

incidences, or if there is a broad, systematic pattern of discouraging or preventing minority votes.

If these allegations are swept under the rug, if they go without a thorough review—and prosecutions if necessary—there will be a permanent scar on the face of our democracy. These allegations are germane to these proceedings because the attorney general, by congressional statute, has almost total discretion to enforce federal voting rights laws.

The attorney general will decide how the investigation into these allegations proceeds—if it does at all—and what will come of the findings.

I asked Senator Ashcroft several questions to further understand his commitment to this investigation: Whether he could assure us that such an investigation could be completed in a timely matter. What was his plan of action for remedies if violations of the Voting Rights Act are identified? Would he consider appropriate decertification of all punch-card voting methods and other unreliable methods, or discontinue purges of the voter registration rolls until procedures are put in place to ensure that such purges are done in a uniform and non-discriminatory fashion? If the United States Commission on Civil Rights does discover instances of voter disenfranchisement, will the Department of Justice expand its investigation and aggressively prosecute violations of the Voting Rights Act? How will the Department of Justice use information from this election to make sure discrimination is not given free reign in the future?

In answering my questions, Senator Ashcroft said the right thing, but did so in a perfunctory manner. The answers were long on platitudes, short on specificity. He did not present a course of action in pursuit of the truth, nor offer potential solutions.

Had these answers been the only information available about Senator Ashcroft's commitment to civil rights, I may have accepted them on their face and approved this nomination.

But Senator Ashcroft has a long record of public service that suggests enforcement of civil rights is not his highest priority. My colleagues on the Judiciary Committee raised questions about several of these incidents. I share their concern. I also believe, as his supporters have said, that Senator Ashcroft has a good heart and that he is a man of integrity.

I hope that my apprehensions about Senator Ashcroft turn out to have been unwarranted and that if confirmed, as I assume he will be, he will prove me wrong by carrying on a full, fair hearing of the allegations raised by thousands of Floridians.

I look forward to the opportunity to acknowledge my mistake. But I am not prepared to take the risk that Senator Ashcroft's longstanding practice of not defending the civil rights of minorities will be prologue to his policies as attorney general.

Since the birth of this country people have died fighting for the right to vote. Our own American Revolution was about lack of representation, lack of voice and choice in governance. Nearly two centuries later Michael Schwerner,

Andrew Goodman and James Chaney, were brutally murdered for trying to register African-Americans to vote.

More recently, Americans have been lulled into complacency about voting rights. We seem to believe that if there are no obvious deterrents to voting, like poll taxes, then there are no voting-rights violations.

The events of the past election should wake us up. The right to vote can be violated by armed men lurking menacingly at the door of the polling place.

The right to vote can also be stolen by antiquated voting equipment and careless or discriminatory purging of the voter rolls. Coupled with his record, Senator Ashcroft's answers to my inquiries do not convince me of a genuine commitment to a forceful investigation and follow-up action of voting-rights violations in Florida.

I am not confident that action will follow words. Therefore, I will vote "no" on the confirmation of John Ashcroft for United States Attorney General.

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ADJOURNMENT UNTIL 9 A.M.  
TOMORROW

The PRESIDING OFFICER (Mr. ALLEN). Under the previous order, the Senate stands adjourned until the hour of 9 a.m. on Thursday, February 1, 2001.

Thereupon, the Senate, at 8:08 p.m., adjourned in executive session until Thursday, February 1, 2001, at 9 a.m.