

say these words about Collin, which I will share with all of you. This unnamed officer said:

Collin Thomas was a brave American patriot and an incredibly gifted Navy SEAL. His tireless professionalism, inspiring passion for life, and humble demeanor made him a role model for all who knew him. We are deeply saddened by this tremendous loss of a brother in arms.

I know my colleagues share these sentiments, and we mourn the loss of CPO Collin T. Thomas. We extend our deepest condolences to his family. No words spoken in this Chamber can take away the sadness and loss Collin's family must feel, but I do want them to know this Nation and this Senate are deeply grateful for CPO Collin T. Thomas's service and sacrifice. We are humbled to pay tribute to his life and legacy.

I yield the floor.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

EXECUTIVE SESSION

NOMINATION OF DEBO P. ADEGBILE TO BE AN ASSISTANT ATTORNEY GENERAL

The PRESIDING OFFICER. Under the previous order the Senate will proceed to executive session to consider the following nomination, which the clerk will report.

The legislative clerk read the nomination of Debo P. Adebile, of New York, to be an Assistant Attorney General.

The PRESIDING OFFICER. Under the previous order, the time until 11:45 a.m. will be equally divided between the Senator from Vermont and the Senator from Iowa or their designees.

The Senator from Iowa.

Mr. GRASSLEY. Mr. President, similar to my Republican leader, I come to the floor to share my concerns about Mr. Adebile's nomination, and I will explain my voting no today.

I begin by saying I believe the nominee possesses high moral character and personal integrity. I have met him. I am also aware he has been working on the chairman's staff of the Judiciary Committee for the last few months. Unfortunately, I have reached the conclusion that this nominee isn't the right pick to lead the Civil Rights Division.

First of all, it is no secret that I believe the last individual to lead this office, the current Secretary of Labor, was very political and extremely committed to a host of political causes. Of course, I don't expect President Obama to nominate conservatives to his political appointments, but as we all know, these are very important and powerful jobs. The individual who holds them wields a tremendous amount of power on behalf of the Department of Justice.

I expect the President's nominees to be liberal, maybe even very liberal, and in the vast majority of cases the President is entitled to have people of his own choosing serving in these important positions, but the Senate must provide its advice and consent, which is what we are doing today.

In my view the President's nominees can't be so committed to political causes and so devoted to political ideology that it clouds his or her judgment. This is particularly important here, given that this office, under the leadership of the last Assistant Attorney General, was marked by controversy, and those controversies, in my view, were directly linked to that individual's deep commitment to a host of liberal causes, regardless of how well held they were. At the end of the day I believe it clouded his judgment.

With that brief bit of background, I would first note there is bipartisan opposition to this nomination. As I will discuss in a few minutes, there is also widespread opposition from the law enforcement community.

Seth Williams, a Democrat and Philadelphia's district attorney, opposes this nomination. Many of the largest national law enforcement organizations, including the Fraternal Order of Police and the National Association of Police Organizations, vigorously oppose this nomination as well. This opposition is based upon the nominee's record—and the nominee's record, in my view, demonstrates that the nominee has a long history of advocating legal positions far outside the mainstream. I believe it is a record which demonstrates he is simply too deeply committed to these causes to be an effective and fair leader of this very important Civil Rights Division of the Department of Justice.

I am not going to mention every aspect of the nominee's record I find troubling but a few will be mentioned.

His record on First Amendment issues should give us all pause. For example, in the Hosanna-Tabor case before the Supreme Court, the nominee advocated for a position which would have infringed on the free-exercise rights of religious organizations. Specifically, he argued that a church didn't have the right to freely hire or fire individuals who were responsible for conveying the church's message and carrying out its religious mission. This is at the core of what religious freedom means under our Constitution. The nominee's view was a dramatic departure from established First Amendment jurisprudence. In fact, it was so outside the mainstream that the Supreme Court unanimously rejected it 9 to 0.

Likewise, the nominee's views on the Second Amendment to our Federal Constitution are out of step with the law. In *Heller* he argued, "The Second Amendment does not protect an individual's right to keep and bear arms for purely private purposes." He also argued that "the right protected by the

Second Amendment are ones that exist only in the context of a lawfully organized militia."

The Supreme Court, of course, rejected that view, as we all know, and the Supreme Court's decision very much strengthened the right of individuals to bear arms.

I have also been disappointed by the answers the nominee provided to a number of my questions. For example, I asked whether he believed voter-ID requirements—which have been upheld by the Supreme Court in the *Crawford* case—are the modern-day equivalent of a poll tax. I asked this question for several reasons.

First of all, according to press reports, this nominee said as much in 2005 during a discussion in Georgia regarding voter-ID laws. According to press reports, he called voter-ID cards "a modern poll tax." But the Supreme Court upheld Indiana's voter-ID law as constitutional in the *Crawford* case in 2008.

So, if the nominee continues to believe that voter-ID laws are the modern-day equivalent of a poll tax and is firmly committed to that principle, I am concerned—we all ought to be concerned—that he would look for creative ways to undermine and challenge those laws, notwithstanding the *Crawford* case upholding Indiana's voter-ID law.

It goes without saying, of course, a significant part of this job is the enforcement of voting-rights laws, and that enforcement power should be entrusted only to someone we are confident will apply the law in an even-handed way and, obviously, uphold what the Supreme Court has already said was constitutional.

I have also repeatedly asked the nominee whether, if confirmed, he would commit to implementing the recommendations made by the Department of Justice's Inspector General regarding the hiring process in the Civil Rights Division. The IG's report exposed a hiring process in that division which was structured in a way that systematically screened out conservative applicants. So, evidently, only one point of view is welcomed in that division. But the nominee will not commit to implementing the recommendations the IG's report has put out which addressed those issues so the office has the benefit of an ideologically diverse group of lawyers. This concerns me, and it ought to concern my colleagues. Again, this is a division in the Department of Justice which needs a clean break from the political partisanship which plagued the office under the last Assistant Attorney General.

Finally, I wish to address the nominee's involvement with and representation of Mumia Abu-Jamal. To understand why the nominee's involvement in this case is so concerning to many of us, a bit of history is in order.

Mr. Abu-Jamal is this country's most notorious cop-killer. The facts of the Abu-Jamal case are well known and cannot be seriously disputed.