September 19, 2005

Floor Statement of Senator Arlen Specter on the nomination of Judge John Roberts to be Chief Justice of the United States

After listening to Judge John Roberts testify for nearly 17 hours and then hearing from 31 witnesses, some for and some against his nomination, I have decided to vote to confirm him to be Chief Justice of the United States.

Except for a declaration of war or its virtual equivalent, a resolution for the use of force, no Senate vote is more important than the confirmation of a Supreme Court justice; and this vote has special significance because it is for Chief Justice and the nominee is only 50 years old with the obvious potential to serve for decades.

Judge Roberts comes to the Committee with impeccable credentials. He was graduated summa cum laude from Harvard college in only three years, and magna cum laude from the Harvard Law School. Following his graduation from law school, Roberts obtained prestigious clerkships with Judge Henry Friendly of the U.S. Court of Appeals for the Second Circuit and then associate Justice William H. Rehnquist.

Judge Roberts subsequently embarked on a distinguished career in public service, serving as an Associate White House Counsel in the Reagan Administration and Principal Deputy Solicitor General in the George H.W. Bush administration. While in the Solicitor General's Office and then in private practice with the firm of Hogan & Hartson, Judge Roberts argued 39 cases before the U.S. Supreme Court, earning a

reputation as one of the finest appellate advocates in the nation.

When Judge Roberts was appointed to his current position on the U. S. Court of Appeals for the D.C. Circuit, he earned the highest rating from the American Bar Association and enjoyed broad bipartisan support in being confirmed by unanimous consent.

A threshold question, beyond his academic and professional qualifications is how a man at 50 from outside the Court can effectively function as Chief Justice. His previous clerkship on the Court and the 39 cases he has argued there give him an intimacy with the Court that few outsiders enjoy. He knows the Court and the other Justices know him. Concerned about his relative youth, I questioned Judge Roberts about how he would feel becoming Chief Justice of a Court where one member was 35 years his senior, and the next youngest, still some 7 years older. Judge Roberts' answer impressed me. He said that, while in private practice, he approached his arguments before the Court as a "dialogue of equals." When he viewed oral arguments in that light, considering himself to be their equal, he projected the kind of confidence that he would be comfortable and consider himself up to the job of Chief, who is the First among Equals.

I also questioned him about the role the Chief Justice should play in bringing about consensus on the Court. I have been troubled by the numerous 5 to 4 decisions and the proliferation of concurrences and plurality opinions that often leave lower courts, lawyers, and litigants wondering about what the Court actually held. I therefore asked:

> "Judge Roberts, let me [ask about] the ability which you would have, if confirmed as Chief Justice, to try to bring a consensus to the Court.
>
> …You commented yesterday about what Chief Justice Warren did on

Brown v. Board of Education, taking a very disparate Court and pulling the Court together. As you and I discussed in my office, there are an overwhelming number of cases where there are multiple concurrences. A writes of concurring opinion in which B joins; then B writes a concurring opinion in which A joins and C joins. In reading the trilogy of cases on detainees from June of 2004 to figure out what we ought to do about Guantanamo, it was a patchwork of confusion. I was intrigued by the comment which you made in our meeting about a dialogue among equals, and you characterized that as a dialogue among equals when you appear before the Court, and they are on a little different level over there. …Tell us what you think you can do on this dialogue among equals to try to bring some consensus to the Court to try to avoid this proliferation of opinions and avoid all these 5-4 decisions. . . ."

Judge Roberts responded:

"I . . . think . . . it's a responsibility of all of the Justices, not just the Chief Justice, to try to work toward an opinion of the Court. The Supreme Court speaks only as a Court. Individually, the Justices have no authority. And I do think it should be a priority to have an opinion of the Court. You don't obviously compromise strongly-held views, but you do have to be open to the considered views of your colleagues, particularly when it gets to a concurring opinion. I do think you do need to ask yourself, what benefit is this serving? Why is it necessary for me to state this separate reason? Can I go take another look at what the four of them think or the three of them think to see if I

can subscribe to that or get them to modify it in a way that would allow me to subscribe to that, because an important function of the Supreme Court is to provide guidance. *** I do think the Chief Justice has a particular obligation to try to achieve consensus consistent with everyone's individual oath to uphold the Constitution, and that would certainly be a priority for me if I were confirmed." **Specter Questioning, Sept. 14, 2005**

Given the unusual combination of his qualifications and experience, including extensive personal contact with the other justices, he has the unique potential to bring consensus to the Court and to reduce the numerous repetitious and confusing opinions.

The Judiciary Committee conducted a thorough and fair confirmation hearing for Judge Roberts. He answered questions before the Committee for nearly 17 hours. Committee Members, both Democrats and Republicans, stated the hearings were conducted in a fair manner with ample time for questions. Although historically the Majority party reserves more witnesses for itself than it grants to the Minority party, I made the decision to break with precedent and divide the number of witnesses evenly between the parties – 1 neutral witness from the ABA, 15 witnesses chosen by the Majority, and 15 witnesses chosen by the Minority. This testimony, combined with Judge Roberts's extensive record – 76,000 pages of documents from his service in the Reagan and Bush Administrations, 327 cases decided by Judge Roberts while on the D.C. Circuit, thousands of pages of legal briefs from Judge Roberts's service in the Solicitor General's Office and in private practice, and dozens of articles and interviews by Judge Roberts – provided the Committee and now the full Senate ample basis to evaluate Judge Roberts's qualifications to serve as Chief Justice of the United States.

During his hearing, Judge Roberts addressed a wide variety of subjects. On the key issue of whether the Constitution is a static document or one which has the flexibility to adapt to changing times, he said "they (the framers) were crafting a document that they intended to apply in a meaningful way down the ages. "While he would not accept Justice Harlan's language of a "living thing," he testified that the language of "liberty" and "due process" have broad meaning as applied to evolving societal conditions.

At the same time, however, he did not answer all the questions I would have liked him to respond to. I questioned Judge Roberts closely about his views with respect to congressional authority to remedy discrimination under the Fourteenth Amendment. I asked him how the Supreme Court could possibly have struck down the private remedy the Congress created in the Violence Against Women Act in view of the extensive congressional record, which

> "showed that there were reporters on gender bias from the task force in 21 States and eight separate reports issued by Congress and its committees over a long course of time . . . there was a mountain of evidence." Specter Questions Wednesday, Sept. 14, 2005.

In light of that record, I asked: "What more does the Congress have to do to establish a record that will be respected by the Court? . . . Isn't that record palpably sufficient to sustain the constitutionality of the Act?" **Specter Questions Wednesday, Sept. 14, 2005.**

Judge Roberts, however, declined to comment, explaining that ". . . I don't want to comment on the correctness of incorrectness of a particular decision." **Specter Questions Wednesday, Sept. 14, 2005.**

Although I pushed him to answer my question, observing that the case was long over, and the specific facts unlikely to come before the Court again,

Judge Roberts declined to answer because of his view that:

> "the particular question you ask about the adequacy of findings . . . is likely to come before the Court again. And expressing an opinion on whether the Morrison case was correct or incorrect would be prejudging those cases that are likely to come before the Court again." **Specter Questions Wednesday, Sept. 14, 2005.**

In fact, the most Judge Roberts would say is that:

> "the appropriate role of a judge is a limited role and that you do not make the law, and that it seems to me that one of the warning flags that should suggest to you as a judge that you may be beginning to transgress into the area of making a law is when you are in a position of re-evaluating legislative findings, because that doesn't look like a judicial function. It's not an application of analysis under the Constitution. It's just another look at findings." **Specter Questions Wednesday, Sept. 14, 2005**.

On the very important question of conflict between the Congress and the Supreme Court, I was dissatisfied with his responses on the Court=s derogation of Congress= Amethod of reasoning@ and the Court=s recent improvisation of the meaningless Acongruence and proportionality@ standard. In discussing the Americans with Disabilities Act, I pointed out to him the problem of the Court issuing 5-4 decisions in two cases with identical records going entirely opposite ways within three years. With respect to the Garrett case, where Ms. Garrett, who had breast cancer, sought relief under the ADA for employment discrimination, I explained:

> "the Court in 2001 said that the title of the Disabilities Act was unconstitutional, 5-4, on employment discrimination. Then 3 years later,

you have the case coming up of Lane, the paraplegic crawling up the steps, accommodations, 5-4, and the Act is upheld."

Yet, "the record in the case was very extensive--13 congressional hearings, a task force that held hearings in every State, attended by more than 30,000 people, including thousands who had experienced discrimination."

Despite these extensive factual findings, however, the Court employed the "congruence and proportionality" test, a test Justice Scalia criticized as "flabby," to strike down a portion of the act.

I asked Judge Roberts: "Isn't this congruence and proportionality test, which comes out of thin air, a classic example of judicial activism. . . ?"

Judge Roberts acknowledged the applicable precedents, but when asked whether he agreed with Justice Scalia's sentiments, stated: I don't think it's appropriate in an area--and there are cases coming up, as you know, Mr. Chairman. There's a case on the docket right now that considers the congruence and proportionality test." He declined to answer the question.

He did, however, state that:

"if I am confirmed and I do have to sit on that case, I would approach that with an open mind and consider the arguments. I can't give you a commitment here today about how I will approach an issue that is going to be on the docket within a matter of months." **Specter Questions Wednesday, Sept. 14, 2005.**

Although I was disappointed that Judge Roberts did not answer some of my questions, still, I believe that he went somewhat beyond the usual practice of answering just as many questions as he had to in order to be confirmed. Many nominees decline to

answer if the issue could theoretically or conceivably come before the Court.

Judge Roberts, however, went further, testifying::

> "And the great danger of courts that I believe every one of the Justices has been vigilant to safeguard against is turning this into a bargaining process. It is not a process under which Senators get to say I want you to rule this way, this way, and this way. And if you tell me you'll rule this way, this way, and this way, I'll vote for you. That is not a bargaining process. Judges are not politicians. They cannot promise to do certain things in exchange for votes. . . . Other nominees have not been willing to tell you whether they thought Marbury v. Madison was correctly decided. They took a very strict approach. I have taken what I think is a more pragmatic approach and said if I don't think that's likely to come before the Court, I will comment on it. . . . . it is difficult to draw the line sometimes. But I wanted to be able to share as much as I can with the Committee in response to the concerns you and others have expressed, and so I have adopted that approach." **Response to Schumer Ques. 9/14/05 page 238.**

Judge Roberts explained, "If I think an issue is not likely to come before the Court, I have told the Committee what my views on that case were, what my views on that case are." **Response to Kyl Questioning, September 14, 2005.**

Of course, as with all nominees, there are circumstances in which it would be inappropriate for Judge Roberts to take a position. Since I believe it is inappropriate, for example, to ask about an issue realistically likely to come before the Court, I did not ask whether he would sustain or overrule Roe v. Wade. Instead, I asked about his views on

stare decisis, or precedents, and what factors — how long ago decided, stability, reliance, legitimacy of the Court – he might rely on to decide whether he would vote to depart from a precedent.

> In addressing his respect for stare decisis, Judge Roberts explained: "I would point out that the principle goes back even farther than Cardozo and Frankfurter. Hamilton, in Federalist No. 78, said that, 'To avoid an arbitrary discretion in the judges, they need to be bound down by rules and precedents.' So even that far back, the Founders appreciated the role of precedent in promoting evenhandedness, predictability, stability, the appearance of integrity in the judicial process." **Specter Questioning, Sept. 13, 2005**

When I inquired about his application of these principles to Roe, he noted that, "it's settled precedent of the court, entitled to respect under principles of stare decisis." When I pressed Roberts to explain what he meant by that in the context of Planned Parenthood of Southeastern Pennsylvania v. Casey, where the Court said: "that to overrule Roe would be a 'surrender to political pressure,' and 'would subvert the Court's legitimacy,"' he explained that "as of 1992, you had a reaffirmation of the central holding in Roe. That decision, that application of the principles of stare decisis, of course, itself a precedent that would be entitled to respect under those principles."

I called Judge Roberts' attention to the fact that Casey had been labeled a super-precedent because different judges had re-affirmed Roe after almost two decades. I then suggested that, since the Supreme Court did not overrule Roe when it had the opportunity to do so in 38 subsequent cases, it was entitled to classification as a "super-duper precedent." Again, he was non-committal.

Judge Roberts consistently reiterated his commitment to modesty in the law and the importance of stare decisis by explaining: "I do think that it is a jolt to the legal system when you overrule a precedent. Precedent plays an important role in promoting stability and evenhandedness. It is not enough--and the Court has emphasized this on several occasions. It is not enough that you may think the prior decision was wrongly decided." **Specter Questioning, Day 2, pg 8**.

Notwithstanding his answers and my efforts to glean some hint or realistic expectation from his words and body language, candidly it is not possible to predict or have a solid expectation of what Judge Roberts would do. If there is a rule on expectations, it is probably one of surprise. Professor Charles Fried, a professor of constitutional law at Harvard Law School who thought Roe was wrongly decided, testified that he did not think Judge Roberts would or should vote to overrule Roe.

The Washington Post Editorial of September 15th, had some comfort from Judge Roberts, testimony:

> "While he declined to address the merits of Roe v. Wade, he did indicate that it is a decision to which stare decicis consideration properly apply. Importantly, he said several times that the subsequent decisions in Planned Parenthood v. Casey – which reaffirmed Roe's core principle – was independently entitled to be treated as a precedent. That implies that there would be a heavy burden for the court in upsetting abortion rights now."

Nevertheless, Judge Roberts did engage the Committee on several important related issues. With respect to the right of privacy, for example, I asked him directly:

"Do you believe that the right to privacy—do you believe today that the right to privacy does exist in the Constitution?"

Roberts was forthright in his response, declaring: "Senator, I do. The right to privacy in protected under the Constitution in various ways…the Court has, with a series of decisions going back 80 years that personal privacy is a component of the liberty protected by the Due Process Clause." **Response to Specter Questioning, September 13, 2005.**

Similarly, in response to Senator Biden, who asked the pointed question: "Do you agree that there is a right of privacy to be found in the Liberty Clause of the 14th Amendment?" Roberts responded: "I do, Senator. … Liberty is not limited to freedom from physical restraint. It does cover areas . . . such as privacy, and it's not protected only in procedural terms but it is protected substantively as well. **Response to Biden Questioning, September 13, 2005.**

In fact**,** Judge Roberts was unequivocal in his support for a right of privacy, asserting that: "I believe that the liberty protected by the Due Process Clause is not limited to freedom from physical restraint, that it includes certain other protections, including the right to privacy." **Biden Questioning, September 14, 2005**

But Judge Roberts did not limit himself to finding simply a general right to privacy. He also testified as to his commitment to Griswold v. Connecticut. Senator Kohl, in particular, asked: "Judge, … the Griswold v. Connecticut case guarantees that there is a fundamental right to privacy in the Constitution as it applies to contraception. Do you agree with that decision and that there is a fundamental right to privacy as it relates to contraception? In your opinion, is that

settled law?

Judge Roberts explicitly stated: "I agree with the Griswold Court's conclusion that marital privacy extends to contraception and [the] availability of that. **Response to Kohl Questioning, September 13, 2005**

He did not limit his understanding of the privacy right merely to Griswold, however. Senator Feinstein asked: "Do you think that right of privacy that you are talking about [in Griswold] extends to *single* people as well as married people?"

In response, Judge Roberts stated his agreement with the Eisenstadt case, which provided protection to unmarried couples as well those who are married. **Feinstein Questioning, September 14, 2005**

Roberts explained further his support for the Voting Rights Act, observing that the right to vote is a "fundamental constitutional right," in his words:

> "preservative …of all the other rights. Without access to the ballot box, people are not in the position to protect any other rights that are important to them. And so I think it's one of, as you said, the most precious rights we have as Americans." **Kennedy Questioning, September 13, 2005.**

He acknowledged that the Voting Rights Act had advanced the rights of minorities**.** He explained that "I think the gains under the Voting Rights Act have been very beneficial in promoting the right to vote, which is preservative of all other rights." **Roberts in response to Feingold questioning, Sept. 13, 2005**.

He also underscored his belief in the constitutionality of the Voting

Rights Act, explaining in response to Senator Kennedy that "the existing Voting Rights Act, the constitutionality has been upheld . . . and I don't have any issue with that." **Kennedy Questioning, September 13, 2005.** Moreover, when Senator Leahy asked Judge Roberts whether he believed that individuals should be allowed to sue State governments to remedy illegal conduct, Judge Roberts confirmed that he would not take a narrow or crabbed view of individuals' rights.

Judge Roberts explained that the best place to look for his views was not the briefs he filed on behalf of clients, but his decisions as a judge:

> "I did have occasion as a judge to address a Spending Clause case. It was a case called Barber v. Washington Metropolitan Area. . . . . I ruled that the individual did have the right to sue." Those individuals, it should be noted, sued Washington, D.C. for discriminating against them based on their disabilities, and Judge Roberts affirmed their right to sue in the face of a dissent by a conservative panel Member. **Leahy questioning September 15, 2005.**

Moreover, demonstrating a sensitivity to the "real world" problems of race, Judge Roberts expressed his agreement with the approach taken by Justice O'Connor's opinion for the Court in upholding an affirmative action program employed by a university in its admissions policy, explaining that he agreed that it is vital "to look at the real-world impact in this area [the area of affirmative action in university admissions], and I think in other areas, as well." **Response to Kennedy Questioning, September 14, 2005**

Judge Roberts further reaffirmed his support for minority outreach programs that are designed to guarantee equal opportunity for all:

> "A measured effort that can withstand strict scrutiny is, I think, affirmative action of that sort, I think, is a very positi[ve] approach. . . . efforts to ensure the full participation in all aspects of our society by people without regard to their race, ethnicity, gender, religious beliefs--all of those are efforts that I think are appropriate. . . . beneficial affirmative action to bring minorities, women into all aspects of society. That's important, and as the Court has explained, we all benefit from that." **Roberts's response to Feinstein 9.14.05.**

Judge Roberts also cast aside any question about his commitment to civil rights for all Americans. In commenting on Congress' authority under the Fourteenth Amendment to remedy discrimination, Judge Roberts expressly stated that he believes Congress has the power to guarantee civil rights for all. In response to Senator Kennedy's question: "So do you agree with the Court's conclusion that the segregation of children in public school solely on the basis of race is unconstitutional?" Roberts responded: "I do." **Kennedy Questioning, September 13, 2005.** And, when asked by Kennedy: "do you believe that the Court had the power to address segregation of public schools on the basis of the Equal Protection Clause of the Constitution?" Roberts again responded: "Yes. . . ." **Kennedy Questioning, September 13, 2005.**

Judge Roberts, in his pro bono work, further demonstrated his even handedness. I questioned him about his participation in Romer v. Evans, which involved alleged discrimination on the basis of sexual orientation:

> "where you gave some advice on the arguments to those who were upholding gay rights, and a quotation by Walter Smith, who was the

lawyer at Hogan & Hartson in charge of pro bono work. He had this to say about your participation in that case supporting or trying to help the gay community in a case in the Supreme Court. Mr. Smith said, 'Every good lawyer knows that if there is something in his client's cause that so personally offends you, morally, religiously, or if it so offends you that you think it would undermine your ability to do your duty as a lawyer, then you shouldn't take it on, and John'--referring to you—'wouldn't have. So at a minimum he had no concerns that would rise to that level.' Does that accurately express your own sentiments in taking on the aid to the gay community in that case?"

Judge Roberts responded that:

"I was asked frequently by other partners to help out particularly in my area of expertise, often involved moot courting, and I never turned down a request. I think it's right that if it had been something morally objectionable, I suppose I would have, but it was my view that lawyers don't stand in the shoes of their clients, and that good lawyers can give advice and argue any side of a case. And as I said, I was asked frequently to participate in that type of assistance for other partners at the firm, and I never turned anyone down." **Response to Specter Questioning, Tuesday, September 13.**

In addition, Judge Roberts provided a thorough discussion of a much debated issue of the day – judges' use of foreign law in interpreting the U.S. Constitution. Judge Roberts stated, "a couple of things . . . cause concern on my part about the use of foreign law . . . as precedent on the meaning of American law." Judge Roberts

explained:

> "The first has to do with democratic theory. . . . If we're relying on a decision from a German judge about what our Constitution means, no President accountable to the people appointed that judge, and no Senate accountable to the people confirmed that judge, and yet he's playing a role in shaping a law that binds the people in this country. I think that's a concern that has to be addressed. The other part of it that would concern me is that relying on foreign precedent doesn't confine judges. It doesn't limit their discretion the way relying on domestic precedent does. . . . In foreign law you can find anything you want. If you don't find it in the decisions of France or Italy, it's in the decisions of Somalia or Japan or Indonesia or wherever. As somebody said in another context, looking at foreign law for support is like looking out over a crowd and picking out your friends. You can find them, they're there. And that actually expands the discretion of the judge. It allows the judge to incorporate his or her own personal preferences, cloak them with the authority of precedent because they're finding precedent in foreign law, and use that to determine the meaning of the Constitution. I think that's a misuse of precedent, not a correct use of precedent." **Roberts response to Kyl, Sept. 13, 2005.**

Most importantly, Judge Roberts's answers demonstrated that he would take a fair, non-ideological approach to the law. As Judge Roberts explained:

> "the ideal in the American justice system is epitomized by the fact that judges, Justices, do wear the black robes, and that is meant to symbolize

the fact that they're not individuals promoting their own particular views, but they are supposed to be doing their best to interpret the law, to interpret the Constitution, according to the rule of law, not their own preferences, not their own personal beliefs." **Kohl Questioning, September 13, 2005**

I think it important that Judge Roberts condemned judicial activism of all stripes, from the left and the right. I found it telling that when asked for an example of "immodesty" in judging, Judge Roberts began with an example of conservative judicial activism:

> "I would think the clearest juxtaposition would be the cases from the Lochner era. If you take Lochner on the one hand and, say, West Coast Hotel, which kind of overruled and buried the Lochner approach on the other, and the immodesty that I see in the Lochner opinion is in its re-weighing of the legislative determination. You read that opinion, it's about limits on how long bakers can work. And they're saying we don't think there's any problem with bakers working more than 13 hours. . . . Well, the legislature thought there was, and they passed a law about it, and the issue should not have been, Judges, do you think this was a good law or do you think bakers should work longer or not? It should be: Is there anything in the Constitution that prohibits the legislature from doing that?**" Schumer Questioning, September 14, 2005.**

This is a view, I should note, echoed in the work of a young John Roberts of nearly 24 years ago. In November 1981, Judge Roberts wrote that judicial activism is "a concern that does not depend upon political exigencies." The young John Roberts

pointed to *Lochner* and explained, "The evils of judicial activism remain the same regardless of the political ends the activism seeks to serve." **[Document AG7-5508]**

Unlike Justice Scalia, who declined even to opine on Marbury v. Madison, Judge Roberts not only reaffirmed his commitment to Marbury, but also indicated his support for the seminal Commerce Clause case of *Wickard v. Fillburn*.

In response to questioning by Senator Schumer, Judge Roberts stated that Wickard "was reaffirmed in the Raich case and that is a precedent of the court, just like Wickard, that I would apply like any other precedent. I have no agenda to overturn it. I have no agenda to revisit it. It's a precedent of the Court." **Schumer Questioning, Sept. 13, 2005.**

Nevertheless, I was not wholly persuaded by Judge Roberts' explanation in seeking to distance himself from memoranda which he had written as an Assistant to Attorney General William French Smith or as an Associate White House counsel in the Reagan Administration.

My overall impression of Judge Roberts is that he has grown considerably in the intervening twenty years. Phyllis Schafly, President of the conservative Eagles Forum, characterized that potential growth from his youthful position that women should be homemakers instead of lawyers. Ms. Schafly characterized that as a smart-alecky comment from a young bachelor who hadn't seen a whole lot of life at that point. The fact that Judge Roberts is now married to a successful lawyer, who is a homemaker as well, demonstrates a different current view.

In any event, I conclude that Judge Roberts is a very different man today than he was when he wrote the early memoranda and that a more appropriate way of evaluating him would be on the basis of his 45 opinions and 4 concurrences in two years on the

Circuit Court, the extensive testimony he gave, and the insights of the many witnesses who have known him intimately over the intervening years.

The subtle minuet of the confirmation hearing for Judge Roberts turned bombastic and confrontational at times, but he kept his cool and responded within reasonable parameters. The Judiciary Committee and the full Senate cannot be guarantors that Judge Roberts will fulfill ours or anyone's expectations. The Court's history is full of justices who have surprised or disappointed their appointers or inquisitors.

But the process has been full, fair and dignified. On some questions, Judge Roberts, as the song about the Kansas City burlesque queen in the stage play "Oklahoma" says: "She (he) went about as far as she (he) could go" without committing himself to votes on cases likely to come before the court. When all the facts are considered, my judgment is that Judge Roberts is qualified, has the potential to serve with distinction as Chief Justice and should be confirmed. I will vote "aye."

U.S. SENATE

JUDICIARY COMMITTEE

CHAIRMAN ARLEN SPECTER (R-PA)