

**OPENING STATEMENT OF HON. LINDSEY GRAHAM, A U.S.
SENATOR FROM THE STATE OF SOUTH CAROLINA**

Senator GRAHAM. Thank you very much for coming to our hearing today. We have about an hour of time allotted with a lot of people to hear from on a very important subject, and we are going to have votes coming up pretty quickly too.

With that said, I will enter my opening statement into the record.

Senator GRAHAM. Senator Chambliss, if you have anything you would like to say at this time—

Senator CHAMBLISS. No, sir.

Senator GRAHAM. You defer.

We will get right into it. We are glad to have the panel here of Senator Dole and Senator Edwards, and speak.

**PRESENTATION OF ALLYSON K. DUNCAN, NOMINEE TO BE
CIRCUIT JUDGE FOR THE FOURTH CIRCUIT, AND LOUISE W.
FLANAGAN, NOMINEE TO BE DISTRICT JUDGE FOR THE
EASTERN DISTRICT OF NORTH CAROLINA, BY HON. JOHN
EDWARDS, A U.S. SENATOR FROM THE STATE OF NORTH
CAROLINA**

Senator EDWARDS. Mr. Chairman, under ordinary circumstances, a hearing like this would not draw a lot of attention. This nominee is a consensus nominee. We are talking about Judge Duncan. She enjoys the support of both Senators from her State, and her nomination is supported by leaders of both political parties.

Under ordinary circumstances, this hearing would hardly be noticed, but, Mr. Chairman, this is no ordinary event for the people of North Carolina. In fact, it is an historic and important milestone for our State, and we believe it calls for celebration. The last time a North Carolina judge joined the Fourth Circuit Court of Appeals was 23 years ago, when Sam Ervin, III, son of Senator Sam, was confirmed.

North Carolina is the only State in the Union with no judges on a Federal appellate court, and we have the longest standing vacancy in the Federal appeals court system. In fact, in the entire 112-year history of the Fourth Circuit, North Carolina has had only 6 judges. Compare that with our neighbor, Virginia, which has 5 current judges on the court.

So you can see, Mr. Chairman, that this hearing is a very special occasion for us.

We are also very proud to be able to introduce Allyson Duncan, a nominee who will restore the voice of North Carolina to a very important Federal court and break a logjam, which has damaged our State for too many years. This historic development is the result of a new approach which I hope will be a model for the future. In this case, President Bush reached out to Senator Dole and to me before he made a decision. He consulted with us. He sought our advice. And in making his decision, the President selected a nominee who represents the mainstream of our State.

I commend the President for consulting with us and for making an excellent nomination. If he takes this approach with respect to future judicial nominations, including nominations to the Supreme