

Withdrawn/Redacted Material

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DOCUMENT NO.	FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
001	Draft	In the Senate of the United States [3 PAGES RELEASED IN WHOLE ON PRA RE-REVIEW 09/15/2025 JLS]	3	04/08/2003	

COLLECTION TITLE:

Counsel's Office, White House

SERIES:

Kavanaugh, Brett - Subject Files

FOLDER TITLE:

Judges - Plan, Specter Proposal 2003

FRC ID:

9800

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

Deed of Gift Restrictions

- A. Closed by Executive Order 13526 governing access to national security information.
- B. Closed by statute or by the agency which originated the document.
- C. Closed in accordance with restrictions contained in donor's deed of gift.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

Records Not Subject to FOIA

Court Sealed - The document is withheld under a court seal and is not subject to the Freedom of Information Act.

2017-0345-F

2018-0016-P

2018-0016-P 2

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SUPERSEDED

DOCUMENT NO.	FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
001	Draft	In the Senate of the United States	3	04/08/2003	P5;

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APR 7 2003 3:34PM

SENATOR SPECTER

NO. 359

P. 274

H:\COE\COE02.A82

S.L.C.

108th107th CONGRESS2nd SESSION1st

S. RES. _____

IN THE SENATE OF THE UNITED STATES

Mr. SPECTER submitted the following resolution; which was referred to the
Committee on _____

RESOLUTION

Providing for a protocol for nonpartisan confirmation of
judicial nominees.

Whereas there has been a continuing controversy with the po-
litical ~~party of the President protesting the~~ process on
confirmation of Federal judges by the Senate ~~when the~~
~~Senate is controlled by the opposite political party; and~~

Whereas there is a concern about a lack of public confidence
in the Senate's judicial confirmation process ~~when dif-~~
~~ferent parties control the White House and the Senate.~~
Now, therefore, be it

1 *Resolved,*

2 SECTION 1. PROTOCOL FOR NONPARTISAN CONFIRMATION
3 OF JUDICIAL NOMINEES.

4 (a) TIMETABLES.—

APR 7 2003 1:31:35 PM

SENATOR SPECTER

NO. 359

P. 3/4

H:\COE\COE02.A82

S.L.C.

(3) The Chairman of the Committee on the Judiciary, and the Majority Leader, shall have discretion to depart from the time tables noted in paragraphs (1) and (2) where a judicial nomination is submitted or reported out of the Committee on the Judiciary within 30 days of adjournment sine die.

(1) COMMITTEE TIMETABLES.—The Chairman of the Committee on the Judiciary, in collaboration with the Ranking Member, shall—

(A) establish a timetable for hearings for nominees to the United States district courts, courts of appeal, and Supreme Court, to occur within 30 days after the names of such nominees have been submitted to the Senate by the President; and

(B) establish a timetable for action by the full Committee to occur within 30 days after the hearings, and for reporting out nominees to the full Senate.

(2) SENATE TIMETABLES.—The Majority Leader shall establish a timetable for action by the full Senate to occur within 30 days after the Committee on the Judiciary has reported out the nominations.

(b) EXTENSION OF TIMETABLES.—

(1) COMMITTEE EXTENSIONS.—The Chairman of the Committee on the Judiciary, with notice to the Ranking Member, may extend by a period not to exceed 30 days, the time for action by the Committee for cause, such as the need for more investigation or additional hearings.

(2) SENATE EXTENSIONS.—

(c) The committee extensions noted in subparagraphs (a) and (b) shall in no case run consecutively.

consultation
(B) Upon the request of any member of the Committee on the Judiciary, the Chairman shall extend for a period of 30 days the time for action by the Committee.
not to exceed 30 days

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SENATOR SPECTER

NO 359

P. 4/4

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S.L.O.

3

1 (A) IN GENERAL.—The Majority Leader,
2 with notice to the Minority Leader, ~~in his discretion~~ may extend
3 by a period not to exceed 30 days, the time for
4 floor action for cause, such as the need for
5 more investigation or additional hearings.

6 (B) RECESS PERIOD.—Any day of a recess
7 ~~period of the Senate~~ ^{pursuant to a concurrent resolution} shall not be included in the
8 ~~extension periods described under subparagraph~~ ^{timetables and herein.}
9 ~~(A).~~

10 (c) REPORT OF NOMINATION TO SENATE.—

11 ~~(1)~~ ^{Judicial} NOMINATION TO SUPREME COURT.—Re-
12 gardless of the vote of the Committee on the Judici-
13 ary, a ~~nomination for the Supreme Court of the~~
14 ~~United States~~ shall be reported by the Committee
15 for action by the full Senate.

16 ~~(2) NOMINATION TO DISTRICT COURT OR~~
17 ~~COURT OF APPEALS. If a nomination for the~~
18 ~~United States district court or court of appeals is re-~~
19 ~~jected by the Committee on the Judiciary on a party~~
20 ~~line vote, the nomination shall be reported by the~~
21 ~~Committee for action by the full Senate.~~