

**Statement for the Record | Senator Kamala D. Harris**  
**Senate Judiciary Committee | June 20, 2019**

Today, the Senate Judiciary Committee is voting on the nomination of Daniel Bress to the U.S. Court of Appeals for the Ninth Circuit, despite the fact that California's two senators strongly oppose this nomination.

Daniel Bress has been nominated to a federal judgeship in California, but he currently lives and practices law in the Washington, D.C. area, where he has been for more than a decade. He clerked for two federal judges on the East Coast. He has voted in Virginia for roughly the last decade. Bress lacks strong ties to the California legal community that, if confirmed, would appear in his courtroom every day. And there are many other qualified lawyers with strong California ties who could have filled this vacancy. That is why I continue to oppose Daniel Bress' nomination.

More broadly, the nomination of Daniel Bress reflects the continued degradation of Senate institutional norms. When the Senate Judiciary Committee allows a nominee from a different state to fill a federal appeals court vacancy, it is clear that the blue slip has no currency going forward. And if this is the path we have decided to take, then it seems unlikely that the blue slip will be protected in other circumstances.

There is still an opportunity for the White House to negotiate other California vacancies in good faith. There are 13 openings on California's district courts. And on June 11, the California Senators were informed of a new vacancy in California on the Ninth Circuit. I encourage the White House to treat this Ninth Circuit vacancy differently than the last three Ninth Circuit vacancies in California and respect the home-state prerogatives of the California Senators. I hope that we can reach an agreement.