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NEWS RELEASE

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Approaching Alito's Approval
by Senator Larry Craig

Elections do indeed have consequences. This thought returned to me again and again as I watched the Senate Judiciary Committee hearings of Judge Samuel Alito's nomination to the U.S. Supreme Court. Here we are in January 2006, and the echoes of 2004 continue to reach us.

Throughout the presidential campaign of 2004, voters heard how important it was to participate, because the winner would appoint one, two, or perhaps even three new justices to sit on the Supreme Court. No matter who won, appointing so many new justices would have a profound effect on the future of the court and our country.

Looking back now, President Bush has done a phenomenal job in filling the two vacancies that have opened up in his second term. Making these selections is not as easy a task as some would believe. Many of the voters who supported candidate Bush expected strong conservative nominees, but those nominees must also be able to survive the gauntlet of Senate confirmation proceedings. It is not an easy line to walk. Still, John Roberts was an outstanding choice for chief justice, and he was approved by a large, bipartisan majority of Senators. After watching Alito's hearings, I believe that he too is an outstanding nominee worthy of my support and the approval of the full Senate.

Some Idahoans have asked me why I waited so long to decide whether I would vote in favor of Judge Alito. That's a fair question, and if you'll allow it, I will explain.

It was clear very soon after Judge Alito was nominated that he was an outstanding judicial talent and a decent, honorable man. He has impeccable qualifications, including a bachelor's degree from Princeton and a law degree from Yale (One of my staff members points out that Princeton is the "U of I of the East"). His colleagues almost unanimously praise his fairness, intellect, and work ethic, noting that he does not allow ideology to influence his rulings. Professionally, there is very little, if anything, to argue about.

I also met with Judge Alito several times to get a sense of the human being, what kind of person he was. He is a loving husband and proud father who coached his son's Little League baseball teams. He has been active in his community. Throughout our conversations, I tried to pay close attention to his temperament. What you can't get a sense of through court cases and decisions is a man's personality and his demeanor. I think that is very important, almost as much as his judicial philosophy. I came away very impressed.

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While I had a good sense of Judge Alito, I wanted to allow the confirmation process to take its course before making a final decision to support him. It is important for the nominee to conduct himself well and allow members of the Judiciary Committee to seek answers to some important questions.

From the evidence I had seen, Alito was not a judge who saw himself as a substitute legislator who would try to correct the shortcomings of the law or the Constitution by rewriting them from the bench. I believe judges should reach decisions based on what the law says, rather than reach decisions and reinterpret the law to support them. Judge Alito’s performance before the Judiciary Committee was the final, yet crucial, confirmation that my conclusions were well-founded. When the time comes on the Senate floor, I will readily vote in favor of his confirmation.

Although it is now 2006, some Democrats in the Senate have apparently refused to acknowledge that George W. Bush won in 2004. Some even produced their own lists of who they thought would make attractive Supreme Court nominees. The last time I checked, however, the president lived and worked in the White House, not on Capitol Hill. Without question, President Bush’s victory in 2004 gave him a mandate from the people to nominate justices who fit his requirements, not John Kerry’s.

That being said, I am pleased that Alito will be receiving bipartisan support when his nomination reaches the full Senate, and that he will not be filibustered. This is a testament to the high standards President Bush has set – and met – in selecting people like Samuel Alito to serve on the United States Supreme Court.

Judge Alito, son of an Italian immigrant, has succeeded at every stage in life through hard work, perseverance, integrity, and respect for his colleagues and neighbors. He is truly a role model and the embodiment of the American dream. He deserves strong support and a timely confirmation.