

**Statement of Senator Charles Grassley
Ranking Member
Committee on the Judiciary
United States Senate**

Before the Committee on the Judiciary regarding the Nominations of:

*John P. Carlin, to be Assistant Attorney General, National Security Division
Debo P. Adebile, to be an Assistant Attorney General, Civil Rights Division
James D. Peterson, to be United States District Judge for the Western District of
Wisconsin
Nancy J. Rosenstengel, to be United States District Judge for the Southern District
of Illinois
Indira Talwani, to be United States District Judge for the District of Massachusetts*

January 8, 2013

Mr. Chairman,

First, I'd like to congratulate and welcome today's nominees and their families.

Today we are considering three District Court nominees and two important Department of Justice positions, including the nominee to be the Assistant Attorney General for the Civil Rights Division. This division has not been without its share of controversy.

For instance, the last individual to lead this office orchestrated the Quid Pro Quo between the Department of Justice and the city of St. Paul, where the Department of Justice went to great lengths to get a case withdrawn from the Supreme Court so that the legal theory known as "disparate impact" would evade Supreme Court review.

And of course, there have been very disturbing allegations of politicizing the hiring process at the Civil Rights Division. In fact, a March 2013 Inspector General report criticized the Civil Rights Division for its hiring practices, noting that the primary criterion

used by the hiring committee resulted in a pool of candidates that was “overwhelmingly Democratic/liberal in affiliation.”

So I have some concerns with the way the Civil Rights Division has been run. And I also have some concerns with the nominee’s record.

I would note that the Fraternal Order of Police, an organization that is very well respected by both sides of the aisle, has submitted a letter strongly opposing the nominee for the Civil Rights Division. Of course, the Fraternal Order of Police represents 330,000 men and women who are on the front lines of law enforcement, putting their lives on the line to protect us every day. So, when they write to inform us of their “extreme disappointment, displeasure and vehement opposition” to the nominee for the Civil Rights Division, I think that we should give their concerns thoughtful consideration. I look forward to hearing from the nominee regarding this – as well as other – issues of concern. And I ask consent that the letter from the Fraternal Order of Police be made part of the record.

I note that today is the first Nominations hearing of 2014. I’d like to briefly review the good work the Committee accomplished with regard to judicial nominations last year. Last month, we held the 18th judicial nominations hearing of 2013, during which we considered a total of 62 judicial nominees.

This is a significant improvement over how this Committee treated judicial nominees during the last President’s fifth year of office. In 2005, the Committee held only six nominations hearings, and considered only 15 district and circuit nominees. So in 2013, this committee held three times the number of nominations hearings and considered over four times the number of judicial nominees.

Additionally, last year the Senate confirmed 45 lower court Article 3 judicial nominees. That is more than twice the number confirmed at a similar stage in President Bush’s second term, when only 21 district and circuit nominees had been confirmed.

All told, the Senate has confirmed 217 of this President's lower court Article 3 judges. That is a record that any President should be proud of.

So I'll conclude by saying that I applaud the Chairman for his work. He continues to keep us busy as he makes sure that the Committee moves at a brisk pace, and I hope he would recognize the cooperation and accommodation I have shown as Ranking Member of this Committee.

Again, I welcome the nominees and their families today and look forward to their testimony.