long-term, and economic supply of domestic natural gas.

Mr. BINGAMAN. I agree with the Senator from Alaska. We must be extremely careful in crafting language for inclusion in the gas title; poorly thought out concepts can add significant risk to this project.

I suggest that we continue our cooperative efforts as we have in the past. I believe that by working together we can get this project built, and that will benefit both the people of Alaska and the entire gas consuming public across the United States.

Mr. MURKOWSKI. I agree completely and I look forward to continuing our efforts. I particularly appreciate the Senator's understanding the need to allow Alaskans access to the North Slope gas reserves. As in the Nation, my State needs abundant and dependable gas supplies to fuel the growth of our economy over the next three decades.

The ACTING PRESIDENT pro tempore. The Senator from Utah.

Mr. BENNETT. Madam President, I ask unanimous consent I might be allowed to speak as in morning business for up to 7 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

THE PICKERING NOMINATION

Mr. BENNETT. Madam President, we have just confirmed a district judge, and I am delighted with that action. It is an action I wish we would take more often around here.

Last night, the Judiciary Committee refused to send to the Senate Judge Pickering, who was nominated for the circuit court. I wish to make a few comments with respect thereto, and do it in the shadow of the confirmation vote we have just had.

When this session of Congress began, the Senator from Vermont, who now chairs the Judiciary Committee, made it clear he had an extra-constitutional test he would apply to every judge. That is, he insisted we have the statement of the American Bar Association before us before we even consider a judge. I use the term ''extra-constitutional'' rather than ''unconstitutional,'' as some commentators have, because the Senator has every right to turn to any group or any area he wants in order to make his decision, but a requirement that a judge be recommended by the American Bar Association is not in the Constitution. Therefore, it is an extra-constitutional test.

When Judge Pickering came before the Judiciary Committee, he passed that extra-constitutional test. He was chosen and designated as being well qualified by the American Bar Association. Yet he was voted down by the members of the Judiciary Committee. Some of them said he had racist views. Yet the African Americans in his home State came forward in great numbers to insist that this judge did not have racist views. Indeed, these African Americans who knew him better than African Americans outside of his State insisted he was an excellent judge and an excellent choice for the circuit court. Nonetheless, he was still not sent to the Senate for a vote.

What this means is that the chairman of the Judiciary Committee has an additional extra-constitutional test he is applying to nominees. As he said before, it is his right to put whatever test he wants. But I hope, in courtesy to the Senate, that he and the other members of Judiciary Committee who voted against Judge Pickering will disclose their extra-constitutional test. They did at the beginning of the session. They said, in response to the President, they would not consider him until we have a rating from the American Bar Association. That is an extra-constitutional test we will openly and directly apply.

It is clear from what has happened to Judge Pickering that there is now another extra-constitutional test being applied in secret, that is being applied in camera, and that is being applied in the dark. Those of us who are unaware of what it is are, therefore, unable to discuss it and unable to talk about it or direct our concerns toward it.

Therefore, I formally ask the chairman of the Senate Judiciary Committee, Mr. LEAHY from Vermont, to tell us what the extra-constitutional test that he applied to Judge Pickering is.

The newspapers say he has to pass muster from groups such as People for the American Way. I would rather not get the information from the newspapers. I would rather not have a journalist tell me what is on the Senator's mind. I would rather have the Senator tell us as openly and directly as he can at the beginning of this session what it is he requires before he will vote for someone to come out of the Judiciary Committee for a Senate vote.

It is only fair that we and the constituents in Vermont understand what the test is that the chairman of the Judiciary Committee is applying. At the moment, we are left in the dark.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from New Hampshire.

(The remarks of Mr. GREGG pertaining to the introduction of S. 2020 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. GREGG. Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. CARPER). The Senator from Nevada.

MORNING BUSINESS

Mr. REID. At this time it appears no one is offering amendments on the energy bill. But in an effort to see if that will happen, I think the Senate would be well advised to go into a period of morning business for the next hour. So I ask unanimous consent, because there are a number of Senators wishing to speak as in morning business, that the Senate proceed to a period of morning business with Senators allowed to speak for a period up to 10 minutes each, and that the morning business time expire at 11:15 a.m. today.

The PRESIDING OFFICER (Mr. CORZINE). Without objection, it is so ordered.

The Senator from Wyoming.

(The remarks of Mr. ENZI pertaining to the introduction of S. 2021 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. ENZI. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. CARPER). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. CORZINE). Without objection, it is so ordered.

EXTENSION OF MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that the period for morning business be extended until 12 o'clock today.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DASCHLE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

BRINGING SOUTH DAKOTA'S STRENGTH TO THE WAR AGAINST TERRORISM

Mr. DASCHLE. Mr. President, 2 months ago, I traveled with some of our other Senate colleagues to Afghanistan and other Central Asian nations.

We wanted to see what progress is being made in the war against terrorism. We also wanted to talk with our allies in the region to try to assess how we might help make their nations hospitable to freedom—and inhospitable to terrorists.

We learned a great deal.

I have already had a chance to share many of my thoughts and observations with Secretary Powell.

Today, I would like to say a few words publicly about the part of our trip that I found the most moving and impressive: the other Americans we met—men and women who are serving our Nation's interests every day in places far from home—often under incredibly challenging conditions.

We met extraordinary people from almost every State. They all deserve our profound appreciation.

I was especially moved by five people I met from my own State. Listening to them, and watching them perform their jobs, made me very proud to be a South Dakotan. It also reinforced my conviction that we will triumph in the war against terrorism.

This week, as we mark the 6-month anniversary of the attacks on our Nation, seems like a fitting time to tell my colleagues about them.

David Nelson, the Senior Economic Counselor in the U.S. Embassy in Berlin, is from Brookings, SD. Day in and day out, he is working to protect America's economic interests in Germany. Since September 11, he has also played a critical role in our efforts to cut off the terrorists' money supplies.

Dr. Jan Riemers is from Bristol, SD. She is the only western doctor in Uzbekistan's capital city of Tashkent. She is a sort of modern-day Albert Schweitzer, who moved her entire family to Uzbekistan so she could serve people who might otherwise never see a doctor.

I also met three remarkable young men who are even more directly involved in the war against terrorism. They are serving our country in uniform. For security reasons, I won't use their names.

One is an Army private from Midland, SD who I met in Uzbekistan. When we met, it had been almost 2 years since his last leave.

On September 11, he was just completing a tour of duty in Bosnia. He and his colleagues had been living in tents and eating MREs—packaged meals—three times a day for several months at that point. He could have come home instead, he volunteered to go to Central Asia to be a part of the war against terrorism. And he said he was honored to do so.

In Afghanistan, I met an Air Force master sergeant from Rapid City. He is involved in delivering two things Afghanistan needs desperately: U.S. military support, and humanitarian assistance.

His efforts helped make possible the military victories we have seen in Afghanistan. They are also part of the reason we have not seen the humanitarian disaster some predicted at the outset of the war.

In Kyrgyzstan, I met an Air Force staff sergeant from Yankton—one of the first U.S. service members deployed to that country. We met at Manas International Airport, where he and other Americans are working to build an air base that will host personnel from several countries and serve as a hub for air operations in Afghanistan. He came out to meet us in the middle of a snowstorm, and he could not have been more excited about his mission.

We ask our service men and women—like these three honorable South Dakotans—to attempt extraordinary things and make extraordinary sacrifices. Time after time, they not only meet our expectations, they exceed them.

In this week, when we mark the 6-month anniversary of the attacks on our Nation, it seems appropriate that we also honor the men and women who are working—and risking their lives—to try to prevent us from ever experiencing that heartache again.

They are true patriots. They come from my State and yours, and from every State and territory in our Nation. They make us proud. And they are making America, and the world, stronger and better.

Mr. President, I ask unanimous consent that the report we have compiled regarding the trip to Afghanistan from January 10 to 19 of this year be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DASCHLE CODEL TO CENTRAL ASIA, JANUARY 10 TO 19, 2002

Senator Daschle led a bipartisan and bicameral Congressional Delegation CODEL to Germany, Uzbekistan, Pakistan, Afghanistan, Kyrgyzstan, and Turkmenistan from January 10 to January 19. The following views expressed in this report, however, reflect only the views and findings of Senators Daschle and Durbin.

SUMMARY OF FINDINGS AND KEY RECOMMENDATIONS

The initial phase of the war on terrorism has been a clear success.

It was evident from our trip to Central Asia that the conduct of the war on terrorism has, to date, produced impressive results. Our troops, President Bush, Secretary Rumsfeld, and Secretary Powell deserve credit and recognition for that success.

U.S. troops are a credit to themselves and the country.

The performance of U.S. troops in Central Asia and Afghanistan has been remarkable and a tribute to the hard work and commitment of the thousands of men and women who are carrying out Operation Enduring Freedom. U.S. personnel are braving harsh weather and very rudimentary accommodations. One Air Force Sergeant said he ''had been living in the mud'' in Uzbekistan for 3 months, further saying he was honored to be doing so. An Army Colonel in Afghanistan, while eating chicken Chow Mein for the fourth night in a row, observed, ''I can't complain, because it's hot [food].'' Another Army PFC declared he was proud to have spent the past 3 months serving Afghanistan, notwithstanding the fact that he was deployed to the region 1 week after moving into a new house with his new wife. The morale of U.S. troops is very high, as evidenced by another Army PFC from South Dakota who has not had leave since February 2000 and volunteered to serve in Uzbekistan as he was finishing a tour of duty in Bosnia because he was eager to participate in the war against terrorism.

The U.S. personnel from other U.S. agencies in the region are also a credit to America. Foreign Service officers in Uzbekistan, Pakistan, and Afghanistan are working around the clock—literally—to advance U.S. interests and ensure the safety of American personnel. The Embassy in Tashkent is overcrowded, the Embassy in Kabul is in terrible straits after being overrun by decades of war, and families of personnel at the U.S. Embassy in Islamabad were forced to return to the U.S. as a result of security threats.

On a more personal note, we were proud to meet a number of South Dakotan and Illinois servicemen and women who are serving their country in the region. To a person, they support the mission and take pride in the role they are playing to improve living conditions in the region and defeat international terrorism.

Senator Daschle was also proud of the generosity of South Dakotans was greatly appreciated by Afghans. The delegation delivered three boxes of winter clothing to the Afghan Minister of Orphans, Widows and Martyrs. The clothing was collected by South Dakotan business leaders and students at two separate elementary schools.

The troops' success allow us to focus on consolidating gains.

The successful effort that started as a war in Afghanistan to bring to justice those responsible for the September 11th attacks is shifting to focus on consolidating gains and helping to bring some semblance of economic, political, and physical security to the region. Challenges are many, but the United States undertook a remarkable effort to confront and defeat the first such challenge—widespread hunger.

A remarkable U.S.-led effort to deliver food and shelter has averted humanitarian disaster, which last fall, after years of mismanagement by the Taliban, looked inevitable. But the USG—led by the Department of Defense and USAID with significant assistance from CARE, Catholic Relief Services, Church World Services, International Rescue Committee, and others—provided nearly $200 million worth of food, water, health care and shelter to millions of Afghans in FY 2002.

Challenges remain. It is particularly troubling that Bin Laden, the bulk of the senior Al Qaeda leadership, Mullah Omar and the majority of the Taliban leadership remain at large.

The fact that so many key terrorist leaders are unaccounted for is one factor that contributes to insecurity in Afghanistan, which is increasingly threatening the gains the United States has made in the region. At the time of the trip to Afghanistan, Chairman Karzai and U.S. personnel in the region were clearly concerned about security. Events since the delegation's visit to Afghanistan—such as the fights between warlords in Gardez, the murder of the interim tourism minister, and increasingly alarming reports out of the Administration about a general rise of lawlessness and warlordism, including a specific report that some warlords may be preparing to sabotage the loya jirga set for June—only serve to harden that assessment.

The current configuration of the International Security Force (ISAF) is insufficient to confront this insecurity. At the very least, the ISAF should be expanded beyond Kabul and into other Afghan cities until efforts to train a police force and an Afghan military loyal to the interim government can catch up with this insecurity. While success of the ISAF is not dependent on the U.S. providing ground troops as part of an expanded effort, it is clear that an American component for transportation, intelligence and search-and-rescue is likely to be a precondition for significant international participation in an expanded ISAF.

An increased U.S. military role in support of an expanded ISAF is entirely consistent with the Administration's apparent policy goal of maintaining a U.S. presence in the region, evidenced by the substantial upgrades beginning at Manas Airport in Bishkek, Kyrgyzstan and a more permanent presence being prepared in Uzbekistan and Georgia. This increased American military

presence can play an important role in support of the ISAF.

Central Asian Republics have taken significant steps in support of the U.S.—and are urging a long term American presence in return.

Good long term relations with the Central Asian Republics is very much in the national interest of the United States.

Uzbekistan, Kyrgyzstan and even Turkmenistan have demonstrated, with their efforts in Afghanistan, a solid commitment to the war against terrorism.

Uzbekistan agreed to our request for basing and overflight rights, including the right for the United States to maintain a significant troop presence at the airfield at Khanabad. As a result, our two countries signed a Status of Forces Agreement on October 7 and a Memorandum of Understanding on Economic Cooperation on November 7. Last fall, the U.S. also allocated an additional $100 million in assistance for Uzbekistan, and the Administration is reported to be considering an additional tranche of assistance in a supplemental for ''front line states'' expected to be submitted to Congress in mid-to-late March.

The Government of Uzbekistan has also provided important cooperation with U.S. programs to curb the proliferation of material for use in weapons of mass destruction (WMD). The October 22 agreement between the U.S. and Uzbekistan to begin cleaning up the former Soviet biological weapons test range on Vozrozhdeniya in the Aral Sea is an important step forward in U.S. efforts to halt the proliferation of WMD material. The Government of Uzbekistan also ought to be commended for efforts, supported by the U.S., at strengthening border controls of weapons material.

Kyrgyzstan provided overflight and landing rights and agreed to permit the basing of a large number of coalition personnel and aircraft at the international airport in Manas, a site which will function as a ''transportation hub'' for coalition efforts in Afghanistan and the region.

Turkmenistan has allowed for some overflight rights and became an important—indeed the principal—conduit of American and international humanitarian assistance into northern Afghanistan.

These steps represent a move toward the West, but sustaining positive long term relationships still demand major improvements on political and economic reform.

Each country claimed that they had made a deliberate and conscious choice to reach out to the West. What is not clear is whether the governments are also committed to embracing universal human and voting rights that have been sorely lacking in each country.

While the U.S. is right to continue cooperating with these governments, significant and sustained economic and political reforms are a pre-requisite to consolidating long term relationships with these countries.

Each country's continuing refusal to enact political reform while at the same time continuing to violate basic human rights will contribute to extremism and threaten the stability that each government argues it is seeking.

The human rights situation in Uzbekistan is abysmal. There is no freedom of association and independent institutions—including the press—are banned. In one telling moment, a human rights leader in Uzbekistan said that the media in Russia—currently being cracked down on by government regulators—is much more free than the Uzbek media. Even the Parliament is largely a rubber stamp for the Karimov government, with little, if any, influence.

Civil society in Uzbekistan has also been drastically restricted. NGOs are not allowed to register or function. The few independent groups that do exist are subjected to harassment based on Soviet practices, including firing ''agitators'' from state run jobs, confiscating human rights workers passports, confiscating equipment of independent NGOs. Human rights leaders and the U.S. State Department also catalogued instances where the government used torture and prolonged detention to deter other civil society activity.

In Kyrgyzstan, where the United States encouraged the government's bold steps in the early and mid-1990s toward democratization, there has been a dramatic backsliding in its political reform process. Of particular concern are reports of constant pressure on opposition political parties, harassment of journalists who criticized members of the government, and numerous flaws—many apparently deliberate—in the October 29, 2000 presidential elections. In fact, the Office for Security and Cooperation in Europe (OSCE) Office of Democratic Institutions and Human Rights concluded that the October elections ''failed to comply with OSCE commitments for democratic elections.''

In Turkmenistan, there are no legally registered opposition parties and absolutely no free press. The State Department reports that the most recent elections, in December 1999, ''did not even approach minimum international standards.'' The only officially recognized religions are the Russian Orthodox church and Sunni Islamism; all other faiths face harsh persecution and harassment. In what seems to be a fitting moniker, several analysts refer to insular Turkmenistan as the North Korea of Central Asia. Furthermore, while the leaders of Uzbekistan and Kyrgyzstan at least admitted to having significant human rights problems, the National Security Adviser of Turkmenistan simply dismissed concerns about human rights saying, ''I understand that these things [freedom of religion, the media and association] are important for America, but it is simply not time for such reforms in Turkmenistan. Before we do these things, we need time to strengthen our economy.''

HIV/AIDS is a growing threat in Central Asia.

The leadership of Uzbekistan and Kyrgyzstan noted their concern regarding the trafficking of Afghan opium to and through their countries, which has contributed to large increases in illicit drug use throughout Central Asia in recent years. According to UNAIDS, this surge in drug use has brought the Central Asian republics to the ''verge of a major public health and socio-economic development disaster, in terms of large scale epidemics of HIV/AIDS.'' As such, the United States should be looking for opportunities to increase funding for bilateral AIDS prevention, care and treatment programs targeted to Central Asia and to increase the annual U.S. commitment to the Global Trust Fund to Fight AIDS, TB and malaria.

Pakistan and President Musharraf are also making a strategic choice to join the West. Concrete steps to confirm and reward that choice will be welcomed.

Pakistan has been a vital ally in the war against terrorism. With its location in a critical region of the world, a nuclear arsenal, and a population set to double in the next 20 years, American national security is undoubtedly improved by President Musharraf's strategic choice.

The January 12 speech by President Musharraf—in which he proclaimed a jihad against extremism—demonstrates that he is ready to take Pakistan back from the extremists. He outlined a far reaching proposal for reforming the Pakistani education system and a systematic crackdown on extremists. Although ultimate success in this effort can only be judged by results, initial efforts suggest that he is committed to this effort.

He has specifically requested U.S. support for reforms to the Pakistani education system, which has been ignored by previous Pakistani governments more interested in investing in weapons systems than social services. The United States should support that effort with significant new resources, closely conditioned on President Musharraf maintaining his commitment to reform. There can be no better investment of U.S. assistance in Pakistan.

President Musharraf's comments about and concrete steps to reform the ISI given widespread reports of its links to extremists are also a reason for optimism. He should be commended for his cooperation on the investigation of the kidnapping and brutal murder of Danny Pearl case. However, as with his speech on fighting extremism, the USG must demand concrete results in this investigation. President Musharraf's seriousness about confronting Islamic extremists—including those responsible for the murder of Pearl—can be further confirmed by Pakistan handing over to the United States Sheikh Omar, the confessed mastermind of the abduction.

Germany taking concrete—and costly—steps in the war on terrorism, but it is concerned about next steps.

German Foreign Minister Fischer referred to the way on terrorism as a fight with a ''new totalitarianism.'' In a war with such extremists, there can be no compromise, just as there could be no compromise with the Nazis.

Germans also reserved blunt language for the conduct of the Saudis in this effort against extremism—''democracy is the necessary pre-condition of defeating terrorism''—and for the lack of concerted effort by Palestinian Authority Chairman Arafat—the decision to start the Intifada in September 2000 was judged an ''historic mistake'', and ''we all may have overestimated how much Arafat wants peace.''

Germany has taken seriously its role in this war against totalitarianism, taking concrete and historic steps in the war in Afghanistan and in the law enforcement and investigation efforts in the United States. Germany has deployed troops to Afghanistan as part of Operating Enduring Freedom and in Kabul with the ISAF and German naval vessels are operating in the Indian Ocean off the Horn of Africa as part of international efforts to stop the flow of arms to Somalia.

Just as remarkably, Germany has provided intensive law enforcement cooperation in the investigation of the September 11 attacks. German cooperation has been pivotal to initial success in the United States, including the indictment of Zacarias Moussaoui.

While it does not see another state that has sponsored terrorism to the extent that Afghanistan did, the German government recognizes clearly that this is going to be a ''long term war'' and appears to be ready to make further contributions to that effort. In particular, the German leadership pointed out Iran—and its clear desire for WMD—as a problem that the west will have to confront.

Given the extent of German cooperation in the first phase of the war against terrorism—and the political price paid by the German government—it was interesting to hear the serious concerns expressed by the German officials about the next phases in the war.

German Government officials noted especially the threat posed by Saddam Hussein—both to his own people and, with his interest in developing weapons of mass destruction, to the region, Europe and the United States.

These officials also noted, however, that forcing military action in Iraq without prior consultation with, if not outright support from, the international community risks a potentially even more threatening set of circumstances in the Gulf with negative impacts on energy security as well as the security of Israel.

THE RETIREMENT OF ALEX LEWIS

Mr. DASCHLE. Mr. President, today the Senate loses one of its most valued employees to retirement. After 35 years of dedicated service, Alex Lewis of the Recording Studio is stepping down.

Alex began work for the Architect of the Capitol in 1967 at the ripe old age of 20. He started work here as an electrician's helper. By the 1970s he was running and maintaining the Senate and House audio systems, moving to the Senate full time in 1991.

In 1994, he helped bring the Senate into the computer age, working tirelessly over many late nights and weekends and under a tight deadline to replace the old Senate sound system with the state-of-the-art digital system we use today.

That can-do attitude, his friendliness and cooperativeness was respected by everyone who worked with him. And, in the last 3 years as studio supervisor, Alex was respected for his caring, consideration, and fairness by everyone here in this body.

Alex said that having the opportunity to be witness to more than three decades of historical events at the Capitol is something he will always treasure. Today, all of us in the Senate family want to express how much we treasure his service to this institution. We thank him and we wish him well.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. COLLINS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Maine is recognized.

(The remarks of Ms. COLLINS, Mr. BOND, and Mr. SMITH of Oregon pertaining to the introduction of S. 2023 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Ms. COLLINS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HATCH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXTENSION OF MORNING BUSINESS

Mr. REID. I ask unanimous consent the Senate extend morning business until 1 o'clock today.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOMINATION OF CHARLES PICKERING, SR.

Mr. HATCH. Mr. President, I rise today to express my deepest-felt disappointment in the decision of the Judiciary Committee yesterday against the nomination of Judge Charles Pickering, a jurist of the highest character and proven dedication to public service.

Mr. President, I will not repeat my defense of Judge Pickering's record, which I addressed here yesterday.

There are particular reasons why I am disappointed and saddened. First, certainly, is the unfairness with which the Judiciary Committee treated Judge Pickering's record.

I feel awful for Judge Pickering and his family for the way that the special interest groups and the liberal activists have distorted his record.

It has come to the point that men and women who put themselves up for public service and the Senate confirmation process are heroes, willing to sacrifice their good name and peace of mind.

I also feel terribly for the people of Mississippi, and about what this decision says to them after the long distance they have traveled to correct past wrongs. I feel terribly for the African Americans from Mississippi who stood by Judge Pickering, at risk to their own reputations.

Opponents have made much of the meager 26 reversals that Judge Pickering has had, an attempt to open old and painful wounds by using the all-too familiar race card and suggesting that Judge Pickering has a poor record in civil rights cases.

They claim that Judge has a poor record on voting rights. In fact, he has had only four voting rights cases—only four—and he has been appealed on the merits in none of them. My staff has counted almost 200 decisions, and there may be more, in which Judge Pickering has applied the various civil rights laws of the United States with neither an appeal nor a reversal.

Opponents sought desperately to find aggrieved litigants with an ax to grind. They have found almost none. That is amazing for somebody who is in the Federal and State courts for much of a legal career. The African American parties who were involved in one of the four voting rights cases have even written to support the confirmation of Judge Pickering—the same judge who ruled against them.

Many of my colleagues are lawyers. They know full well, as did these African American parties who support Judge Pickering that just ruling one way or another in a case does not mean you are against the underlying law. With this, does it mean that every judge who has overturned a drug sentence is pro-drugs? Obviously not. We all know better than that.

The judge's record is clear and distinguished. But I venture to say that the opponents of Judge Pickering are not interested in accentuating the positive record, to say the least. It is not politically expedient to do so.

Take the case of little Jeffrey Hill. His parents believed that their son was entitled to receive a free appropriate education under the Individuals with Disabilities Education Act.

Jeffrey's parents sued and stood alone against the State of Mississippi. Judge Pickering, as he has done in cases involving homosexuals, African-Americans and others, appropriately found that the law in that case required Mississippi to educate handicapped children. Judge Pickering gave little Jeffrey Hill his day in court. He ruled on the law.

Yesterday Senators on the Judiciary Committee received a letter from three dozen members of the House of Representatives, including the former chairman of the House Judiciary Committee, Mr. HYDE.

House Members asked that the Judiciary Committee repudiate extreme liberal, left-of-mainstream special interest groups that have raised Judge Pickering's religious views as an issue, going so far as to attack Judge Pickering for a speech he gave on the Bible when he was president of the Mississippi Southern Baptist Convention.

I ask unanimous consent that the House letter be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

REPUBLICAN STUDY COMMITTEE,
Washington, DC, March 13, 2002.

HOUSE MEMBERS URGE SENATORS TO REPUDIATE RELIGIOUS TESTS FOR JUDGES

Outside Groups Attempting to Create a Religious Test in Order to Defeat the Nomination of Judge Pickering

WASHINGTON, D.C.—Over three dozen Members of the House of Representatives today sent a letter to Members of the Senate Judiciary Committee asking them to repudiate attempts by groups such as the People for the American Way to establish a defacto religious test preventing persons of faith from serving as federal judges.

Rep. Walter Jones (R–NC), stated, ''In their campaign against the nomination of Judge Charles Pickering to the Court of Appeals, a number of outside interest groups have asserted that Judge Pickering is unfit because he 'promotes religion from the bench.' A close examination of these allegations and Judge Pickering's record clearly indicate that what opponents of his nomination are really objecting to is the fact Judge Pickering is personally a man of religious faith.''

Rep. Joe Pitts (R–PA) added, ''The failure of the Senate Democrats to repudiate the charge that Judge Pickering is unfit for the Judiciary because of his religious faith sends a very clear message: 'So long as Democrats control the Senate, religious people will be prohibited from serving as judges.' ''

The text of the letter sent to Senate Judiciary Committee Members is reset on the next page: