

**Statement on the Senate Filibusters
of the Nominations of Miguel A.
Estrada and Priscilla Owen To Be
Judges on the United States Court of
Appeals**

May 8, 2003

Miguel Estrada and Priscilla Owen have been waiting 2 years for an up-or-down vote in the Senate. Both of these nominees are of the highest integrity and character with tremendous legal experience. Both have been unanimously rated “well-qualified” by the American Bar Association. Each has the support of a majority of Senators, yet votes on their nominations are being blocked by a minority of Senators who are engaged in simultaneous filibusters. These partisan obstructionist tactics are unprecedented, unacceptable, and inconsistent with the Senate’s constitutional responsibility.

Because of the Senate’s failure to hold timely votes, the number of judicial vacancies has become unacceptably high. When the Federal courts are understaffed, they cannot act in a timely manner to resolve disputes that affect the lives and liberties of Americans.

Mr. Estrada and Justice Owen represent the mainstream of American law and American values, possess extraordinary experience and integrity, and have strong bipartisan support from those who know them best. They will be outstanding circuit judges once they receive a vote and are confirmed.

In recent days, many Senators of both parties have rightly spoken out about the broken confirmation process and reiterated the need for the Senate to ensure timely consideration of judicial nominees. I appreciate their call for the Senate to fulfill its constitutional responsibility and hold up-or-down votes on all judicial nominees within a reasonable time after nomination.

**Executive Order 13299—
Interagency Group on Insular Areas**

May 8, 2003

By the authority vested in me as President by the Constitution and the laws of the

United States of America, it is hereby ordered as follows:

Section 1. Interagency Group on Insular Areas. (a) There is established, within the Department of the Interior for administrative purposes, the Interagency Group on Insular Areas (IGIA). The group shall consist exclusively of:

- (i) the heads of the executive departments; and
- (ii) the heads of such agencies as the Secretary of the Interior may designate.

(b) The Secretary of the Interior, or the Secretary’s designee under section 1(c) of this order, shall convene and preside at the meetings of the IGIA, determine its agenda, direct its work and, as appropriate to deal with particular subject matters, establish and direct subgroups of the IGIA that shall consist exclusively of members of the IGIA.

(c) A member of the IGIA may designate, to perform the IGIA or IGIA subgroup functions of the member, any person who is a part of the member’s department or agency (agency) and who is either an officer of the United States appointed by the President or a member of the Senior Executive Service.

Sec. 2. Functions of the IGIA. The IGIA shall:

(a) provide advice on establishment or implementation of policies concerning American Samoa, Guam, the United States Virgin Islands, and the Commonwealth of Northern Mariana Islands (Insular Areas) to:

- (i) the President, through the Office of Intergovernmental Affairs in the White House Office, in written reports, at least once each year; and
- (ii) the Secretary of the Interior;

(b) obtain information and advice concerning Insular Areas from governors and other elected officials in the Insular Areas (including through a meeting at least once each year with such governors of the Insular Areas who may wish to attend) in a manner that seeks their individual advice and does not involve collective judgment or consensus advice or deliberation;

(c) obtain information and advice concerning Insular Areas, as the IGIA determines appropriate, from representatives of entities or other individuals in a manner that

seeks their individual advice and does not involve collective judgment or consensus advice or deliberation; and

(d) at the request of the head of any agency who is a member of the IGIA, unless the Secretary of the Interior declines the request, promptly review and provide advice on a policy or policy implementation action affecting one of the Insular Areas proposed by that agency.

Sec. 3. General Provisions. (a) The Secretary of the Interior may, as the Secretary determines appropriate, make recommendations to the President, or to the heads of agencies, regarding policy or policy implementation actions of the Federal Government affecting the Insular Areas.

(b) Nothing in this order shall be construed to impair or otherwise affect the functions of the Director of the Office of Management and Budget relating to budget, administrative, or legislative proposals.

Sec. 4. Judicial Review. This order is intended only to improve the internal management of the Federal Government and is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or equity by a party against the United States, its departments, agencies, instrumentalities or entities, its officers or employees, or any other person.

George W. Bush

The White House,
May 8, 2003.

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NOTE: This Executive order was published in the *Federal Register* on May 12.

Remarks on the Judicial Confirmation Process

May 9, 2003

Thank you all very much. Please be seated. Thanks. Thanks a lot for coming. Thanks for the warm welcome. Welcome to the White House and the Rose Garden. I'm pleased all of you could be here to stand for a truly independent Federal judiciary. The Framers of the Constitution knew that freedom and jus-

tice depend on fair and impartial judges. To ensure judges of the highest quality, integrity, they designed a system in which the President would nominate judges and the Senate would vote up or down on the nominees.

Today, we are facing a crisis in the Senate and, therefore, a crisis in our judiciary. Highly qualified judicial nominees are waiting years to get an up-or-down vote from the United States Senate. They wait for years while partisans search in vain for reasons to reject them. The obstructionist tactics of a small group of Senators are setting a pattern that threatens judicial independence. Meanwhile, vacancies on the bench and overcrowded court dockets are causing delays for citizens seeking justice. The judicial confirmation process is broken, and it must be fixed for the good of the country. Every person nominated to the Federal bench deserves a timely vote.

I want to appreciate Al Gonzales' introduction. I appreciate his good, sound legal advice. He's been my friend for a long time. I'm really pleased he left Austin, Texas, to come up here and serve our country. I also want to thank the Attorney General for serving our country as well. He is doing a fabulous job for our Nation, and we wish him a happiest 60th birthday today.

I'm so pleased the leaders of the United States Senate are here. Bill Frist is ably leading the United States Senate. Thank you for coming, Senator. I want to thank Senator Orrin Hatch for being here as well. The chairman is going to lead the efforts to reform our process. And Mr. Chairman, I support your work to make sure we increase judicial pay across the United States. Thank you for your leadership.

I'm also grateful that Senators Cornyn from Texas, Dole, and Graham of South Carolina, Mitch McConnell, Zell Miller, and Arlen Specter are with us. These folks represent the best of the United States Senate, and thank you for coming.

I appreciate the fact that members of John Ashcroft's staff from the Justice Department are here, in particular Larry Thompson, Bobby McCallum, and Ted Olson. Thank you all for your good work and service.