

Congress of the United States
House of Representatives
Washington, DC 20515

July 14, 2003

The Honorable George W. Bush
President
The White House
1600 Pennsylvania Avenue, N.W.
Washington, D.C. 20500

Dear Mr. President:

As you may know, Judge Theodore McMillian of the U.S. Court of Appeals for the Eighth Circuit announced his intention to take senior status on the court immediately. His decision creates a second pending vacancy on the Eighth Circuit for a Missouri-based judge. Judge Ronnie L. White, Chief Justice of the Missouri Supreme Court, would be a fitting and outstanding successor to Judge McMillian, and we strongly urge you to nominate him.

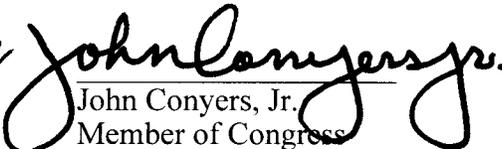
Appointed in 1978, Judge McMillian was the first African-American appointed to the Eighth Circuit. His rise is one that should inspire us all – working as a night janitor to pay for law school, he was selected to Phi Beta Kappa and graduated first in his law school class in 1949. Judge McMillian's insights and background brought much-needed diversity to the Eighth Circuit, which has benefitted greatly from his years of excellent service.

Judge Ronnie White has served with distinction on the Missouri State Supreme Court since 1995 and currently serves as Chief Justice. He is the first African American to sit on the Missouri Supreme Court and has devoted the better part of his life to serving the citizens of the great state of Missouri. As you know, Judge White was nominated by President Clinton in 1997 to serve on the federal bench. Despite approval by the Senate Judiciary Committee, his nomination was defeated in a disappointing party-line vote.

We strongly support the continued effort to develop a federal judiciary that is as diverse and representative as the citizens of this great country. As a result of Judge McMillian's announcement, the Eighth Circuit Appeals Court is left with only one African American judge on active status out of 11. Nationwide, our federal appeals courts have only 12 African American judges out of 179. We hope you will endeavor to take a more active role in promoting diversity on the federal bench, and nominate a candidate committed to upholding the progress our nation has made in civil rights over the past fifty years.

Judge White would be an outstanding addition to the federal bench, and we hope you will extend him every possible consideration. We would be pleased to work with you and your staff in identifying other worthy candidates for nomination to the Eighth Circuit. Thank you for your attention to this important matter, and we look forward to hearing from you soon.


Richard A. Gephardt
Member of Congress


John Conyers, Jr.
Member of Congress


Wm. Lacy Clay
Member of Congress