

The Washington Times

Congress presses Cabinet nominees on Obama policies

By Ben Wolfgang

February 3, 2015

President Obama's two top Cabinet nominees likely would've had smoother sailing through the Senate were they not weighed down by Mr. Obama's own controversial policies, ranging from his executive action on immigration to what critics say is a disjointed approach to the war on terrorism.

Attorney general hopeful Loretta Lynch, widely respected by lawmakers on both sides of the aisle, has spent much of her confirmation hearing defending the president's move to halt deportations for millions of illegal immigrants. Some Republicans, such as Sen. Ted Cruz of Texas, have even said the GOP should hold up Ms. Lynch's nomination until Mr. Obama reverses course on immigration. Other Republicans merely have said they'll vote against the nominee's confirmation.

Defense secretary nominee Ashton Carter will begin his turn on the hot seat Wednesday. While it's expected he'll ultimately get the job, Mr. Carter is sure to face tough questions from Republicans who argue the president has, among other missteps, not articulated a clear strategy for eradicating the terrorist group known as the Islamic State.

Other Obama nominees have experienced similar trials. Last spring, Health and Human Services Secretary Sylvia Mathews Burwell spent much of her confirmation hearing defending and explaining Obamacare, rather than discussing her qualifications to run a massive federal agency.

Political specialists say confirmation hearings in recent years have become less about a candidate's credentials and opinions and more about seizing a highly publicized opportunity to bash the White House on a host of issues.

"Members of the Senate, especially of the opposing party, use confirmation hearings to send messages to the administration and also to put the nominee on notice that he or she will be watched," said John Pitney, a political science professor at California's Claremont McKenna College. "The hearings are mainly an occasion to send messages on occasion to make policy

statements and get the nominee's attention. For some of the senators, this may be their longest conversation with the person."

In the case of Ms. Lynch, her confirmation seems all but certain. She's drawn praise not only from lawmakers but also pundits such as Fox News host Bill O'Reilly, who lauded the U.S. attorney for taking a hard line against rapists and sex offenders.

But Ms. Lynch's resume has taken a backseat to the president's highly controversial actions on immigration. Republicans have zeroed in on that policy and forced Ms. Lynch to defend it.

"I did find it to be responsible that we prioritize removal, particularly those who are involved in violent crime, terrorism, recent crossers," she said last week during her confirmation hearings, explaining that she believes Mr. Obama's approach will better utilize the limited resources of the federal government.

Her defense of her soon-to-be boss didn't sit well with Mr. Cruz and other Republicans who believe they have leverage in holding up the nomination.

"We have an opportunity in front of us right now with Loretta Lynch — a nominee for attorney general — who has fully embraced and flat-out promised to implement the unconstitutional amnesty," Mr. Cruz told Politico on Tuesday.

As for Mr. Carter, former deputy secretary of defense, analysts say it's likely the nominee will try to walk a fine line between defending the White House's foreign policy and remaining vague on exactly what he'll do if given control of the Pentagon.

"I think you'll hear him say things like 'there is going to be a full review undertaken as we look forward' — and really, for Congress, that will be enough," said Justin Logan, director of foreign policy studies at the libertarian Cato Institute. "Congress isn't going to demand clear, satisfactory answers. He will say atmospheric things. He'll make noises that will appeal to the questioner."

None of Mr. Obama's cabinet nominees have been rejected by the Senate, though three withdrew voluntarily.

In the early days of the administration, former Sen. Tom Daschle withdrew from consideration to be Health and Human Services secretary.

Both former New Mexico Gov. Bill Richardson and former Sen. Judd Gregg, New Hampshire Republican, withdrew from consideration as commerce secretary.