

**PRESIDENT WILLIAM J. CLINTON
TALKING POINTS FOR
FEDERAL JUDGES ASSOCIATION RECEPTION
The East Room
MAY 14, 1997**

Acknowledgments: Earl Britt (outgoing President); Alan Nevas [NEH-vuss] (incoming President); The Honorable Ramon Rodriguez Arribas [ah-REE-bahss], President of the International Association of Judges.

For fifteen years, the Federal Judges Association has lived up to its motto: “to seek the highest quality of justice for the people of the United States.” It is a goal we share.

From the start, our administration has sought to build a strong judiciary of the most competent, qualified and diverse jurists in the nation. The American Bar Association has rated our appointees more qualified than any other Administration’s appointments in history. And I am proud to say we have nominated more women, African Americans and Hispanics than ever before. The results are clear: quality and diversity can go hand-in-hand when we do everything possible to attract our best and brightest to the judiciary.

The Framers of the Constitution knew that the independence of our nation’s judiciary is a measure of its commitment to democracy. They were challenged from all sides as they laid in place the architecture of our federal judiciary. The lifetime appointment provision in the Constitution for Article III judges was hotly debated because of the unbounded authority it granted. In the end, the Framers decided that judicial independence was worth the risk. Throughout our history, we have upheld the rule of law that they fought for and we must continue to do so now.

In the past few months, there have been shrill calls from some quarters to alter the judicial nomination process, and even to impeach sitting judges -- not for “high crimes and misdemeanors” -- but for their judicial philosophy. We must resist such efforts and get down to the real work of confirming judges, easing the “crisis of workload” about which Chief Justice Rehnquist has repeatedly warned. Our system of justice depends on it.

I am happy to say that in recent weeks we have seen some discernible progress: with 29 nominations already sent to the Senate, 2 more on the way this week, and 15-20 in the pipeline and expected before the July 4th recess, we should have nominees for almost half the current vacancies in the next 2 months. We salute the leadership of Senator Hatch and Senator Leahy and many others in moving the process along. I look forward to working together for further progress.

DRAFT

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PRESIDENT WILLIAM J. CLINTON
VIDEO MESSAGE FOR SUMNER REDSTONE
NATL. ACADEMY OF TELEVISION ARTS AND SCIENCES TRUSTEE'S AWARD
MAY 15th, 1997

Sumner, I want to congratulate you on receiving the trustee's award from the National Academy of Television Arts and Sciences. The prestige of this award matches the excellence that you have demonstrated consistently over the years . . . as an educator at Harvard Law and Brandeis University, in leading our telecommunications industry forward, and making entertainment one of this country's most valuable exports. Your commitment to Viacom, to the entire industry, and our educational system is XXXX [truly inspiring?]

You have helped revolutionize and democratize education in a way that no one ever has in the history of this country. Under your chairmanship, the Corporate Commission on Education Technology is helping us put computers in every classroom, train our teachers, provide the best educational software available and give all of our students access to unlimited information.

The partnership you have forged ~~is one which~~ will not only transform our educational system but provide a shining example of what government can do with the assistance and guidance of the business community. ~~Together we are preparing our children for the 21st Century.~~ Sumner, I am grateful for your hard work and your vision.]

M I wish I could be with you personally to share in this tribute. Please know that Hilary and I are thinking of you at the White House and sending you our warmest wishes.

all we can achieve when
gov't & private bus.
join forces to help

(212) 484-7434
(212) 484-7735 for program our child
for.
You have work & vision
have

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From the start, our administration has sought to build a strong judiciary of the most competent, qualified and diverse jurists in the nation. I am gratified that more of our appointees have been rated well qualified by the American Bar Association than any other Administration in history, while at the same time bringing more women, African Americans and Hispanics into the process than ever before. The results are clear: quality and diversity can go hand-in-hand when we do everything ~~possible~~ we can to attract our best and brightest to the judiciary. ✓

The Framers of the Constitution knew very well that the independence of our nation's judiciary is a key measure of its commitment to democracy. They were challenged from all sides as they laid in place the architecture of our federal judiciary. The lifetime appointment provision for Article III judges was ~~heatedly~~ hotly debated because it was the only of the const- unbounded entitlement to appear in the draft document. In the end, the Framers decided that judicial independence was worth the risk and throughout our history, we have upheld the we must continue to do so now. that they fought for, and we must continue to do so now.

In the past few months, there have been shrill calls from some quarters to alter the judicial nomination process, and even to impeach sitting judges -- not for "high crimes and misdemeanors" -- but for their judicial philosophy. I hope this period is behind us so that we can get down to the real work of confirming judges and ease the "crisis of workload" about which Chief Justice Rehnquist has repeatedly warned. we need our system of justice depends on it.

I am happy to say that in recent weeks we have seen some discernible progress with 27 pending nominations, 2 more on the way this week, and 15-20 in the pipeline and expected before the July 4th recess, we should have nominees for almost half the current vacancies in the next 2 months. We salute the leadership of Senator Hatch and Senator Leahy and many others in moving the process along, and we look forward to

This is

Carolyn

Draft 5/13/97 5:00pm

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THE EAST ROOM
MAY 14, 1997**

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Pres. Clinton Assoc. Judges J43

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nominated

Since I took office, I am proud to say that we have appointed more women, more African Americans and more Hispanics than any other administration in the history of this country. I am committed to nominating the most qualified men and women to serve on the Federal bench. *Working together, we must do everything we can to attract our nation's best and brightest to the judiciary.*

I am committed to nominating the most qualified diverse men and women to the bench

Our founders knew well that the independence of a country's judiciary are a measure of its commitment to democracy. The injustices of the Star Chamber, laws written by those in power to defeat political enemies, and insufficient safeguards for civil liberties were foremost in the minds of the framers when they laid in place the architecture of our federal judiciary.

An independent judiciary is just as important today as it was then. That is why we must do every thing we can. . . .

Confirmation Process: efforts to undermine time honored tradition and make partisan, the antithesis of what the Framers envisioned . . .

Progress:

In the learned opinions of the Federal judiciary, we can read the history of our country: from maritime law to antitrust, from criminal procedure to intellectual property . . . even to the



Laura K. Capps
05/14/97 11:34:40 AM

Record Type: Record

To: Douglas J. Band/WHO/EOP

CC:

Subject: pls. read the new sentence in italics.

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MAY 14, 1997**

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From the start, our administration has sought to build a strong judiciary of the most competent, qualified and diverse jurists in the nation. The American Bar Association has rated our appointees, on the whole, more qualified than in any other Administration in history. And I am proud to say we have nominated more women, African Americans and Hispanics than ever before. The results are clear: quality and diversity can go hand-in-hand when we do everything possible to attract our best and brightest to the judiciary.

The Framers of the Constitution knew that the independence of our nation’s judiciary is a measure of its commitment to democracy. They were challenged from all sides as they laid in place the architecture of our federal judiciary. The lifetime appointment provision for Article III judges was hotly debated because it was the only ~~unbounded~~ *grant of such unbounded authority* ~~entitlement~~ to appear in the draft document of the Constitution. In the end, the Framers decided that judicial independence was worth the risk. Throughout our history, we have upheld the rule of law that they fought for and we must continue to do so now.

In the past few months, there have been shrill calls from some quarters to alter the judicial nomination process, and even to impeach sitting judges -- not for “high crimes

TALKING POINTS FOR THE PRESIDENT'S WELCOMING REMARKS TO THE FEDERAL
JUDGES ASSOCIATION
MAY 14, 1997

ACKNOWLEDGMENTS: PRES. EARL BRITT; (Outgoing) neh-
PRES. ALAN NEVINS ~~CAROL ANN NEVINS~~ vess

1. The Federal Judges Association is a voluntary association of active, senior status and retired judges of the U.S. Federal Courts. It has 748 members. PRES., INT'L JUDGES ASSOC. The Honorable Ramon Rodriguez Arribas;
2. The Federal Judges Association is celebrating its fifteenth anniversary tomorrow (May 15, 1997).
3. In many ways, the Association's anniversary comes at a significant juncture for all of us in other branches of government -- because it reminds us, as we get caught up in the windy rhetoric now surrounding judicial nominations, of the Association's mission statement: "to seek the highest quality of justice for the people of the United States."
4. To do that, each of us needs to do our part to help the judiciary continue to attract and retain the best qualified men and women for judicial service and to protect the independence of the judiciary from intimidation in any fashion.
4. Your work -- and the contribution it makes to the history and the direction of our nation -- stretches far beyond the learned opinions that shape our jurisprudence on every subject, from maritime law to antitrust, from criminal procedure to, even, the Rule in Shelly's case (!).
 - Equally important is how each of you -- and collectively, all of you -- serve as role models for all our citizens -- but most significantly our youth -- by instilling respect for that most valued tradition in our democracy, the rule of law.
5. Yes, most assuredly, we are the world's "oldest" constitutional democracy; but the debate over the core precepts that underlie the architecture of our Republic is renewed every generation. In that sense, our Republic, our Constitution, is forever young.
6. But because the very concept of judicial independence have been questioned by some in recent months, it never hurts to remind ourselves of the difficult task facing the Framers of the Constitution in gathering support for a truly independent judiciary.
 - Of all the many impositions experienced by the colonies, none was more despised or damaging than the arbitrariness with which the law was applied.
 - While the nature of the colonists' discontent was clear, the solution for the emerging Republic was not. For fashioning a system to establish the rule of law was not without risk.

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Talking Points For
Federal Judges Association Reception
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May 14, 1997**

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For fifteen years, the Federal Judges Association has lived up to its motto: “to seek the highest quality of justice for the people of the United States.” It is a goal we share. From the start, our administration has sought to build a strong judiciary of the most competent jurists in the nation.

I am committed to appointing the most qualified and diverse men and women to the federal bench. Since I took office, I am proud to say that we have nominated more women, more African Americans and more Hispanics than any other administration in the history of this country. More of our appointments have been rated “well qualified” by the American Bar Association than ever before. Working together, we must do everything we can to attract our nation’s best and brightest to the judiciary.

The Framers knew that the independence of a country’s judiciary is a measure of its commitment to democracy. They were challenged from all sides as they laid in place the architecture of our federal judiciary. Foremost in their minds were the injustices of the Star Chamber, biased laws written with political intent, and insufficient safeguards for civil liberties. We must honor their commitment by continuing our *struggle* to ensure judicial independence.

We will do so by moving forward and getting down to the real work at hand of confirming judges. I am happy to say that in recent weeks we have seen some discernible progress in easing the crisis in the courts: With 29 pending nominations, 2 more on the way this week, and 15-20 in the pipeline and expected before the July 4th recess, we should have nominees for almost half the current vacancies in the next 2 months. We salute the leadership of Senator Hatch and Senator Leahy and many others in moving the process along.

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7. Judicial independence was the key to the rule of law; but how best to ensure it?

-- In the end, the Framers made a grant of a lifetime appointment to all Article III judges. It was the only time they allowed such an unbounded entitlement to appear in a document that was supposed to break all bonds with a monarchical past. But judicial independence was viewed as worth the risk.

8. For many of you who live outside the Beltway, the recent news and words coming out of Washington about the judicial nominations process must be astounding.

-- There are now movements springing up to change the basic nature of the confirmation process.

-- Judicial activism is now code words for a concept so large -- and so amorphous -- that every candidate forswears such a future propensity if put on the bench.

-- There are even demands for impeachment of "sitting judges" -- not for "high crimes and misdemeanors" but for -- of course -- opinions that smack of judicial activism.

(1) reg' in maj. vote of sen. in district to confirm
(2) turning power of nomination to sec. nominee

9. I am still hopeful that we will leave behind this early period of shrillness and get down to the real work at hand of confirming judges. There is no other way to ease the "crisis of workload" which Chief Justice Rehnquist referred to in his annual State of the Judiciary Report this past January.

10. In recent weeks -- I am happy to say -- we have seen some discernible progress in moving forward with the confirmation process. We salute the leadership of Senator Hatch and Senator Leahy and many others in this regard.

of our nominees)

a) We hope this pattern continues as we work through the summer and fall of the First Session of the 105th Congress.

b) With 29 pending nominations, 2 more on the way this week, and 15-20 in the pipeline and expected before the July 4th recess, we should have nominees for almost half the current vacancies in the next 2 months -- a good start to moving the process forward to ease the crisis in the courts.

11. Lastly, I want to make a comment on quality and diversity.

-- One of the accomplishments of the First Term of which I am most proud is the fact that we have nominated more minorities and women than any other Administration in a comparable period.

→ women, hispanics

-- During the same periods, we have nominated more candidates rated "well qualified" by the American Bar Association.

-- I think the numbers tell the story: diversity and quality can go hand-in-hand if there is commitment to equal opportunity.

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Rule in Shelly's Case, your work stretches far beyond the learned opinions that shape our nation's jurisprudence.

7. Some comparative statistics are listed below:

African Americans appointed to the Federal Judiciary:

Clinton I	38/204	(18.6%)	+
Bush	13/195	(6.6%)	
Reagan II	5/218	(2.3%)	
Reagan I	2/167	(1.1%)	
Carter I	38/265	(14.3%)	

Women appointed to the Federal Judiciary:

Clinton I	61/204	(29.9%)	+
Bush	37/195	(18.9%)	
Reagan II	17/218	(7.8%)	
Reagan I	15/167	(9.8%)	
Carter	41/265	(15.4%)	

Hispanics appointed to the Federal Judiciary:

Clinton I	16/204	(7.8%)	+
Bush	8/195	(4.1%)	
Reagan II	7/218	(3.2%)	
Reagan I	8/167	(4.7%)	
Carter	16/265	(6.0%)	

... more ♀, more african american,
more hispanics to the Fed'l
Jud. Than any administration
in history of our country.

continue
recor

... of 29 nominations before 105 th
18 Male
11 Female