

Testimony of

# **The Honorable Patrick Leahy**

February 7, 2002

Opening Statement of Chairman Patrick Leahy

Judiciary Committee Business Meeting  
February 7, 2002

I welcome all Members back to the Committee at this, our first business meeting of the new session. We had a productive session last year under extremely difficult circumstances and I thank all those who cooperated in our important work.

I do not wish to delay the Committee Members from their responsibilities and will seek to proceed to vote on the items on the agenda as soon as we have assembled the necessary quorum so that we may act on the President's nominations.

I do want to mention two administrative matters: First, I think it worth announcing that Senator Hatch and I jointly sent a letter to the Rules Committee indicating our intention to continue sharing our budget equally not only this year, but in the next Congress, as well. This is an arrangement that I had discussed with Senator Hatch before the last federal elections in the fall of 2000. After those elections and the unprecedented 50-50 split in the Senate at the beginning of this Congress last year, this Committee and most Committees adopted an allocation based on parity rather than following the traditional Senate standard that had reserved two-thirds of all resources to the majority. With the historic change in Senate majority last summer, we nonetheless continued our arrangement with respect to the Committee budget. We are now indicating at the outset of this year that we intend to continue this parity arrangement into the next Congress. We both believe that this is a sensible and fair way to proceed and hope that it is seen for what it is, a concrete demonstration of bipartisanship and fairness.

Secondly, we have been working on revisions to our Committee web page. You can visit and review the format changes by clicking onto the beta version link on our current website. We hope to complete our work and proceed to implement the changes in the next several days. I mention it should anyone have additional suggestions they would like to make.

This is our first full week in session this year. Already, on the second day of this new session Senator Cantwell chaired a nominations hearing for six judicial nominations. I thank her for chairing that hearing and commend her on her excellent work. I hope that we will be acting on those nominees today as well as the nomination of David Bunning to a judgeship in Kentucky. We also have on the agenda a number of nominees selected by the administration to serve as U.S. Attorneys and U.S. Marshals.

With respect to the U.S. Attorneys, we did a good job last session confirming 59 U.S. Attorneys once the administration began sending us nominees and we received those nominations in

September. The Senate has already acted on another two U.S. Attorneys this year that we had reported at the end of last year. Today we consider two more.

With respect to the U.S. Marshal nominees, the administration did not send the first nomination to fill the critical law enforcement role of United States Marshal for almost 12 months-- until December 11, barely one week before we adjourned. During the course of our final business meeting last year, we received completed paperwork from the Department of Justice on the first Marshal nominee and reported it. That nomination has already been confirmed this year. I hope that today we are now prepared to act on more than a dozen more Marshal nominations for districts across the country that were received at the end of the last session.

This week Senator Feinstein chaired a hearing on the important issue of cloning. Senator Hatch and Senator Specter raised this matter just before the August recess last year and before the aftermath of September 11, 2001. I know that Senator Hatch and Senator Kennedy, Senator Specter, Senator Brownback and other interested members participated in that hearing on Tuesday and I thank Senators Feinstein, Hatch and Brownback for having cooperated in putting it together.

Just yesterday, we had a hearing on accountability issues that challenge us in the wake of the Enron collapse. I, again, thank Senator Hatch and his staff for their help in quickly organizing a hearing on such an important topic. In addition, I commend Senators Kennedy, Kohl, Feinstein, Feingold, Cantwell and Edwards for their participation and Senators Schumer, Durbin, Grassley and Brownback for their interest. These are matters on which this Committee may be considering legislation in the near future.

#####