



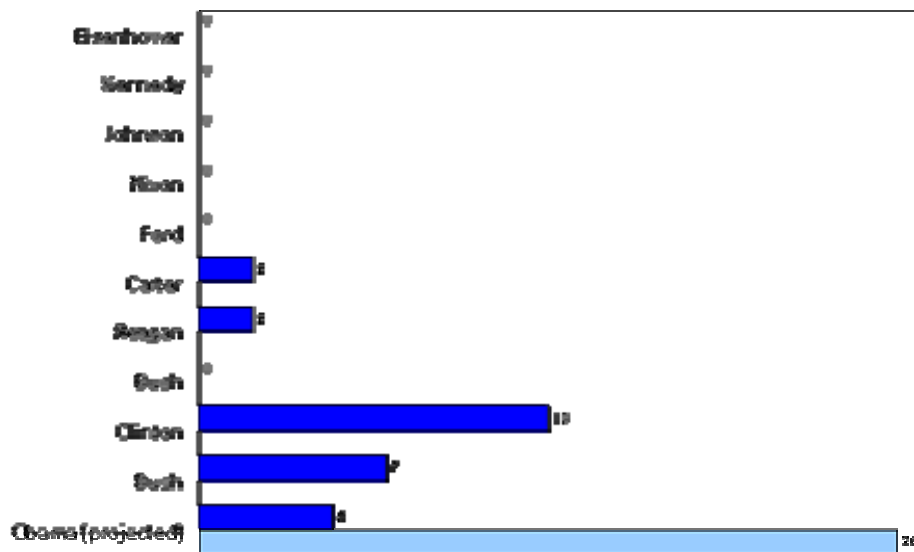
From: Marge Baker, Executive Vice President, People For the American Way
To: Interested Parties
Re: GOP Obstruction of Executive Branch Nominees
Date: October 23, 2009

Despite the fact that Democrats hold a substantial majority in the chamber, Republican senators are blocking President Obama's Executive Branch nominees at a rate never before seen, according to a review of records by People For the American Way.

From 1949 (when Senate rules were changed to provide for cloture on nominations) through 2008, cloture votes have been forced on only 24 executive branch nominations. However, in just the first nine months of the Obama administration, there have been five such cloture votes: Cass Sunstein (OMB), Robert Groves (Census), Harold Koh (State Department), Chris Hill (Ambassador to Iraq), and David Hayes (Interior).

That's an increase of more than 1500% in the rate of forced cloture votes on nominations – 24 nominations on which cloture votes were forced in sixty years compared to 5 in just nine months. Republicans are on pace to force 26 cloture votes by the end of Obama's first term.

Executive nominees subjected to cloture votes



An examination of President George W. Bush's term reveals that the Senate subjected only seven executive nominations to cloture votes for the entire eight years—compared to the five in just the first nine months of the Obama Administration.

Another measure, cloture petitions filed, reveals an even more dramatic increase in the magnitude of the obstruction. Between 1949 and 2008, there were 36 executive nominations on which cloture was filed, while there have been ten filed so far this year.

Indeed, during all eight years of George Bush's presidency, there were only 15 on which cloture petitions were filed compared to ten in just the first nine months of the Obama Administration. At this rate, President Obama can expect 53 of his first term executive nominees to face cloture petitions.

Moreover, the number of cloture votes/petitions may well go much higher—there are currently 29 nominations on the executive calendar. For a full 80% of these nominations it will be at least three months since each was nominated (Dawn Johnsen, President Obama's nominee to head the Office of Legal Counsel, being the longest, having been nominated on February 11th of this year.)

In addition to the OLC and other key positions at the Department of Justice, nominees to a number of other agencies have been blocked, including the Government Services Administration, the Federal Election Commission, the Environmental Protection Agency, the Department of State, the Department of Energy, the Public Health Service, the Federal Energy Regulatory Commission, and the Department of Homeland Security.

This sort of obstruction is literally unprecedented for either party and should be stopped. It prevents executive branch departments from serving critical public needs, and it represents, essentially, an effort to overturn the results of the last election.

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