

# We the People

*of the United States*

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**"First, as a member of the U.S. Senate, I am not choosing a nominee for the Court. That is the prerogative of the President of the United States, and we members of the U.S. Senate are simply reviewing the decision that he has made.**

**Second, our review, I believe, must operate within certain limits. We are attempting to answer some of the following questions: First, does the nominee have the intellectual capacity, competence, and temperament to be a Supreme Court Justice? Second, is the nominee of good moral character and free of conflict of interest that would compromise her ability to faithfully and objectively perform her role as a member of the U.S. Supreme Court? Third, will the nominee faithfully uphold the laws and Constitution of the United States of America?**

**We are not attempting to determine whether or not the nominee agrees with all of us on each and every pressing social or legal issue of the day. Indeed, if that were the test no one would ever pass by this committee, much less the full Senate."**

***Senator Joe Biden,  
Opening statement, confirmation hearing  
of Justice Sandra Day O'Connor,  
Senate Judiciary Committee  
(DATE?????)***

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