

filed at one time back in March of 2012. That maneuver, of course, was a transparent effort to manufacture a crisis where no crisis existed. Every single one of these cloture motions was later withdrawn. As a result, not 1 of those 17 nominees even had a cloture vote, let alone a failed cloture vote.

In fact, of these 20 so-called filibusters of district court judges, the Senate held only 1 cloture vote on a district court judge, and that cloture vote passed the Senate. Yet the Senate majority still claims we filibustered 20 district court nominees. That is revisionist history if I have ever seen it.

Let's review the alleged Republican obstruction of the President's nominees. Since President Obama took office, the Senate has approved 218 of the President's lower court judicial nominees. That is 99 percent. So we have rejected only two. If the majority leader hadn't invoked the nuclear option, the number would have, in fact, been 5 instead of 2, but not 20, and not 34, as I have heard some claim. It would not have even been 10, which was the number the Senate majority blocked by the fifth year of President Bush's administration. Five nominees.

At the end of the day, the majority was willing to toss aside two centuries of Senate practice and tradition over just five judicial nominees. So I continue to oppose this nominee, just as I did when the Senate rejected the nomination before the Senate Democrats broke the rules to change the rules.

This judgeship wasn't warranted before the majority leader and the Democrats invoked the misguided nuclear option, and it certainly hasn't suddenly become warranted in the weeks since that time.

I yield the floor.

Mr. REID. I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. REID. Mr. President, we have a vote scheduled for 5:30; is that right?

The PRESIDING OFFICER. That is correct.

---

#### EXECUTIVE SESSION

---

#### NOMINATION OF ROBERT LEON WILKINS TO BE UNITED STATES CIRCUIT JUDGE FOR THE DISTRICT OF COLUMBIA CIRCUIT

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nomination which the clerk will report.

The legislative clerk read the nomination of Robert Leon Wilkins, of the District of Columbia, to be United

States Circuit Judge for the District of Columbia Circuit.

The PRESIDING OFFICER. The majority leader.

#### UNEMPLOYMENT INSURANCE

Mr. REID. The Republican leader and I have had a number of conversations today about how we should proceed on unemployment insurance. I have had conversations and he has had conversations with a number of our Members, both Democrats and Republicans. Right now, because the vote is not scheduled until 5:30, it has been difficult for me, and I am quite certain for the Republican leader, to talk to all of the necessary people involved in trying to come to some conclusion as to how we should proceed on this legislation. Two of the people I met with today, everyone knows, are people who are trying to work something out, including Senator COLLINS and Senator HELLER. Senator HELLER is a cosponsor of the underlying bill and Senator COLLINS is always trying to make peace with everybody. They have made a proposal. I have an outline of their proposal and I appreciate their good work.

However, I can't automatically agree to it because it calls for 3 months rather than the 11 months or so we had in the underlying proposal that is before the Senate. As everyone knows, the President is not in favor of a 3-month proposal and I am not either, but that doesn't mean we can't work something out. I have made statements indicating I prefer a longer period in the proposal and so has the President.

However, my main point in saying a few words this afternoon is that we need to be able to meet with Senators—I need to meet with my caucus tomorrow before I can determine how I would suggest—along with the two Republican Senators I met with—how we will proceed on this matter.

Mr. MCCONNELL. Will the majority leader yield?

Mr. REID. Of course; I am happy to.

Mr. MCCONNELL. I would observe that what I am hoping for is an open amendment process. We have the amendment tree filled and it remains my hope that we will be able to, through these discussions we have had, get to something closer to what we have been accustomed to in the past with a relatively open amendment process. So under those circumstances, and in the hope that by tomorrow we end up with a more fair process, I am happy to go along with what the majority leader has suggested.

---

#### LEGISLATIVE SESSION

Mr. REID. I ask unanimous consent that we now proceed to legislative session, out of executive session. When I finish my remarks and the Republican leader finishes his remarks, I ask that we go back into executive session.

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

#### UNANIMOUS CONSENT AGREEMENT—S. 1845

Mr. REID. Mr. President, I ask unanimous consent that the vote on the motion to invoke cloture on amendment No. 2631 occur at 2:30 p.m. tomorrow; further, that the vote on the motion to invoke cloture on S. 1845 occur following the disposition of amendment No. 2631 or, if cloture is not invoked on amendment No. 2631, the Senate proceed immediately to the vote on the motion to invoke cloture on S. 1845.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. REID. Mr. President, I hope this will allow us a way to move forward. We will do our best to move forward. I am trying the best I can to come up with an arrangement to move forward.

I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Senator from Maryland.

Mr. CARDIN. I ask unanimous consent that the order for the quorum call be rescinded.

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

---

#### EXECUTIVE SESSION—Continued

The PRESIDING OFFICER. Under the previous order, the Senate will resume executive session.

The Senator from Maryland.

Mr. CARDIN. If I understand correctly, we are on the nomination of Judge Robert Wilkins?

The PRESIDING OFFICER. The Senator is correct.

Mr. CARDIN. Mr. President, I rise in strong support of the nomination of Judge Robert L. Wilkins to be a circuit judge for the U.S. Court of Appeals for the District of Columbia Circuit. I was pleased to introduce Judge Wilkins to the Judiciary Committee in September and the committee favorably reported his nomination in October. He was filibustered in November, and I am pleased we are reconsidering his nomination today.

Judge Wilkins currently serves as a Federal District Judge in the U.S. District Court for the District of Columbia. So he is a district court judge today, confirmed by the Senate for a lifetime appointment, and now has been nominated by President Obama to fill the circuit court, which is the court above the judicial court for the District of Columbia.

I am happy we are going to get a chance to vote on the merits of this nominee.

Judge Wilkins is a native of Muncie, IN. He obtained his B.S. cum laude in chemical engineering from Rose-Hulman Institute of Technology and his J.D. from Harvard Law School.

Following graduation, Judge Wilkins clerked for The Honorable Earl B. Gilliam of the U.S. District Court for the Southern District of California. He later served as a staff attorney and as