

10 years, has waited more than 21 months without a vote. Dan Ryan, a jurist with a decade of experience on the State bench, is held up for more than a year. I believe this treatment is unfair. I believe it's disrespectful. It is a disservice to the people of this State.

My Michigan nominees are not only the ones—are not the only ones being blocked by a Senate minority. Since I took office, more appeals court nominees have been forced to wait over a year just for a hearing than in the past 50 years combined. Six of my appeal court nominees have earned enough support to be confirmed by a vote on the floor of the Senate yet have been filibustered. It's an unprecedented step against appeals court nominees.

I believe this is unfair treatment. I believe that some Senators are doing this because they don't appreciate the fact that I named judges who will faithfully interpret the law, not legislate from the bench. They apparently want activist judges who will rewrite the law from the bench. I believe if laws need to be written, they need to be written by the legislature, by the legislative body.

Some Members are undermining the quality of justice in America by playing politics with these nominees. You see, vacancies on the bench leave sitting judges overworked. They cause needless delays in the provision of justice.

Now, I am pleased that the Senate recently voted on 25 of my judicial nominees. That was a welcome step. Yet it's not enough. These six from Michigan have waited far too long. The Senate must hear that there is an emergency. The time for giving these men and women a fair hearing is now. They deserve an up-or-down vote. I proposed a way to fix this system, and that is for judges to provide a one-year advance notice on retirement or departure. Upon that notice, the President would select a nominee within 180 days. And then the Senate would hold both a hearing and an up-or-down vote within 180 days of the nomination. This seems fair to me. It would treat these people who are willing to serve fairly.

I met with the six members, six nominees, because I wanted to assure them I was not going to abandon their nomination, no matter what the politics was like in the U.S. Sen-

ate. And I wanted to thank them for their patience. It's not easy to be nominated and then have your hearing held up for political purposes.

These are good, decent people. I asked them to thank their families. And now I'm calling upon the Senators from this State and the minority of Senators who were refusing to move my nominees along to be fair and just give them a vote. They can express their opinions about whether or not they think these judges are qualified. Obviously, I think they are. They can argue about their judicial temperament, and that's a fine debate. But for fairness sake, give them a vote, up or down.

The people of Michigan must know that six good, decent Michiganders who are capable people are not being allowed to serve their State on the Federal benches because of politics being played in Washington, DC.

Thank you for giving me a chance to come by and discuss this very important issue. I appreciate it.

NOTE: The President spoke at 4:50 p.m. at the Oakland County International Airport.

### **Executive Order 13344—Amending Executive Order 13261 on the Order of Succession in the Environmental Protection Agency**

*July 7, 2004*

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the Federal Vacancies Reform Act of 1998, 5 U.S.C. 3345, *et seq.*, it is hereby ordered that Executive Order 13261 of March 19, 2002, is amended as follows:

**Section 1.** In section 2, subsections (a), (b), and (c) are deleted and replaced with the following new subsections (a), (b), and (c):

(a) Assistant Administrator, Office of Solid Waste;

(b) Assistant Administrator for Toxic Substances;

(c) Assistant Administrator (Air and Radiation).

**George W. Bush**

The White House,  
July 7, 2004.

[Filed with the Office of the Federal Register,  
9:42 a.m., July 8, 2004]

NOTE: This Executive order was published in the *Federal Register* on July 9.

### **Memorandum on Designation of Officers of the Environmental Protection Agency**

July 7, 2004

*Memorandum for the Administrator of the Environmental Protection Agency*

*Subject:* Designation of Officers of the Environmental Protection Agency

By the authority vested in me as President under the Constitution and the laws of the United States of America and pursuant to the Federal Vacancies Reform Act of 1998, 5 U.S.C. 3345 *et seq.* (the “Act”), I hereby order that:

#### **Section 1. Order of Succession.**

During any period in which the Administrator of the Environmental Protection Agency (Administrator), the Deputy Administrator of the Environmental Protection Agency, and the officers designated by Executive Order 13261 of March 19, 2002, entitled, “Providing an Order of Succession in the Environmental Protection Agency and Amending Certain Orders on Succession,” as amended, to perform the functions and duties of the Administrator have died, resigned, or otherwise become unable to perform the functions and duties of the office of Administrator, the following officers of the Environmental Protection Agency, in the order listed, shall perform the functions and duties of the office of Administrator, if they are eligible to act as Administrator under the provisions of the Act, until such time as at least one of the officers mentioned above is able to perform the functions and duties of the office of Administrator:

Regional Administrator, Region I; and

Deputy Regional Administrator, Region IV.

#### **Section 2. Exceptions.**

- (a) No individual who is serving in an office listed in section 1 in an acting capacity, by virtue of so serving, shall act as Administrator pursuant to this memorandum.
- (b) Notwithstanding the provisions of this memorandum, the President retains discretion, to the extent permitted by the Act, to depart from this memorandum in designating an acting Administrator.

#### **Section 3. Prior Memorandum Superseded.**

This memorandum supercedes the Presidential Memorandum of March 19, 2002, entitled, “Designation of Officers of the Environmental Protection Agency.”

**George W. Bush**

### **Satellite Remarks to the League of United Latin American Citizens Convention**

July 8, 2004

Hector, thank you very much. I appreciate so very much the invitation to take part in your celebration of the 75th anniversary of LULAC. And I’m so honored to speak to members of America’s oldest leading Latino civil rights organization.

Listen, you picked a great place for your convention, Hector. San Antonio and Texas are—San Antonio is a wonderful city, and Texas, of course, is a great State. And thanks for giving me a chance to speak to you.

I appreciate—listen, one of the reasons I enjoy working with LULAC so much is I appreciate your commitments to freedom and to entrepreneurship and to the values of *familia y fe*, which help to make our society a stronger place. And what I believe is those commitments deserve recognition and respect of all of our Americans. See, we share the same goal: We will keep working to make this Nation a welcoming place for Hispanic people, a land of opportunity *para todos* who live here in America.