

NOMINATION OF STEPHEN G. BREYER TO BE AN ASSOCIATE JUSTICE OF THE UNITED STATES SUPREME COURT

JULY 25, 1994.—Ordered to be printed

Mr. BIDEN, from the Committee on the Judiciary,
submitted the following

REPORT

together with

ADDITIONAL VIEWS

[To accompany the nomination of Stephen G. Breyer to be an Associate Justice of the United States Supreme Court]

The Committee on the Judiciary, to which was referred the nomination of Chief Judge Stephen G. Breyer to be an Associate Justice of the U.S. Supreme Court, having considered the same, reports favorably thereon, a quorum being present, by a vote of 18 yeas and 0 nays, with the recommendation that the nomination be approved.

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INTRODUCTION

The Senate Judiciary Committee unanimously recommends the confirmation of Judge Stephen G. Breyer to be an Associate Justice of the U.S. Supreme Court.

Judge Breyer possesses exceedingly high and exceptionally varied credentials. He was a full professor at one of our nation's most prestigious law schools. He has served in all three branches of the Federal Government. A circuit judge for 14 years, he has served 4 years as chief judge. His academic writings on economic regulation and administrative law have marked him a leader in those fields.

This report canvasses the record of significant issues explored with the nominee during the hearings. Although individual Senators may not agree with the conclusions drawn in every section of this report, each of the issues was relevant to some members of this committee in reaching the recommendation that the Senate consent to this nomination.

Based on its review of his entire professional career, the committee enthusiastically recommends the confirmation by the Senate of the nomination of Judge Stephen G. Breyer.

PART 1: BACKGROUND AND QUALIFICATIONS

I. BACKGROUND

The committee received the President's nomination of Chief Judge Stephen G. Breyer to be an Associate Justice of the United States Supreme Court on May 17, 1994. The hearings on Judge Breyer's nomination were held on July 12, 13, 14, and 15. The nominee was questioned for approximately 20 hours over the course of 3 days. The nominee was also questioned in a closed session, pursuant to rule 26 of the Standing Rules of the Senate, on July 14, 1994.

