

the White House and which party has control of the Senate.

When President Clinton, a Democrat, was in the White House, sending over nominations, I expressed my personal dissatisfaction at the way they were handled by the Republican-controlled Senate, Republican-controlled Judiciary Committee. I crossed party lines and voted for Judge Paez, Judge Berzon, Judge Gregory, and the nomination of Bill Lann Lee. Now we have the situation reversed: A Republican President, President George W. Bush, and a Judiciary Committee controlled by the Democrats.

It is time for a truce. It is time for an armistice. We ought to sign a declaration if necessary to set forth a procedure to take partisan politics out of judicial confirmations. That is present very decisively with Judge Pickering. There is an element expressed by some members of the Judiciary Committee on the so-called litmus test, with some people believing that unless a judicial nominee is willing to endorse *Roe v. Wade* on a woman's right to choose, that individual should not be confirmed to the Supreme Court—really, an effort to place *Roe v. Wade* on a level with *Brown v. Board of Education*. But it is clear no one can be confirmed today who said *Brown v. Board of Education* should be reversed.

When the nominees are questioned before the Judiciary Committee, they frequently will say: I won't answer that question; it is a matter which may come before the court. That is customarily accepted. If someone were to say that about *Brown v. Board of Education*, not affirming that conclusion—that the decision ending segregation is a vital part of America—I think that person could not be confirmed. To establish that standard for *Roe v. Wade* I think is very contentious, but that awaits another day.

The issue of taking partisan politics out of judicial selection is one with us right now. Earlier this week, Judge D. Brooks Smith, who is a chief judge of the U.S. District Court for the Western District of Pennsylvania, a person recommended for that position by Senator Heinz and myself back in 1988, was confirmed and is now up for the Court of Appeals for the Third Circuit. Although not as heavily overlaid as Judge Pickering's confirmation was, there is an element of partisanship as to Judge Smith. I believe he has answered the questions adequately, and I am cautiously confident he will be confirmed.

It is my hope that if I am right—hopefully, I am not right and Judge Pickering will be confirmed by a majority here—if it turns out to be a vote along party lines, I am hopeful the Judiciary Committee will send Judge Pickering for action by the full Senate. There is precedence for that. Judge Thomas was not recommended by the committee and received a tie, 7-to-7, vote. That meant it failed. But by a 13-to-1 vote, the Judiciary Committee

sent Judge Thomas, who was then a circuit judge, to the Senate, where they voted 13-to-1 that the full Senate should consider him. The full Senate confirmed him 52 to 48.

Judge Bork received a negative vote of 5 in favor and 9 against, and then on a motion to send to the floor, Judge Bork got 9 votes that the full Senate should consider him, with 5 members of the Judiciary Committee dissenting.

In the old days, we used to have the Judiciary Committee bottleneck civil rights litigation, stopping it from coming to the floor.

I believe on the judicial nominations with the overtones of partisanship, this is a matter which ought to be decided by the full Senate. I urge my colleagues to give consideration that in the event there is not an affirmative vote in committee, at least Judge Pickering ought to have standing to have the full Senate consider his nomination.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

#### EXTENSION OF MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent morning business be extended to the hour of 5:30 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 bill clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mrs. CARNAHAN). Without objection, it is so ordered.

#### ORDER OF BUSINESS

Mr. DASCHLE. Madam President, there have been discussions all day long with regard to the so-called Schumer amendment, the matter involving photo identification and the election reform legislation. I think it is accurate to say that while no resolution has been reached, the discussions continue.

This has been an unfortunate and very unproductive period of time, but nonetheless I think it is appropriate at this point to announce there will be no more rollcall votes today. We will be in session tomorrow, and there is a likelihood that we will have at least a cloture vote. There may be other votes as well. So Senators should be advised that at least in the morning tomorrow there will be votes, perhaps beginning at 10 o'clock.

So we will keep Senators informed of our progress. We will not be going out of session tonight. My hope is we might still resume debate and further consideration of the election reform bill, but I think the time has come to recognize that at least if votes could be cast, we could postpone those votes until tomorrow. So no votes tonight but votes certainly in the morning.

I yield the floor.

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

The PRESIDING OFFICER (Mrs. CLINTON). Without objection, it is so ordered.

#### MORNING BUSINESS

Mr. REID. Madam President, I ask unanimous consent the Senate now proceed to a period of morning business with Senators allowed to speak for up to 5 minutes.

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

#### ELECTION REFORM

Ms. STABENOW. Madam President, I would like to express my strong support for the Schumer-Wyden amendment to S. 565, the Martin Luther King Jr., Equal Protection of Voting Rights Act of 2001. While one of the important goals of this legislation is to prevent voter fraud, we must be careful that we do not go so far that we keep eligible voters out of the electoral process.

This bill currently requires first-time voters who registered by mail to provide either a photo ID or a copy of a utility bill, bank statement, a Government paycheck or other government document that shows the name or address of the voter when they go to cast their vote. While this may sound like a reasonable requirement on the surface, the practical consequences of this requirement could easily prevent countless eligible voters from voting.

For example, senior citizens, who vote in large numbers, often do not drive and therefore, do not have a driver's license to use as a photo ID. Voting age high school and college students, a group that we need to encourage to vote and participate in the democratic process, may not have a photo ID, and certainly will not have a Government paycheck or a utility bill in their name. A photo ID requirement also would place a heavy burden on the millions of Americans with disabilities who do not drive or do not live independently so that their name would be listed on a bank statement or utility bill.

Finally, a photo ID requirement could have an adverse impact on minority voters. Immigrants who have newly become U.S. citizens and come

from countries where governments instill fear instead of trust, could be intimidated by these requirements and might be afraid to vote.

The Schumer-Wyden amendment allows States to use signature verification and attestation, in addition to a photo ID and government checks, to verify voters; or a State can opt to use only a signature verification system. This amendment will allow us to be just as tough on voter fraud without turning away eligible voters.

In Michigan, we have several laws that effectively prevent voter fraud, without disenfranchising eligible voters. First-time voters who registered by mail are required to vote in person the first time they cast a ballot. Michigan also requires a voter signature for all voters at the polls, and has a signature verification system to confirm a voter's identity. These measures protect our electoral system against fraud, without undermining voter participation.

I urge my colleagues to support the Schumer-Wyden amendment that protects our electoral system, without preventing eligible voters from exercising their right to vote.

#### AFRICAN AMERICAN HISTORY MONTH

Mr. LEVIN. Madam President, today, I join the many Americans who this month reflect on the rich and extraordinary achievements of African Americans. We do so in keeping with the spirit and the vision of Dr. Carter G. Woodson, son of a former slave, who in 1926, proposed such a recognition as a way of preserving the history of the Negro. Each year, during the month of February, we celebrate African American History Month.

Dr. Woodson was, himself, an extraordinary individual and I would like to pay tribute to him, as well as several courageous and accomplished individuals claimed by my state of Michigan, all of whom have earned a unique place in African American history.

Dr. Woodson overcame seemingly insurmountable challenges in his rise from the coal mines of West Virginia to one of the highest levels of academic achievement of his time. Author Lerone Bennett, writes of the struggles and successes of Carter G. Woodson, who was an untutored coal miner at the age of 17; and at the age of 19, after teaching himself the fundamentals of English and arithmetic, entered high school and mastered the four-year curriculum in less than two years. At 22, after two-thirds of a year at Berea College in Kentucky, Woodson returned to the coal mines and studied Latin and Greek between trips to the mine shafts. He then went on to the University of Chicago, where he received bachelor's and master's degrees, and Harvard University, where he became the second African American to receive a doctorate in history. The rest, of course, is history.

Dr. Benjamin Solomon Carson, Sr., who was born and raised in Detroit, had a childhood dream of becoming a physician. In his books, *Gifted Hands*, *THINK BIG*, and *The Big Picture* he reveals how growing up in dire poverty with horrible grades and being called "dummy" as well as having a horrible temper, and low self-esteem, appeared to preclude the realization of that dream. He writes about an inspiring mother, with a third grade education, who worked two and sometimes three jobs as a domestic to care for her two sons, determined that they would succeed. Carson remembers, "we had to read two books a week from the Detroit Public Library, and submit to her written book reports, which she could not read, but we didn't know that . . . my mother was one of twenty four children, went through the foster care system and married at the age of 13—a marriage that rapidly deteriorated."

Today, despite all of the odds stacked against her and him, Sonya Carson's son is one of the world's most gifted surgeons, performing over 500 critical operations on children in dire need each year, over triple the average neurosurgeon's caseload. Dr. Ben Carson is Director of Pediatric Neurosurgery at the Johns Hopkins Medical Institutions, a position he had held since 1984 when he was 32 years old, then the youngest surgeon in the nation to hold this distinguished title. He is also a professor of neurosurgery, oncology, plastic surgery, and pediatrics. On the occasion of its 200th anniversary the Library of Congress named him one of the 89 "Living Legends." In 2001, he was chosen by CNN and Time Magazine as one of America's top 20 physicians and scientists. After graduating with honors from high school, Ben Carson was accepted to Yale University on a scholarship. He received his M.D. from the University of Michigan.

In 1987, he gained worldwide recognition as the principal surgeon in the 22-hour separation of the Binder Siamese twins from Germany. This was the first time occipital craniopagus twins had been separated with both surviving. In 1997, Dr. Carson was the primary surgeon in the team of South African and Zambian surgeons that separated type-2 vertical conjoined twins (joined at the top of the head) in a 28-hour operation. It represents the first time such complexly joined siamese twins have been separated with both remaining neurologically normal. He is noted for his use of cerebral hemispherectomy to control intractable seizures as well as for his work in craniofacial reconstructive surgery, achondroplasia (human dwarfism), and pediatric neuro-oncology (brain tumors).

Dr. Carson is the president and co-founder of the Carson's Scholars Fund, which recognizes young people of all backgrounds for exceptional academic and humanitarian accomplishments, which he hopes will positively change the perception of high academic achievers among their peers across our nation.

Madam President, I would also like to pay tribute to two women who played a pivotal role in addressing American injustice and inequality. They are Sojourner Truth, who helped lead our country out of the dark days of slavery, and Rosa Parks, whose dignified leadership sparked the Montgomery Bus Boycott and the start of the Civil Rights movement.

Sojourner Truth, though unable to read or write, was considered one of the most eloquent and noted spokespersons of her day, on the inhumanity and immorality of slavery. She was a leader in the abolitionist movement, and a ground breaking speaker on behalf of quality for women. Michigan honored her several years ago with the dedication of the Sojourner Truth Memorial Monument, which was unveiled in Battle Creek, Michigan on September 25, 1999.

Sojourner Truth had an extraordinary life. She was born Isabella Baumfree in 1797, served as a slave under several different masters, and was eventually freed in 1828 when New York state outlawed slavery. In 1851, Sojourner Truth delivered her famous "Ain't I a Woman?" speech at the Women's Convention in Akron, Ohio. In the speech, Truth attacked both racism and sexism. Truth made her case for equality in plain-spoken English when she said, "Then that little man in black there, he says women can't have as much rights as men, cause Christ wasn't a woman? Where did your Christ come from? Where did your Christ come from? From God and a woman! Man had nothing to do with Him!"

By the mid-1850s, Truth had settled in Battle Creek, Michigan. She continued to travel and speak out for equality. During the Civil War, Truth traveled throughout Michigan, gathering food and clothing for Negro volunteer regiments. Truth's travels during the war eventually led her to a meeting with President Abraham Lincoln in 1864, at which she presented her ideas on assisting freed slaves. Truth remained in Washington, DC for several years, helping slaves who had fled from the South and appearing at women's suffrage gatherings. Due to bad health, Sojourner Truth returned to Battle Creek in 1875, and remained there until her death in 1883. Sojourner Truth spoke from her heart about the most troubling issues of her time. A testament to Truth's convictions is that her words continue to speak to us today.

On May 4, 1999 legislation was enacted which authorized the President of the United States to award the Congressional Gold Medal to Rosa Parks. The Congressional Gold Medal was presented to Rosa Parks on June 15, 1999 during an elaborate ceremony in the U.S. Capitol Rotunda. I was pleased to cosponsor this fitting tribute to Rosa Parks—the gentle warrior who decided that she would no longer tolerate the humiliation and demoralization of racial segregation on a bus. Her personal