

new approach to filling Federal court vacancies. We should leave behind the arguments and grievances of the past. We need to fix this problem together. That's why we've come to Washington, to fix problems, and each branch of Government can contribute, and must contribute, to a better system.

So today I'm offering four specific proposals to break the logjam in Washington and bring the Federal courts of appeals and district courts to full strength.

First, I call on Federal judges on the courts of appeals and district courts to notify the President of their intention to retire at least a year in advance, whenever this is possible. Because the nomination and confirmation of a Federal judge is a lengthy process under the best of circumstances, judges who retire without advance notice can unintentionally create a judicial vacancy that can last for many months. The request for one year advance notice builds on existing policy of the judiciary and will help us work toward a system in which a new Federal judge is ready to take the bench on a day the sitting judge retires. That's the goal.

Second, I propose that Presidents submit a nomination to the Senate within 180 days of receiving notice of a Federal court vacancy or intended retirement. In other words, we have a responsibility as well to make sure the judiciary is sound and whole. This will speed up the sometimes time-consuming process of obtaining recommendations and evaluations from home-State Senators and Representatives and Governors and bar leaders, while leaving ample time for Presidents to vet and choose nominees of the highest quality.

Third, I call on the Senate Judiciary—Senate Judiciary Committee to commit to holding a hearing within 90 days of receiving a nomination. A strict deadline is the best way to ensure that judicial nominees are promptly and fairly considered, and 90 days is more than enough time for the committee to conduct necessary research before holding a hearing. That's plenty of time.

Finally, I call on the full Senate to commit to an up-or-down floor vote on each nominee no later than 180 days after the nomination is submitted. This is a very generous period of time that will allow all the Senators to

evaluate nominees and have their votes counted.

Our proposals would not favor Democrats or Republicans. The plan would be fair and would apply to—regardless of who the President is. It doesn't matter who the President is. What matters is a system which works.

For the first time in years, the judicial confirmation process would work as it was intended to work. All Senators would have a chance to make their voices heard and their views known, and that's important. All nominees would have the certainty of an up-or-down Senate floor vote within a reasonable period of time, and that is important. All Presidents would know that their judicial nominations would be addressed promptly. All Americans would see a more dignified process and have their Federal courts fully staffed to protect their rights and their liberties. And the vacancy crisis would be resolved once and for all.

I urge every Member of the Senate, in particular those serving on the Judiciary Committee, to carefully consider this new beginning for the judicial nomination process, to weigh their responsibilities, to look at the vacancy problem we have, to act in a responsible fashion.

The failure of the judicial confirmation process is harming the administration of justice in America. That is a fact. The current state of affairs is not merely another round of political wrangling. It is a disturbing failure to meet our responsibilities under the Constitution. The Constitution has given us a shared duty, and we must meet that duty together.

Thank you all for coming.

NOTE: The President spoke at 1:40 p.m. in the East Room at the White House. In his remarks, he referred to Attorney General Ashcroft's wife, Janet Ashcroft, and sister-in-law, Anne Giddings; and former Solicitor General Seth P. Waxman.

Statement on Signing the Niagara Falls National Heritage Area Study Act

October 30, 2002

I have signed into law S. 1227, the Niagara Falls National Heritage Area Study Act. The

Act requires the Secretary of the Interior to study the suitability and feasibility of establishing the Niagara Falls National Heritage Area in the State of New York, along and in the vicinity of the Niagara River.

Section 3(d) purports to require the Secretary of the Interior to submit to the Congress recommendations related to legislation. The executive branch shall construe this provision in a manner consistent with the President's constitutional authority to submit for consideration to the Congress legislative proposals as the President judges are necessary and expedient.

George W. Bush

The White House,
October 30, 2002.

NOTE: S. 1227, approved October 30, was assigned Public Law No. 107-256.

Remarks in Aberdeen, South Dakota October 31, 2002

The President. Thank you all. Thanks a lot for coming. Thanks for having me here. The next time you get me to come back, let's go pheasant hunting. I can't go today. [Laughter] I've got to work. I'm traveling our country to remind people that the American spirit is alive and well today.

That spirit is the spirit of a determined nation willing to defend our freedoms, no matter what the cost. That American spirit says loud and clear that we're willing to serve something greater than ourselves. We're willing to serve people in need, a community we love. And part of the American spirit is for our citizens to exercise their duty, and their duty is to cast a vote on November the 5th. You have a duty. You have a duty in this country. If you believe in freedom, if you believe in the values that make this country the finest nation on the face of the Earth, you have a duty to go to the polls. That's part of what it means to live in a free society.

I want to thank you all who have voted. I want to thank you who are fixing to vote. And I've got some suggestions for you when you get inside the voting booth. [Laughter] For the sake of South Dakota, for the sake

of our country, John Thune should be the next United States Senator.

Audience members. Thune! Thune! Thune!

The President. For the sake of South Dakota and for the sake of the country, Bill Janklow needs to be the next United States Congressman. And for the sake of South Dakota, particularly the sake for excellence in education, Mike Rounds needs to be the next Governor.

I urge all the citizens of this State and around the country, Republican, Democrat, or independent alike, to go to the polls. But I believe when those discerning Democrats and those wise independents take a look at the candidates that I'm here to support, they're going to vote for them. It's in the best interests of their families. It's in the best interests of this State that these three men be elected to their offices.

Not only have these three good men decided to put their hat in the ring, all of them married above themselves. [Laughter] Kimberley Thune is a great wife of John Thune. She is a wonderful lady. She'll bring a lot of class—she has brought a lot of class to Washington. We're proud to call her friend. John is proud to call her wife, and her kids are proud to call her mother.

I'm proud to be up here with Mary Dean Janklow, who's been a great first lady for the State of South Dakota. And Jean Rounds will be a great first lady for the State of South Dakota.

I know something about First Ladies. One of them got stuck with me. [Laughter] Laura sends her love; she sends her very best. She's coming to the State to campaign, which means you drew the short straw. [Laughter] Laura and I share the values of the people of South Dakota. After all, as John mentioned, we were raised in west Texas. It's good. [Laughter] Then you know what I'm talking about. Actually, when I married Laura, she was a public school librarian. She didn't like politics. She didn't care for politicians. [Laughter] Thank goodness she said yes when I was there on bended knee. America now knows why I asked her to marry me. She's smart. She's capable. She's calm. She is a great First Lady for this country.