

**Statement of Senator Patrick Leahy (D-Vt.),  
Ranking Member, Senate Judiciary Committee  
Executive Business Meeting  
June 16, 2016**

Today the Committee will vote on four judicial nominees, three of which would fill judicial emergency vacancies. Once they are reported out, we will have 26 judicial nominees pending on the Senate floor. These nominees will fill vacancies in courts around the country, and yet there is little to no progress on confirming these nominees. In a stunning disregard of our Federal Judiciary, Republicans have stood by while judicial vacancies have piled up.

When Senate Republicans took over the majority last year, there were 43 judicial vacancies, 12 of which were emergency vacancies. Because of Republicans' refusal to do their jobs, vacancies have nearly doubled to 83, and emergency vacancies have nearly tripled to 30. Instead of addressing this judicial vacancy crisis, Republicans' only response is to cite the number of judges confirmed during President Obama's administration. But our job is not to hit some magic number and then pat ourselves on the back. Our job is to fill vacancies so that our justice system can function efficiently for Americans across the country. And Senate Republicans are failing.

Republicans are also failing our justice system and the American people by refusing to consider Chief Judge Merrick Garland's nomination to the Supreme Court. It has been 92 days since he was nominated. Chief Judge Garland has more Federal judicial experience than any nominee in history. Several Republicans on this Committee have supported him in the past. No one has dared claim he is unqualified for consideration by this Committee. But Senate Republicans are holding his nomination hostage for the Republican Party's presumptive presidential nominee; the same candidate who accused a sitting Federal judge of bias simply because of his race. Meanwhile, the Court has repeatedly deadlocked on cases and has been unable to serve its constitutional role.

It is unfathomable to me that Senate Republicans would prefer to diminish the Supreme Court for two terms rather than give Chief Judge Garland a fair and public hearing. But that is exactly what they are doing.

This Committee should not continue to undermine the Supreme Court's ability to serve its role under the Constitution as our Nation's final arbiter of law. It is past time to give Chief Judge Garland a hearing and a vote.

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