

**Received(Date):** 2 NOV 2001 10:18:02

**From:** Matthew E. Smith ( CN=Matthew E. Smith/OU=WHO/O=EOP [ WHO ] )

**To:** Bradford A. Berenson ( CN=Bradford A. Berenson/OU=WHO/O=EOP@EOP [ WHO ] ), Brett Kavanaugh ( Brett Kavanaugh [ WHO ] ), Jason B. Torchinsky ( CN=Jason B. Torchinsky/OU=WHO/O=EOP@EOP [ WHO ] )

**Subject:** : Yesterday's hearing.

[P\\_76F14004\\_WHO.TXT\\_1.html](#)

##### Begin Original ARMS Header #####

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR:Matthew E. Smith ( CN=Matthew E. Smith/OU=WHO/O=EOP [ WHO ] )

CREATION DATE/TIME: 2-NOV-2001 10:18:02.00

SUBJECT:: Yesterday's hearing.

TO:Bradford A. Berenson ( CN=Bradford A. Berenson/OU=WHO/O=EOP@EOP [ WHO ] )

READ:UNKNOWN

TO:Brett Kavanaugh ( Brett Kavanaugh [ WHO ] )

READ:UNKNOWN

TO:Jason B. Torchinsky ( CN=Jason B. Torchinsky/OU=WHO/O=EOP@EOP [ WHO ] )

READ:UNKNOWN

##### End Original ARMS Header #####

----- Forwarded by Matthew E. Smith/WHO/EOP on 11/02/2001  
10:17 AM -----

(b)(6)

11/02/2001 09:58:28 AM

Record Type: Record

To: (b)(6)

cc:

Subject: Yesterday's hearing.

Subj: RE: What happened?

Date: 11/2/2001 9:46:47 AM Eastern Standard Time

From: [jnowacki@freecongress.org](mailto:jnowacki@freecongress.org) (John Nowacki)

To: (b)(6), [Ed\\_Haden@judiciary.senate.gov](mailto:Ed_Haden@judiciary.senate.gov)  
([Ed\\_Haden@judiciary.senate.gov](mailto:Ed_Haden@judiciary.senate.gov))

Five nominees reported out: Clement (18-0, Feingold voted "present"), Armijo, Bowdre, Friot, and Hicks (all 19-0, with several by proxy). Wooten held over until next week; Leahy said there will be a vote then. Also said that both parties' investigators and the FBI have looked into the "questions" raised about his nomination, and he urged colleagues to read the report.

Present, in whole or in part: Cantrell, Feingold, Sessions, McConnell, Hatch, Thurmond, Leahy, Feinstein, DeWine, Durbin, Brownback, Grassley, Kyl, and Kohl (who came in at the end).

[paraphrased]

LEAHY: Some of these judges have not yet completed their paperwork and will not get a floor vote until they do. "I have no intention of holding them up."

KYL: Do I understand, does this paperwork consist of additional questions you submitted after their hearing?

LEAHY: Yes, and other Senators.

KYL: Questions were submitted on the 30th -- were they from proposed modifications to the questionnaire?

LEAHY: No. They have the questions, and they are easy to answer.

KYL: I'm worried about a "moving goalpost."

LEAHY: DoJ knows this is not a moving goalpost.

> -----Original Message-----

> From: [REDACTED] (b)(6)

> Sent: Friday, November 02, 2001 9:36 AM

> To: jnowacki@freecongress.org; Ed\_Haden@judiciary.senate.gov

> Subject: What happened?

>

> what happened? Particularly in Terry Wooten's case?

>

> October 29, 2001

> An executive business meeting has been scheduled by the Committee on the

> Judiciary, for Thursday, November 1, 2001, at 10:00 a.m., in the Senate

> Dirksen Building, Room 226.

> Chairman Leahy will preside.

> By order of the Chairman

> AGENDA

> Executive Business Meeting

> Senate Judiciary Committee

> Thursday, November 1, 2001

> 226 Dirksen Senate Office Building

> 10:00 a.m.

> I. Nominations

> Edith Brown Clement to be U.S. Circuit Court Judge for the 5th Circuit

> M. Christina Armijo to be U. S. District Court Judge for the District of

> New Mexico

> Karon O. Bowdre to be U. S. District Court Judge for the Northern  
District

> of Alabama

> Stephen P. Friot to be U. S. District Court Judge for the Western  
District

> of Oklahoma

> Larry R. Hicks to be U. S. District Court Judge for the District of  
Nevada

> Terry L. Wooten to be U.S. District Court Judge for the District of

> South Carolina

> Juan Carlos Benitez to be Special Counsel for Immigration-Related Unfair

- > Employment Practices
- > Sharee Freeman to be Director of the Community Relations Service
- >
- > John P. Walters to be Director of the Office of National Drug Control
- > Policy
- >
- >
- >
- > Agenda, Page Two
- >
- > To Be United States Attorney:
- > Leura Garrett Canary, Middle District of Alabama
- > Paul K. Charlton, District of Arizona
- > Jeffrey G. Collins, Eastern District of Michigan
- > William S. Duffey, Jr., Northern District of Georgia
- > Dunn Lampton, Southern District of Mississippi
- > Alice Howze Martin, Northern District of Alabama
- > William Walter Mercer, District of Montana
- > Thomas E. Moss, District of Idaho
- > J. Strom Thurmond, Jr., District of South Carolina
- > Maxwell Wood, Middle District of Georgia
- > Drew H. Wrigley, District of North Dakota
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- att1.htm

ATT CREATION TIME/DATE: 0 00:00:00.00  
File attachment <P\_76FI4004\_WHO.TXT\_1>

Subj: **RE: What happened?**

Date: 11/2/2001 9:46:47 AM Eastern Standard Time

From: jnowacki@freecongress.org (John Nowacki)

To: (b)(6) Ed\_Haden@judiciary.senate.gov  
(Ed\_Haden@judiciary.senate.gov)

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Agenda, Page Two

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J. Strom Thurmond, Jr., District of South Carolina

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Drew H. Wrigley, District of North Dakota