

Senator Dick Durbin
Opening Statement As Prepared For Delivery
Nominations of Lisa Monaco to be Deputy Attorney General
and Vanita Gupta to be Associate Attorney General
March 9, 2021

Today the Senate Judiciary Committee will hold a hearing on the nominations of Lisa Monaco to be Deputy Attorney General and Vanita Gupta to be Associate Attorney General. These are the number two and number three positions in the Justice Department.

Ms. Monaco, Ms. Gupta, welcome to you and your families. We are happy to have you here.

As I discussed at Judge Garland's hearing, the Justice Department is in an existential moment after four tumultuous years under Donald Trump. Too often during the last Administration, the Justice Department essentially served as an arm of the White House, committed to advancing President Trump's personal and political interests.

Judge Garland made it clear that restoring the Department's independence and integrity is of the utmost importance. That will be a primary task for him, and for his leadership team.

The nation faces challenging security threats, both domestic and abroad, and we are also confronting important questions about race and inequality in our society.

The public must have reassurance that our Justice Department is ready to respond to the threats facing us and is dedicated to ensuring equal justice under law. I have no doubt that these nominees are both up to the task.

As Merrick Garland said about them: "They have skills that I do not have. They have experiences that I do not. ... I need this leadership team if I am going to be successful."

Simply put, Lisa Monaco may be the most qualified individual ever nominated to serve as Deputy Attorney General. As President Obama's Deputy National Security Advisor, she coordinated the federal government's response to a wide variety of security risks, including natural disasters, pandemics, terrorist attacks, and cyber threats.

Just as important, Ms. Monaco also has experience at nearly every level of the Department of Justice.

She has served as an Assistant U.S. Attorney, Counselor and Chief of Staff to the Director of the FBI, Associate Deputy Attorney General, Principal Associate Deputy Attorney General, and Assistant Attorney General for the National Security Division. For that last role, the Senate confirmed her by voice vote.

Compare that record with the most recent Deputy Attorney General, Jeffrey Rosen. He had no prior Justice Department experience – none. But every single Senate Republican dutifully lined up to vote for him.

Lisa Monaco knows the Department, she is ready to hit the ground running, and she is well-positioned to boost the morale of the Department's career professionals.

Vanita Gupta is exceptionally well-qualified to be Associate Attorney General.

She would also be the first civil rights lawyer and the first woman of color in our nation's history to serve in this position.

Ms. Gupta has already had a prolific career. From 2014 to 2017, she led the Department's Civil Rights Division.

In this role, she led the Department's work on a broad range of critical issues, including: voting rights, policing reform, enforcing the Americans with Disabilities Act, and protecting servicemembers from discrimination and predatory practices.

She developed a reputation for bringing together stakeholders from different backgrounds to address tough challenges.

Ms. Gupta started her legal career with the NAACP's Legal Defense and Educational Fund. While there, she led a landmark effort to exonerate nearly 40 wrongfully convicted individuals in the small town of Tulia, Texas.

These individuals were almost all African American, and they had all been convicted of drug charges based solely on the false testimony of one undercover officer. This officer was eventually revealed to be both dishonest and overtly racist.

Ms. Gupta's clients were ultimately pardoned by Republican Governor Rick Perry, and the state of Texas paid a \$6 million settlement.

In recent years, Ms. Gupta has been the President and CEO of one of the largest and most distinguished civil rights organizations in the country, the Leadership Conference on Civil and Human Rights.

It is disgraceful that this exceptional nominee has been targeted by a right-wing dark money organization which is running an ad on television that makes a number of patently false claims.

I can't say it better than the *Washington Post*, which called the ad a "baseless smear campaign," which is "categorically dishonest" and that is "mainly notable for the magnitude of the lies and distortions it crams into 30 seconds."

This ad claims that Ms. Gupta supports defunding the police. But, as the *Washington Post* wrote: "Awkwardly, there's zero proof of that, including in the ad's own footnoted citation."

I am disappointed – but not surprised – that at least one of our Republican colleagues has echoed this demonstrably false claim.

It is the height of hypocrisy that Republicans would criticize this well-qualified Justice Department veteran after they sat by silently while there was no Senate-confirmed Associate Attorney General for nearly three years during the Trump Administration - an unprecedented leadership vacuum.

In reality, Ms. Gupta worked closely with law enforcement during her tenure at the Justice Department. She led the Department's efforts to reform policing practices while also improving relations between police departments and the communities they serve.

Don't take my word for it. Ms. Gupta's nomination has received the support of virtually every major law enforcement organization in the country.

Consider just a few of the statements of support:

The Fraternal Order of Police wrote that Ms. Gupta, "always worked with us to find common ground even when that seemed impossible."

The President of the National Sheriffs' Association wrote: "I strongly believe that Ms. Gupta is exactly the type of leader who is needed in the Justice Department today. She possesses immense credibility among law enforcement leaders and community leaders. She is an effective communicator, and a bridge-builder."

The Federal Law Enforcement Officers Association wrote: "Ms. Gupta has a proven history of working with law enforcement agencies, corrections officials, advocates, stakeholders, and elected officials across the political spectrum."

Ms. Gupta has also formed partnerships with many conservatives. Consider just a few of the conservative leaders who have submitted letters strongly supporting her nomination:

Grover Norquist — President of Americans for Tax Reform — wrote that Ms. Gupta was, "an honest broker; someone with an ability not only to understand, but also appreciate, different perspectives. She was someone who sought consensus."

Mark Holden — the former General Counsel of Koch Industries — wrote: "I respected and admired how Ms. Gupta was not ideologically driven, but instead was principled and solutions-oriented. ...[S]he worked incredibly hard to find solutions where some saw none."

And Michael Chertoff — who served as Secretary of Homeland Security under President Bush — wrote of Ms. Gupta: "She is a relentless advocate for fairness and the rule of law.... I am grateful that there are leaders like her who will be serving this country."

I too am grateful that there are distinguished leaders like Ms. Gupta and Ms. Monaco who are willing to enter public service, even when that means enduring cynical and false attacks.