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Smith Leads Effort to Block Activist Judicial Nominees

(WASHINGTON, D.C.) – Senator Bob Smith (R-NH) today led the fight on the Senate floor to block the nominations of two activist Clinton judicial nominees. Smith led a filibuster yesterday on the nomination of Richard A. Paez and Marsha Berzon to the 9th U.S. Circuit Court of Appeals, and today managed the Senate floor for the debate on the nominations. "Paez and Berzon are activist judges. I think they are out of the mainstream of American thought and I don't think either one should be on the court," Smith said today on the Senate floor. Smith, along with Senator Jeff Sessions (R-AL), built a coalition of several moderate and conservative Senators in an effort to block these nominations. Smith and Sessions's motion to indefinitely delay the confirmation of Paez failed to pass the Senate 31-67. In his floor speech today, Smith outlined the activist philosophies of Paez and Berzon. Smith described the activist foreign policy agenda of Paez, and his role in working out a lenient plea bargain between Democratic fund-raiser John Huang and the Clinton Justice Department. Huang was accused of making \$1 million in illegal contributions that the Democratic National Committee returned after the 1996 presidential election. Berzon, according to Smith, has been the general counsel of the AFL-CIO since 1987 and has also espoused pro-abortion causes. Ms. Berzon also has served on the board of the Brennan Center for Justice, a liberal organization noted for its defense of activist judges. The confirmation of Richard A. Paez passed the Senate 59-39, and Marsha Berzon passed 64-34. "Ironically, just as we are debating the confirmation of these two activist judges in Washington, D.C., Judge Joseph Nadeau was hastily appointed to the Supreme Court in New Hampshire yesterday, despite questions surrounding the secrecy of his past judicial decisions," Smith said. "Whether the debate happens at the federal level or in New Hampshire, we must remember that judges we confirm or deny will be among the greatest and far-reaching of our legacies. We have a solemn obligation to make sure our courts are filled only with judges who uphold and abide by the transcendent ideals explicitly stated in our Constitution and the Bill of Rights."

