

I have always had three criteria in the judges that I have nominated—excellence, legally excellent; moderation—I do not like judges to be too far right or too far left; and diversity. Judge Wesley is good on two of the three. But our previous two nominees, to the President's credit, the previous two nominees to the Second Circuit are Judge Parker, an African American, and Judge Raggi, a woman, so in a sense you are the diverse candidate today, Judge Wesley, and you meet all three criteria.

I just want to make one point, and I will ask that my whole statement be read in the record, because I know that Senator Clinton and Congressman Reynolds want to say something before we have to break for the vote.

I think that what has happened in New York is a model for how we can all get along. The nominees have been excellent nominees. Most of them probably philosophically do not disagree with Senator Clinton and me on every issue, but they are all in the mainstream.

I thought I would just read you Judge Wesley's own judicial philosophy, which he wrote: "I consider myself a conservative in nature, pragmatic at the same time, with a fair appreciation of judicial restraint. I have always restricted myself to what I understand to be the plain language of the statute and not gone beyond that, because public policy is made by the legislature."

To that, I say amen. We look forward to hearing from you, Judge. We welcome your family here. I believe you will be a great judge on the Second Circuit, the long-distinguished Second Circuit, of the United States

I would just ask unanimous consent that my entire statement be read into the record.

Senator CHAMBLISS. Certainly; without objection.
Senator Clinton?

PRESENTATION OF RICHARD C. WESLEY, NOMINEE TO BE CIRCUIT JUDGE FOR THE SECOND CIRCUIT, BY HON. HILLARY RODHAM CLINTON, A U.S. SENATOR FROM THE STATE OF NEW YORK

Senator CLINTON. Thank you, Mr. Chairman, and I too would like my entire statement in the record.

I want to welcome not only Judge Wesley but also his mother Beatrice and his daughter Sarah and his son Matthew. I had a brief visit with Mrs. Wesley, and it is not any accident that her son is here today, moving toward confirmation for the Second Circuit Court of Appeals.

Mr. Chairman, it is certainly not a requirement that a candidate for the Federal judiciary has significant public service experience, but many of us in New York are extremely proud of the way that Judge Wesley has not only been a superb jurist but has continued to care about the quality of justice and has used his extraordinary experience to try to improve the lives of the people who appear before him and far beyond that.

He has a distinguished academic record, and for the past 16 years, he has served New York State courts with distinction. As a trial court judge, he instituted a Felony Screening Program that reduced the delay in processing felony cases by over 60 percent. That served as a model for other judicial districts across New York.

He also created the JUST Program, which provides services to court and criminal justice agencies in Monroe County, to monitor pre-plea and pre-sentence defendants and to provide program alternatives to incarceration.

He has been a champion for victims of domestic violence. He was at the forefront of working to provide shelters for victims of domestic violence long before it became an issue that captured the attention of most of the rest of us.

After serving for 7 years on the trial court, he was appointed as a justice of the Appellate Division, New York State's intermediate court, and for the past 6 years, he has served as an associate judge of New York State's highest court and one of the most preeminent State court's in our Nation—the New York State Court of Appeals.

All that one has to do is to look at his record, talk to his colleagues, to know that this is a candidate for the Federal judiciary who will serve with the same distinction on the Second Circuit that he has brought to his experience on the New York courts.

Now, as we consider his confirmation, I cannot help but mention as well that this will be the first Western New Yorker to serve as an associate judge of the Second Circuit for 29 years, when we had our last appointment. And it is long overdue, as I am sure Congressman Reynolds would agree, that we have someone from the western part of our State serving on this preeminent and essential Court of Appeals.

So I not only endorse Judge Wesley whole-heartedly, but I endorse the bipartisan process that leads him to be nominated and thank the President for forwarding this nomination and certainly thank his long-time friend and champion, Congressman Reynolds. He will serve with distinction, and we are very proud to offer this nomination to the Committee.

Senator CHAMBLISS. Thank you for your comments and for being here.

Congressman Reynolds?

PRESENTATION OF RICHARD C. WESLEY, NOMINEE TO BE CIRCUIT JUDGE FOR THE SECOND CIRCUIT, BY HON. THOMAS REYNOLDS, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW YORK

Representative REYNOLDS. Mr. Chairman, it is with high honor and privilege to appear before you as the Chairman of our proceedings today, and Senator Schumer, members of the Judiciary Committee, thank you for the courtesy of allowing me to come here today. It is a great honor for me to be here on behalf of my good friend, Judge Richard Wesley.

Dick Wesley and I have been close friends for more than 20 years, and it is a pleasure to share with this Committee why I believe he is such a tremendous choice for the United States Circuit Judge for the Second Circuit.

Since his election to the New York State Supreme Court in 1986, Judge Wesley has earned the respect and praise of his colleagues and indeed, our entire State, for his temperament, intellect, and commitment to and the love of law.

Judge Wesley was appointed by then Governor Mario Cuomo to the Appellate Division of the Supreme Court in 1994 and to the