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From: Susanna Dokupil [P6/b(6)] (Susanna Dokupil [P6/b(6)] [UNKNOWN])
To: Brett M. Kavanaugh (CN=Brett M. Kavanaugh/OU=WHO/O=EOP@EOP [WHO])
Subject: : Miguel Estrada
[P MVPJE003 WHO.TXT 1.txt](#)
[P MVPJE003 WHO.TXT 2.pdf](#)

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RECORD TYPE: PRESIDENTIAL (NOTES MAIL)
CREATOR: Susanna Dokupil [P6/b(6)] (Susanna Dokupil [P6/b(6)] [UNKNOWN])
CREATION DATE/TIME: 10-MAR-2003 16:50:56.00
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READ: UNKNOWN
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Brett,

I enjoyed visiting with you last weekend at the Federalist Society Southern Leadership Meeting. As I mentioned on Saturday, I write regularly for The American Enterprise Online, and I would be happy to write an op-ed to further the judicial confirmation cause. I'd appreciate receiving the information you offered on the Estrada confirmation.

Along the same lines, I talked to a senior editor at TAE's print magazine, and they'd be very interested in doing an interview with Estrada. I've done an interview for them before, and the questions tend to combine public policy with human interest. I've attached one Eli Lehrer and I did recently with John Ashcroft as an example. We tried to give Gen. Ashcroft a chance to showcase his personality (contra media portrayals) and set the record straight on a couple of floating rumors. Would something similar be helpful to give Estrada some positive press coverage?

I did some work for Miguel Estrada as a summer associate at Gibson, Dunn, and although I doubt he remembers me, I'd like to do whatever I can to help him.

Thank you,

Susanna Dokupil

- att1.htm - Ashcroft interview.pdf
ATT CREATION TIME/DATE: 0 00:00:00.00
File attachment <P_MVPJE003_WHO.TXT_1>

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Thank you,

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“ ” ive with TAE

The leading conservative in the Cabinet of President Bush is that rarest of breeds in our nation's capital: a political figure of firm principle.

John Ashcroft

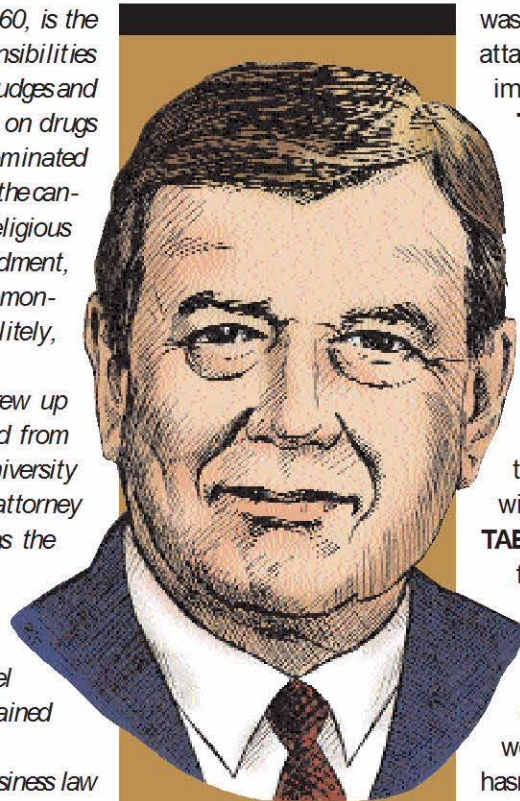
U.S. Attorney General John Ashcroft, 60, is the nation's chief law enforcer, with responsibilities ranging from advising the President on judges and Constitutional law to fighting the wars on drugs and terror. When George W. Bush nominated Ashcroft to run the Justice Department, the candidate was attacked for his devout religious beliefs, his support for the Second Amendment, his opposition to abortion, and his demonstrated willingness to tangle, albeit politely, with the Left.

Born in Chicago, John Ashcroft grew up in Springfield, Missouri. He graduated from Yale, received a law degree from the University of Chicago, and became Missouri's attorney general nine years later. He served as the state's governor between 1984 and 1993, then was elected to the U.S. Senate. Ashcroft suffered a narrow defeat for re-election in 2000 after his opponent Mel Carnahan died in a plane crash, yet remained on the ballot.

With his wife Jean, a professor of business law at Howard University, Mr. Ashcroft has three children. He was interviewed by attorney Susanna Dokupil and TAE senior editor Eli Lehrer in his cozy wood-paneled office at Justice Department headquarters in Washington, D.C.

TAE: In your opinion, have the terrorist attacks of September 11 brought moral values to the forefront of American public life?

ASHCROFT: I think the attack, in all its tragedy, has reacquainted us with how fragile freedom can be. It's those who hate liberty who made the attack, and so I think it's given us a deep appreciation for what we have in the United States; for our distinctive national values. I don't think it's changed our values so much as caused us all to develop a sense of sobriety and think about what we really stand for. Make no mistake: It



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was an attack on our national principles. An attack like this leads us to understand how important our morality is.

TAE: Should the individual right to keep and bear arms be part of the war on terror?

ASHCROFT: I took an oath to defend the Constitution and the laws of the United States. I believe that the overwhelming scholarship devoted to the Constitution understands the Second Amendment to include an individual right to arm oneself lawfully. When I took this job, when I went before the committee, they asked me if I would uphold the law. I will, I shall, I do, I must.

TAE: We've seen an upsurge in support for Israel among members of the Republican Party. Why is Israel important to conservatives?

ASHCROFT: Israel has been an example of freedom and democracy in a part of the world that has not had enough of that. Israel hasn't only been allied with us in terms of our political interests, but has been allied with us in a set of values upholding human dignity, freedom, opportunity, responsibility, humane values. All of these things bind us together.

TAE: You have stated publicly that you admire Thomas West for his book *Vindicating the Founders*, which attempts to debunk criticisms that America's Founding Fathers were racists. Which of our country's great historical figures do you admire most?

ASHCROFT: Well, the number one person I admire is Abraham Lincoln. I think the function of leadership is to redefine what's "possible." Real leadership lays out noble objectives and then pursues those objectives with such intensity that other people are drawn into the pursuit. Real leadership, by seeking out the noble

rather than just what's practical, changes the definition of the practical—of the possible.

Lincoln eventually came to pursue the most noble of all ideas: that people should no longer be enslaved. A profound idea that was quite unfamiliar through most of human existence. And he pursued it with such sacrificial intensity that others were drawn into the process. And so that which had been impossible, or at least impractical, became a reality. That's the function of real leadership, and perhaps more than any other political leader I know of, Abraham Lincoln achieved it.

Now, Ronald Reagan redefined the possible in his relationship with the Soviet Union. When he said "tear down this wall," many people laughed. They said, "That's impossible. The Soviet Union is a great and powerful force!" But Reagan approached the noble idea of liberating hundreds of millions of people, and he pursued it with such intensity and persistence that it became a reality. He redefined the possible just like Lincoln had. It's something that needs to be done again and again.

TAE: Why do you think the Civil War period continues to inspire so much fascination among Americans?

ASHCROFT: Whether people should be slaves or free is probably the most critical issue ever discussed or debated in America. And a lot of Americans feel a connection to the Civil War like no other war because their communities and their families were deeply involved in the battles.

I just returned from Europe, where I visited the battlefields at Waterloo. There they have great re-enactments much like ours of the Civil War. So maybe it's just part and parcel of human existence to associate oneself with grand historic events, and to be fascinated with historical moments when the tide turns and powerful changes follow.

God intends for people to be free. They're created to be free to make choices, and free to live with those choices. Whenever freedom comes into conflict I think this will be a magnet to draw the attention of humanity.

TAE: You've been fairly open about your faith. What role should religion play in public life?

ASHCROFT: First of all, it's against my religion to impose my religion. I believe that religion is a

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matter of individual choice, so it's not up to government figures to force their views on anyone. As a matter of fact, theologically, I reject the concept that religion can be imposed. My understanding of God is that God doesn't press Himself on people.

The job of government is primarily the job of imposing. It operates by mandates and orders. But the law only defines the lowest responsibilities you have in society. I believe the job of every citizen is to live above the bare minimums of the law.

Every citizen should live at the highest level possible, and I think good citizenship is always an inspiration to others. No culture ever achieves greatness by everybody just barely making it by the law. Cultures achieve greatness when people pursue their highest and best aspirations. The law is the specification of the low threshold, the bare minimum of acceptable behavior. We say as a society, "you've got to do these things or go to jail." But we need lots of citizens to operate far above the law, in an inspirational category of highest and best behaviors. That's what religion can encourage.

TAE: Andrew Tobias, the treasurer of the Democratic National Committee, has gotten much Internet mileage out of a claim that you believe calico cats are a sign of the devil. Any idea how this rumor got started?

ASHCROFT: Absolutely none. All I can think of is the poem by Eugene Field about a duel between a gingham dog and calico cat. In any case, there's no truth to it. I owned a calico cat—on the farm I lived on until I went away to be the state auditor of Missouri.

TAE: What policies would you most like to be remembered for, and what changes would you most like to make during your tenure as the nation's top law enforcement official?

ASHCROFT: Anything we do should reinforce the kind of thing that allows human beings to make choices in a context of responsibility to themselves and their nation. Some people have the confused idea that if you don't have to face any consequences you're really free. But where you don't face consequences, where your actions don't make a difference, that's not freedom. That's meaninglessness.

I like people to be able to make meaningful choices. It's what gives us dignity and what gives

us impact. It's what gives us a reason to live, and to work hard, and to be responsible. That's where my aspirations lie.

TAE: Democrats on the Senate Judiciary Committee have blocked President Bush's federal judicial nominees from confirmation, which will be much harder to do thanks to the November elections. But what steps in general can an administration take to help blocked individuals get a hearing and a vote in the Senate?

ASHCROFT: An administration should just help the American people understand that a serious crisis in the administration of justice, which we face, impairs the ability of America to stand as a culture exemplifying the rule of law. Right now we have a 15 percent vacancy rate on the Court of Appeals. We have 30 judicial vacancies that the Chief Justice of our Supreme Court categorizes as emergencies. We cannot disable the judiciary of the United States of America without impairing the rule of law. And absent the rule of law we are a culture which is far less than it ought to be.

Americans need to energize the Senate to confirm highly qualified nominated judges if they are blocked. This administration has picked high quality judges who get the very strongest ratings, and we have done it with a promptness that exceeds almost all other administrations. The foot dragging in this important process has been in the Senate.

TAE: We've heard that you're a fan of the television show "The Simpsons." What do you like about it?

ASHCROFT: So many of the foibles of "The Simpsons" are projections of what happens in my life, and in our family. I see both the humor and the tragedy in everyday existences in the lives of Homer, Lisa, and Bart. Marge may be my favorite character. She is so pure in her life, she tolerates the nonsense and just stays right in there.

Ned Flanders is another character I like. He seems naive, but keeps chugging on with his positive approach to life. Instead of being victimized by all of Homer's schemes and abuses, he ends up doing well, which confounds Homer. What's interesting to me about "The Simpsons" is that it's about people of pure motive and perseverance who keep plowing ahead in spite of the lunacy that surrounds them.

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TAE: While you were on Capitol Hill, you were a member of the "Singing Senators," and you've continued a strong interest in music. What instruments do you play, and what role does music have in life?

ASHCROFT: I play the piano almost every day, because it's a way to express ideas and to experiment. I also play the guitar a little bit, and the mandolin a little bit. Music, as I see it, is the study of relationships—tonal relationships—and in all of life, nothing is more important than relationships.

Music is a way in which tension is established and then resolved, and thus kind of a metaphor for life. There are progressions from one chord to the next. Melodies are ways of going on excursions, and then coming back home. Things happen and change.

The other thing I like about music is that it highlights the importance of unity, but *not* uniformity. Uniformity in music would mean repetition of the same tone or pitch, and it would be terribly monotonous. Music is a way that disparity, and difference, can be made a source of great beauty.

One time when I was governor of Missouri I was traveling in Japan, trying to attract business to the state. And it happened that the St. Louis Symphony was playing in Tokyo. I took some Japanese industrialists to the concert and explained my theory of music to them. One eventually established a large factory in Missouri, and I'm sure it was based on this!

I reminded them that none of the people in the orchestra were the same. They were different individuals playing different notes on different instruments. That sounded like a recipe for chaos. But those men and women played those different notes from different instruments in relationship to each other. They had good leadership, and a common objective. So instead of creating uniformity, which would have been boring, they had unity. Which was spectacularly successful.