

**Statement of Senator Charles Grassley
Ranking Member
Committee on the Judiciary
United States Senate**

Before the Committee on the Judiciary regarding the Nominations of:

*Nancy L. Moritz, to be United States Circuit Judge for the Tenth Circuit
Sheryl H. Lipman, to be United States District Judge for the Western District of Tennessee
Stanley Allen Bastian, to be United States District Judge for the Eastern District of Washington
Manish S. Shah, to be United States District Judge for the Northern District of Illinois*

November 13, 2013

Mr. Chairman,

I join you in welcoming the nominees who are here today with their families and friends. Being nominated to the federal judiciary is a significant accomplishment and reflects well on the career of each of our nominees. This is a proud moment for them and their families.

Today's hearing is the 16th judicial nominations hearing this year during which we will have considered a total of 57 judicial nominees. This hearing record is especially remarkable when you compare this pace to the first year of President Bush's second term.

I recognize that many members serving in the Senate today were not here during the Bush presidency, so some may not be fully aware of the history of judicial nominations. But just to compare, at this stage in President Bush's second term, the Committee had held only 5 hearings for 12 nominees. In fact, during 2005, the Judiciary Committee would go on to hold only one more hearing before adjourning. They would close the year having held only 6 hearings for 15 district and circuit nominees. Again, we have greatly exceeded that number – we are now in our 16th hearing, having considered 57 nominees.

How are we doing this year compared to last year? 2012 was a very productive year for judicial nominations. In fact, in the 112th Congress, President Obama had more District Judges confirmed than were confirmed in any of the previous 8 Congresses. Our work last year contributed to that accomplishment when we held 10 hearings for 41 judicial nominees.

So whether you compare this year's record to the way President Bush was treated in his 5th year in office, or compare to last year, our hearing schedule this year clearly is at a much faster pace – 16 hearings and 57 nominees.

I mention this record, because I know it is still fashionable to criticize Republicans for “unprecedented obstruction” of President Obama’s judicial nominees. But let me remind everyone that we have now confirmed 38 lower court Article 3 judicial nominees this year. That is more than two and a half times the number confirmed at a similar stage in President Bush’s second term, when only 14 judicial nominees had been confirmed.

In total, the Senate has confirmed 209 lower court Article 3 judges. In any event, I think we have treated President Obama fair and that he enjoys an outstanding record for his judicial nominees. Again, I welcome the nominees.