

Statement of

The Honorable Patrick Leahy

United States Senator
Vermont
October 30, 2003

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On the Nomination of Judge William Sessions to
the United States Sentencing Commission
Executive Business Meeting of the Senate Judiciary Committee
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In January, Senator Hatch and I jointly wrote the President recommending that Judge Sessions be reappointed to the Sentencing Commission. That is not unique. The Chairman and I have often worked together to find good nominees for important positions in the Executive Branch and in our courts. What is unique is that this is the first nomination in three years that this President has sent to this Committee that is the result of a bipartisan process for the identification and selection of an Executive Branch nomination. None of the previous Sentencing Commission nominations of this Administration arose from such a bipartisan consultation process. None of the previous Parole Commission nominations arose from such a bipartisan consultation process. And none of this President's nominations to the Federal Court of Claims arose from such a bipartisan consultation process. I mention these because they had until this Administration been treated in a bipartisan way. I look forward to this Committee favorably reporting this nomination and the Senate confirming Judge Sessions to a full term on the Sentencing Commission without further delay.

When we were finally able to end years of discussion and work with the Clinton Administration to nominate a diverse and bipartisan group of Sentencing Commissioners, Judge Sessions, Professor Michael O'Neill and Judge Ruben Castillo were each accorded shorter terms than the full six years allowed by statute in order to stagger the expiration of terms into the future. We have already acted favorably on the President's unilaterally selected replacements for two Commissioners whose terms expired. We should now proceed in good faith to act on the President's nomination of Judge Sessions.

Judge Sessions is a hard-working and well-respected member of the federal bench who is also now serving as a member of the Judicial Conference's Judicial Branch Committee. He was confirmed in 1999 to serve on the Sentencing Commission with the unanimous consent of all Senators then serving. He has shown his ability to work cooperatively and productively with the other members of the Sentencing Commission with whom he has served, including Judge Joe Kendall of Texas, Professor O'Neill and this President's most recent appointments Judge Richard Hinojosa and Michael Horowitz of the Justice Department.

I thank Chairman Hatch and White House Counsel Alberto Gonzales for their support for this nomination and the President for recognizing Judge Sessions' outstanding contributions to the work of the Sentencing Commission and nominating him for reappointment.