
SENATE JOINT RESOLUTION NO. 8—SENATORS TITUS, WIENER,
NEAL, CARLTON, CARE, COFFIN, MATHEWS AND SCHNEIDER

MARCH 21, 2003

Referred to Committee on Legislative Affairs and Operations

SUMMARY—Urges United States Senate to vote on nomination of Miguel A. Estrada to United States Court of Appeals for District of Columbia Circuit only after securing certain information. (BDR R-1318)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

SENATE JOINT RESOLUTION—Urging the United States Senate to vote on the nomination of Miguel A. Estrada to the United States Court of Appeals for the District of Columbia Circuit only after securing certain information.

1 WHEREAS, Section 2 of Article 2 of the Constitution of the
2 United States provides that the United States Senate shall provide
3 “Advice and Consent” on a President’s nomination for a federal
4 lifetime judicial appointment; and
5 WHEREAS, The founders of this nation gave the United States
6 Senate a strong role in such nominations to ensure that it would
7 provide an “excellent check” on the power of the President to shape
8 the federal judiciary; and
9 WHEREAS, The United States Senate discharges this duty by
10 examining the nominee in a public hearing and obtaining written
11 work products from the nominee to determine his suitability for a
12 lifetime judgeship; and
13 WHEREAS, Miguel A. Estrada has been nominated for a lifetime
14 judicial appointment to the United States Court of Appeals for the
15 District of Columbia Circuit, considered to be the second highest
16 court in our country; and



1 WHEREAS, The United States Court of Appeals for the District
2 of Columbia Circuit defines the scope of civil rights, women's
3 rights, environmental protections and workers' rights; and

4 WHEREAS, The United States Court of Appeals for the District
5 of Columbia Circuit will decide the challenges by the State of
6 Nevada to the current presidential administration's illegal selection
7 of Yucca Mountain for the nation's nuclear waste disposal site; and

8 WHEREAS, Mr. Estrada refused to answer routine questions
9 asked by Democrats from the United States Senate and refused to
10 provide memoranda he authored while serving in the United States
11 Office of the Solicitor General; and

12 WHEREAS, Similar questions have been answered by previous
13 nominees to lifetime judgeships and memoranda from the Office of
14 the Solicitor General has been provided by past administrations,
15 both Republican and Democratic; and

16 WHEREAS, Democrats from the United States Senate confirmed
17 100 percent of the judicial nominees of President Bush while the
18 Democrats held control of the Senate; and

19 WHEREAS, In recent years, Democrats from the United States
20 Senate and a Democratic President confirmed 8 of the 10 Hispanic
21 judges now serving on our federal circuit courts of appeals; and

22 WHEREAS, Republicans from the United States Senate
23 successfully blocked consideration of a Democratic President's
24 Hispanic nominees and have traditionally opposed policies that give
25 encouragement to those who have historically suffered
26 discrimination; and

27 WHEREAS, Mr. Estrada's nomination is opposed by the
28 Congressional Hispanic Caucus, the Puerto Rican Legal Defense
29 and Education Fund, the National Association of Latino Elected and
30 Appointed Officials Educational Fund, the National Council of La
31 Raza and the National Puerto Rican Coalition, Inc.; now, therefore,
32 be it

33 RESOLVED BY THE SENATE AND ASSEMBLY OF THE STATE OF
34 NEVADA, JOINTLY, That the Legislature of the State of Nevada
35 respectfully requests the United States Senate to discharge its
36 constitutional duty to provide "Advice and Consent" on Miguel A.
37 Estrada's nomination by securing forthright responses to questions
38 asked of the nominee, and by securing legal memoranda written by
39 the nominee while in the United States Office of the Solicitor
40 General, before rewarding Miguel A. Estrada with a lifetime judicial
41 appointment to the second highest court in this country; and be it
42 further

43 RESOLVED, That the Secretary of the Senate prepare and
44 transmit a copy of this resolution to Nevada's Senators Harry Reid
45 and John Ensign; and be it further



1 RESOLVED, That this resolution becomes effective upon
2 passage.

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