

The following text may be printed, copy/pasted, or downloaded and emailed.

Nomination of Gonzales gets Senate panel's OK

Andrew Zajac
Chicago Tribune
January 27, 2005

WASHINGTON -- White House counsel Alberto Gonzales won Senate committee approval Wednesday to be the next attorney general even though all of the panel's Democrats voted against him, complaining that he is too close to President Bush and has countenanced torture of prisoners in the war on terror.

The nomination of the first Hispanic chosen to be the nation's top law-enforcement officer was sent to the full Senate on a 10-8 party-line vote in the Senate Judiciary Committee. The tally was a clear signal to the White House of Democrats' anger over the administration's conduct of the war on terror and the minority party's willingness to spend its limited political capital to challenge those who helped craft White House policies.

Opponents said Gonzales, 49, made his own trouble with a lack of candor in his confirmation hearing Jan. 6 and in subsequent responses to written questions, particularly on the use of torture.

"We have a torture problem. The FBI says so. The Red Cross says so. The Defense Intelligence Agency says so. . . . Yet Mr. Gonzales can't remember any of the details of how it happened," said Sen. Edward Kennedy (D-Mass.).

Although Gonzales at his hearing condemned the use of torture, he was vague about the origins and development of an August 2002 Justice Department memo addressed to him. Critics contend the memo laid the foundation for U.S. interrogation policy that resulted in the Abu Ghraib prison scandal in Iraq as well as complaints of prisoner abuse elsewhere in Iraq, in Afghanistan and at Guantanamo Bay, Cuba.

The memo provided an extreme definition of torture, limiting it to the infliction of pain akin to "organ failure, impairment of bodily function or even death." It eventually was withdrawn after being leaked to the public last year.

In responses to written queries, Gonzales declined to list which interrogation methods are permissible under U.S. policy, saying that such information is classified.

He also stuck to an assertion that the president could theoretically override a law, such as one forbidding torture, a position that angered several senators.

Sen. Charles Schumer (D-N.Y.) said Gonzales was overly wedded to secrecy when considering policy changes that may be necessary in fighting terror.

"If a terrorist knew where a nuclear bomb was in an American city and we had 30 minutes to find out where, my guess is everyone in this room would say, 'Do what it takes.'" Schumer said. "But we can't just remake the rules behind closed doors."

Republicans said little, content for the most part to let their majority status carry the vote.

Because of the GOP control in the Senate, Gonzales' nomination is not believed to be in any trouble. A filibuster by Democrats is considered unlikely, although they promised vigorous floor debate when the nomination moves to the full Senate, probably next week.

If confirmed, Gonzales would replace John Ashcroft, who also had difficulty winning Democrats' support, both during his confirmation hearings and his tenure as attorney general.