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Warren in the mix for Judiciary Committee seat

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Capitol Hill is abuzz with speculation that Massachusetts Senator Elizabeth Warren will pursue a new high-profile Senate committee assignment as she seeks to reach beyond being Washington's chief Wall Street critic and become the Democrats' most powerful Donald Trump antagonist.

One position some in the Senate believe Warren is eyeing is a seat on the Senate Judiciary Committee.

The panel will be the epicenter of Democrats' efforts to challenge Trump's pick to replace Justice Antonin Scalia, who died in February, on the US Supreme Court, one of the most consequential battles looming on the Senate's horizon.

And it appears that Democrats will have an opening to fill on the judiciary panel. New York Senator Chuck Schumer will be stepping down from all his current committee assignments when he takes over as Senate minority leader next year, said Schumer spokesman Matt House. That includes Schumer's seat on the Judiciary Committee.

The seasonal game of musical committee assignments on Capitol Hill is far from over, and it's being overseen by Schumer, a savvy and strategic political operator.

Congress watchers say the incoming Senate Democratic leader will be looking to award coveted committee slots in ways that best serve the entire Democratic caucus. Several Capitol Hill sources expressed skepticism that Schumer would give Warren, a first-term senator, preference over other lawmakers who are interested in the panel.

Schumer's spokesman declined to comment on Warren's potential committee assignments, as did Warren's office.

Still, Warren's talent for delivering that YouTube moment while grilling witnesses during hearings and her well-honed legal skills could be a boost for Democrats as they take on Trump's first Supreme Court pick. And there could be more, since three of the remaining eight justices are over the age of 75.

Simultaneously, the perch would enable Warren to expand her issue portfolio beyond her involvement in Wall Street reform and middle-class economic welfare to other heavyweight topics.

The Judiciary Committee oversees immigration issues, for instance, and Democrats believe it could play a central role in pushing back against Trump's controversial immigration ideas such as barring Muslims from immigrating to the country.

Warren has been one of the most outspoken critics of Trump in the weeks since the election.

She blasted the president-elect's choice of Alabama Senator Jeff Sessions to be the next attorney general, saying Trump should rethink his decision, essentially saying that the Sessions nomination continued "the bigotry that fueled his campaign."

Otherwise, Warren said, it would be up to the Senate to "exercise fundamental moral leadership" and reject Sessions.

Sessions's nomination will be considered by the Judiciary Committee, which also exercises oversight of the Justice Department.

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Warren's statement was a sharp contrast to the more measured reaction put out by other Democrats, whose news releases reflected the tradition of treating fellow senators with a collegial touch. Her response was cheered by liberal advocates who believe Democrats must adopt a take-no-prisoners stance against the Trump administration.

"Elizabeth Warren has a unique and spectacular ability to ask laser-like questions . . . that break through the political fog," said Ben Wikler, Washington director of the progressive group MoveOn. If she can do to Trump's Supreme Court nominee what she's done to bank executives and regulators, "the country will benefit enormously," he said.

Warren would "be terrific" on the judiciary panel, said Judith Schaeffer, vice president of the liberal Constitutional Accountability Center.

She praised Warren's grilling of Wells Fargo CEO John Stumpf a few months ago — Warren accused him of displaying "gutless leadership" and told him to resign — as a model of the senator's ability and willingness to challenge people before the committee.

"You want someone who is going to look at the record and ask tough questions," Schaeffer said.

She also pointed to Warren's statement on Sessions for having "none of this Senate clubby stuff. . . . It was 'Look at his record. This is of grave concern.'"

Some observers see Warren as being of limited utility to Democrats on the Judiciary Committee.

Ilya Shapiro, a senior fellow in constitutional studies at the Cato Institute, a libertarian think tank, said that if Democrats try to block Trump's Supreme Court nominee next year, Senate

majority leader Mitch McConnell will “go nuclear” and change Senate rules to eliminate the filibuster for Supreme Court nominees.

A change instituted by Democrats three years ago means that all other executive branch nominees need only a simple majority vote to be confirmed, but Supreme Court nominees still must get 60 votes to succeed.

Warren’s fighting style on the Judiciary Committee could be a good move for Democrats in terms of firing up their base and raking in campaign donations, Shapiro said

“A YouTube moment, I’m sure, would be useful for fund-raising, but, at the end of the day, she’s not going to be convincing one of the Republicans on the other side to vote against” Trump’s nominee, he said. “In fact, quite the opposite. Depending on how stridently she would approach it, she could solidify the Republicans in terms of voting to get rid of the filibuster.”

Over the summer, Warren hinted at interest in one major issue covered by the Judiciary Committee when she delivered a big speech calling for far more muscular antitrust enforcement — including for tech giants like Apple, Google, and Amazon.

More recently, she has repeatedly made statements about the need for Democrats to stand up to bigotry in all its forms.

But it’s not entirely clear the committee assignment would be the best match for her interests.

“I don’t think she’s seen primarily as a leader on issues like civil rights, domestic surveillance, voting rights,” and other issues at the core of the Judiciary Committee’s mission, said Steven A. Cash, a former chief counsel to California Senator Dianne Feinstein, who will be the top Democrat on the judiciary panel next year.

“She is best known for her involvement in financial and banking issues,” Cash said. “That said, I have no doubt that if she wanted to, she could become expert in those things. She is a true utility infielder type.”

Warren’s current assignments include the Committee on Banking, Housing, and Urban Affairs, which most Warren watchers believe she will retain. She also serves on the Health, Education, Labor and Pensions, and the Energy and Natural Resources panels.