

Mr. LEAHY. It always helps.

Mr. LOTT. I will be talking further to your leadership about how we schedule it this week, and I look forward to getting it completed as soon as possible.

I yield the floor, Mr. President.

#### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

#### MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business not to extend beyond the hour of 2 p.m. Under the previous order, the time until 1 p.m. shall be under the control of the Democratic leader, or his designee.

The Senator from Nevada, Mr. REID.

#### ORDER OF PROCEDURE

Mr. REID. Mr. President, I ask unanimous consent the time for morning business on the Democratic side be extended until the hour of 1:10 and then the Republicans would, of course, have the next hour.

The ACTING PRESIDENT pro tempore. Is there objection? Without objection, it is so ordered. The Senator from Nevada.

#### NOMINATION

Mr. REID. Mr. President, as the majority leader indicated, we have done really a good job of approving the nominations of the new President. By tomorrow afternoon, 12 of the 13—I think that is the right number—will have been approved. Anyway, all but one will have been approved.

While the Senator from Vermont is on the floor, I extend to him the appreciation of the entire Democratic caucus for the way the hearings have been conducted.

First, as Senator LEAHY was chairman of the committee, and then following that, working as the ranking member, this is a lot of heavy lifting.

I talked to someone today, and they asked me: Why is it taking so long? I indicated that it is taking a long time because—let's assume Vice President Gore had been elected President, and I just pick a name. Let's assume Senator KENNEDY had been selected to be the Attorney General for the United States rather than John Ashcroft, two people who have served this Senate on different sides of the political spectrum. I think the Republicans would have taken a lot of time to go over all the things Senator KENNEDY had said in speeches and things he had said on the Senate floor.

That is what we are doing. We are looking at the record of the designate for Attorney General, what he said when he was attorney general, what he did when he was attorney general, what he did when he was Governor, and what he did in the Senate.

I extend my appreciation to the Senator from Vermont for the job that has been done. Senator LEAHY, prior to coming here, was a prosecutor. He had to prepare his cases to make sure all the evidence was brought before the jury and/or the court. That is in effect what he is doing, but in this instance the jury is the 100 Members of the Senate. Without a good record, we cannot make a good decision.

I have not had the benefit of sitting through all of these hearings as has the Senator from Vermont. Therefore, he must provide us, through the committee procedures, all he believes is important to be brought to the floor of the Senate. To this point he has, as usual, done an outstanding job. For the third time this morning, I extend the appreciation of the entire Democratic Conference for giving us information upon which we can make a decision regarding the Attorney General-designate that has been sent to us by the President.

I personally have not made up my mind as to what I am going to do. Therefore, I am depending on the Senator from Vermont to give me his direction, his leadership. I think it is so important that we all take what has gone on in that committee to heart.

I have said publicly on other occasions that this is not a decision only Democrats will have to make. I hope the Republicans will also keep an open mind before rushing to a decision. I have been very disappointed in some of my friends on the other side of the aisle who, prior to a single witness testifying, said they were going to vote for Senator Ashcroft. I think they should also keep an open mind and base their decision on what has transpired before the Judiciary Committee.

I also take what the Senator from Vermont has said to heart. People have things to say. I do not know who wants to speak. We will certainly know before this debate takes place, but this is not a time to restrict—and I know the majority leader has not suggested that—restrict how much time people can take. We want to make sure there is full opportunity for people to say what they want to say.

I have been contacted by a number of my colleagues who are voting for and voting against Senator Ashcroft and who want to spend some time on the Senate floor explaining that position. The floor activities will be, of course, under the direction of the Senator from Vermont who is the ranking member on the Judiciary Committee. I look forward to a good debate. It should be a high point for the Senate.

The ACTING PRESIDENT pro tempore. The Senator from Vermont, Mr. LEAHY.

Mr. LEAHY. Mr. President, I thank my dear friend, the senior Senator from Nevada, for his kind words. As always, we rely on his leadership here, too. I appreciate what he said.

#### NOMINATION OF JOHN ASHCROFT

Mr. LEAHY. The President of the United States sent to the Senate the nomination of John Ashcroft to be the Attorney General of the United States. In advance of him sending it, to accommodate the new President and expedite the consideration of the nomination, I convened 3 days of hearings on this nomination over the 4-day period from January 16 to January 19.

The Republican leadership had announced weeks ago that all 50 Republican Senators would be voting in favor of this nomination, but I declined to prejudice the matter.

The Committee on the Judiciary has done the best it could to handle this nomination fairly and fully, and we did it through hearings of which all members of the committee, on both sides of the aisle, and all Members of the Senate I believe can be proud.

Having reviewed the hearing record and the nominee's responses to written follow-up questions from the Judiciary Committee, I come today to announce and explain my opposition to the nomination of John Ashcroft to be the Attorney General of the United States.

I take no pleasure in having reached this decision. I have voted or will be voting to confirm nearly all of the President's Cabinet nominees. No one in this Chamber more than I would have wanted a nomination for Attorney General that the Senate could have approved unanimously. As the ranking member of the Senate Judiciary Committee, I am going to be working closely with the new Attorney General, often on a daily basis. I would have wanted to begin that relationship with enthusiastic support for whomever the President chose.

I also had the privilege of working with John Ashcroft during the 6 years he served as a Senator, and I consider it a privilege. Most of us know him and like him. I admire his personal devotion to his family and to his religion. While we are not always in agreement, I respect his commitment to the principles he firmly holds, and I respect his right to act on those principles.

The fact that many of us served with Senator Ashcroft and know and like him does not mean we should not faithfully carry out our constitutional responsibility in acting on this nomination. No one nominated to be Attorney General of the United States should be treated in any special way, either favorably or unfavorably, by this body because he or she once served in the