

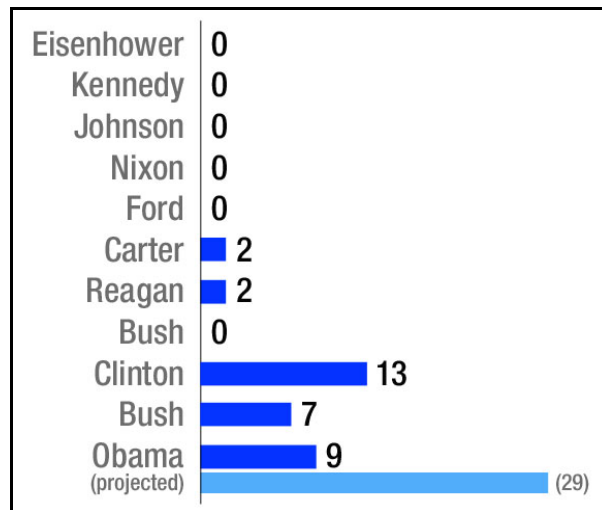


From: Marge Baker, Executive Vice President, People For the American Way
To: Interested Parties
Re: GOP Obstruction of Executive Branch Nominees
Date: March 3, 2010

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 thirteen months of the Obama administration, there have been nine such cloture votes: Cass Sunstein (OMB), Robert Groves (Census), Harold Koh (State Department), Chris Hill (Ambassador to Iraq), David Hayes (Interior), Ben Bernanke (Federal Reserve), Patricia Smith (Labor), Martha Johnson (General Services Administration), and Craig Becker (National Labor Relations Board)

That's an increase of more than 2000% in the rate of forced cloture votes on nominations—24 nominations on which cloture votes were forced in sixty years compared to 9 in just over 13 months. Republicans are on pace to force 29 cloture votes by the end of Obama's first term.



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 nine in just the first thirteen 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 15 filed since President Obama took office.

Indeed, during all eight years of George Bush's presidency, there were only 15 nominations on which cloture petitions were filed compared to the same number in just over thirteen months of the Obama Administration. At this rate, President Obama can expect 51 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 69 nominations on the executive calendar. For more than 89% 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, is expected to be re-approved by the Judiciary Committee tomorrow. She was first nominated way back on February 11, 2009—well over a 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 Department of Defense, the International Monetary Fund, the National Transportation Safety Board, the Department of State, the Department of Energy, 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.

(This is an updated version of a memo released by People For the American Way on October 23, 2009.)

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