

Received(Date): 11 MAR 2003 21:41:24

From: [REDACTED] P6/b(6)

To: Tim Goeglein (CN=Tim Goeglein/OU=WHO/O=EOP@EOP [WHO]),
Manuel_Miranda@frist.senate.gov (Manuel_Miranda@frist.senate.gov [UNKNOWN]),
viet.dinh@usdoj.gov (viet.dinh@usdoj.gov [UNKNOWN]), Brett M. Kavanaugh (CN=Brett M.
Kavanaugh/OU=WHO/O=EOP@EOP [WHO]), barbara_ledeen@src.senate.gov (
barbara_ledeen@src.senate.gov [UNKNOWN])

Subject: : Fwd: Another cloture vote on Thursday for Estrada

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RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: [REDACTED] P6/b(6)

CREATION DATE/TIME: 11-MAR-2003 21:41:24.00

SUBJECT: Fwd: Another cloture vote on Thursday for Estrada

TO: Tim Goeglein (CN=Tim Goeglein/OU=WHO/O=EOP@EOP [WHO])

READ: UNKNOWN

TO: Manuel_Miranda@frist.senate.gov (Manuel_Miranda@frist.senate.gov [UNKNOWN])

READ: UNKNOWN

TO: viet.dinh@usdoj.gov (viet.dinh@usdoj.gov [UNKNOWN])

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TO: Brett M. Kavanaugh (CN=Brett M. Kavanaugh/OU=WHO/O=EOP@EOP [WHO])

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TO: barbara_ledeen@src.senate.gov (barbara_ledeen@src.senate.gov [UNKNOWN])

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here's the link:

<http://marthazoller.com/radiosched-.asp>

Return-path: <mzoller@wdun.com>

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[172.20.83.137]) by air-xn01.mail.aol.com (v90_r2.5) with ESMTP id

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Tue, 11 Mar 2003 20:42:54 1900

Date: Tue, 11 Mar 2003 20:52:24 -0500

From: "mzoller" <mzoller@wdun.com>

Subject: Re: Another cloture vote on Thursday for Estrada

[REDACTED] P6/b(6)

Reply-to: <mzoller@wdun.com>

Message-id: <200303112052.AA26083758@wdun.com>

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Attached is an interview I did with Senator Miller on Thursday. Go to
the link and click on it and scroll down to March 6 and click on the audio
button. The Estrada comments are a couple of minutes in, but the whole
thing is worth a listen.

[REDACTED] P6/b(6)

Martha

----- Original Message -----

From: [] P6/b(6) []

Date: Tue, 11 Mar 2003 20:06:11 EST

>Sen. Frist filed a second cloture petition this afternoon. Expect a vote on

>Thursday. Updated talking points below.

>

>Bill Wichterman

>Policy Advisor

>Senate Majority Leader's Office

>S-230 U.S. Capitol

>Washington, DC 20510

>202-224-3135

>

><<Estrada Cloture3.doc>>

>Estrada: Cloture or Filibuster?

>March 11, 2003

>

>Cloture and Filibuster

>

> * On Tuesday, March 11th, the Republican Majority again filed for a
>cloture vote on the Estrada confirmation to take place on Thursday
morning.

>

> * The Majority Leader filed cloture after making the extraordinary
>offer of a second hearing for Miguel Estrada before the Judiciary
Committee.

>The Democrat leadership refused this unprecedented offer of good will.

And

>so the Republican Leadership continues to force the record of obstruction
to

>build up.

>

> * Last week Democrats voted against the Confirmation of Miguel
Estrada

>by voting against cloture. In so doing, the Democrat Leadership
obstructed a

>bi-partisan majority of 55 Senators from having a fair up or down vote on
>Estrada.

>

> * By filing repeated cloture petitions, the Senate Majority
ratchets

>up pressure on Democrats to permit an up-or-down vote and forces the
>filibusterers to go on record in their obstruction of the majority. If

>necessary, expect several cloture votes to establish further the record of
>obstruction on the Confirmation of Miguel Estrada.

>

> * Cloture is a way to end debate and bring a matter or nomination
to a

>final vote when the minority will not agree to a limit. There must be an
>intervening day of debate between the filing for cloture and the cloture

>vote.

>

> * Sixty votes are required for cloture to pass. A vote against

>cloture, when used properly, means that Senators wish to continue debate

on a

>nominee or measure. When wrongly used, a vote against cloture signals a
>filibuster by a minority who seek to obstruct the majority from having a
>final vote.

>

> * The Republican decision to seek cloture on the 5-week-long
filibuster

> of the Miguel Estrada Confirmation is the second stage in the effort to
>confirm Miguel Estrada.

>

> * Cloture votes on judicial nominees and filibusters are very rare,
>and only one confirmation has ever been defeated, in that case as a
result of

>a bi-partisan filibuster in 1968.

>

> * Several prominent judges have overcome failed cloture votes and
gone

>on to distinguished careers, including Chief Justice William Rehnquist,
and

>Fourth Circuit Appeals Judge J. Harvie Wilkinson.

>

> * The Democrat Leadership should be ashamed of their
>extra-constitutional filibuster against Miguel Estrada - the first
partisan

>effort to defeat a lower court nominee by filibuster in US History - but
make

>no mistake: Miguel Estrada will be confirmed.

>

> * Few judicial nominees have been subjected to more than one
cloture

>vote. The second vote against the Estrada Confirmation will bring the
>Democrat Leadership closer to breaking new ground in their record of
>obstruction.

>

> * The Senate continues to debate on this Confirmation. Democrats
who

>claim, by voting against cloture, that they need more time to debate -
>despite over 85 hours of debate over 14 session days -- will get their
wish.

>

>Filibustering Democrats' Refusal Even to ASK Questions

>

> * Filibustering Senators have repeatedly said they need more
>information about Mr. Estrada.

>

> * Two weeks ago the White House invited all Senators who still have
>questions for Mr. Estrada either to meet with the nominee privately or by
put

>questions in writing. This offer was repeated last week.

>

> * The White House also invited Senators to speak to Mr. Estrada's
>former supervisors - Democrats and Republicans -- for their opinion of the
>Solicitor General memoranda.

>

> * Only ONE Democrat Senator has submitted further questions and
only

>ONE Senator asked to meet with Mr. Estrada privately -- a dismal response to

>the White House offer.

>

> * It is difficult to take seriously the demands for new information
>given the lack of cooperation and refusal even to ASK questions by the
>filibustering Senators.

>

> * It became more difficult to take the Democrats seriously after they

>rejected today an offer to submit Mr. Estrada to a second hearing to answer

>their questions.

>

>Public Response

>

> * Over 80 of this nation's newspaper editorial pages oppose this
>filibuster, including newspapers in South Dakota and Nevada, only about 10
>support it.

>

> * Letters to the editor are strongly in Mr. Estrada's favor.

>

> * Public rallies against the filibuster continue throughout the nation

>

>

>