



Statement by Senator Dianne Feinstein on  
The Nomination to the Supreme Court  
July 19, 2005

**“The President has named John G. Roberts to become Sandra Day O’Connor’s replacement on the Supreme Court. Now the Judiciary Committee, of which I am a member, will go to work.**

**Our staff will analyze his record and biography. The FBI investigation will be conducted. Writings and cases will be reviewed. Speeches will be read. All this information will be put together to give members of the Committee a clear background on the nominee.**

**Then most likely, in September, hearings will begin, and we will have an opportunity to ask questions verbally. That opportunity will be followed up by questions in writing. This process is how Congress exercises its due diligence in carrying out its independent role of advise and consent. This is the process for nominations to the federal district courts as well as for the U.S. Supreme Court.**

**The U.S. Supreme Court is particularly critical and important. It is the court of last resort and, as such, is the court that interprets and protects our constitutional rights and freedoms. In the case of the Rehnquist court, we have seen a line of decisions that has limited Congress’ ability to solve many of the social issues of our day by narrowly reading Congress’s authority under the Commerce Clause, the Spending Clause, and the Equal Protection Clause.**

**The new justice will be critical in the balance with respect to rulings on Congressional authority, as well as a woman’s right to privacy, environmental protections, and many other aspects of Constitutional law in the United States.**

**I generally have a policy of reserving judgment on a particular nominee prior to the Judiciary Committee conducting its review. I will keep my ‘powder dry’ until the due diligence is completed. The extraordinary importance of this position cannot be understated. Now the work begins.”**

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