

Attorney General, and I sincerely urge my colleagues to give him their full support as well.

Mr. JEFFORDS. Mr. President, I rise today to discuss my thoughts on the nomination of Senator John Ashcroft to be the United States Attorney General.

One of the first issues I faced as a new Senator in 1989 was the controversial nomination of former Senator John Tower to be Secretary of Defense. As this was the first time I was faced with the Senate's constitutional "advise and consent" role, it was incumbent upon me to learn more about this important role through study and through conversations with my fellow Senators. It was also important to devise a standard to evaluate Presidential nominations so as to treat nominees of both Republican and Democratic Presidents with consistency and fairness.

I came to the conclusion that my general policy should be to support nominations made by a President, provided that the individual is appropriately qualified and capable of performing the duties of the position. A President is entitled to a Cabinet of his or her own choosing unless a nominee is proven unethical or unqualified. I would not oppose a nominee just because I disagree with them on a policy matter.

For judicial branch nominations, however, I apply a different standard. I have made this distinction between executive and judicial nominees throughout my Senate career. For example, during the consideration of Clarence Thomas' nomination to the Supreme Court in 1991, I argued that:

By no means does a president, even one of my own party, have the right to pick virtually anyone he wants who meets minimal qualifications with respect to character, legal ability and judicial temperament. This is not a pass-fail test. In my mind, such a process is entirely proper for appointees to the executive branch of government. The president should be given wide latitude in selecting his Cabinet secretaries and key agency personnel. But under the Constitution, such deference is inappropriate in the confirmation of Supreme Court justices.

I used this policy in evaluating Presidential nominations throughout the Bush Presidency and the subsequent Clinton Presidency, and will continue to use this standard to evaluate the nominations put forth by our current President. In order to determine a nominee's qualifications and capabilities, I review the statements of nominees, follow the hearings conducted on a nominee, and listen to the opinions expressed by my colleagues. I have done all of these in the case of this nomination and I am here today to express my support for the confirmation of John Ashcroft to be the next United States Attorney General.

A review of Senator Ashcroft's record shows that he is qualified to serve in the position of United States Attorney General. He has a long and distinguished tenure in public service, serv-

ing as Missouri's Attorney General, Governor and Senator. During his terms as Governor, John Ashcroft served as Chairman of the Republican Governors' Association and as Chairman of the National Governors' Association. In addition, during his tenure in the Senate he served on the Senate Judiciary Committee and chaired the Senate Judiciary Subcommittee on the Constitution.

Senator Ashcroft is also capable of performing the duties of United States Attorney General as he is a fair and judicious individual. Some have raised questions concerning his ability to enforce laws he has opposed in the past, but during a meeting I had with him he assured me that as Attorney General he would work to uphold the laws of this nation, including those with which he disagrees. I believe that these qualities prove Senator Ashcroft to be capable of performing the duties of Attorney General and will serve him well in this role.

As anyone can tell from our records, Senator Ashcroft and I have very different opinions on many important issues, including abortion, civil and gay rights, and environmental protection. I will continue in my role as a Senator from Vermont to support legislation upholding the Roe v. Wade decision legalizing abortion, protecting access to clinics that perform abortion services, combating employment discrimination and hate crimes based on sexual orientation, and protecting our environment. I will also closely follow the decisions Senator Ashcroft makes as Attorney General and speak out when I feel those decisions are wrong. However, while we may have different opinions on many issues, in my mind that alone is not enough to disqualify a nominee.

THE LOCKERBIE VERDICT

Mr. MCCAIN. Mr. President, today's unanimous verdict by a Scottish court convicting a Libyan intelligence agent of murder in the 1988 bombing of Pan Am Flight 103 over Lockerbie concludes an exhaustive terrorism trial that clearly exposed Libyan state sponsorship of the mass murder of 270 individuals, including 189 Americans. A second Libyan charged with the same offense was acquitted. Although no verdict can compensate the victims' loved ones for their loss, the life sentence handed down to Libyan intelligence agent Abdel Basset Ali al-Megrahi represents a first step for the families, the prosecution, and the Western nations that supported bringing the Libyans to justice.

Nonetheless, the trial's conclusion must not obscure the task ahead: holding Libya accountable for full compliance with the U.N. Security Council resolutions governing the sanctions regime against that country. These resolutions mandate that, before sanctions can be lifted, Libya must (1) Cease all forms of terrorism; (2) Disclose all in-

formation about the Lockerbie bombing; (3) Accept responsibility for the actions of Libyan officials; (4) Pay appropriate compensation to the victims' families; and (5) Cooperate with the French investigation into the 1989 bombing of UTA Flight 772 over Niger.

Full Libyan compliance with the U.N. resolutions must be the standard for terminating the sanctions, which are believed by many experts to be responsible for the significant decline in Libya's sponsorship of terrorism overseas.

Of perhaps more immediate importance to the United States is the question of the separate U.S. sanctions currently in place against Libya, primarily as a consequence of its sponsorship of state terrorism. True, Libya did hand over the Lockerbie defendants in 1999 and expel the Abu Nidal terrorist organization from its territory in 1998. The Libyan government has also seemingly reduced its contacts with radical Palestinian organizations espousing violence against Israel. In 1999, after the conviction in absentia of six Libyans by a French court for the UTA 772 bombing, Libya compensated the families of the 171 victims. However, it has not turned over the convicted individuals for trial or acknowledged responsibility.

In addition to the issue of terrorism, the United States must consider Libya's covert and sometimes armed intervention in the affairs of other African nations, including Chad, Sudan, and Sierra Leone, as well as Libya's continuing development of weapons of mass destruction. Libya used chemical weapons acquired from Iran against Chad in 1986 and has constructed chemical weapons facilities at Rabta and Tarhunah. According to the Congressional Research Service, Libya tried to buy nuclear weapons or components from China in 1975, India in 1978, Pakistan in 1980, the Soviet Union in 1981, Argentina in 1983, Brazil in 1984, and Belgium in 1985. The United Kingdom accused Libya of smuggling Chinese Scud missiles through Gatwick Airport in 2000. The Pentagon believes China has provided missile technology training to Libyan workers.

While I applaud the Lockerbie verdict, I believe any consequent American policy changes toward Libya must take into account its possession of chemical and potentially nuclear weapons, its compliance with existing U.N. Security Council mandates on the Lockerbie and UTA bombings, and any residual support for state terrorism. If Libya truly wishes to enter the ranks of law-abiding nations, with the economic and diplomatic benefits such status affords, it must satisfy the international community's concerns on these issues.

TRIBUTE TO WARREN RUDMAN

Mr. SMITH of New Hampshire. Mr. President, I rise today to honor former United States Senator Warren Rudman