

wouldn't be my first pick, but I am supporting him. He has been a partner at a distinguished Philadelphia law firm, the Dilworth Paxson firm, since 2008 and has both the ability and I think the integrity to serve as a Federal district court judge. So that is a demonstration that this process can work when you have consensus, even between Senators who don't often vote together.

This is a bipartisan process. It requires both parties to work very hard. It requires our staff to work hard. It requires consensus. It has required several White Houses now—the Obama administration's White House, as well as the Trump administration—to work with us. But we found a way to make it work on most days.

This bipartisan district court process is indeed the exception, not the rule. In so many other instances, especially with regard to circuit court nominees, we have seen extreme nominees being pushed through. The rule change that I referred to earlier that cut the postcloture time to just 2 hours means there is very little time to fully consider nominees to these lifetime appointments to the Bench. The Judiciary Committee has stacked multiple circuit court nominees in single hearings, giving Senators on the Judiciary Committee less time to ask nominees questions.

Circuit court nominees now receive votes over the objection of their home state Senators. That is new. That wasn't happening just a few years ago, and it wasn't happening many years before that.

The blue-slip process has been eviscerated for circuit court judicial nominees. That is a loss for the Senate, which may be the only body in the world that has the kind of rules that govern our work so that we will arrive at a consensus by empowering the minority to work with the majority to arrive at that consensus. It is a loss for the Senate, but it is also a loss for our constituents who are served by Federal district courts and Federal circuit courts.

Last year, the Senate confirmed David Porter to the Third Circuit Court of Appeals in Pennsylvania—Pennsylvania being one of the States represented in the circuit. That nomination and confirmation was over my objection as a home State Senator. This was in spite of my record of bipartisan work on judicial nominations. My record now goes back over the course of three Presidencies and different Senates—Democratic Senate, Republican Senate. Despite all the bipartisan work, this nominee was both nominated and confirmed without my consent.

For the first time in history, we have confirmed two judges to the circuit court—Eric Miller and Paul Matey—without the consent of any home State Senators, meaning you have two Democratic Senators who did not give consent, and now they have been con-

firmed. I don't think that is good for the Senate in the long run. I am certain it is not good for our constituents, as I said. I think they would prefer judges who come through a process where there is a degree of consensus, including all of the vetting that these nominees go through.

This isn't how the process is supposed to work. This process is supposed to be one of advice and consent. Advice and consent as to nominating people for lifetime appointments to the Federal courts, especially the circuit courts, has been gutted. "Gutted" might be an understatement. These nominees will impact not just the lives of the parties before them in court, but, of course, the lives of all Americans.

It is true that in our system, one Federal judge can affect the whole country. We know that from our history. And that includes both district court judges, as well as circuit court judges.

In the case of circuit court judges, often that is the last stop. Very few cases are briefed and argued before the U.S. Supreme Court. In many cases, the last stop is the Federal Circuit Court of Appeals. For all intents and purposes, that becomes the Supreme Court for a lot of cases—the highest level of review.

I hope we can return to a more inclusive process that focuses on putting experienced, mainstream judges on the bench rather than ramming through—and that is the best way to describe what has been happening lately—nominees with views and with records that are out of the mainstream. I would argue for purposes of the near-term votes that both Mr. Barker and Mr. Brasher would not fit under the umbrella of being mainstream.

I think there are plenty of folks around here in the Senate who would like to work together to arrive at more of a consensus. It doesn't mean that we will not have disagreements; it doesn't mean that one side will not have a different point of view. But I think someone can be conservative and philosophically aligned with one party or one point of view without being so far out of the mainstream that a lot of Americans would consider them extreme.

I yield the floor.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 10 a.m. tomorrow.

Thereupon, the Senate, at 6:58 p.m., adjourned until Wednesday, May 1, 2019, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

MERIT SYSTEMS PROTECTION BOARD

B. CHAD BUNGARD, OF MARYLAND, TO BE A MEMBER OF THE MERIT SYSTEMS PROTECTION BOARD FOR THE

TERM OF SEVEN YEARS EXPIRING MARCH 1, 2025, VICE MARK A. ROBBINS, TERM EXPIRED.

IN THE ARMY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADES INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be major general

BRIG. GEN. RODNEY L. FAULK
BRIG. GEN. DEBORAH L. KOTULICH
BRIG. GEN. FREDERICK R. MAIOCCO
BRIG. GEN. GREGORY J. MOSSER
BRIG. GEN. JOHN H. PHILLIPS
BRIG. GEN. JOE D. ROBINSON
BRIG. GEN. ALBERTO C. ROSENDE
BRIG. GEN. RICHARD C. STAATS, JR.
BRIG. GEN. KEVIN C. WULFHORST

To be brigadier general

COL. TIMOTHY E. BRENNAN
COL. CARY J. COWAN, JR.
COL. CHRISTOPHER J. DZIUBEK
COL. JEFFREY M. FARRIS
COL. ROBERT E. GUIDRY
COL. MICHELLE A. LINK
COL. LAURENCE S. LINTON
COL. PAMELA L. MCGAHA
COL. STEVEN B. MCLAUGHLIN
COL. JOSEPH A. PAPPENFUS
COL. JOSEPH A. RICCIARDI
COL. JED J. SCHAERTL
COL. PATRICIA R. WALLACE
COL. DAVID P. WARSHAW
COL. STUART E. WERNER
COL. WANDA N. WILLIAMS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY NURSE CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 7064:

To be colonel

TIMOTHY S. ADAMS
DANIEL A. BLAZ
DAVID F. BOYD III
CRAIG S. BUDINICH
BRETT G. BUEHNER
MITZI A. FIELDS
BRAD E. FRANKLIN
STACEY S. FREEMAN
MATTHEW K. GARRISON
JOSEPH J. HOFFERT
THERESA L. LEWIS
BIRGIT B. LISTER
RANAE T. LOWE
ALICIA A. MADORE
MARK L. MITCHELL
VINCENT B. MYERS
PRENTICE R. PRICE
THURMAN J. SAUNDERS
ANN C. SIMSCOLUMBIA
ALICIA D. SURREY
MICHAEL F. SZYMANIAK
JIMMIE J. TOLVERT
DENNIS R. TURNER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SERVICE CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 7064:

To be colonel

CAROL A. ANDERSON
AMY A. BLANK
MERBIN CARATTINI
ROBERT CARTER III
TRISHA A. COBB
COLLEEN M. COOPER
DAVID B. COWGER
NATHANAE L. C. FORRESTER
TOBIAS J. GLISTER
JAMES B. GOETSCHUS
MATTHEW J. GRESEER
MARK G. HARTELL
CHARLOTTE L. HILDEBRAND
RAYMOND J. JABLONKA
FREDERICK C. JACKSON
PAUL J. KASSEBAUM
DUBRAY KINNEY, SR.
BRADLEY D. LADD
PAUL W. MAETTZOLD
KEVIN J. MAHONEY
MATTHEW J. MAPES
PETER B. MARKOT
YVETTE M. MCCREA
JAMES A. MORRISON
ROBERT L. NACE
WOODROW NASH, JR.
BRIAN D. OLEARY
ADAM J. PETERS
RICARDO A. REYES
DANIEL E. REYNOLDS
MICHAEL D. RONN
GINNETTE RUTH
ALICE E. SMITH
KIRSTEN S. SMITH
KENNETH D. SPICER
SABRINA R. THWEATT
BARBARA T. TRANKNER
STUART D. TYNER
ARISTOTLE A. VASELIIADES
LAWANDA D. WARTHEN
CHAN L. WEBSTER
DOUGLAS P. WEKELL
KENNEY H. WELLS