the quoted figures?

**Response:** I am not aware of what role implicit bias may or may not play in policing or charging decisions.

**Questions for the Record**

**Robert E. Long – Nominee to be U.S. District Judge for the Middle District of Florida**

Sen. Adam Schiff (CA)

1. How would you define public corruption as a matter of federal law?

   **Response:** There are several federal statutes that define "corruption," such as honest-services fraud and bribery. If faced with a public corruption legal question, I would faithfully apply the relevant statutes and follow United States Supreme Court precedent and United States Court of Appeals for the Eleventh Circuit precedent.

   a. If one of your law clerks used their position to give or steer money to their friends, would you consider that public corruption?

      **Response:** If I am fortunate enough to be confirmed, I will work to ensure that everyone in my chambers operates at the highest level of professionalism. If faced with a shocking situation such as this, I would take all the necessary steps to address any wrongdoing.

2. Do you agree that Article III Courts are courts of limited subject-matter jurisdiction?

   **Response:** Yes.

   a. Describe the Article III cases and controversies requirement.

      **Response:** Article III generally vests federal courts with the power to decide cases and controversies. This, broadly speaking, requires parties with proper standing that are seeking to adjudicate fully ripened disputes that are not otherwise moot. If confirmed, I would follow United States Supreme Court precedent and United States Court of Appeals for the Eleventh Circuit precedent regarding the cases and controversies requirement, including evaluating the issue of standing.

   b. Are federal courts limited to cases and controversies where the parties have adverse legal interests?

      **Response:** The cases and controversies requirement is generally understood to require a live, ripened dispute and parties with standing. The parameters of those requirements are the subject of active litigation. The Code of Conduct for United States Judges and the Florida Code of Judicial Conduct prohibit me from publicly opining on matters of ongoing or pending litigation. *See, e.g.,* Code of Conduct for U.S. Judges, Canons 2, 3(A)(6), 5; Fla. Code of Jud. Conduct.

c. Would a lawsuit where the plaintiff and defendant are the same individual be frivolous?

**Response:** Please see my answer to Question 2(b).

d. How does the legal profession typically respond to frivolous lawsuits?

**Response:** The legal profession typically meets frivolous lawsuits with motions to dismiss. Sometimes sanctions are sought. Sometimes sanctions are warranted. The appropriate remedy depends on the particular facts of the case.

3. How would you describe your judicial philosophy?

**Response:** I am committed to treating everyone that comes before the court with respect. I work to give every case the seriousness it deserves. And I strive to faithfully and objectively apply the law as it is written, along with applicable precedent, to the disputes before me.

4. How would you describe your philosophy regarding statutory interpretation?

**Response:** I use a text-based approach. I strive to apply the law as it is written, along with all binding precedent, to the disputes before me.

a. What methodology do you use to ensure your rulings are predictable and properly constrained within the bounds of the law?

**Response:** A text-based approach that applies the law as written, along with a faithful application of binding precedent, provides predictable decisions that are constrained within the bounds of the law.

5. When confronted with an ambiguous statute, how do you consider legislative history in your decision-making process?

**Response:** I generally do not use legislative history in statutory interpretation. But if confirmed, I would follow all binding United States Supreme Court precedent and United States Court of Appeals for the Eleventh Circuit precedent regarding the use of legislative history.

6. How do you define judicial activism?

**Response:** I understand people who use the term to be generally referring to judges making judicial decisions based on their personal preferences rather than applying the written law as it was understood by the public at the time it was adopted.

7. Supreme Court Justice Clarence Thomas has argued that a judge has a constitutional duty to overrule past Supreme Court precedent if it is "demonstrably erroneous," regardless of *stare decisis*.
    a. Do you agree with this argument? Why or why not?

        **Response:** If confirmed, I would faithfully follow all binding United States Supreme Court precedent and United States Court of Appeals for the Eleventh Circuit precedent. I would have no occasion to overrule a higher court's precedent.

    b. If you do agree, what factors would you consider to determine if precedent is "demonstrably erroneous"?

        **Response:** Please see my answer to Question 7(a).

    c. What is your approach to considering *stare decisis*?

        **Response:** If confirmed, I would faithfully follow all binding United States Supreme Court precedent and United States Court of Appeals for the Eleventh Circuit precedent.

8. In February 2026, you presented commentary on textualism to the Federalist Society Tallahassee Lawyer Chapter. In quoting Justice Story, you stated that responsible legal interpretation must remember that the government and its laws were "established to seek justice for the general welfare, and for the perpetuation of the blessings of liberty," and since policy preferences differ from man to man, they can never be the basis for judicial decisions.
    a. What did you mean when you repeated Justice Story's statement that laws were established "for the perpetuation of the blessings of liberty"? What does "the blessings of liberty" refer to?

        **Response:** The concept of preserving the "blessings of liberty" was a central feature of the American founding and the phrase is enshrined in the first sentence of the Constitution. When I repeated Justice Story's statement, I meant only to accurately quote him. While I generally view his statement as an exposition on those founding themes, I endeavored to avoid characterizing the Justice's statement and instead sought to let him speak for himself through his own words.

    b. Do you commit to your statement that policy preferences can never be the basis for judicial decisions?

        **Response:** Yes.

9. At your Senate Judiciary Committee nomination hearing, Senator Hirono asked you whether it is okay for Presidents to call for the impeachment of judges whose decisions they dislike. You refused to answer this question.

a. Should federal judges ever be impeached solely because of the content of their judicial decisions?

**Response:** The power of impeachment is vested in the House of Representatives. U.S. Constitution, Article I, Section 2. Article II, Section 4, is generally understood to permit the impeachment of federal judges as "civil Officers of the United States," and it permits their removal from office upon impeachment and conviction for "Treason, Bribery, or other high Crimes and Misdemeanors." Article III, Section 1, states that federal judges hold their offices "during good Behaviour." The Code of Conduct for United States Judges and the Florida Code of Judicial Conduct prohibit me from further opining on this political question. *See, e.g.,* Code of Conduct for U.S. Judges, Canons 2, 3(A)(6), 5; Fla. Code of Jud. Conduct.

b. What is the appropriate response for litigants who disagree with a judicial decision?

**Response:** Depending on the circumstances and procedural posture, litigants may appeal or seek a stay of adverse judicial rulings.

10. At your Senate Judiciary Committee nomination hearing, Senator Blumenthal asked you which candidate won the 2020 election. You responded that Joe Biden was certified by the Electoral College but refused to state who won the popular vote.
    a. As a matter of fact, which of the two general election candidates lost the 2020 election?

    **Response:** Under our Constitution, the person certified as the winner of the Electoral College is the person that wins a presidential election. In 2020, that person was Joseph Biden.

    b. As a matter of fact, which of the two general election candidates lost the 2024 presidential election?

    **Response:** Under our Constitution, the person certified as the winner of the Electoral College is the person that wins a presidential election. In 2024, that person was Donald Trump.

    c. As a matter of fact, did Donald Trump lose the 2020 election? Yes or no.

    **Response:** Please see my response to Question 10(a).

    d. Aside from the Electoral College and the certification of the election, who received the most recorded votes in the 2020 presidential election?

    **Response:** Please see my response to Question 10(a).

e. Who won the majority of the electoral college votes in the 2020 presidential election?

**Response:** Please see my response to Question 10(a).

f. Do you have any doubts about the outcome or integrity of the 2020 presidential election results?

**Response:** Under our Constitution, the person certified as the winner of the Electoral College is the person that wins a presidential election. In 2020, that person was Joseph Biden. I have no doubt about that. Joseph Biden was subsequently sworn in and became the 46th President of the United States.

11. At your Senate Judiciary Committee nomination hearing, Senator Blumenthal asked you whether the U.S. Capitol was attacked on January 6, 2021. You refused to describe the events of January 6, 2021, as an attack on the U.S. Capitol.

a. Was there violence at the U.S. Capitol on January 6, 2021?

**Response:** I was not present at the U.S. Capitol on January 6, 2021. I was not involved in any of the litigation. I have not spoken about the case with anyone involved with the litigation. I did not preside over any case regarding the incidents, and I have not reviewed any of the evidence. I have no personal knowledge regarding what happened at the Capitol that day. I know only what I read in the newspaper and what I have read in the United States Supreme Court decision in *Fischer v. United States*, 603 U.S. 480 (2024). I recall reading news stories about a group of protestors breaching the Capitol and delaying the election's certification process.

b. If yes, what violence are you aware of that occurred on January 6, 2021, at the U.S. Capitol? Please list any events that you recall reading about, watching, or seeing in subsequent media reports.

**Response:** Please see my response to Question 11(a).

c. What level of violence would constitute an "attack" in your view? Do you consider the actions taken against law enforcement officers on January 6th at the U.S. Capitol to constitute an "attack"?

**Response:** How the events at the Capitol on January 6, 2021, are characterized is a matter of political debate. Also, the effect of pardons issued to those prosecuted for actions taken related to the events at the Capitol on January 6, 2021, is subject to ongoing litigation that could arise in cases that could come before me if I am confirmed to serve as a district court judge. The Code of Conduct for United States Judges and the Florida Code of Judicial Conduct prohibit me from publicly opining on this legal question. *See, e.g.,* Code of Conduct for U.S. Judges, Canons 2, 3(A)(6), 5; Fla. Code of Jud. Conduct.

12. At your Senate Judiciary Committee nomination hearing, you answered Senator Blumenthal's questions about the 2020 presidential election and the January 6, 2021, attack on the U.S. Capitol with a response that was substantially similar, if not identical, to the responses of recent nominees.
    a. In preparing for your hearing and your written responses, did anyone, formally or informally, direct, advise, coach, suggest, or recommend how you should answer questions about the 2020 election and the January 6, 2021, attack on the U.S. Capitol? If so, who provided that guidance?

       **Response:** No one told me how to answer any questions. In advance of the hearing, I conducted legal research and read the Constitution. I also reviewed videos of other nominees at prior hearings and considered how I would answer similar questions. No one told me what to write in response to these questions. I drafted answers myself. Prior to answering the questions, I reviewed answers from past nominees. After I drafted my responses, I received feedback from the Department of Justice's Office of Legal Policy.

    b. In preparing for your hearing and your written responses, were you directed, encouraged, or advised to review the hearing testimony or written responses of previous nominees about the 2020 election and the January 6, 2021, attack on the U.S. Capitol? If so, who provided that guidance?

       **Response:** No one told me to review specific answers to questions about the 2020 election or about the events of January 6, 2021.