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Politics over Justice: Judicial Selection in the 114th Congress

Over the years I've received several letters from people indicating, "Even if I win this case now, my business has failed because of the delay. How is this justice?" And the simple answer, which I cannot give them, is this: It is not justice. We know it.

—Judge Lawrence J. O'Neill, Eastern District of California

When the Senate left for August recess, Republican senators took with them self-congratulatory [pocket cards that read](#): "When Republicans took control of the Senate, we promised to get the Senate working again. We are keeping our promise." It's not clear what if any specific accomplishments they had in mind, but on the issue of judicial confirmations the talking point is striking in its dishonesty.

After more than eight months of majority control, Senate Republicans have all but abandoned their constitutional duty to confirm federal judges. Instead, they have engineered a politically-motivated vacancy crisis, striving to preserve judicial vacancies for a future Republican president to fill. Last month, Judiciary Committee Ranking Member Patrick Leahy [bemoaned the Republican strategy](#): "We began this year with a new Republican majority in the Senate promising to govern responsibly. Unfortunately, this promise has so far proven hollow. . . . Republican leadership has used excuse after excuse to keep the Senate from voting on those nominated to serve in our justice system."

This strategy is used to delay and obstruct at every stage of the judicial selection process. In their home states, Republicans let vacancies pile up either by failing to work with the White House to find qualified nominees, or by neglecting them entirely, not even starting the process of screening candidates. In the Judiciary Committee, Chairman Chuck Grassley delays confirmation hearings and committee votes for every nominee, even consensus nominees with bipartisan support. In some cases, Grassley is helped by Republican Senators who initially endorse a nominee from their home state, but then withhold approval—expressed by the return of a "blue slip" to the committee—that would allow a confirmation hearing. And on the floor, Majority Leader Mitch McConnell delays and outright refuses to schedule floor votes for nominees, even nominees who have bipartisan support, or would fill [judicial emergencies](#).

Republican obstruction of judicial nominees is nothing new—indeed it has been a persistent theme throughout President Obama's administration—but it has become more effective with the power of majority control, yielding staggering numbers that show a complete disregard for the real-world implications of rising judicial vacancies.

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As detailed further below:

- The Senate has confirmed only six judges in 2015, the slowest pace in over 60 years.
- Since January 1, the number of current vacancies has increased by 24, from 43 to 67.
- Since January 1, the number of judicial emergencies has increased 158 percent, from 12 to 31.
- Two judicial nominees pending for over six months, each of whom would fill a judicial emergency, have not had a confirmation hearing.
- 35 of 38 current judicial vacancies without nominees are in states with at least one Republican senator.
- All eight current circuit court vacancies without nominees are in states with at least one Republican senator.

The burgeoning vacancies are the result of playing politics with judicial selection. And the victims are the people and businesses who cannot access courts to seek justice, and the judges who must shoulder the burden of increased caseloads and fewer resources. Eastern District of California Judge Lawrence J. O'Neill, who sits on one of the busiest courts in the country in Fresno, California, [said of judicial vacancies](#): "Over the years I've received several letters from people indicating, 'Even if I win this case now, my business has failed because of the delay. How is this justice?' And the simple answer, which I cannot give them, is this: It is not justice. We know it."

Despite this, Senate Republicans have given no indication they will improve and confirm judges over the last sixteen months of Obama's presidency. But there is one way the president can take direct action. With almost all vacancies without nominees isolated in states with at least one Republican senator, President Obama can and should nominate qualified candidates for as many vacancies as possible, especially where Republicans have stopped working in good faith to fill seats in their home states.

A. Historically Slow Rate of Confirmations

The Republican-led Senate confirmed only five judges in the first eight months of 2015. That's the slowest single-year pace since the Senate confirmed a total of nine judges in 1953. Tellingly, four of the five were district court nominees from states with two Republican senators (three from Texas and one from Utah). The fifth, Federal Circuit Judge Kara Farnandez Stoll, is the only circuit court of appeals judge confirmed this year.

The Senate confirmed a sixth judge when it returned from summer recess on September 8. The Western District of Missouri judge became the first nominee in 2015 confirmed to a state with a Democratic senator (Sen. Claire McCaskill).

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All six of the confirmed judges were voted out of committee with bipartisan support and ultimately confirmed unanimously, and yet McConnell forced them to wait on the Senate calendar for an average of 80 days.

Confirmations in the 114th Congress

Nominee	Court	First Nomination Date	Voted out of Committee	Committee Vote	Days on the Floor	Confirmation Date	Floor Vote
Alfred Bennett	SDTX	8/18/14	2/26/15	Voice Vote	46	4/13/15	95-0
George C. Hanks, Jr.	SDTX	9/18/14	2/26/15	Voice Vote	53	4/20/15	91-0
Jose Olvera, Jr.	SDTX	9/18/14	2/26/15	Voice Vote	84	5/21/15	100-0
Jill Parrish	UT	9/18/14	2/26/15	Voice Vote	84	5/21/15	100-0
Kara Farnandez Stoll	Fed. Cir.	11/12/14	4/23/15	Voice Vote	75	7/7/15	95-0
Roseann Ketchmark	WDMO	11/20/14	4/23/15	Voice Vote	138	9/8/15	96-0

McConnell’s minimalist approach to confirmations has left eight judicial nominees pending on the floor—all voted out of committee via voice vote with bipartisan support, and five nominated to judicial emergencies. Before the August recess, New York Senator Chuck Schumer [took to the floor](#) and called the Senate’s failure to confirm these nominees—which include three from New York—a “disgrace.”

The Republicans’ virtual shutdown of judicial confirmations is without precedent. During the final two years of George W. Bush’s presidency, the Democratic Senate confirmed 68 judges. Similarly, the Republican Senate confirmed 73 judges during President Clinton’s final two years. For each president, these account for about 20 percent of their total confirmations. At the current pace, less than five percent of Obama’s confirmations will come during his final two years.

Total Confirmations in the Final Two Years of Presidency

President (bold = two terms)	Years	Senate Majority Party	# of Judges Confirmed
Barack Obama (D)	2015-	Republican	6
George W. Bush (R)	2007-08	Democratic	68
Bill Clinton (D)	1999-2000	Republican	73
George H. W. Bush (R)	1991-92	Democratic	122
Ronald Reagan (R)	1987-88	Democratic	85
Jimmy Carter (D)	1979-80	Democratic	198
Gerald Ford (R)	1975-76	Democratic	48
Lyndon Baines Johnson (D)	1967-68	Democratic	60
Dwight Eisenhower (R)	1959-60	Democratic	44

This Senate will almost certainly have the fewest confirmations during the seventh year of any presidency in the modern era. To avoid that ignominious distinction, it would have to confirm almost all of the 32 currently pending nominees by the end of the year.

Confirmations By Year in the Final Two Years of Presidency

President (bold = two terms)	Year	Senate Majority	District	Circuit	Supreme	Judges Confirmed
Barack Obama (D)	2015	Republican	5	1	0	6
George W. Bush (R)	2008	Democratic	24	4	0	28
George W. Bush (R)	2007	Democratic	34	6	0	40
Bill Clinton (D)	2000	Republican	31	8	0	39
Bill Clinton (D)	1999	Republican	27	7	0	34
George H. W. Bush (R)	1992	Democratic	53	11	0	64
George H. W. Bush (R)	1991	Democratic	48	9	1	58
Ronald Reagan (R)	1988	Democratic	33	7	1	41
Ronald Reagan (R)	1987	Democratic	34	10	0	44
Jimmy Carter (D)	1980	Democratic	53	10	0	63
Jimmy Carter (D)	1979	Democratic	101	34	0	135
Gerald Ford (R)	1976	Democratic	26	5	0	31
Gerald Ford (R)	1975	Democratic	12	4	1	17
Lyndon Johnson (D)	1968	Democratic	17	7	0	24
Lyndon Johnson (D)	1967	Democratic	30	5	1	36
Eisenhower (R)	1960	Democratic	9	2	0	11
Eisenhower (R)	1959	Democratic	22	10	1	33

B. Needless Delay in the Judiciary Committee

While there are nominees on the floor to confirm, the slow confirmation pace has been enabled in part by further delay in the Judiciary Committee. The myriad forms of committee delay show how Republicans will leave no stone unturned in their efforts to obstruct confirmations.

First, Chairman Grassley needlessly puts off confirmation hearings to force a growing backlog of nominees. By this point in 2007, the Democratic-majority committee led by Senator Pat Leahy had already held six hearings for 20 George W. Bush judicial nominees. Grassley [committed himself to adhering to what he called “the Leahy standard,”](#) but so far has held hearings for only 16 judicial nominees.

Two nominees, District of New Jersey nominee Julien Neals and Southern District of Florida nominee Mary Barzee Flores, have been waiting for a confirmation hearing since February. These delays are straining the justice system in two states facing increased vacancies and judicial emergencies this year.

New Jersey has had four new vacancies in 2015, and all of them are judicial emergencies. The District of New Jersey’s chief judge, Jerome B. Simandale, [said that the court’s judges can “barely keep\[\] our heads above water.”](#) New Jersey Senator Bob Menendez has called the delay “outrageous,” taking Republicans to task for “slow-walking these nominees and obstructing the ability for justice to be administered.”

In Flores’ case, the delay of her nomination to one of three Florida judicial emergencies illustrates a new and specific form of Republican obstruction, one in which Republican senators

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publicly endorse a nominee from their home state, but then withhold formal approval until Grassley is ready to hold a hearing. Republican Senator Marco Rubio joined Democratic Senator Bill Nelson in recommending Flores to the president, but since then he has deferred to Grassley on when she will move forward. Rubio has yet to return his “blue slip”—a form on which home-state senators indicate approval of a nominee—thus giving Grassley an excuse to further delay Flores’ hearing. Senator Nelson, by contrast, returned his blue slip immediately after Flores’ nomination. By deferring to Grassley’s timetable, Rubio is choosing his party’s strategy of shutting down confirmations over access to justice for the people of Florida.

The same thing happened this year to Third Circuit nominee [L. Felipe Restrepo](#). Judge Restrepo, who currently sits in the Eastern District of Pennsylvania, was recommended for elevation to the Third Circuit by both Pennsylvania senators, Republican Pat Toomey and Democrat Bob Casey. Casey immediately returned his blue slip but [Toomey waited for over six months, enabling Grassley to delay a hearing](#). In public, the strategy allowed Toomey and Grassley to deflect blame and [point fingers at each other](#). But in truth both were to blame—at any point Toomey could have returned his blue slip and demanded that his Republican colleague schedule a hearing. And as committee chair, Grassley is empowered to convene timely hearings. Restrepo’s hearing finally came in June after he waited for seven months, and he still hasn’t been confirmed.

Finally, even when hearings are held, Grassley and committee Republicans exploit a rule that allows them to delay committee votes without reason. After a confirmation hearing, nominees should, in most cases, be promptly listed for a vote at the committee’s next business meeting. But any committee member can ask that a nominee be “held over,” forcing the nominee to wait at least one more week before receiving a vote. In some instances, like when a nominee is held over just before a recess, the gratuitous wait can be much longer. During previous administrations, the rule was used only when the minority party needed more time to review a nominee’s background or qualifications. But Republicans have held over every nominee this year, and they [held over all but 12 nominees](#) while in the minority during Obama’s first six years.

C. Republicans Allow Vacancies to Remain Open in their Home States

It’s no coincidence that of the 38 current vacancies without a nominee, 92 percent are in states with at least one Republican senator (see Appendix). Senators are tasked with finding qualified nominees in their home states, and typically the White House waits for recommendations and then consults with the senators before making a nomination. Republican senators have abused this practice by undermining and delaying processes for identifying qualified candidates.

For example, [Texas has nine current judicial vacancies](#), two on the Fifth Circuit and seven district court seats. All of these vacancies were announced more than a year ago, and two were announced more than 1,000 days ago, but not one has a pending nominee. That’s because Republican Senators John Cornyn and Ted Cruz have intentionally [slowed the process of finding new judges](#). Rather than immediately start the process for each announced vacancy, the Texas

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senators have ignored months and in some cases over a year of advance notice, refusing to ask for applications until a judge actually leaves the bench. Most recently, it took them 441 days to start the selection process for an Eastern District vacancy in Tyler, Texas, even as [judges](#) and [local business groups](#) demanded swift action. But instead of acting, Cornyn has [repeatedly blamed the president for the lack of Texas nominees](#), all while knowing that his failure to recommend qualified candidates is the primary cause of delay.

In North Carolina, the state's two Republican senators have undermined efforts to fill the nation's oldest vacancy, a 10-year-old judicial emergency in the Eastern District of North Carolina. President Obama nominated federal prosecutor Jennifer May-Parker in June 2013 to fill the seat. Senator Richard Burr [explicitly endorsed](#) May-Parker's nomination to the White House, but withheld his blue slip without explanation until the Senate returned her nomination in December 2014. Since then, there is no indication that either Burr or Senator Thom Tillis have made any effort to identify a new nominee.

In split states, Republican senators have used procedural gamesmanship to engender delay and stymie their Democratic colleagues. In Indiana, for example, Senator Dan Coats [announced in May](#) that he wanted a new commission to find nominees for two vacancies, including a Seventh Circuit seat. Coats said he wanted a "nomination process that is taken completely out of politics," but his intentions were precisely the opposite. Coats and Democratic Senator Joe Donnelly had already been working for over a year to find qualified candidates, so Coats' announcement could only be intended to prolong the process beyond Obama's administration. "Frankly, I am still trying to determine why it was put forward at this time," Donnelly said, "I have been working nonstop on this effort for 17 months now within the contours of an agreement I reached with Sen. Coats at the start."

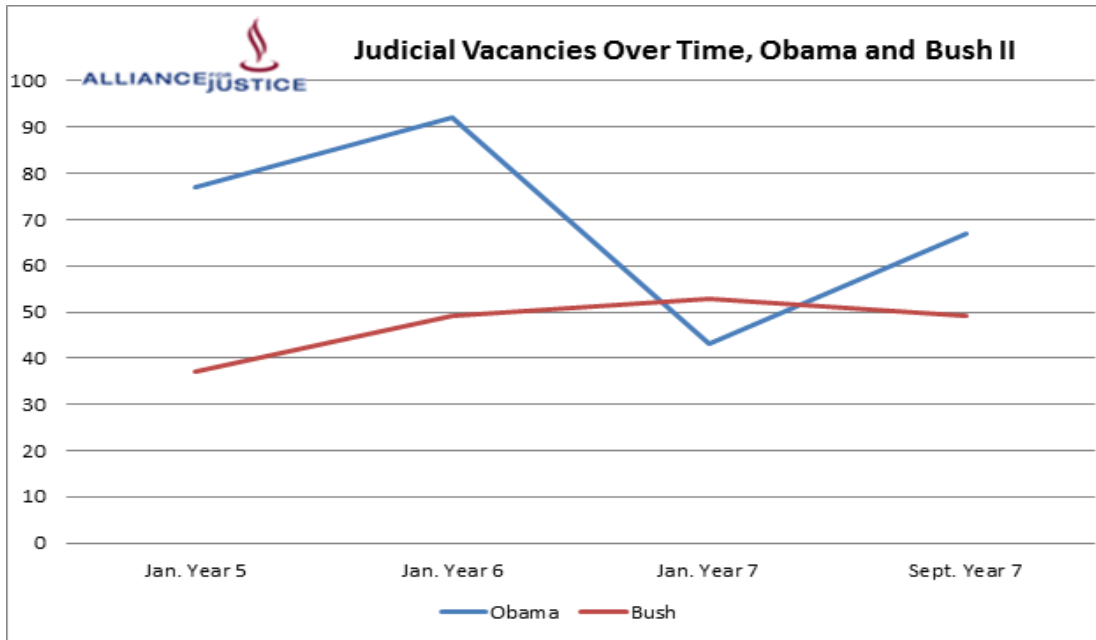
Republican Senator Ron Johnson has used similar maneuvers to prevent Obama from filling the nation's [oldest circuit court vacancy, a Seventh Circuit seat in Wisconsin](#). After blocking the nominee who was pending when he took office in 2011, Johnson dismantled Wisconsin's decades-old commission process. He called for a new commission that gave him influence equal to that of his Democratic colleague, Senator Tammy Baldwin, even under a Democratic administration. Johnson and Baldwin established the new commission in 2013, but Johnson refused to solicit Seventh Circuit applications until July 2014—nearly five years after the vacancy was announced. The commission deadlocked this spring, but while Baldwin has worked to find a path forward for the White House to make a nomination, Johnson has, unsurprisingly, [asked for the process to start over](#).

D. Rising Vacancies

The upshot of all this obstruction is that judicial vacancies and judicial emergencies are rising quickly. Historical comparisons of confirmation totals are useful to a point, especially when considering a senate, like this one, that is without equal in its lack of productivity. But the true measure of judicial selection is whether vacancies are being filled and our courts are fully

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staffed. If vacancies are rising, the state of justice in America is growing worse. Since Republicans took over the Senate, current vacancies have increased over 50 percent, from 43 to 67. The number of judicial emergencies has grown even faster, rising from 12 to 31 under Republican leadership, an increase of 158 percent. The 31 judicial emergencies account for 46 percent of all current vacancies.



E. Looking Ahead: Judicial Selection in the Last 16 months of Obama’s Presidency

With the Republican Senate majority intent on stopping confirmations, President Obama should fight back against the endless obstruction by nominating candidates to all vacancies without nominees, even if he is forced to do so without the support of home-state Republican senators. Intentional Republican obstruction shouldn’t trump the president’s constitutional authority to nominate judges.

Eight circuit court seats are among the current vacancies without nominees, and all eight are in states with at least one Republican Senator. This includes vacancies on the four remaining circuit courts that have a majority of Republican-appointed judges—the Fifth, Sixth, Seventh, and Eighth Circuits. With the Supreme Court taking so few cases, the circuit courts often have the last word on important questions of federal law, making vacancies on those courts especially critical.

The Wall Street Journal has advocated for Republicans to [shut down confirmations of Obama circuit court nominees](#), an extreme position for which there is no precedent. In fact, even in their last two years, recent presidents have worked with opposition senates to confirm circuit court judges to seats in red, blue, and purple states.

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During President Bush’s seventh and eighth years in office, the Democratically-controlled Senate confirmed 10 circuit court nominees. More than half of those judges came from states with at least one Democratic home-state Senator. Similarly, President Clinton and a Republican-controlled Senate confirmed 15 total judges to circuit courts in his seventh and eighth years in office. Finally, President Reagan and a Democratically-controlled Senate confirmed 17 circuit judges during Reagan’s final two years. More than half of those judges came from states with at least one Democratic home-state Senator.

George W. Bush’s Circuit Court Confirmations in Final Two Years

Circuit	Nominee	Confirmed	Home Senate Senators
9th Cir. (ID)	Norman Randy Smith	02/15/07	Craig/Crapo (2R)
5th Cir. (TX)	Jennifer Walker Elrod	10/04/07	Hutchison/Cornyn (2R)
5th Cir. (MS)	Leslie Southwick	10/24/07	Cochran/Lott (2R)
5th Cir. (TX)	Catharina Haynes	04/10/08	Hutchison/Cornyn (2R)
3d Cir (PA)	Thomas M. Hardiman	03/15/07	Specter/Casey (1R/1D)
7th Cir (IN)	John Daniel Tinder	12/18/07	Lugar/Bayh (1R/1D)
4th Cir. (VA)	G. Steven Agee	05/20/08	Warner/Webb (1R/1D)
2d Cir. (NY)	Debra Ann Livingston	05/09/07	Schumer/Clinton (2D)
6th Cir. (MI)	Raymond M. Kethledge	06/24/08	Levin/Stabenow (2D)
6th Cir. (MI)	Helene N. White	06/24/08	Levin/Stabenow (2D)

Bill Clinton’s Circuit Court Confirmations in Final Two Years

Circuit	Nominee	Confirmed	Home Senate Senators
11th Cir. (FL)	Charles R. Wilson	07/30/99	Graham/Mack (1R/1D)
9th Cir. (WA)	Ronald Murray Gould	11/17/99	Gorton/Murray (1R/1D)
7th Cir. (IL)	Ann Claire Williams	11/10/99	Durbin/Fitzgerald (1R/1D)
3d Cir. (DE)	Thomas L. Ambro	02/10/00	Roth/Biden (1R/1D)
9th Cir. (WA)	Richard C. Tallman	05/24/00	Gorton/Murray (1R/1D)
2d Cir. (NY)	Robert A. Katzmann	07/14/99	Moynihan/Schumer (2D)
3d Cir. (NJ)	Maryanne Trump Barry	09/13/99	Lautenberg/Torricelli (2D)
9th Cir. (CA)	Raymond C. Fisher	10/05/99	Feinstein/Boxer (2D)
8th Cir. (ND)	Kermit Edward Bye	02/24/00	Conrad/Dorgan (2D)
3d Cir. (NJ)	Julio M. Fuentes	03/07/00	Lautenberg/Torricelli (2D)
9th Cir. (CA)	Marsha Siegel Berzon	03/09/00	Feinstein/Boxer (2D)
9th Cir. (CA)	Richard A. Paez	03/09/00	Feinstein/Boxer (2D)
9th Cir. (NV)	Johnnie B. Rawlinson	07/21/00	Reid/Bryan (2D)
Federal Cir.	Richard Linn	11/19/99	N/A
Federal Cir.	Timothy B. Dyk	05/24/00	N/A

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Ronald Reagan's Circuit Court Confirmations in Final Two Years

Circuit	Nominee	Confirmed	Home Senate Senators
9th Cir. (OR)	Edward Leavy	03/20/87	Hatfield/Packwood (2R)
7th Cir. (IN)	Michael Stephen Kanne	05/19/87	Lugar/Quayle (2R)
3d Cir. (PA)	William D. Hutchinson	08/05/87	Heinz/Specter (2R)
3d Cir. (PA)	Anthony Joseph Scirica	08/05/87	Heinz/Specter (2R)
10th Cir. (WY)	Wade Brorby	02/16/88	Simpson/Wallop (2R)
3d Cir. (PA)	Richard Lowell Nygaard	10/17/88	Heinz/Specter (2R)
5th Cir. (TX)	Jerry Edwin Smith	12/19/87	Bentsen/Gramm (1R/1D)
9th Cir. (CA)	Stephen S. Trott	03/24/88	Cranston/Wilson (1R/1D)
11th Cir. (AL)	Emmett Ripley Cox	04/15/88	Heflin/Shelby (1R/1D)
10th Cir. (CO)	David M. Ebel	04/19/88	Armstrong/Wirth (1R/1D)
3d Cir. (NJ)	Morton Ira Greenberg	03/20/87	Bradley/Lautenberg (2D)
8th Cir. (NE)	C. Arlen Beam	11/06/87	Zorinsky/Exon (2D)
3d Cir. (NJ)	Robert E. Cowen	11/06/87	Bradley/Lautenberg (2D)
5th Cir. (LA)	John Malcom Duhe, Jr.	10/14/88	Johnston, Jr./Breaux (2D)
Federal Cir.	Haldane Robert Mayer	06/11/87	N/A
DC Cir.	David Bryan Sentelle	09/09/87	N/A
Federal Cir.	Paul Redmond Michel	02/29/88	N/A

Appendix

Nominees Pending on the Senate Floor

Nominee	Race	Court	Days on Floor	Days Nom Pending	Hearing Date	Voted Out of Committee	Committee Vote	Judicial Emergency
Jeanne Davidson	W	CIT	224	395	9/17/14	2/5/15	Voice Vote	
Dale Drozd	W	EDCA	105	309	5/6/15	6/4/15	Voice Vote	Yes
Ann Donnelly	W	EDNY	105	301	5/6/15	6/4/15	Voice Vote	Yes
Lawrence Vilardo	W	WDNY	105	225	5/6/15	6/4/15	Voice Vote	
LaShann DeArcy Hall	AfA	EDNY	105	309	5/6/15	6/4/15	Voice Vote	Yes
L. Felipe Restrepo	H	3 rd Cir. (PA)	70	309	6/10/15	7/9/15	Voice Vote	Yes
Travis McDonough	W	EDTN	70	301	6/10/15	7/9/15	Voice Vote	
Waverly Crenshaw, Jr.	W	MDTN	70	225	6/10/15	7/9/15	Voice Vote	Yes

Nominees Pending in the Judiciary Committee

Nominee	Court	Race	Days Seat Vacant	Days Nom Pending	First Nomination	SJC Hearing Date	Judicial Emergency
Mary Flores	SDFL	W	493	203	2/26/15		Yes
Julien Neals	NJ	AfA	195	203	2/26/15		Yes
John Vazquez	NJ	H	213	175	3/26/15	7/22/15	Yes
Paula Xinis	MD	W	349	175	3/26/15	7/22/15	
Wilhelmina Wright	MN	AfA	47	155	4/15/15	7/22/15	Yes
Edward Stanton III	WDTN	AfA	78	119	5/21/15		
Brian Martinotti	NJ	W	94	98	6/11/15		Yes
Robert Rossiter, Jr.	NE	W	349	98	6/11/15		
Mark Young	CDCA	W	412	63	7/16/15		Yes
Leonard Strand	NDIA	W	105	58	7/21/15		Yes
Marilyn Horan	WDPA	W	717	49	7/30/15		
Inga Bernstein	MA	W	108	49	7/30/15		
Gary Brown	EDNY	W	239	49	7/30/15		Yes
Dax Lopez	NDGA	H	423	49	7/30/15		
John Younge	EDPA	AfA	668	49	7/30/15		
Gary Katzmann	Fed-CIT	W	200	49	7/30/15		
Elizabeth Drake	Fed-CIT	W	391	49	7/30/15		
Jennifer Groves	Fed-CIT	APA	367	49	7/30/15		
Susan Baxter	WDPA	W	762	49	7/30/15		
Robert Colville	WDPA	W	876	49	7/30/15		
Mary McElroy	RI	W	-14	9	9/8/15		
Clare Connors	HI	W	-50	9	9/8/15		
Stephanie Gallagher	MD	W	-137	9	9/8/15		
Rebecca G. Ebinger	SDIA	W	200	2	9/15/15		

Current Vacancies Without Nominees

Court	Reason for Vacancy	Prior Incumbent	Days Since Announced	Days Vacant	Judicial Emerg.	Controlling Senator(s)	Senators Party
SDNY	Senior	Paul A. Crotty	191	47		Schumer	Dem
WDNY	Senior	William Skretny	520	193		Schumer	Dem
3d Cir. (PA)	Senior	Marjorie Rendell	233	78		Casey/Toomey	Split
NJ	Senior	Bill Martini	350	219	Yes	Booker	Dem
EDNC	Senior	Malcolm Howard	3607	3547	Yes	Burr/Tillis	Rep
SC	Senior	Cameron Currie	1079	714	Yes	Graham/Scott	Rep
SC	Senior	Joseph Anderson	444	305		Graham/Scott	Rep
5th Cir. (TX)	Senior	Carolyn King	709	625	Yes	Cornyn/Cruz	Rep
5th Cir. (TX)	Senior	Emilio Garza	1324	1142	Yes	Cornyn/Cruz	Rep
EDLA	Senior	Ivan Lemelle	394	80		Vitter/Cassidy	Rep
EDTX	Retired	Leonard Davis	458	125	Yes	Cornyn/Cruz	Rep
EDTX	Senior	Richard Schell	556	191	Yes	Cornyn/Cruz	Rep
NDTX	Senior	Sam Cummings	433	260		Cornyn/Cruz	Rep
NDTX	Senior	Terry Means	898	806	Yes	Cornyn/Cruz	Rep
SDTX	Senior	Janis Jack	1904	1569	Yes	Cornyn/Cruz	Rep
SDTX	Elevated	Gregg Costa	637	486		Cornyn/Cruz	Rep
WDLA	Senior	Richard Haik	448	195		Vitter/Cassidy	Rep
WDTX	Senior	Robert Junell	597	216	Yes	Cornyn/Cruz	Rep
6th Cir. (KY)	Retired	Boyce Martin	829	762	Yes	McConnell/Paul	Rep
EDKY	Senior	Jennifer Coffman	1324	972		McConnell/Paul	Rep
WDKY	Senior	John Heyburn	561	534		McConnell/Paul	Rep
7th Cir. (IN)	Senior	John Tinder	562	211		Coats/Donnelly	Split
7th Cir. (WI)	Senior	Terence Evans	2207	2079		Baldwin/Johnson	Split
SDIN	Senior	Sarah Barker	535	444	Yes	Coats/Donnelly	Split
8th Cir. (ND)	Senior	Kermit Bye	275	148		Hoeven/Heitkamp	Split
ID	Senior	Edward Lodge	358	76	Yes	Crapo/Risch	Rep
KS	Senior	Kathryn Vratil	653	513		Roberts/Moran	Rep
UT	Senior	Brian T. Stewart	589	381		Hatch/Lee	Rep
WDOK	Senior	Robin Cauthron	233	65		Inhofe/Lankford	Rep
WDOK	Senior	Stephen Friot	540	290		Inhofe/Lankford	Rep
WDOK	Senior	David Russell	981	802		Inhofe/Lankford	Rep
11th Cir. (AL)	Senior	Joel Dubina	685	692	Yes	Shelby/Sessions	Rep
MDAL	Resigned	Mark Fuller	111	47	Yes	Shelby/Sessions	Rep
MDAL	Senior	Myron Thompson	756	756	Yes	Shelby/Sessions	Rep
MDFL	Senior	Anne Conway	360	47	Yes	Nelson/Rubio	Split
MDFL	Senior	John Steele	422	106	Yes	Nelson/Rubio	Split
NDAL	Senior	Sharon Blackburn	317	132		Shelby/Sessions	Rep
NDAL	Senior	Lynwood Smith Jr.	776	747		Shelby/Sessions	Rep