

**Statement of Senator Patrick Leahy (D-Vt.),  
Ranking Member, Senate Judiciary Committee,  
Executive Business Meeting  
April 7, 2016**

Mr. Chairman, today I hope we will finally vote to report out three judicial nominees who have been on the agenda for nearly two months. Committee members want to continue to discuss how this Committee should function – but that cannot be used as an excuse to further delay action on lower court nominees or legislation.

We have not had a hearing for a single judicial nominee since January. It is now April. There are 29 judicial nominees waiting for a hearing, including 3 circuit court nominees whose home state Senators support them receiving a hearing. This Committee must return to its work of holding nominations hearings.

In addition, we have not had a single confirmation vote on a judicial nominee since early February. In the last two years of the Bush administration – with a Democratic majority – the Senate confirmed 68 judges. More than a year into this new Congress, the Republican leadership has allowed only 16 judges to be confirmed. I hope that Senate Republicans will stop delaying consideration of the 17 judicial nominees pending on the Executive Calendar. These are all nominees who were reported out of this Committee by voice vote.

The American people expect this Committee and their Senators to do their jobs. I am sure we all heard that same refrain when we were recently in our home states. By the end of the day every Democratic member of this Committee will have met with Chief Judge Garland. But those meetings are just a first step in a fair process.

Next, we all need to review his record for ourselves. No Senator – and certainly no one on this Committee – should outsource that important job to special interest groups. These outside groups are not accountable to the American people. These outside interest groups have spent millions of dollars to smear Chief Judge Garland’s admirable record of public service. Some Senators have claimed that their unprecedented obstruction against Chief Judge Garland is based on “principle, not the person.” But it is not principled to attack Chief Judge Garland’s sterling career and then refuse to allow him the chance to respond at a public hearing. This violates our basic understanding of fairness.

Since public confirmation hearings of Supreme Court nominees began in 1916, the Senate has never denied a Supreme Court nominee a hearing and a vote. And based on our experience confirming Supreme Court justices over the more than 40 years I have served in the Senate, Chief Judge Garland should have a hearing this month.

We should all be preparing for a hearing. Chief Judge Garland has a public record of almost two decades spent on the bench. Once we receive his updated Senate Questionnaire from the White House, we should all review those materials as well. I was elected to serve for six years, and I intend to do my job every day of that term. Vermonters expect no less.