

firms looking to start or enhance participation in global trade.

In negotiating this FTA, my Administration was guided by the negotiating objectives set out in the Trade Act of 2002. The Agreement's provisions on agriculture represent a balanced response to those seeking improved access to Australia's markets, through immediate elimination of tariffs on U.S. exports and mechanisms to resolve sanitary and phytosanitary issues and facilitate trade between our countries, while recognizing the sensitive nature of some U.S. agricultural sectors and their possible vulnerability to increased imports.

The U.S.-Australia FTA also reinforces the importance of creativity and technology to both of our economies. The Agreement includes rules providing for strong protection and enforcement of intellectual property rights, promotes the use of electronic commerce, and provides for increased cooperation between our agencies on addressing anticompetitive practices, financial services, telecommunications, and other matters.

The Agreement memorializes our shared commitment to labor and environmental issues. The United States and Australia have worked in close cooperation on these issues in the past and will pursue this strategy and commitment to cooperation in bilateral and global fora in the future.

With the approval of this Agreement and passage of the implementing legislation by the Congress, we will advance U.S. economic, security, and political interests, and set an example of the benefits of free trade and democracy for the world.

George W. Bush

The White House,
July 6, 2004.

**Remarks Following a Meeting With
Judicial Nominees and an Exchange
With Reporters in Raleigh, North
Carolina**

July 7, 2004

The President. Good morning. It's good to be in the great State of North Carolina. I just met with three judicial nominees from

this State, Judge Terry Boyle, Bob Conrad, Jim Dever. These are men with broad experience, good character. They've been rated by the ABA as qualified to serve on the bench. They represent mainstream values. They will strictly and faithfully interpret the law. They won't use the bench from which to legislate.

Their nominations are being held up, and it's not right, and it's not fair. The people of North Carolina deserve better. These judges deserve better treatment in the United States Senate. A minority of Senators apparently don't want judges who strictly interpret and apply the law. Evidently, they want activist judges who will rewrite the law from the bench. I disagree. Legislation should come from the legislative branch, not from the judiciary.

Judge Boyle—Judge Terry Boyle of North Carolina has waited for a vote since May of 2001, and there's no reason why this good man should have been kept waiting for so long. He's an exceptional candidate for the appeals court. He was appointed to the district court in 1984 by President Ronald Reagan and has spent the last 7 years as Chief Judge of the Eastern District of North Carolina. He'd make a superb addition to the Fourth Circuit Court of Appeals, and he is vitally needed on that court.

The seat I nominated him to fill has been designated a judicial emergency by the Judicial Conference of the United States, because when they name something a judicial emergency, it means there's a shortage of judges. I put this good man up, and he can't get an up-or-down vote on the floor of the Senate. He is—he, along with Bob Conrad, have waited too long.

Bob Conrad I named for one of the district courts here in North Carolina. He served as a Federal prosecutor for 15 years, including 3 years as the U.S. attorney in Charlotte. He did a really good job in that capacity. He's waited for more than 14 months for a vote.

Jim Dever is the magistrate judge. He has had strong bipartisan support. He's waited for more than 2 years for a vote. The post to which I have nominated Judge Dever has also been declared a judicial emergency. This is a disservice to the State. I repeat, there's a minority of Senators blocking the process. They're playing politics with something as

important as the judiciary. You might remember, I had named six nominees to appellate benches. They had enough votes to be confirmed, and they—their nominations were filibustered on the floor of the United States Senate. These are not the three I've discussed. These are other judges.

Now, we recently got 25 nominees through, and I appreciate that. But there's an issue in North Carolina that needs to be solved, and the only people who can solve it are the United States Senators, who are holding these nominations up.

I laid out earlier in the year some proposals that would make the process go better. Judges would provide one year advance notice of retirement or departure. Presidents would select a nominee within 180 days of receiving notice of an upcoming vacancy. And then the Senate would hold both a hearing and an up-or-down vote within 180 days. That's fair. That ought to apply to both Republican as well Democrats. This is the kind of reform that is necessary to make the system work better.

The—when we see vacancies where people are declaring judicial emergencies, it seems like to me the Senate ought to pay attention to them and give these good nominees an up-or-down vote and a confirmation hearing in some cases. The Senate ought to let them go in front of the Judiciary Committee and get them to the floor. It's not right, and it's not fair.

I told these three men that I'm standing with them. And I've said, "I am sorry that you're having to wait so long. I'm sorry that you're being hung out by a handful of United States Senators." I appreciate their service. I'm honored that they would be willing to serve our country by going on the bench. It's time for them to get—to at least get an up-or-down vote.

Let me answer some questions for you. Deb [Deb Riechmann, Associated Press]. Yes, I stiffed you the other day. I'm glad to call you this time.

2004 Election

Q. Mr. President, Kerry, during the primaries, often said that John Edwards was not ready to be President. Do you believe that

he is ready to be a heartbeat away from the Oval Office?

The President. Well, that will be up to the voters to decide, but I tell you what I think about North Carolina. I did well here in 2000 because the North Carolinian voter understood we shared values. I'm going to do well again in 2004. They know we share those values. People in North Carolina remember I came to this State and said we'll make sure our troops are well-paid and well-housed and taken care of, and we've done that. I told them we'd cut their taxes, and we've done that. The economy is strong here in North Carolina. I also know that when they go to the polls to vote for President that they'll understand that the Senator from Massachusetts doesn't share their values.

Steve [Steve Holland, Reuters].

Q. Mr. President—

The President. Yes, speak up. I'm getting a little—

Q. If I could try another Edwards question—he's being described today as charming, engaging, a nimble campaigner, a populist, and even sexy. How does he stack up against Dick Cheney?

The President. Dick Cheney can be President.

Next.

Q. Mr. President, does this John Edwards selection force you to spend more time in the South and change your strategy in the Southern States now?

The President. I'm going to carry the South because the people understand that they share—we share values that they understand. They know me well. And I am—I believe that I did well in the South last time; I'll do well in the South this time, because the Senator from Massachusetts doesn't share their values. And that's the difference in the campaign.

Yes.

Q. Will you have to spend more time, strategy-wise?

The President. Well, talk to—talk to the schedulers. I'm not the scheduler. I'm just the simple candidate. [Laughter]

Yes.

Q. Mr. President, candidate—

The President. Welcome. No, "Mr. President," thank you.

Judicial Nominations

Q. The judiciary you hope to create with these nominees, could you—

The President. Those aren't the nominees.

Q. Well, they're—

The President. That's Senator Burr—to be.

Q. Could you offer thoughts as to how that judiciary is different from the one that might exist under a Democratic Kerry-Edwards administration, and perhaps with particular reference to issues of civil damage suits and abortion?

The President. Well, look, I've—first of all, on issues like abortion, I don't have a litmus test. In other words, when the nominees come before people in my administration, we don't say, "What is your specific position on that issue or another issue?" What we say to the person is, "What is your judicial temperament? Will you be willing to faithfully interpret the law, or will you view your position on the bench to rewrite law?" And that is the difference of judicial philosophies. I've been consistent in naming people to the bench that will faithfully interpret the law. I suspect that's one of the reasons why a minority of Senators are blocking my nominees and creating a judicial emergency.

And after I leave here, I'm going to Michigan to bring up the same point. There are six judges that are being withheld because of their judicial temperament, not because of a specific issue but because of their temperament. And I don't believe in litmus tests. I do believe in making sure that we share a philosophy. As I said before, I want the legislators legislating. I don't want the judges legislating.

Look, you look awfully hot, and I think it's time for us to go to the next event. Thank you.

Q. [*Inaudible*]*—*difference from a Kerry-Edwards administration—could you see how they might—

The President. Of course. They're the ones blocking the nominees in the first place. They're the types of Senators who are blocking the advance of these nominees.

Take for example here in North Carolina. Senator Edwards will not allow two of the

nominees to whom I referred to even get to the committee for a hearing.

Thank you.

NOTE: The President spoke at 11:27 a.m. at Raleigh Durham International Airport. In his remarks, he referred to Representative Richard Burr of North Carolina, candidate for U.S. Senate.

Remarks Following a Meeting With Judicial Nominees in Waterford, Michigan

July 7, 2004

Good afternoon. I just met with six of my judicial nominees from the State of Michigan. I knew these were decent people, capable people, when I nominated them. My meeting with them today confirmed that. These are good people.

They are of the highest caliber. They've been rated well by the ABA, "qualified" or "well-qualified." In other words, the experts have taken a look at them and said these are qualified people to do the job. They're devoted public servants. They—their nominations are stalled because of the tactics of a minority of Senators. These are superb nominees. They deserve a vote. They deserve to have their day on the Senate floor.

Four of the nominees are waiting to join the Sixth Circuit Court of Appeals. David McKeague was confirmed unanimously by the Senate 12 years ago to serve as a Federal judge for the Western District of Michigan. Susan Neilson is an outstanding judge with more than a decade of experience on the bench. Henry Saad is a State appeals court judge. Richard Griffin has had 16 years of experience as a State judge. These experienced and dedicated individuals are needed, vitally needed, on the Sixth Circuit Court of Appeals. I'll tell you why. Congress has authorized 16 judges for this court, yet 4 seats are vacant. All four of these vacancies have been designated judicial emergencies by the Judicial Conference of the United States. It is irresponsible for the United States Senate to deny an appeals court 25 percent of the judges it needs.

My nominees for the district courts in Michigan have also waited far too long. Tom Ludington, a respected State judge for nearly