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U.S. REPRESENTATIVE TN-7

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BLACKBURN: CONFIRMATION PROCESS BROKEN BY PARTISANSHIP

President Bush nominated Miguel Estrada to serve America on the Federal Court of Appeals in May 2001. Today, twenty-seven months later, partisanship has defeated Estrada's nomination and a court vacancy remains. Unfortunately, the confirmation process has become a trial - a trial at which a President's judicial nominees are treated as unworthy purely for political reasons. Approval should not depend on a litmus test of the nominee's personal political views, but rather their commitment to the Constitution and laws of this nation as approved by Congress.

While Estrada had a majority of the Senate's support, his nomination could not overcome the misuse of a Senate procedure known as the filibuster that requires more than 60 votes to confirm the President's choice.

The bitter and often insulting treatment Estrada was subjected to during the confirmation process threatens the ability of a President to choose judges he views fit to serve. There was no question as to Estrada's competence. He was a former clerk to Supreme Court Justice Anthony Kennedy and an assistant solicitor general during the Clinton Administration. This is a sad day for our country and will discourage qualified Americans from choosing to serve the nation.

Majority Leader Frist should be commended for his commitment to restoring order and sanity to the confirmation process. His has been a voice of reason during this process.

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