

Received(Date): 13 MAR 2003 17:13:11
From: Sara Taylor <Staylor@georgewbush.com> (Sara Taylor <Staylor@georgewbush.com> [UNKNOWN])
To: Brett M. Kavanaugh (CN=Brett M. Kavanaugh/OU=WHO/O=EOP@EOP [WHO])
Subject: : FW: Grand Forks Herald Editorial - Call end to filibuster
[P_V0ZNE003_WHO.TXT_1.htm](#)

Begin Original ARMS Header #####
RECORD TYPE: PRESIDENTIAL (NOTES MAIL)
CREATOR:Sara Taylor <Staylor@georgewbush.com> (Sara Taylor <Staylor@georgewbush.com> [UNKNOWN])
CREATION DATE/TIME:13-MAR-2003 17:13:11.00
SUBJECT:: FW: Grand Forks Herald Editorial - Call end to filibuster
TO:Brett M. Kavanaugh (CN=Brett M. Kavanaugh/OU=WHO/O=EOP@EOP [WHO])
READ:UNKNOWN
End Original ARMS Header

Grand Forks Herald Editorial - Call end to filibuster
-----Original Message-----
From: Jason W. Stverak [mailto:jason@ndgop.org]
Sent: Thursday, March 13, 2003 10:48 AM
To: Sara Taylor
Cc: Anne Hathaway - Political; Chad Colby - Communications; Allen, Dan;
[REDACTED] P6/b(6) [REDACTED] Daniel M. Traynor
Subject: Grand Forks Herald Editorial - Call end to filibuster
Importance: High

Attached is the second very positive editorial by the Grand Forks Herald that criticizes Senator Dorgan and Senator Conrad and now Rep Pomeroy for their stands on the Miguel Estrada nomination. I have already forwarded it to the rest of the ND and national media. You should have received a copy of an NDGOP Alert that we sent out yesterday urging our activists to call Dorgan and Conrad on this issue.

Dan had a letter drafted by the GOP lawyers association that is being signed by a prominent attorney today and will be sent to the ND media this week.

We are also working with Gov. Schafer as he wants to get into the fray on this issue so please be aware that you will see additional activity from us on this issue.

Hope you enjoy the editorial.

Editorial

Posted on Thu, Mar. 13, 2003

EDITORIAL: Call end to filibuster

OUR VIEW: Don't set a new constitutional standard of demanding a supermajority vote.

North Dakota's congressional delegation has to walk a political tightrope. Sens. Kent Conrad and Byron Dorgan and Rep. Earl Pomeroy are Democrats, while North Dakota itself trends heavily Republican. The GOP's supermajorities in both houses of the state Legislature, plus the fact that voters chose Republicans for president in 1992, 1996 and 2000, illustrate this.

But the delegation not only has walked that tightrope, it has done handstands and even an occasional flip. All three members are masters of wrangling federal dollars for North Dakota projects. Furthermore, they've chosen their party-line issues with care, voting with the Democrats on the budget but showing more independence on some social and environmental issues.

The Miguel Estrada filibuster in the Senate, however, may change that perception.

Because the filibuster is as nakedly partisan as an issue gets.

Estrada is President Bush's candidate for the District of Columbia Circuit Court of Appeals. He's a Harvard Law School graduate who clerked for a Supreme Court justice, worked in the U.S. Solicitor General's office, argued cases in front of the Supreme Court, earned the top ranking of "well qualified" from the American Bar Association - and didn't speak English when he immigrated to the United States from Honduras, to boot.

Fifty-five senators (including four Democrats) support his nomination. But the other 45 Senators won't let it come to the floor for a vote. They've invoked a filibuster. They say they're doing it because Estrada hasn't answered enough questions, but that's patently false. Senators know as much or more about Estrada as they have about most nominees. Furthermore, when given the chance to ask Estrada more questions in writing, not one Democratic senator took the administration up on its offer.

No, the transparent reason for the filibuster is that Estrada's a conservative Hispanic lawyer who has a shot at being named to the U.S. Supreme Court.

And for the left wing of the Democratic party, that's do-or-die unacceptable.

Conrad and Dorgan should distance themselves from this scorched-earth tactic. The Constitution gives the president the power to appoint "with the Advice and Consent of the Senate ... Judges of the supreme Court and all other Officers of the United States." It does so in the same paragraph in which it lists a special power demanding a 2/3 majority Senate vote - namely, the power to ratify treaties.

The Founding Fathers could have held judicial confirmations to that higher standard. But they didn't. Clearly, they intended judges to be confirmed by a simple Senate majority. Just as clearly, 200 years of Senate practice call for the same thing.

The GOP won its Senate majority fair and square. The filibustering Democrats smack of being spoilers when they obstruct majority rule, especially because their objection in this case is not based on truth, justice or the American way, but on politics.

Fifty-five duly elected United States senators are willing to give Estrada the nod. That's enough.

Let his nomination come to the floor, and call the vote.

Tom Dennis for the Herald

Jason W. Stverak

Executive Director

North Dakota Republican Party

701.255.0030 (Office)

701.255.7513 (Fax)

- att1.htm

ATT CREATION TIME/DATE: 0 00:00:00.00

File attachment <P_V0ZNE003_WHO.TXT_1>

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