CENTER *for* JUDICIAL ACCOUNTABILITY, INC.

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URGENT ATTENTION REQUIRED
SENATE JUDICIARY COMMITTEE'S JUNE 5, 2003 "EXECUTIVE BUSINESS MEETING"

DATE: June 4, 2003

TO: Senator Edward M. Kennedy, U.S. Senate Judiciary Committee
ATT: James Flug & Olati Johnson, Judiciary Counsel
BY FAX: 202-228-0464 / 202-224-2417 [21 pages]
BY E-MAIL: senator@kennedy.senate.gov

FROM: Elena Ruth Sassower, Coordinator
Center for Judicial Accountability, Inc. (CJA)

RE: Demonstrating that Good-Government and Respect for Fundamental Citizen Rights would be Served by a Democratic Senate Majority in 2004:

(1) Giving comparable "scrutiny" to the nomination of Judge Richard C. Wesley to the Second Circuit Court of Appeals as to the nomination of Michael Chertoff to the Third Circuit Court of Appeals; and

(2) Withdrawing and/or defeating Senate Bill 1023 to increase federal judicial salaries pending investigation of the documentary evidence of systemic federal judicial corruption, including the federal judiciary's gutting of the federal judicial disqualification/disclosure/discipline statutes (28 USC §§144, 455, 372(c)) and its wilful failure and refusal to implement key recommendations of the 1993 Report of the National Commission on Judicial Discipline and Removal.

In response to your solicitation on behalf of the Democratic Senatorial Campaign Committee, which was in my mailbox on May 23rd when I returned home to New York after my May 22nd arrest at the Senate Judiciary Committee and 21-hour incarceration, enclosed is my self-explanatory letter to Pre-Trial Services.

You and the eight other Democratic members of the Senate Judiciary Committee – including the four facing re-election in 2004[1] -- should be fully familiar with the pertinent background facts. CJA's May 19th and May 22nd memoranda to Committee Chairman Hatch and Ranking Democrat Leahy *expressly* requested that each and every Committee member be provided with the relevant documents[2] to enable them to ask meaningful questions at the Committee's May 22nd "hearing" to confirm the nomination of New York Court of Appeals Judge Richard C. Wesley to the Second Circuit Court of Appeals, in the event it was not cancelled. Those memoranda made plain that cancellation was warranted because the Committee had NOT INVESTIGATED OR MADE FINDINGS with respect to CJA's March 26, 2003 written statement, summarizing the documentary evidence of Judge Wesley's corruption as a New York Court of Appeals judge in two public interest lawsuits involving transcending public integrity issues. This March 26, 2003 written statement had been hand-delivered to the Committee on May 5th, together with the substantiating documentary evidence, filling FIVE CARTONS AND ONE REDWELD FOLDER. An accompanying May 5th memorandum to Chairman Hatch and Ranking Democrat Leahy highlighted that the transmitted documentary evidence not only established Judge Wesley's unfitness, but the fraudulence of the barebones ratings of the American Bar Association and Association of the Bar of the City of New York, as well as the critical importance of citizen participation in the confirmation process.

You were absent from the Committee's May 22nd "hearing" on Judge Wesley's confirmation. Likewise absent were ALL your fellow Democratic Committee colleagues, except for Home-State Senator Schumer. Conveniently, Senator Schumer, to whom CJA had separately provided TWO copies of the March 26, 2003 statement, as well as TWO CARTONS containing copies of the most significant documentary evidence, did not return to question Judge Wesley following the Committee's "recess". Instead, the ONLY Committee member at the "hearing" after the "recess" was Republican Senator Saxby Chambliss -- who chairs the Subcommittee on Immigration, Border Security, and Citizenship – of which you are ranking Democrat. Senator Chambliss asked Judge Wesley three insignificant questions, more for show than anything else.

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[1] These are Ranking Democrat Patrick J. Leahy, Senator Charles E. Schumer, Senator Russell D. Feingold, as well as Senator John Edwards, who is running to be the Democratic nominee for president.

[2] The May 19th and May 22nd memoranda – as likewise the "relevant documents" related thereto – are posted on CJA's website, www.judgewatch.org.

The last thing I wrote in my notes before I was arrested at the close of the Committee's May 22nd "hearing" for simply requesting to testify in opposition to Judge Wesley based on his documented corruption as a New York Court of Appeals judge, were Senator Chambliss' words that Committee members would have until May 28th to submit written questions for the nominees.

Unless Chairman Hatch, Ranking Democrat Leahy, and Home-State Senator Schumer kept you completely "in the dark" about CJA's document-substantiated March 26, 2003 statement, one would reasonably expect you to have reviewed that statement for yourself and submitted written questions for Judge Wesley based thereon. Indeed, upon returning home from the ordeal of my May 22nd arrest and incarceration, I not only found your solicitation on behalf of the Democratic Senatorial Campaign Committee, but back-to-back articles in the May 22nd and May 23rd New York Times about your "scrutiny" of another judicial nominee, Michael Chertoff[3] – ironically nominated to the Third Circuit Court of Appeals on the very same day as Judge Wesley was nominated to the Second Circuit Court of Appeals.

After reading these two Times articles, I discovered other press reports[4], as well as Chairman Hatch's statement at the May 22nd "Executive Business Meeting", posted on the Committee's website (*www.judiciary.senate.gov*). It would seem that following the Committee's May 7th confirmation "hearing" on Mr. Chertoff's nomination, you submitted written questions for Mr. Chertoff to answer. His responses were purportedly not satisfactory to you because you then obtained a one-week delay of the May 15th Committee vote on his nomination – during which time you submitted to him a second set of written questions. Apparently your questions to Mr. Chertoff involved allegations made by Justice Department lawyer Jesselyn Radack arising from the John Walker Lindh case, as well as "several other Justice Department issues".

Having thus engaged Mr. Chertoff in two rounds of written questions concerning his conduct as head of the Justice Department's Criminal Division, it appears you were ready to approve his confirmation. However, on May 22nd, the date to which the

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[3] New York Times, May 22nd: "*Dispute Over Legal Advice Costs a Job and Complicates a Nomination*", Eric Lichtblau; New York Times, May 23rd: "*Panel Clears 3 Bush Nominees for Senate Vote*", Eric Lichtblau.

[4] *See, inter alia*, New Jersey Star-Ledger, May 24th, "*Chertoff nomination to bench unaffected by allegations*" (J. Scott Orr and Robert Cohen); Associated Press, May 22nd: "*Senate Panel Approves Nominee, and a Probe*"; Reuters, May 22nd, "*Judiciary panel OK's appeals court choice*".

Committee's May 15th vote had been postponed, you decided to participate with five other Committee Democrats in requesting a further delay. This appears to have been based, in significant part, on a May 21st letter from Judicial Watch (an organization known for its partisanship and aggressive media public relations), requesting a meeting to present "'important evidence concerning the misuse of organized crime operatives by the FBI and other government agencies" during Mr. Chertoff's tenure as U.S. Attorney for New Jersey. Such letter – which I have read *via* Judicial Watch's website (*www.judicalwatch.org*) – is conclusory in the extreme, neither identifying the nature of the "evidence", nor alleging that Mr. Chertoff would necessarily have authorized, or even have had knowledge of, the illegal acts which the "evidence" purportedly established. Nevertheless, this bald, eleventh-hour letter seemingly sufficed for you to change your previously announced support of Mr. Chertoff and to abstain from the Committee vote approving Mr. Chertoff's nomination 13-0. It also sufficed for the Committee to authorize "a bipartisan investigation" into Judicial Watch's allegations. This occurred at the Committee's "Executive Business Meeting" in the morning of May 22nd – only hours before the Committee's sham afternoon "hearing" on Judge Wesley's nomination, at which I would be arrested.

Perhaps your behind-closed-doors "scrutiny" of Mr. Chertoff's nomination is a public relations ruse to foster the illusion that Democrats are not – *as truly they are* – ensconced in patronage deal-making with a Republican President and Republican Senators on a lion's share of federal judicial nominations. Perhaps it is simply an opportunity to clarify and/or express disagreement with Justice Department policy. Certainly, if your two sets of written questions to Mr. Chertoff were a legitimate probe as to his fitness, it would be incomprehensible that you would not submit written questions for Judge Wesley's response based on CJA's March 26, 2003 statement[5]. Similarly incomprehensible is if you and other Senate Democrats thought that Judicial Watch's vague, last-minute May 21st letter warranted investigation and deferment of

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[5] This would include questions as to the documentary proof in the record before Judge Wesley that the New York courts had used their disciplinary jurisdiction to retaliate against judicial whistle-blowing attorney, Doris L. Sassower, for her lawsuit challenge to the political manipulation of electoral judgeships by the Democratic and Republican parties – unlawfully suspending her law license on June 14, 1991, without notice of written charges, without a hearing, without findings, without reasons, thereafter refusing to provide her with a post-suspension hearing and appellate review. (*see* May 1, 2002 disqualification/disclosure motion, ¶¶16-64) Such would parallel the questions you presumably posed to Mr. Chertoff concerning Ms. Radack's allegation that the Justice Department had retaliated against her by "effectively fir[ing her] for providing legal advice that the department didn't agree with."

the May 22nd Committee vote on Mr. Chertoff's nomination, but that CJA's fact-specific, document-substantiated statement, in the Committee's possession since May 5th, did not warrant Committee investigation and deferment of any action on Judge Wesley's confirmation pending the findings thereof.

CJA, therefore, expressly calls upon you to take steps, consistent with those you took in relation to Mr. Chertoff's nomination: (1) to require Judge Wesley's response to written questions based on CJA's March 26, 2003 statement, including as explicitly identified at page 27 of the statement; and (2) to defer the Committee's vote on Judge Wesley's confirmation until there is AN INVESTIGATION WITH FINDINGS with respect to CJA's March 26, 2003 statement.

CJA has already presented Chairman Hatch and Ranking Democrat Leahy with a May 28th memorandum for similar relief. Such memorandum additionally asserts that it would be "a further betrayal of the American public -- and, specifically, a betrayal of the People of the State of New York and the Second Circuit", were the Committee to approve Judge Wesley's nomination while the criminal case is pending against me for requesting to testify as to his unfitness at the Committee's May 22nd "hearing".

CJA *expressly* requested that the May 28th memorandum be distributed to each and every Committee member "so that they may individually determine what is appropriate – and be held accountable to their constituents". In the event this was not done, a copy is enclosed so that you may read it -- and pass it on to the Committee's other members, most particularly those up for re-election in 2004, be they Democrat or Republican[6].

Finally, but of no lesser importance to the American public, is S-1023, the Senate bill to increase salaries of the federal judiciary, sponsored by yourself, Chairman Hatch, Ranking Democrat Leahy, and Senator Chambliss – among others – which the Committee voted to approve at its May 22nd "Executive Business Meeting". The documentary evidence transmitted to the Committee on May 5th in substantiation of CJA's March 26, 2003 written statement establishes systemic corruption within the federal judiciary[7], disentitling it to ANY salary increase. Specifically established by

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[6] Two of the Committee's ten Republican Senators face re-election in 2004. These are Senators Charles E. Grassley and Arlen Specter.

[7] This documentary evidence consists of the unopposed cert papers filed in the U. S. Supreme Court, in the §1983 federal action, *Doris L. Sassower v. Hon. Guy Mangano, et al.* – referred to at pages 17-18, 28 of CJA's March 26, 2003 written statement. This case was consciously developed to empirically test

this evidence is the federal judiciary's subversion of the federal statutes governing judicial disqualification/disclosure and judicial discipline, 28 USC §§144, 455, and372(c), such that they have been reduced to "empty shells", as well as its wilful and deliberate failure and refusal to implement key recommendations of the 1993 Report of the National Commission on Judicial Discipline and Removal.

It must be noted that CJA first brought this important evidence to your attention, as likewise to the attention of EVERY Committee member, by a July 11, 2001 coverletter addressed to the "Senate Judiciary Committee Members" – 16 copies of which we sent to the Committee office for distribution. This, to request the members'

> "public support for hearings to be held on judicial discipline and removal by the Senate Judiciary Committee's Subcommittee on Administrative Oversight and the Courts – *including threshold hearings on the 1993 Report of the National Commission on Judicial Discipline and Removal*".

Enclosed therewith were copies of CJA's 18-page July 3, 2001 letter to Senator Schumer, then Chairman of the Subcommittee on Administrative Oversight and the Courts, whose final three pages addressed the subject, introduced by the statement:

> "Certainly, the absolute necessity that the Committee and Senate scrutinize the competence, integrity, and temperament of judicial nominees is reinforced by the fact that the mechanisms for disciplining and removing incompetent, dishonest, and abusive federal judges from

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the efficacy of the mechanisms for redressing judicial misconduct and "error", identified by the 1993 Report of the National Commission on Judicial Discipline and Removal.

Copies of the underlying record in the *Sassower v. Mangano* federal action were transmitted to the House Judiciary Committee, both Democratic and Republican sides, in March 1998 to support an impeachment complaint against the District and Circuit Court judges involved. This impeachment complaint is embodied by CJA's March 23, 1998 memorandum to the House Judiciary Committee, printed in the appendix of the cert petition [A-301-317]. A further copy of the March 23, 1998 memorandum is Exhibit "N-3" to CJA's July 3, 2001 letter to Senator Schumer, *infra.*

Such fully-documented impeachment complaint against the District and Circuit Court judges– as likewise CJA's subsequent November 6, 1998 impeachment complaint against the Justices of the U.S. Supreme Court, likewise fully documented by a copy of the record before that Court – has lain dormant at the House Judiciary Committee – without "acknowledgment", let alone investigation.

> the bench are *verifiably* sham and dysfunctional." (July 3, 2001 letter, p. 16, emphasis in the original).

CJA's July 3, 2001 letter emphasized that action by the Senate Judiciary Committee was essential as the House Judiciary Committee had altogether abandoned its duty to oversee the federal judiciary in any meaningful way. In substantiation, relevant documents were annexed. Among these, CJA's published article, "*Without Merit: The Empty Promise of Judicial Discipline*" (The Long Term View, (Massachusetts School of Law), Vol. 4, No. 1, summer 1997) – "expos[ing] the façade that passes for the disciplinary complaint mechanism for federal judges under 28 USC §372(c) and the House Judiciary Committee's *non-existent* capacity and willingness to investigate judicial impeachment complaints" -- as well as the written statement CJA had submitted to the House Judiciary Committee for inclusion in the record of its June 11, 1998 'Oversight Hearing of the Administration and Operation of the Federal Judiciary" – which, without notice, had been excluded from the printed record.

These two important documents were enclosed with CJA's July 11, 2001 coverletter, expressly because they "suffice[d] to summarize why the [Senate Judiciary's Courts] Subcommittee must...hold hearings on federal judicial discipline and removal – beginning with threshold hearings on the 1993 Report of the National Commission on Judicial Discipline and Removal."[8] However, also expressly stated was that if Senate Judiciary Committee members had "any doubt as to the imperative for such hearings", they could and should "independently examine the massive *incontrovertible* proof, long in the possession of the House Judiciary Committee".

We received no response from you or any other member of the Senate Judiciary Committee to this July 11, 2001 coverletter. This includes no response from Senator Schumer, from whom we also received no response to any other aspect of our July 3, 2001 letter. This is reflected by CJA's May 5th memorandum to Chairman Hatch and Ranking Democrat Leahy (fn. 1) – which, further stated that because of the importance of the July 3, 2001 letter and our coverletters to the Senate Judiciary Committee, as well as to other public officers – duplicates were being deposited at the Senate Judiciary Committee office.

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[8] These are also posted on CJA's website. Additionally, "*Without Merit*" is annexed as Exhibit "F-2" to CJA's March 26, 2003 written statement.

CJA respectfully requests that you examine these July 2001 letters for yourself – and, in particular, Exhibits "N-2" and "N-3" to the July 3, 2001 letter to Senator Schumer, which are CJA's March 10 and March 23, 1998 memoranda to the House Judiciary Committee -- as subsequent events dramatically reinforce the Senate Judiciary Committee's duty to investigate and hold hearings at which those having direct, first-hand experience with the judicial disqualification/discipline statutes are permitted to testify[9]. Such investigation and hearings must precede ANY pay raise for federal

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[9] These subsequent events are reflected by CJA's July 31, 2001, September 4, 2001, and July 9, 2001 letters to the House Judiciary Committee – all unresponded-to -- chronicling how it did respond to CJA's July 3, 2001 letter to Senator Schumer, sent to it under July 9, 2001 coverletters. In brief, on July 19, 2001 I received a phone call from "oversight" counsel at the House Judiciary Committee's Courts Subcommittee, asking if I would come down to Washington to assist in its preparing for a "hearing" to examine the judicial disqualification/discipline statutes. I did so on July 26, 2001, providing such "oversight" counsel with a boxload of primary source materials documenting the federal judiciary's gutting of these statutes – aided and abetted by its highest echelons, *to wit*, the Administrative Office, the Judicial Conference, the U.S. Supreme Court, which, additionally, had mislead Congress as to their efficacy to defeat proposed amendments. Thereafter, the House Judiciary Committee's Courts Subcommittee held a November 29, 2001 "hearing" to which I was not only NOT invited to testify, but whose date I was not even informed of so that I might attend as a witness. The transcript of the utterly sham November 29, 2001 "hearing", which I obtained some seven months later, is analyzed by CJA's July 31, 2002 letter. In pertinent part, it states:

> "[CJA's] September 4, 2001 letter [to the House Judiciary Committee] anticipated (at 11) that the 'hearing would be nothing more than a 'show' at which 'those having NONE of the four invited witnesses attested to *any* direct first-hand experience with §372(c) judicial misconduct complaints or motions for judicial disqualification under §144 and 455 -- a fact which did not prevent three of the witnesses from stating their view that the statutes worked 'reasonably well' [Tr. 84,78], with the fourth limiting his reservations to the lack of any penalty for violations 'that do not rise anywhere near to the standards that would require impeachment' [Tr. 83]. As to the two witnesses who offered testimony, *only favorable*, concerning the 1993 Report of the National Commission on Judicial Discipline and Removal, the Subcommittee received it without challenge. No mention was made of CJA's long-standing and public criticism of the Commission's Report as 'methodologically-flawed and dishonest', born of our direct, first-hand experience with both the Commission and Report, as summarized by [CJA's] published article, '*Without Merit: The Empty Promise of Judicial Discipline*' (The Long Term View, Massachusetts School of Law, Summer 1997, Vol 4, No. 1)[fn] and amplified and demonstrated by the evidence substantiating CJA's [March 10 and March 23, 1998] memoranda, whose significance I discussed with you at our July 26, 2001 meeting and reinforced by [CJA's] July 31, 2001 and September 4, 2001 letters, was reflected by either the remarks or questions of the few Subcommittee members present at the November 29, 2001 "hearing" [fn]. The sole exception was perhaps the final question of Subcommittee Chairman Coble, asking – 'hypothetically' – 'how often' the

judges. Indeed, Ranking Democrat Leahy himself recognized that judicial pay raises would be inappropriate where ethical issues are outstanding. According to his statement at the May 22nd "Executive Business Meeting", he initially wanted to link federal judicial pay raises to ethics legislation pertaining to the appearance of judicial bias and conflicts of interest. He dropped this only because the federal judiciary "persuaded" him that such was unnecessary and could be effected through the federal judiciary's own "self-regulation" and "self-governance". This, in face of the evidence substantiating CJA's March 26, 2003 statement, establishing the federal judiciary "self-regulation" and "self-governance" claims as utter deceits.

To the extent "there is strong bipartisan consensus that the independence and quality of the judiciary is at risk because of the inadequacy of the current salaries of federal judges" – as so-stated by Chairman Hatch's written statement at the May 22nd "Executive Business Meeting" – it is because Chief Justice Rehnquist, the Judicial Conference, and the American Bar Association – to whose advocacy on the pay-raise issues Chairman Hatch refers, have suppressed the evidence-based facts as to "judicial

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recusal 'petition' of 'a grieved litigant' is 'summarily dismissed' [Tr. 95]. That Chairman Coble's question was a confused amalgam, mixing together a disqualification motion and judicial misconduct complaint may be seen from Professor Hellman's response – one reflecting the Professor's own admitted lack of knowledge as to recusal motions. This, in addition to his unfamiliarity with the critical 'merits-related' issues involving §372(c) [Tr. 95-6] [fn].

As to Michael Remington's 'status' update of the National Commission's 1993 recommendations, it is materially false and misleading both as to this Subcommittee and the federal judiciary (Tr. 61-2, 64, 66-70), as comparison to [CJA's] July 31, 2001 and September 4, 2001 letters reveals. Tellingly, Mr. Remington did not identify the basis for the information presented by his 'status' update – and the Subcommittee did not ask him.

That the November 29, 2001 'hearing' was not only superficial, but a wilful deceit to mislead Congress and the American People into falsely believing that the Subcommittee is discharging its 'oversight' responsibilities over the federal judiciary – and that the federal judiciary is doing its part – is *readily-verifiable*. All that is required is comparison of the 'hearing' transcript with [CJA's] unresponded-to document-supported July 31, 2001 and September 4, 2001 letters. [CJA], therefore, call[s] upon you to respond to the serious and substantial issues presented by those letters – ALL ignored and covered-up at the November 29, 2001 'hearing', amidst attestations by Subcommittee Chairman Coble as to the importance of 'oversight'[fn], joined by praise for the Subcommittee's 'oversight' from witnesses[fn]..." (pp. 3-5 of CJA's July 30, 2002 letter to Melissa McDonald, Oversight Counsel, the House Judiciary Committee's Courts Subcommittee

independence and quality". Indeed, their refusal to address the evidence-based facts is established by the documentary evidence which CJA transmitted to the Committee on May 5th – and which has been in the House Judiciary Committee's possession since March 1998.

The Judicial Conference, with Justice Rehnquist as its head, is a tax-payer-supported special interest group, lobbying for the federal judiciary. This was pointed out at page 7 of CJA's statement for the record of the House Judiciary Committee's June 11, 1998 "hearing" – which strongly recommended "as required reading" the excellent book of Professor Charles E. Smith entitled Judicial Self-Interest: Federal Judges and Court Administration (Praeger Publishers, 1995, 145 pp.). At that time, too, the federal judiciary was urging increases in salary and benefits – as to which we further noted:

> "For a reality check as to the incessant whining of federal judges that they are 'underpaid', etc., Chapter 3 of Professor Smith's book, *supra*, is a must-read." (CJA's statement, p. 8).

NO sponsor of S-1023 – or supporter of the judicial pay raises it authorizes – should fail to read such important chapter. You may be sure that the country does not lack for excellent, upstanding lawyers who would consider it a privilege, as well as an upgrade, to serve as "lifetime" federal judges at current salaries.

cc: Republican Senator Orrin G. Hatch, Chairman, Senate Judiciary Committee
Senator Patrick J. Leahy, Ranking Democrat, Senate Judiciary Committee
Republican Senator Saxby Chambliss, Senate Judiciary Committee
Democratic Home-State Senator Charles E. Schumer, Senate Judiciary Committee
Democratic Senator Russell D. Feingold, Senate Judiciary Committee
Democratic Senator John Edwards, Senate Judiciary Committee
Democratic Home-State Senator Hillary Rodham Clinton

President George W. Bush
New York Court of Appeals Judge Richard C. Wesley
P. Kevin Castel, Esq.
The Press

Democratic Senator Kennedy

TRANSMISSION VERIFICATION REPORT

TIME : 06/04/2003 14:57
NAME : CJA
FAX : 9144284994
TEL : 9144211200

DATE,TIME	06/04 14:44
FAX NO./NAME	12022280464
DURATION	00:12:36
PAGE(S)	21
RESULT	OK
MODE	STANDARD ECM

Kennedy

TRANSMISSION VERIFICATION REPORT

TIME : 06/04/2003 15:13
NAME : CJA
FAX : 9144284994
TEL : 9144211200

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DATE,TIME	06/04 15:14
FAX NO./NAME	12022242417
DURATION	00:05:58
PAGE(S)	11
RESULT	OK
MODE	STANDARD ECM

Subj:	**URGENT: Tomorrow's "Executive Business Meeting" – Wesley, etc.**
Date:	6/4/03 4:05:54 PM Eastern Daylight Time
From:	Judgewatchers
To:	senator_hatch@hatch.senate.gov
File:	**6-4-03-kennedy.zip** (47295 bytes) DL Time (TCP/IP): < 1 minute

Attached is CJA's June 4, 2003 memo to Senator Kennedy (10 pages), and its two enclosures, also atached:
(1) CJA's May 30, 2003 letter to Pre-Trial Services (4 pages);
and
(2) CJA's May 28, 2003 memo to Chairman Hatch and Ranking Member Leahy (7 pages).

Please distribute to Senator Kennedy and to the indicated recipients who are Senate Judiciary Committee members: Chairman Hatch, Ranking Member Leahy, and Senators Chambliss, Schumer, Feingold, and Edwards. Indeed, it would be appropriate for ALL Committee members to see this correspondence – and I hereby request that it be so distributed.

Also attached is my May 30, 2003 letter to the Miller Transcription Service – to which Chairman Hatch, Ranking Member Leahy, Senators Chambliss and Schumer are indicated recipients. Please distribute to them. Should you wish to distribute it to ALL the Committee members, I have no objection.

Finally, please deem ALL the foregoing submitted for the printed record of the Committee's proceedings on Judge Wesley's confirmation.

Thank you.

Elena Ruth Sassower, Coordinator
Center for Judicial Accountability, Inc. (CJA)
(914) 421-1200

Subj:	**URGENT: Today's "Executive Business Meeting" -- Wesley, etc.**
Date:	6/5/03 8:38:11 AM Eastern Daylight Time
From:	Judgewatchers
To:	senator_hatch@hatch.senate.gov, senator_leahy@leahy.senate.gov, swen_prior@judiciary.senate.gov, rachel_arfa@judiciary.senate.gov
CC:	senator@kennedy.senate.gov, saxby_chambliss@chambliss.senate.gov, Robert_Paxton@schumer.senate.gov, michael_tobman@schumer.senate.gov, jeff_berman@schumer.senate.gov, Josh_Albert@clinton.senate.gov, leecia_eve@clinton.senate.gov, jonathan_f._ganter@who.eop.gov
File:	**6-4-03-kennedy.zip** (47278 bytes) DL Time (TCP/IP): **< 1 minute**

The following is being resent from yesterday -- as it appears that yesterday's transmission was not altogether successful.

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