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Senators likely to grill nominee

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WASHINGTON - The road to White House counsel Alberto Gonzales' confirmation as the first Hispanic U.S. attorney general may run through two controversial places: the notorious Abu Ghraib prison in Iraq and Texas' death row.

Although most senators expect President Bush's longtime friend and White House lawyer to be confirmed as the 80th U.S. attorney general, Democrats plan to use a hearing on his nomination to press for answers on White House decisions they think led to the Iraqi prisoners scandal.

Gonzales' confirmation "may be the only remaining forum in which to examine more fully the steps that were taken to weaken U.S. policy on torture in the period that led to the prison scandals at Abu Ghraib and Afghanistan," said Sen. Patrick Leahy of Vermont, senior Democrat on the Senate Judiciary Committee.

Death penalty opponents also want Gonzales questioned on how the Justice Department will apply the federal death penalty given Gonzales' time in Texas as adviser to then-Gov. Bush.

Gonzales was part of Bush's inner circle of advisers during the executions of mentally retarded killer Terry Washington in 1997 and pickax murderer Karla Faye Tucker, for whom clemency was sought by Pope John Paul II, in 1998.

While Texas' governor, Bush oversaw more than 150 executions.

Liberals are reviewing a 2003 Atlantic Monthly magazine article claiming that as Bush's legal counsel in Texas, Gonzales on clemency petitions "repeatedly failed to appraise the governor of crucial issues in the cases at hand: ineffective counsel, conflict of interest, mitigating evidence, even actual evidence of innocence."

While they're not taking an official position on Gonzales, "the track record is not promising," Elliot said.

The 49-year-old White House counsel would replace Attorney General John Ashcroft, who offered a letter of resignation on Election Day.

Democrats are not expected to try and block Gonzales' nomination, but are expected to grill him strongly about the accountability of the White House during the war on terrorism.

Gonzales drew criticism after the terrorist attacks in 2001 when he wrote a memo in which Bush claimed the right to waive anti-torture law and international treaties providing protections to prisoners of war. That position drew fire from human rights groups, who said it helped lead to the type of abuses uncovered in the Abu Ghraib prison scandal.

Specifically, Gonzales' memo said the Geneva Convention that had long governed the treatment of prisoners did not apply to al-Qaeda or the war in Afghanistan.

"Even Secretary of State Powell objected to Mr. Gonzales memorandum undermining the Geneva Conventions, which Mr. Gonzales called 'obsolete' and 'quaint,'" said Sen. Edward Kennedy, D-Mass.

Democrats say Congress hasn't done enough to find out how far up the chain blame should go while lower ranking soldiers are being prosecuted. Gonzales knows that those questions are going to come up, Leahy said.

"I raised it with him when I talked with him today, that of course we're going to ask questions about the memo and the detainees at Guantanamo and at Abu Ghraib," Leahy told PBS Wednesday, and "the question about whether the Geneva Convention should be set aside and his role in that."

Surprisingly, Gonzales may also run into some opposition from Republicans who have some concerns about his abortion views, especially after the fallout with Sen. Arlen Specter, R-Pa., a supporter of abortion rights, poised to head the judiciary committee. Conservatives point to Gonzales' vote on the Texas Supreme Court to allow a teenager to get an abortion without parental consent.