United States Senate

COMMITTEE ON THE JUDICIARY
WASHINGTON, DC 20510–6275

November 22, 2005

The Honorable Samuel A. Alito
United States Circuit Judge for the Third Circuit
357 U.S. Post Office and Courthouse
Federal Square and Walnut Street
Newark, NJ 07101

Dear Judge Alito:

On October 31, 2005, the President announced his intention to nominate you in lieu of Harriet Miers to be an Associate Justice on the Supreme Court of the United States. As you will recall, by the end of that week, before we had received a nomination or any accompanying paperwork, Chairman Specter announced his intention to begin the confirmation hearing on your nomination on January 9, 2006.

Since then the process has proceeded much less efficiently than I would have expected. The nomination was not sent to the Senate for several days and was not official until November 10. The Committee promptly sent to you our background questionnaire. This is intended to provide basic information and materials necessary for us to prepare for your hearing. Regrettably, we have yet to receive your response and have not been provided that information and those materials. Instead, more than 10 days have elapsed without response. Ten days has provided adequate time for other Supreme Court nominees to respond to the Committee since the 1980's. Even more disconcerting is the indication that we should not expect to receive your response until another week passes.

The information requested by the questionnaire is important. The unpublished opinions, speeches, writings, and other materials are not otherwise available to us. I urge you to provide the requested information and materials without further delay. These delays make it more and more difficult to be prepared to begin hearings in early January, as previously announced. With the delays and the holidays, half the preparation time is being lost.

I urge you to cooperate with us by forwarding the requested information and materials without further delay.

Sincerely,

Patrick Leahy

PATRICK LEAHY
Ranking Democratic Member

Cc: Senator Arlen Specter