

**Statement of Senator Patrick Leahy (D-Vt.),
Ranking Member, Senate Judiciary Committee
Executive Business Meeting
May 19, 2016**

I want to thank the Chairman for listing the ECPA Reform Act on the agenda. This bill passed the House last month by an astounding vote of 419 to 0. It ensures that the government has a warrant based on probable cause before it can obtain Americans' emails, texts or photos from their cloud providers. We have been working on this legislation for years and as a result we have earned support from across the spectrum -- from the ACLU and Leadership Conference on Civil and Human Rights, to the U.S. Chamber of Commerce and Heritage Action. I look forward to working with Committee members to report this bipartisan bill next week.

Yesterday Senate Democrats held a public meeting where we heard from four individuals who know Chief Judge Garland personally and who shared their perspectives on his character and his long record of public service. We heard from a former judge, a former cabinet secretary, a former law clerk, and a former prosecutor who was on the ground with Chief Judge Garland within hours of the Oklahoma City bombing. Their statements about Chief Judge Garland were remarkable.

Some on this Committee would rather disparage any public discussion of the pending Supreme Court nominee rather than defend their own inaction. But just because Republicans refuse to do *their* jobs on Judge Garland's nomination does not mean that we Democrats will stop doing *ours*. We take our constitutional duty to evaluate Supreme Court nominees seriously. And we will continue to do our jobs to examine Chief Judge Garland's record and qualifications to serve on the Court.

As Judge Lewis noted at our public meeting yesterday, the Republican obstruction of Merrick Garland has real consequences for the American people. So I would continue to urge the Chairman to hold a hearing and a vote on Judge Garland as soon as possible. A diminished Supreme Court that cannot serve its highest role under the Constitution hurts all Americans.

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