

Job Applicant Says Ashcroft Queried Him on Sexuality

By David A. Vise and Dan Eggen

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A health care expert who applied for a top Cabinet post in Missouri's government contends then-Gov. John D. Ashcroft questioned him about his sexual orientation during a job interview, posing the query in a way that indicated he would not be hired if he were gay.

Such a question -- which Attorney General-designate Ashcroft said he "cannot imagine" asking -- would not violate Missouri law, which does not prohibit discrimination in hiring on the basis of sexual orientation.

But it would appear to contradict testimony Ashcroft offered to the Senate Judiciary Committee last week when he told senators that "sexual orientation has never been something that I've used in hiring in any of the jobs, in any of the offices, I've held. It will not be a consideration in hiring at the Department of Justice."

Paul Offner, a Democrat and health care policy expert who applied in 1985 to be head of Missouri's Department of Social Services, said he was "stunned" by the query, which he said came with no introduction at the start of his interview. "If his position is that this has never been an issue with him, then why did he say it?" Offner asked in an interview. "It is hard to believe it wasn't a [job] qualification."

The issue of Ashcroft's views on gays arose last week when he faced strong criticism from Democrats on the Senate Judiciary Committee, who contended he voted against James Hormel's appointment as ambassador to Luxembourg because Hormel is openly gay. The senators also questioned Ashcroft, during four days of committee hearings and in some of the hundreds of written follow-up queries they sent him, about his willingness to uphold civil rights laws -- including those protecting gays -- if he is confirmed as the nation's top law enforcement officer.

Mindy Tucker, a spokeswoman for Ashcroft, said yesterday that "the senator does not recall this meeting and cannot imagine starting a meeting with this question. He made it clear to the committee when they asked about this issue that sexual orientation has never been something that he has used in hiring in any of the offices he has held, and it will not be a consideration at the Department of Justice."

Tucker said gays worked for Ashcroft during his eight years as governor.

Rich McClure, Ashcroft's chief of staff from late 1985 until late 1992, said he "never heard Senator Ashcroft or any of his staff or legal counsel ask that kind of question" during job interviews.

Offner did not get the job. He went on to serve as senior health care adviser to the Senate Finance Committee and then tried to help the District of Columbia reform its health care reimbursement system before joining the faculty at Georgetown University.

Offner said that as the 1985 meeting in Jefferson City, Mo., began, Ashcroft, without any introduction, looked directly at Offner, who was single at the time, and posed the question: "Mr. Offner, do you have the same sexual preference as most men?" "Yes," Offner said he replied.

The Ashcroft Assault

By Robert D. Novak

January 29, 2001

The coolly crafted character assassination of John Ashcroft by the left-wing coalition attacking his nomination as attorney general has gone largely unanswered by passive Republican senators who are supposed to defend him. This has resulted in open season on a distinguished public servant's reputation.

Unless there is a break in support for former senator Ashcroft from his erstwhile Republican colleagues, he will be confirmed. But the realistic Democratic goal is to inhibit both Ashcroft's performance at the Justice Department and President Bush's selection of federal judges.

The assault on Ashcroft persists after the completion of hearings, last week beginning a line of attack by insinuating homophobia. A health care official at Georgetown University, Paul Offner, claimed that then Missouri Gov. Ashcroft asked him about his sexual orientation to begin a 1985 job interview.

Two Ashcroft aides present at the meeting deny it. Further, reports about Offner's accusation omit his background as a Democratic contributor, a Democratic staffer, a member of the Clinton transition team and a member of Hillary Clinton's health care task force.

James Hormel, U.S. ambassador to Luxembourg, appeared last week to speculate that Offner's story sounded right (though, of course, he had no way of knowing). But the diplomat's real purpose in Washington was to add credence to the calumny of Ashcroft as an anti-gay bigot who blocked Hormel's Senate confirmation because he is a homosexual.

Again, the news accounts omitted that Ashcroft was not alone and not even a leader in stopping Senate confirmation of Hormel, who finally took up his post in the overwhelmingly Catholic country on a recess appointment. Nor has it been mentioned that the Catholic League opposed Hormel "because of the nominee's refusal to disassociate himself from an anti-Catholic group."

The homophobic smear adds to the assault mapped out the first week of January in a secret meeting. Included were representatives of the National Organization for Women, the Leadership Conference on Civil Rights and the AFL-CIO, among other groups, plus aides of Democratic Sen. Barbara Boxer of California. They determined that Ashcroft would be painted as a racist.

As planned, hearings concentrated on Ashcroft's Missouri role as state attorney general and later governor to thwart "desegregation." Ashcroft was stopped from giving a full explanation by interrupting Democratic senators. He was 12 years old when the Supreme Court ended legal segregation in Missouri. What happened in that state duplicated events elsewhere. White flight to the suburbs resegregated schools, and the solution of forced busing by activist judges proved unworkable.

The "voluntary desegregation" in St. Louis repeatedly referred to by Ashcroft's tormentors was in reality an effort to stave off judicial mandates by means of excessive state expenditures for schools. As state attorney general, Ashcroft was trying to stop a raid on the state treasury. So was Ashcroft's Democratic rival, then State Treasurer Mel Carnahan. This was played out in state after state during the nationwide forced busing fiasco.

Washington Post

“I Was Not Part of an 'Anti-Ashcroft Campaign’”

February 3, 2001

Now that Robert Novak has inducted me into the John Ashcroft character assassination club [op-ed, Jan. 29], I would like to say a few words in my defense.

Fifteen years ago, I had a job interview with then-Gov. John Ashcroft, in which he asked me about my sexual preference. I thought it was a rather odd question, and described the incident to a number of friends and acquaintances, some of whom have testified that they remember my discussing the subject at the time. Still, I didn't think the question violated any law back in 1985, and I thought nothing of it when President Bush nominated Ashcroft for the position of attorney general. All of that changed when the nominee told the Senate Judiciary Committee that sexual preference had never entered into any of his past employment decisions.

After hearing Ashcroft's testimony, I called a Democratic staff member on the Senate Judiciary Committee and told her about my experience. This individual called back, this time with a Republican staffer on the line, and I repeated my story, and answered a few questions about it. Then I called David Vise, a Washington Post reporter I've known for a long time as a result of my work with the D.C. government, and mentioned the incident to him. At no time was I contacted by the "anti-Ashcroft campaign" -- or anyone else for that matter -- and encouraged to speak out on this subject.

Ashcroft defenders have tried to picture this incident as part of a campaign to smear him as homophobic, but it is certainly not that in my case. I believe presidents should be able to have Cabinet members of their choosing, and I would not disqualify someone for holding Ashcroft's views on gay people, even though I do not share them. My concern is truth-telling. I only came forward after Ashcroft said something I knew was not true.

Novak charges that I'm a Democrat, and he's right. Indeed I've made that clear to everyone I've talked to. In fact, my interview with Ashcroft ended when he said (here I paraphrase): You obviously have a strong background, but I don't see how I could appoint you to this position and explain it to my supporters. I had worked for a long string of Democratic office-holders, and had myself been a Democratic state senator in Wisconsin, so I thought Ashcroft was referring to my partisan involvement. Given the sensitive nature of the position I was applying for, I've never faulted him for taking this position.

Finally, this interview occurred 15 years ago. I would certainly not criticize Ashcroft for not remembering something he said that long ago (after all, this interview wasn't as significant for him as it was for me). If this was an isolated incident, the Judiciary Committee would have been right to ignore it. On the other hand, if there is a string of instances where Ashcroft distorted the facts, the situation is more serious. Only someone who has looked at the totality of the record can make that judgment.