



Bush to resubmit blocked judicial nominees

Strengthened majority in new Senate could ease approvals

WASHINGTON (CNN) -- President Bush will renominate a group of judicial nominees who were blocked by Senate Democrats during his first term, the White House said Thursday.

"The president nominated highly qualified individuals to the federal courts during his first term, but the Senate failed to vote on many nominations," White House Press Secretary Scott McClellan said. "Unfortunately, this only exacerbates the issue of judicial vacancies, compounds the backlog of cases and delays timely justice for the American people."

After the November election, Republicans added to their majority in the Senate. They now control the chamber by a 10-vote margin, 55 to 45.

According to the Web site of the Department of Justice's Office of Legal Policy, Bush has nominated 34 people for appeals courts, and 18 of them have been confirmed. Of his 97 nominations for district courts, 88 were confirmed.

Republicans were angered during Bush's first term when Democrats used filibusters to block several of Bush's nominees to federal appellate courts. ([Full story](#))

With the expectation that Bush might soon get to make appointments to the Supreme Court, the issue has taken on even more prominence. ([Full story](#))

"The Senate has a constitutional obligation to vote up or down on a president's judicial nominees," McClellan said. "The president looks forward to working with the new Senate to ensure a well-functioning and independent judiciary."

In response to Republican charges of obstructionism, Senate Democrats have countered that they have voted to confirm the vast majority of Bush's judicial nominees and are blocking only those that are so conservative that they are out of the mainstream.

"I'm encouraged that the president plans to renominate these well-qualified candidates to the federal bench," said Sen. John Cornyn, a Texas Republican who is chairman of the Senate Judiciary Committee's Constitution subcommittee. "I hope that with a new Senate, tempered by the last two elections, we will have a fresh start to the confirmation process."

But Sen. Patrick Leahy, D-Vt., ranking member on the Senate Judiciary Committee, accused Bush of being divisive.

"The Bush Administration is ending the year as they began it, choosing confrontation

over compromise, ideology over moderation, and defiance over cooperation," he said in a written statement.

Leahy said Democrats have supported more than 200 of Bush's judicial nominees, and the federal court system has its lowest number of vacancies in 16 years.

"On some of their controversial nominees, they may prevail because of their monopoly of power. The big loser, however, will be the independence of our judicial branch of government."

Ralph G. Neas, president of People for the American Way, also sharply criticized Bush.

"The president has regrettably signaled his renewal of partisan warfare," Neas said, characterizing Bush's action as a "plan to re-nominate extremist nominees."

"The president and his team want to pack the federal courts with right-wing ideologues, and roll back decades of progress in social justice," he said. "This portends long, hard months of debate over the federal courts, and sends a truly disturbing signal of what we can expect if and when a Supreme Court vacancy occurs."

Senate Majority Leader Bill Frist said last month he hoped Senate Democrats would drop their filibusters against Bush's judicial nominees, but said if they did not, he would change Senate rules to end the practice. He said, however, that Republican gains in the Senate might make such a change unnecessary.

Earlier this month, Judge Charles Pickering Sr., named to a recess appointment on a federal appeals court after Senate Democrats blocked his nomination, said he will retire. Pickering, 67, blamed Democrats for forcing him to step down. ([Full story](#))

Those the White House said will be renominated, the respective courts and the dates on which they were first nominated are:

For the Court of Appeals:

- Terrence W. Boyle (4th Circuit; May 9, 2001)
- Priscilla Richman Owen (5th Circuit; May 9, 2001)
- David W. McKeague (6th Circuit; Nov. 8, 2001)
- Susan Bieke Neilson (6th Circuit; Nov. 8, 2001)
- Henry W. Saad (6th Circuit; Nov. 8, 2001)
- Richard A. Griffin (6th Circuit; June 26, 2002)
- William H. Pryor (11th Circuit; April 9, 2003)
- William Gerry Myers III (9th Circuit; May 15, 2003)
- Janice Rogers Brown (D.C. Circuit; July 25, 2003)
- Brett M. Kavanaugh (D.C. Circuit; July 25, 2003)

- William James Haynes II (4th Circuit; Sept. 29, 2003)
- Thomas B. Griffith (D.C. Circuit; May 10, 2004)

For District Courts:

- James C. Dever III (Eastern District, N.C.; May 22, 2002)
- Thomas L. Ludington (Eastern District, Mich.; Sept. 12, 2002)
- Robert J. Conrad (Western District, N.C.; April 28, 2003)
- Daniel P. Ryan (Eastern District, Mich.; April 28, 2003)
- Peter G. Sheridan (N.J.; Nov. 5, 2003)
- Paul A. Crotty (Southern District, N.Y.; Sept. 7, 2004)
- Sean F. Cox (Eastern District, Mich.; Sept. 10, 2004)
- J. Michael Seabright (Hawaii, Sept. 15, 2004)

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