

January 17, 2001

What His Colleagues Say About Nominee John Ashcroft

The following are excerpts from Senators' opening statements during yesterday's Judiciary Committee hearing on the nomination of Senator John Ashcroft to serve as U.S. Attorney General, (excerpts are provided in the order they were spoken).

[Source: Federal Document Clearing House, Inc., taken from Senate's online news wire service].

Senator Patrick Leahy (D-VT) –

“Now, the hearing is not about whether we like Senator John Ashcroft or call him a friend. All of us do. All of us like him; all of us know him. It is not about whether we agree or disagree with him on every issue. Many of us have worked productively with him on selected matters and then we've disagreed with him on others. Let me be very clear about one thing: This is not about whether Senator Ashcroft is racist, anti-Catholic, anti-Mormon, or anti-anything else. Those of us who have worked with him in the Senate do not make that charge.”

Senator Orrin Hatch (R-UT) –

“John has an impressive record – almost 30 years of public service: Eight years as Missouri state attorney general, during which time he was elected by his 50 state attorney general peers to head the National Association of Attorneys General; eight years as governor of the great state of Missouri, during which time he was elected by the 50 governors to serve as the head of the National Governors' Association; six years in the United States Senate, four of which he has served here with us on the Senate Judiciary Committee. Of the 67 attorneys general in the history of this country, only a handful come even close to having even some of the qualifications that John Ashcroft brings in assuming the position of chief law enforcement officer of this great nation.

“I have one request of my colleagues as we proceed: In keeping with our promise to work in a bipartisan fashion, I ask that we begin with a rejection of the politics of division. If we want to encourage the most qualified citizens to serve in government, we must do everything we can to stop what has been termed the politics of personal destruction.”

Senator Ted Kennedy (D-MA) –

“The clear question before the Senate is whether, if confirmed as attorney general, Senator Ashcroft will be capable of fully and fairly enforcing the nation’s laws to benefit all Americans, even though he profoundly disagrees with many of the most important of those laws. His past actions strongly suggest that he will not. . . . Many of us, probably all of us, who have served with Senator Ashcroft respect his ability on the issues and his intense commitment to the principles he believes in, even though we disagree profoundly with some of those principles.”

Senator Strom Thurmond (R-SC) –

“In the Senate, [Senator Ashcroft’s] job was to make the laws, but as attorney general, his job will be to enforce the laws. It is clear that he understands that people in different positions have different roles because he has expressed concerns about federal judges who do not understand the separation of powers. I am confident that as attorney general he will enforce all the laws to the best of his ability, whether he helped enact them or not.”

Senator Herb Kohl (D-WI) –

“When considering Cabinet nominations, I approach the process prepared to give deference to the president’s choice. The president is entitled to surround himself with the people he trusts. This deference, however, does not rise to the level of blind acceptance. And so, Senator Ashcroft, you have a responsibility to convince this panel and the American people that your views will not interfere with the administration of justice. . . . You have strong convictions. You often wear them on your sleeve and you take great pride in your convictions. You certainly are not to be faulted for this. But . . . it is up to you to explain to us why your convictions will not permeate or dominate or even overwhelm the Department of Justice.”

Senator Charles E. Grassley (R-IA) –

“John Ashcroft is a man of the law. He is eminently qualified to serve as this nation’s attorney general. His background as governor and attorney general of Missouri are some of the strongest qualifications that I’ve seen for this job. I believe that he will vigorously enforce all of our nation’s laws. I believe that Senator Ashcroft will uphold the rule of law for all Americans, which will be a refreshing change from the way things were done in the present administration, where the Justice Department was more a defense counsel for the president than the nation’s chief law enforcer. John Ashcroft’s integrity, then, will be a breath of fresh air.”

Senator Dianne Feinstein (D-CA) –

“I believe that the people of this nation deserve an attorney general who will be honest, strong and fair, whose integrity is beyond question, and who will vigorously protect the rights of every American under law. In my meeting with Senator Ashcroft, I assured him that I would keep an open mind and do everything I possibly could to see to it that he got a full and fair hearing. And I believe he’s going to get just that. So I’ve not yet taken a position on whether I would or would not support his nomination to be attorney general of the United States. . . . We all know Senator Ashcroft as an independent thinker, as a strong advocate for his beliefs. Many of us on this

committee have worked with him on various pieces of legislation . . . and he has been gracious, true to his word, and a very good person with whom to work.”

Senator Arlen Specter (R-PA) –

“Having worked with him for six years, including extensive work on this committee, I had thought that I knew John Ashcroft pretty well until I started to read about him in the papers and listen to the electronic media. Well, seriously, we know about his strong ideological views, and the critical factor, obviously, is whether John Ashcroft has the ability and the willingness and the temperament to separate his own personal views from law enforcement. And there is a big difference. . . .

“I hope that we can put partisanship aside. There is no doubt that if it becomes a partisan issue, that this nomination can be blocked by a refusal to cut off debate. And feelings are running very, very high, lots of calls on both sides, great intensity. I haven’t seen this much intensity for more than a decade. . . . And if the passions run high enough and partisanship takes over, it will not be in the interest of the American people.”

Senator Russell Feingold (D-WI) –

“Let me also repeat my conviction, as this hearing begins, that voting records and conservative ideology are not a sufficient basis to reject a Cabinet nominee, even for attorney general. I say this as a progressive Democrat from Wisconsin who hopes that the William O. Douglases and Ramsey Clarks of the future will be appointed to executive positions and cabinets and not be rejected on that basis alone. In other words, Mr. Chairman, being in the middle of the road is not a requirement for a Cabinet position.”

Senator Jon Kyl (R-AZ) –

“I’d like to quote an eloquent statement . . . by a member of this committee in connection with another nominee a few years ago. Our colleague at this time said, ‘The Senate has a responsibility to advise and consent on Department of Justice and other executive branch nominees. And we must always take our advice and consent responsibilities seriously because they are among the most sacred. But I think most senators will agree that the standard we apply in the case of executive branch appointments is not as stringent as that for judicial nominees. The president should get to pick his own team. Unless the nominee is incompetent or some other major ethical or investigative problem arises in the course of our carrying out our duties, then the president gets the benefit of the doubt. . . .’ The eloquence, of course, is easily recognized as that of the chairman, Senator Leahy of Vermont, speaking on behalf of [assistant attorney general nominee] Walter Dellinger. . .

“You can be assured that when John Ashcroft places his hand on the Bible and swears to uphold the laws and the Constitution, that he will do that on behalf of the people of the United States of America.”

Senator Charles Schumer (D-NY) –

“I believe we owe a significant level of deference to the president in his choices for Cabinet. The president does not have carte blanche, but usually the presumption at least begins in favor of his nominees. . . . In other words, the issue should be whether a nominee’s fervent beliefs and views are so one-sided that we lose faith, that the American people lose faith, in that person’s ability to carefully evaluate, abide by and uphold the law.”

Senator Mike DeWine (R-OH) –

“We are now at a place in our nation’s history where it sometimes seems as if there is a direct relationship between the qualifications, the experience, the length of service of the particular nominee, and how contentious and how difficult the nomination process is. Today, we have a nominee who has extensive experience, who is extremely well-qualified . . . Therefore, I guess it should come as no surprise that he’s taken positions on many, many issues. He’s cast thousands of votes and he has a long track record. Nor, frankly, should it come as a surprise that a record of a quarter of a century would generate criticism. I think we would worry if he hadn’t taken tough positions.

“I’m going to listen. But I am convinced, based upon what I have heard so far and what I know about John Ashcroft, is that after he has been attorney general the people will look up and say, ‘Yes, this was a man of integrity. We did not always agree with him. . . . He gained the respect of the American people and he brought honor and integrity to the office.’”

Senator Richard Durbin (D-IL) –

“John Ashcroft, this should have nothing to do with your personal life or family life. As some have said, the politics of personal destruction should come to an end. And I don’t believe this hearing will engage in any questions relative to that, nor should it. For a good reason: You have a fine family you’re very proud of, and we have plenty to concern ourselves with, relative to the issues before us. . . . There is no quarrel that your public life shows a commitment to a set of values. There is no doubt that your service as attorney general will be guided by a set of values. The question before this committee is, what will those values be?”

Senator Jeff Sessions (R-AL) –

“I love the Department of Justice. I spent 15 years in the department as an assistant United States attorney, 12 years as United States attorney, served five different attorneys general. I believe in that department. It is a great department. . . . We may have had an attorney general who was right on some of our colleagues’ ideological issues, but I don’t think the department has been run well. . . . I think it needs new, vigorous, positive leadership and as people have described your background, I think you’re perfect for that and I’m honored to support you.”

Senator Bob Smith (R-NH) –

“John Ashcroft is a guy who’s always looking to do what is right. I’m reminded . . . of John Ashcroft coming in to the Republican Conference after the sudden and tragic death of Governor Mel Carnahan, his opponent, emotionally talking about that in the confines of that room with

only his colleagues there, announcing to all of us he would suspend his campaign immediately for at least the next 10 days. While that happened, the other side geared up to defeat him, but John did the right thing. That's the kind of man he is . . .

"And I'll say to my colleagues, . . . if I can vote for Janet Reno, you can vote for John Ashcroft."

Senator Sam Brownback (R-KS) –

"John has shared with me, through the things that he has done, through what I've observed. . . : his honesty, his integrity, his devotion to his family and to his creator, his principled character, and his steadfast belief that each of us is put here on Earth to help our fellow man and to leave this world a better place for all of our children, for those here now and those yet to be. And contrary to the assertions of those who make a living exacerbating the tensions that divide us as a nation, I know John Ashcroft is committed to our nation's promise."

RPC Staff Contact: Judy Gorman, 224-2946