

Statement of

The Honorable Sheldon Whitehouse

United States Senator
Rhode Island
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Kevin O'Connor and Gregory Katsas Considered for Department of Justice Appointments

Washington, D.C. - U.S. Senator Sheldon Whitehouse (D-R.I.) today chaired a Senate Judiciary Committee to consider two nominations to fill openings in the Department of Justice. Kevin O'Connor, currently the United States Attorney for the District of Connecticut and former Chief of Staff to Attorney General Alberto Gonzales, has been nominated to be the Associate Attorney General; and Gregory Katsas, the Acting Associate Attorney General and the Principle Deputy Associate Attorney general, has been nominated to be the Assistant Attorney General of the Civil Division. Whitehouse's opening statement, as prepared, is below.

Today, the Committee will hear from two witnesses: Kevin O'Connor, nominated to be the Associate Attorney General, and Gregory Katsas, nominated to be the Assistant Attorney General of the Civil Division.

Mr. O'Connor is currently the United States Attorney for the District of Connecticut, and has previously served as Chief of Staff to Attorney General Alberto Gonzales and as Associate Deputy Attorney General. Prior to joining the Department of Justice, he had an impressive career in both the private and public sectors. The position to which Mr. O'Connor has been nominated is a vital one: the Associate Attorney General is the number three official at DOJ, responsible for supervising a number of important offices, including the Antitrust, Civil, Civil Rights, and Environment and Natural Resources Divisions.

Mr. Katsas is currently both the Acting Associate Attorney General and the Principal Deputy Associate Attorney General. From 2001 - 2006, he served as the Deputy Attorney General of the Civil Division, where he supervised much of the Division's appellate work - so he is well familiar with the workings of the very important Division he has been nominated to lead.

Before proceeding with the witnesses' opening statements, I would like to make two observations.

First, this hearing marks another important step in the effort to restore the Department's credibility after the disastrous tenure of Alberto Gonzales - which ended with vacancies throughout the Department's upper ranks.

Indeed, the nominees before the Committee today are the ninth and tenth, respectively, to have confirmation hearings before this Committee since Mr. Gonzales stepped down, a list which includes nominees to be Attorney General, Deputy Attorney General, Associate Attorney

General, and three Assistant Attorneys General. I commend Chairman Leahy for his determination to help fill these vacancies so that Attorney General Mukasey can have his leadership team intact and so that the Department's credibility can be restored. Whether that happens will depend, in large part, on whether the nominees are committed to operating in a manner different from the approach of the Gonzales Justice Department - in which they both served.

Second, this hearing is a reminder of the vital role of Congressional oversight of the Department of Justice. It was thanks to this Committee's hard work last year that the American people learned of U.S. Attorneys fired for political reasons, a hiring process corrupted by politics, and a policy that allowed hundreds of people at the White House to have case specific conversations with dozens of DOJ lawyers. Attorney General Mukasey has taken some steps to right the ship - but there is much more to be done, and Congress will play an instrumental role in ensuring that progress is made.

Which brings us back to today's hearing.

I look forward to the testimony of both Mr. O'Connor and Mr. Katsas. We need independent voices in the leadership of the Department of Justice; people who make decisions based on the law, not on politics; people who will stand up to political pressure from the White House; and people who understand and value the time-honored traditions that make the Department great. These are the measures by which I will judge your nominations.

I look forward to your testimony, and I now turn to Ranking Member Specter for his opening remarks.

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