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### So much for bipartisanship -- a slew of recess appointments

By Jennifer Rubin

On Wednesday, Obama shed any pretense of bipartisanship in [making six recess appointments](#). As were his previous recess appointments, this batch included two individuals whose records are so controversial that they could not obtain confirmation even with 59 Democratic senators. Also included was Stephen Ford, nominated as ambassador to Syria and stymied as a forceful rebuttal to Obama's failed Syrian engagement policy. Roger Pilon of the Cato Institute voiced objection to bypassing the Senate, arguing that: "there were credible reasons why the Senate refused to confirm the several nominees Obama has just now given recess appointments, reasons that warranted full and proper Senate confirmation hearings." He contends that "the striking feature here is that once again, as in the lame duck session, this Congress and the president managed to put off these important matters until after the November elections, which will result in this case in officers serving without the benefit of the legitimacy that comes from Senate confirmation." A senior adviser to a key Republican senator was more succinct: "It is an outrage."

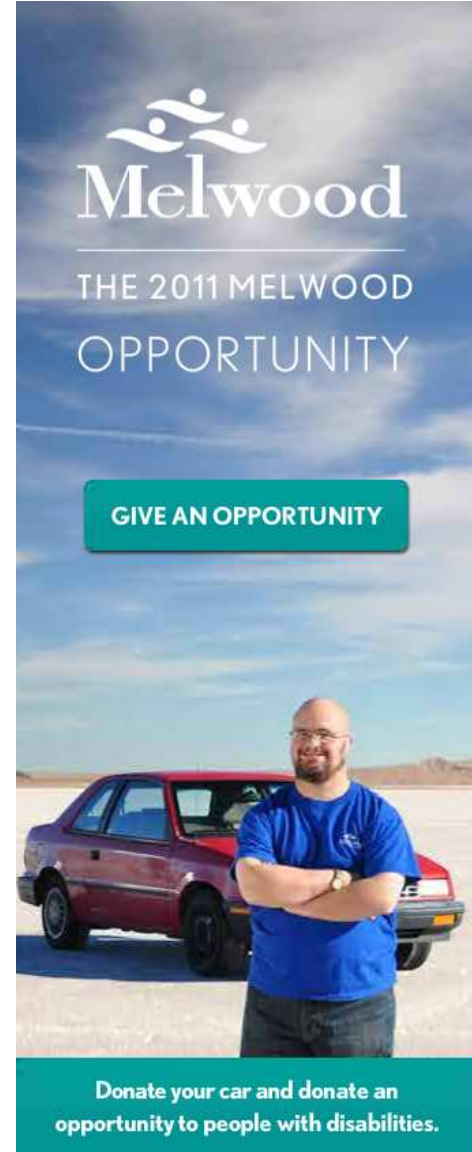
The most egregious appointment is undoubtedly James Cole, installed as the deputy attorney general. There were good reasons why he could not secure Senate confirmation. The Web site [Main Justice](#) explained that Sen. Jeff Sessions (R.-Ala.), the ranking Republican on the Senate Judiciary Committee, has strenuously objected to Cole's controversial stance on the War on Terror, which Cole expressed in a 2002 op-ed. Cole wrote:

"[T]he attorney general is not a member of the military fighting a war -- he is a prosecutor fighting crime. For all the rhetoric about war, the Sept. 11 attacks were criminal acts of terrorism against a civilian population, much like the terrorist acts of Timothy McVeigh in blowing up the federal building in Oklahoma City, or of Omar Abdel-Rahman in the first effort to blow up the World Trade Center. The criminals responsible for these horrible acts were successfully tried and convicted under our criminal justice system, without the need for special procedures that altered traditional due process rights.

Our country has faced many forms of devastating crime, including the scourge of the drug trade, the reign of organized crime, and countless acts of rape, child abuse, and murder. The acts of Sept. 11 were horrible, but so are these other things."

Sessions and other Republicans also objected to Cole's work on [behalf](#)

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of [AIG](#). Moreover, he represented a Saudi prince against 9-11 families as this report from the [Examiner](#) explains:

Cole represented Saudi Prince Naif bin Abdulaziz Al-Saud when insurance carriers and September 11 survivors sued him and others for financing terrorists. Treasury Department documents provided evidence of extensive financial support for Al-Qaeda and other extremist groups by members of the Saudi royal family and Prince Naif ran the Al Haramain Foundation, a Saudi charity that diverted funds to Al-Qaeda before and after September 11, 2001.

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There is little wonder that Senate Democrats were indifferent to Republican efforts to block this nomination. House Homeland Security Chairman Peter King (R.-N.Y.) issued a statement deploring the recess

**ABOUT JENNIFER RUBIN**

I'm a labor-lawyer-turned-blogger who believes in limited government, in free markets and that nearly all wisdom can be found in the Godfather movies and the Torah.

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