more importantly he is a very well-qualified nominee. Miguel Estrada has argued 15 cases before the Supreme Court. He received a ''well-qualified'' rating from the American Bar Association, the highest rating possible. He has also received an ''outstanding'' rating in every performance category during his tenure in the Solicitor General's office under a previous administration.

It is interesting to note that five of eight judges currently serving on the D.C. circuit had no previous judicial experience. Mr. Speaker, it is clear Miguel Estrada is a well-qualified candidate for the bench. Yet the Senate has still not acted on this important appointment.

THE JUDICIAL NOMINATION OF MIGUEL ESTRADA

(Mr. BURNS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BURNS. Mr. Speaker, I rise today to discuss an issue that affects all Americans: judicial nominations. It is imperative that we in this Congress take a stand today and say enough is enough, that together we will end the politics of ethnic and gender exploitation and begin an era where our constitutional prerogatives override personal or party political ambition.

Mr. Speaker, the judiciary is the branch of the Federal Government that people rely on for impartiality and sound judgment. If they must be impartial, then as a coequal branch of government, we should be impartial in selecting them. It stands to reason that America's diversity extends to the judiciary, not simply for diversity's sake but because citizens of this great Nation have the right to be judged by their peers. As Americans are diverse, so should be its jurists.

Mr. Speaker, in the past 2 years we have seen nominees for the Federal bench swept aside not because of ideological disagreements or their prior decision-making record, but due to political calculations about the effect their ethnicity or gender may have on the next election. The base politics of ethnicity and gender, couched in rhetoric of ideological bias, is destroying qualified nominees' potential for good public service.

Mr. Speaker, let us go forth today and end ethnic and gender political maneuvering and begin an era of true impartiality in our judicial system and improved public service for our fellow citizens.

ON MEDICAID ''CASH AND COUNSELING'' DEMONSTRATION PROJECT: CONSUMER DIRECTED CARE WORKS

(Mr. STEARNS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STEARNS. Mr. Speaker, Medicaid is a mounting expense and a source of frustration to beneficiaries, providers, and taxpayers. Our States need long-term solutions, not short-term cash infusions. But there is good news. There are regulations in Medicaid, section 1115 waivers. These give States more flexibility to design and implement programs that work. One success story has the potential to save money and even more importantly instill choice into the program.

Florida, Arkansas, and New Jersey have a demonstration project called the Cash and Counseling Program. It permits participants, with minimal assistance, to direct their own health care and manage the funds allocated for their needs. In Florida, it is entirely voluntary for frail elders, the developmentally disabled and physically disabled. The eligible are given their own personal cash allowance to spend on established health care purchases. This is resulting in choice, heightened personal responsibility, and potential cost savings. I commend Governor Jeb Bush for his success and only hope that Cash and Counseling is expanded across this Nation.

REGARDING THE NOMINATION OF MIGUEL ESTRADA

(Mr. BRADLEY of New Hampshire asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BRADLEY of New Hampshire. Mr. Speaker, I rise today to support the nomination of Miguel Estrada to the United States Court of Appeals for the District of Columbia. Mr. Estrada has proven himself to be an extremely qualified candidate for this position. A lawyer with a distinguished educational background, Mr. Estrada has argued 15 cases before the United States Supreme Court, all before the age of 40, which is truly an accomplishment. In addition, he has received a unanimous ''well qualified'' evaluation from the American Bar Association, its highest ranking.

Mr. Estrada has spent time at the Justice Department under both Republican and Democratic administrations and has demonstrated a commitment to upholding the integrity of the law. He has been called ''an extraordinarily legal talent'' and ''genuinely compassionate'' by a former Solicitor General, two accolades which lend much support and credibility to his nomination.

□ 1030

SUPPORTING THE NOMINATION OF MIGUEL ESTRADA

(Mr. KINGSTON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KINGSTON. Mr. Speaker, what is the deal with the Democrats and Miguel Estrada? Is it racism or is it that they just do not like the guy? Because he is definitely qualified to sit on the D.C. Court.

He would be the first Hispanic on that court. He graduated magna cum laude from Harvard, graduated Phi Beta Kappa from Columbia College. He has argued 15 cases before the Supreme Court and was unanimously rated ''well qualified'' by the American Bar Association and called an extraordinary legal talent by the Clinton Solicitor General.

So what seems to be the problem, Democrats?

Let us go on further. He is 41 years old. He has been in private practice 7 years. He was a U.S. attorney for 2 years. He worked for the U.S. Justice Department. But do the Members know what? He is Hispanic, and what the Democrats are saying is because he has no prior judicial experience. That is interesting because out of the seven judges on the D.C. judicial court circuit, five of the seven did not have judicial experience. Is it not interesting that two of the Supreme Court justices did not have judicial bench experience? And yet this Hispanic guy comes along, and suddenly the Democrats are really concerned about judicial experience.

Mr. Speaker, I urge the Democrats to let this nominee go and put him on the D.C. Court. We need people like this. He is an American success story, and I applaud President Bush for nominating him.

RECESS

The SPEAKER pro tempore (Mr. CULBERSON). Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 10 o'clock and 32 minutes a.m.), the House stood in recess subject to the call of the Chair.

□ 1505

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mrs. BIGGERT) at 3 o'clock and 5 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Record votes on postponed questions will be taken later today.