

**Statement of Senator Patrick Leahy (D-Vt.),
Ranking Member, Senate Judiciary Committee,
Executive Business Meeting
March 17, 2016**

Mr. Chairman, you and I have served on the Judiciary Committee for a long time. We both have an appreciation for the difficult work of this Committee and the unique role it plays in our democracy.

Some of the most challenging issues of the day come to this Committee. And we confront them head on. You and I have worked closely together to make government more transparent, to respond to the opioid epidemic, to promote American innovation and to improve our criminal justice system. We do not avoid the hard issues. That is not what this Committee is about, and that is certainly not why either of us joined this Committee. Even where we do not agree on policy, you and I have found a way to ensure a fair and meaningful process, as we did when the Committee considered immigration reform last Congress.

There is nothing more significant to come before this Committee than the consideration of a Supreme Court nominee. I think we all share that view. It is a great responsibility and this Committee should not shy away from our responsibility.

Since public confirmation hearings of Supreme Court nominees began in this Committee a century ago, the Senate has never denied a Supreme Court nominee a hearing and a vote.

Mr. Chairman, **I agreed with you when this vacancy first arose and you said that we should take it “a step at a time”**. The President has taken the *first* step – by fulfilling his constitutional duty and sending the Senate a nominee. Chief Judge Garland is fair-minded and independent, and unquestionably qualified.

Now it is the Senate’s turn to take the next step. It is up to each one of us to meet with Chief Judge Garland and to review his record for ourselves. After we have done so, the American people deserve a chance to hear from Chief Judge Garland directly. That is why it is the longstanding, bipartisan practice of this Committee to hold public hearings. We should not be afraid to let sunlight into this process.

When the shoe was on the other political foot, and I was Chairman of this Committee with a Republican in the White House, I sent a [letter](#) with then-Ranking Member Hatch to all fellow Senators. **The Leahy-Hatch [letter](#) was a promise of fair treatment but also a reminder that this “Committee’s traditional practice has been to report Supreme Court nominees to the Senate once the Committee has completed its considerations. This has been true even in cases where Supreme Court nominees were opposed by a majority of the Judiciary Committee.”** This is because all 100 Senators need to be able to fulfill their constitutional role in considering Supreme Court nominations. Now the political parties in power are reversed and the question is whether Republicans will live up to the same standard.

Tomorrow, the Senate will adjourn for two weeks and we will return to our home states. I expect we will all hear from constituents about this vacancy. We should listen carefully. I am hearing from Vermonters that it is imperative that the Committee consider the nomination fully and fairly. We must do our jobs.

I hope that when we come back from the two week recess, we will return to upholding our time-honored, bipartisan process by considering Supreme Court nominees one step at a time. I plan to get to work.

#####