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**Subject:** : Hearing article

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SUBJECT:: Hearing article

TO: Ashley Snee ( CN=Ashley Snee/OU=WHO/O=EOP@Exchange [ WHO ] )

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Note the point about the other nominee for panel III

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News

Bill Pryor Senate Confirmation Hearing

Alabama attorney general's Judiciary Committee hearing

set to begin Wednesday

06/07/03

By SEAN REILLY  
Washington Bureau

WASHINGTON -- The same day the Senate Judiciary Committee holds a hearing on Alabama Attorney General Bill Pryor's candidacy for a federal judgeship, it will also consider a nominee to head the federal office created by a 1994 law intended to combat domestic violence and sexual assaults against women.

Considering that Pryor, a Republican and Mobile native, backed a move that killed a key provision in that same statute, it's a coincidence that some find ironic. And Pryor's position in that case is one of a number of subjects that will be brought up at Wednesday's hearing, according to staffers for senior Democratic senators.

"That will certainly be an issue that the committee will examine," said David Carle, a spokesman for Sen. Patrick Leahy of Vermont, the panel's top Democrat.

Carle said the committee will also look at Pryor's role in "stripping" away congressional and federal authority to enforce constitutionally guaranteed protections.

Because Pryor's record is still being reviewed, Carle declined to go into detail.

But as attorney general, Pryor has mounted legal challenges including one involving a Mobile woman who wanted to overturn the state's English-only driver's license test. Several of those cases resulted in U.S. Supreme Court rulings putting new limits on citizens' ability to bring lawsuits against states based on federal discrimination laws.

In those instances, Pryor, an ardent advocate of states' rights, successfully argued that those laws impermissibly stretched federal authority.

At the office of another top Democrat on the committee, Sen. Edward Kennedy of Massachusetts, spokeswoman Stephanie Cutter indicated that the senator had questions for Pryor on his record on civil rights, abortion rights and his position as attorney general on treatment of prisoners when he unsuccessfully fought a lawsuit targeting the state's practice of handcuffing inmates to a hitching post as

a means of disciplining them.

Spokesmen for other Democrats on the committee either did not return phone calls or declined to comment Friday. While not a surprise, the responses from Leahy's and Kennedy's offices offer the first specific indication of the kind of intensive questioning Pryor may face.

On Friday, a Pryor spokeswoman declined to discuss any preparations the attorney general is making for the hearing, saying only that he "looks forward to the confirmation process."

President Bush nominated Pryor, 41, two months ago for the lifetime appointment to the Atlanta-based U.S. 11th Circuit Court of Appeals, one step below the U.S. Supreme Court. A number of advocacy groups are already arguing that Pryor won't be able to keep his personal views out of the courtroom. Supporters call him a superb legal scholar who will uphold the law.

The only other nomination on the panel's agenda Wednesday is that of Diane M. Stuart to head the Justice Department's Office on Violence Against Women.

That office was created by the 1994 Violence Against Women Act. Several years ago, Pryor was the only attorney general in the country to file a friend of court brief siding with those seeking to overturn the portion of the law that allowed rape victims to sue their attackers in federal courts. Although three-dozen attorneys general lined up on the other side, the U.S. Supreme Court struck down the provision in 2000 by a 5-4 majority.

In an article that he circulated to the media, Pryor defended his position. He did not dispute the goal of preventing sexual assaults, but said the provision was "unconstitutional and misguided" because it sought to justify federal intervention by the effect that abuse has on interstate commerce.

Federal appeals court judges earn \$164,000 a year.

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