

THE WICKER REPORT

By: United States Senator Roger Wicker



Wicker: Senate Rules Changes Could Break Legislative Logjam

Wicker Votes to Expedite

Consideration of President's Nominees

More than two years into Donald Trump's presidency, Senate Democrats continue to abuse the Senate confirmation process and delay well-qualified nominees. This pattern of partisan obstruction has required the Senate to burn weeks of valuable legislative time, which has consequences for the American people.

A Pattern of Historic Obstruction

Democrats have exploited a Senate procedure called "cloture," which governs

how long nominations are debated on the Senate floor. A cloture request from any senator can add up to three days of debate for a nominee's consideration but rarely changes the outcome of the vote. In the past, this time consuming procedure has been used mainly for bills and resolutions and hardly ever for nominations. However, during President Trump's first two years in office, the Senate was forced to perform this process on a total of 127

nominations. By contrast, there were only 12 such cloture votes in President Barack Obama's first Congress and four in President George W. Bush's.

Since floor time is the most limited resource in the Senate, this obstruction of the nominations process has impeded our ability to consider important legislation. It has also left the United States without the administrators it needs to carry out basic functions. For example, the Justice Department remains without an associate attorney general and has no permanent director for either the Drug Enforcement Administration or the Bureau of Alcohol, Tobacco, Firearms and Explosives. Nearly 60 percent of the most important positions at the Department of the Interior and the

Department of Labor are still vacant. According to the Partnership for Public Service, over 270 of 709 key positions in the Trump administration are unfilled, and this gap is unlikely to change any time soon.

As the Wall Street Journal editorial board lamented, the Senate failed to confirm 384 pending nominations before the end of last year. The President was required to resubmit these nominations, and they will endure another round of consideration by committees before a floor vote can be held. At the current rate of confirmation, it would take 11 years for a new president to fill the executive branch.

In plain terms, this means that the President is not being allowed to put his team in place to do the job he was elected to do. Career

bureaucrats, who have little accountability to the public, are in control of the levers of government.

Rules Committee Takes Action

This distortion of the nominations process cannot be allowed to continue. That is why I voted in the Rules Committee for a resolution authored by Sens. Roy Blunt and James Lankford to reduce the debate time for most Executive Branch positions and district court judges from 30 hours to two hours. These nominees are typically non-controversial and are usually confirmed by large margins. The proposal would maintain the 30 hours of debate for high-level nominees, including Supreme Court justices and Cabinet-level officials.

This reasonable proposal passed on a party-line vote

and won no support from Democrats on the Rules Committee. The Democratic opposition comes despite efforts by Sens. Blunt and Lankford to create a proposal that would mirror previous bipartisan efforts to reform the confirmation process.

In response to an increased number of cloture votes at the beginning of President Obama's second term, then-Senate Majority Leader Harry Reid struck a deal with Republicans in January 2013 that significantly reduced debate time for most of President Obama's nominees through the end of 2014. Thirty-five Democrats who serve in the Senate today supported that change.

I believe President Trump's nominees deserve the same consideration.

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