

Statement of

# **The Honorable Herb Kohl**

United States Senator  
Wisconsin  
January 28, 2009

Mr. Chairman,

The American people are right to demand an Attorney General that will restore the rule of law to the Justice Department as their lawyer and not the President's. Although we grant some deference to the President to surround himself with the people he chooses for his Cabinet, that deference is not absolute. After all, the Attorney General is unique among cabinet members. His or her first duty is to be the people's lawyer and not the President's.

Concerns have been raised about Mr. Holder's ability to be independent of the White House because of actions that he took as Deputy Attorney General. Mr. Holder candidly addressed these concerns at his hearing. He acknowledged the mistakes that he made and he ably defended the decisions and actions that he believes were right. He told us about the many tough calls he made during his tenure, some of which ran contrary to the interests of the President who had appointed him.

After careful consideration of the nominee's answers at the hearing, responses to written questions, and an examination of the facts, Mr. Holder has demonstrated to my satisfaction that he understands that the Attorney General is not the President's lawyer, but the people's lawyer. I believe that Eric Holder has the character, experience, and leadership ability to restore the integrity of the Justice Department and enforce the law regardless of ideology or politics.

Mr. Holder's extraordinary public service for 25 years shows his commitment to fight for what is right on behalf of the American people. He earned his stripes as a Department of Justice career prosecutor, investigating and prosecuting corrupt public officials. Mr. Holder served with distinction as a judge on one of the busiest courts in the country. As the U.S. Attorney for the District of Columbia, Mr. Holder pioneered new ways of partnering with the community to fight and prevent crime.

Should he be confirmed, Mr. Holder will be tasked with taking the politics out of the Justice Department, ending the use of abusive interrogation techniques, protecting our homeland while respecting civil liberties, closing Guantanamo Bay, and making our neighborhoods safer with innovative solutions to law enforcement. I look forward to working with him to accomplish these goals. I will vote yes on his confirmation.