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SPECIAL REPORT ON ROBERTS' NOMINATION

On Tuesday, July 19th, President Bush nominated DC Circuit Court Judge John Roberts to replace Justice Sandra Day O'Connor on the United States Supreme Court. This is one of the most important decisions the president will make in his term of office.

On average, Supreme Court justices serve three times as long as a two-term president (24 years). In that many of the Court's most far-reaching rulings are decided by a 5-4 vote, and - her reputed conservatism notwithstanding - O'Connor was on the wrong side more often than not, Roberts' could shift the balance on some crucial questions.

While President Bush has made many fine appointments in his time in office (his appellate court nominations have been exceptional), we owe it to the country we love to ask hard questions about a Supreme Court nominee, regardless of who nominated them.

A STIRLING RECORD

By education, experience and accomplishments, Judge Roberts is exceptionally well-qualified. Without covering his entire resume, let me note that Roberts graduated Summa Cum Laude from Harvard Law School, where he served as

editor of the prestigious Harvard Law Review. He clerked for Chief Justice William Rehnquist, served as Associate Counsel to President Ronald Reagan and was Principal Deputy Solicitor General in the administration of George Bush Sr.

As a lawyer, John Roberts argued 39 cases before the Supreme Court - a record achieved by few of his peers. When he was nominated for the DC Circuit Court of Appeals - commonly called the nation's second most powerful court - 152 prominent members of the DC Bar wrote to the Senate Judiciary Committee urging his confirmation and calling Judge Roberts "one of the best and most highly respected appellate lawyers in the nation."

INITIAL SKEPTICISM

There are, however, other considerations - even more important. During both of his presidential campaigns, Mr. Bush promised to fill vacancies on the Supreme Court with individuals like Justices Thomas and Scalia - in other words, with jurists committed to interpreting the Constitution (based on the intent its drafters), instead of rewriting the Constitution to achieve their own ends.

I've just finished two days of intensive meetings in Washington, DC. I must admit that when I arrived here on Wednesday, I was somewhat skeptical. Judge Roberts has rarely expressed himself in writing on the great questions of the day which the High Court has decided or will decide. This lack of a "paper trail" will make it easier to confirm him, but much harder for people like us to gain insights into his thinking - a window on his soul.

It's true that as a Deputy Solicitor General, Judge Roberts wrote a number of briefs supporting various pro-life positions. However, as the judge himself pointed out during earlier confirmation hearings, he did so as a lawyer representing his client (in this case, a conservative administration), not necessarily expressing his own views.

Nevertheless, over the past two days, I've met with some of the most respected conservative leaders in the land. Many have known Judge Roberts personally

over a period of years. To a man - and woman - they assure me that the president's first Supreme Court nominee is an authentic constitutionalist - not just a man of integrity and intellect, but one loyal to the real Constitution (rather than the frequently distorted document it's become) and the Judeo-Christian values on which our Republic was founded.

THE COMING CONFLICT

As you read these words, the left is sharpening its knives. NOW, The Human Rights Campaign, MoveOn.org and the abortion lobby all have denounced the nomination with various degrees of hysteria.

Make no mistake, these folks are determined. They know the president's judicial philosophy and are well aware of his promises to appoint only strict constructionists to the bench. They are desperate because the courts are the only way they can realize their goal to radically remake America (in such a way that it would be virtually unrecognizable to the Founding Fathers).

To cite but one example: No legislature in the land would ever dare to enact a gay marriage law. It could only come from the judiciary.

The left has lost 7 of the last 10 presidential elections. It's been over a decade since it controlled the House of Representatives. The Senate has been in conservative hands for most of the past 20 years. On ballot questions, liberal views are routinely rejected (witness the 14 state defense of marriage amendments which passed last year). The courts are all the left has left.

Regrettably, they've also become the most powerful branch of government - again contravening the will of the Founders.

The left has redefined "qualified." It used to mean that a judicial candidate had the experience and temperament to serve on the bench. But, for the left, a nominee isn't qualified unless he or she shares their warped values and is willing to twist the Constitution's clear meaning to achieve their political ends.

Senator Charles Schumer and his allies will demand that Roberts pledge allegiance to *Roe v. Wade*, and will insist that unless the nominee does so, he is

a radical right-winger committed to abolishing personal liberty. This is absurd, and we must say so - loudly and clearly.

THE PEOPLE ARE ON OUR SIDE

Once again, the public is on our side. According to a Fox News Poll (conducted July 12-13), 69% say it's unacceptable for a Senator to base his vote for a Supreme Court nominee on whether the candidate is a conservative or liberal, while 73% say it's wrong for senators to base their votes solely on the nominee's perceived position on abortion.

When asked (prior to the Roberts nomination), if the president should nominate another woman to take O'Connor's place, 65% said "no" (only 28% said yes).

When asked what type of person Mr. Bush should tap for the nation's highest court, a plurality (39%) said a conservative, 25% said a liberal and 12% wanted a moderate.

Senators must be made aware of this. Not only did the American people elect George Bush twice, and elect the most conservative Senate in our history last November, but they want Supreme Court nominees of Roberts' character.

PLEASE PRAY FOR JOHN ROBERTS

In the days and weeks ahead, please pray for Judge John Roberts and his family, as he undertakes what could be an arduous confirmation process. Pray for our president, that he may be strengthened in his resolve. And pray that God gives all 100 members of the United States Senate the wisdom to transcend partisanship and ideology to do what's right for the nation.

We will continue to inform and educate pastors and concerned laymen on this nomination.

UPCOMING EVENTS

Special Event

On August 23rd (starting at 6:30pm), Vision America will hold a Greater East Texas Enough Is Enough Citizenship Rally at the Maude Cobb Convention Center (100 Grand Blvd., Longview, Texas). The event is open to the public. I am honored to be sharing the podium with Former Alabama Chief Justice Roy Moore – The Ten Commandments Judge – on this occasion. The topic will be judicial tyranny.

Annual Gala

Tickets are still available for Vision America's annual Heroes of the Faith Gala, August 25th at The Westin Galleria Hotel in Houston, VIP and General Receptions start at 6:15pm, dinner at 7:00pm. This year's honorees are U. S. Senator Sam Brownback, Texas State Representatives Warren Chisum and Robert Talton and Pastor Steve Riggle. Donations include: Patron -- \$2,500, Table Sponsor -- \$1,500, Host Couple-- \$500 and individual tickets (one dinner) -- \$120. To purchase tickets or for more information, go to www.visionamerica.us or call 713-980-3274 or 866-522-5582.

Countering The War on Faith

Vision America's next major conference - Countering The War on Faith - will be held in Washington, D.C., on October 17-18.