

Mr. Speaker, this is a critical time in the life of America. Our colleagues in the United States Senate are imminently approaching a crossroads that will forever impact the future of this Republic. They will choose the road that will restore the constitutional balance of power that our Founding Fathers so carefully constructed, or they will travel down that path that rewards a shameless behavior that has deliberately injured this delicate balance by transferring the executive power of judicial appointment to the legislative minority.

The Constitution's advice and consent has been twisted into mockery by the Senate minority. Men and women of outstanding character have come forth as judicial nominees to be undeservedly maligned, smeared, ridiculed and then left in nominations limbo indefinitely by this unprecedented, unconstitutional and outrageous judicial filibuster.

Mr. Speaker, this is a show of disregard and contempt for the world's flagship of freedom and toward her people and toward the time-honored principles of the United States Senate. We will recapture the civility that once presided over judicial appointments or we will forever surrender what Abraham Lincoln called "the angels of our better nature" to this bitterly partisan tactic that threatens the constitutional prerogative of the President of the United States to appoint good, decent and honorable men and women to the Federal judiciary.

Advice and consent is clearly written in the United States Constitution. This judicial filibuster to prevent a fair up-or-down vote is neither advice nor consent and, Mr. Speaker, it is not in the United States Constitution. Never before 2003, in 214 years of U.S. Senate deliberations, has any judicial nomination supported by the majority of the Senate been denied a fair up-or-down vote. Yet the minority would have the public believe that the majority is the one trying to change the rules here, calling it the nuclear option. It is the Senate minority, Mr. Speaker, that has launched this unprecedented, quote, nuclear option by devastating the constitutionally required just consideration of judicial nominees duly appointed by the President of the United States.

What the majority seeks is the constitutional option that is totally in keeping with 214 years of the rules, traditions and dignity of the United States Senate. Senate Democrats have strongly and arrogantly and openly threatened to shut down the operations of the government if Republicans insist on the constitutional option. Mr. Speaker, I would suggest that it is far better to let the Democrats shut down this government temporarily than it is to allow them to shut down this Republic permanently.

In this critical struggle for the future of this Republic, one of two things will occur. Either the time-honored and tested provision of advice and consent, written in the Constitution, will prevail or unprecedented judicial filibuster and obstructionism will take its place and become the tragic legacy of these days.

Mr. Speaker, I should not have to remind my Republican colleagues that the people who have entrusted us with this majority have spoken with resounding voice on the issue of judicial nominations. They hear it and I hear it everywhere I go. The people of America have a profound sense of fair play and they are tired of some of their United

States Senators cowering behind a distorted version of the true and impeccable auspices of the United States Senate. The people want their Senators to have the courage to take a stand on judicial nominations. The people want a fair up-or-down vote on judges, Mr. Speaker, and they will remember those who have the courage to do so and, sir, they will remember those who did not.

The people understand how important this really is. They understand that it is truly about the Constitution itself, and they innately embrace the core message of those magnificent words by Daniel Webster when he said, ``Hold on, my friends, to the Constitution, and to the Republic for which it stands, for miracles do not cluster and what has happened once in 6,000 years may never happen again. So hold on to the Constitution, for if the American Constitution should fall, there will be anarchy throughout the world."

Mr. Speaker, the stakes could not be higher and this Republic truly hangs in the balance. We have a once in a lifetime opportunity to pass this miracle of the American constitutional Republic on to future generations that are yet to be. We owe it to the American people, we owe it to ourselves, we owe it to those future generations and we owe it to that vision of human freedom that our forefathers risked their lives, their fortunes and their sacred honor to entrust to us.

Mr. Speaker, we must not fail.