

Last Wednesday, the Obama administration set off a firestorm with its "recess appointment" of the head of a controversial new government financial regulation bureau as well as three new members to the National Labor Relations Board. The move was more than just the usual DC political drama, however. The White House's end-run of Congress was a direct affront to the Constitution.

In announcing his appointment of Richard Cordray to take the lead of the newly-created Consumer Financial Protection Bureau, the president struck a defiant tone against conservatives in Congress who have sought to block the selection on grounds that the new government agency unduly wields broad powers.

Apparently irritated by Republican audacity to challenge his expansionist agenda, Mr. Obama dusted off his "we can't wait on Congress" playbook in declaring that he would act to appoint his new financial protection czar without the required congressional approval. And so he did.

According to the Constitution, Senate approval is required of major presidential appointments provided the upper chamber is not in recess. Recess appointments aren't in themselves uncommon, but they can only be made during an actual Senate "recess" period. In fact, the Senate was not in official recess on January 4, 2012, the date of the presidential "recess" appointment. The president's defiance of precedent rightly opens his administration to legal challenge.

The president's provocative action is not entirely surprising. Frustrated by a Republican House that has effectively sidetracked his plans for more stimulus spending and slowed the pace of his expansion of the federal government, he is seeking to cast Congress as the obstacle to his vision for greater prosperity and jobs for the American people.

After two years of unchecked administration policies, including \$1 trillion in stimulus spending, the jobless rate never fell below the promised 8 percent. Last week, the official unemployment rate was 8.5 percent, though actual unemployment remains well into double digits.

Meanwhile, House Republicans have responded with a better plan. We've passed 28 separate

bills that would loosen costly and unnecessary new federal regulations on business and free up access to domestic energy supplies with the goal of creating new jobs and helping hold the line against higher gas prices. The president's reply is simply to ignore us like he conveniently ignored the Constitution. All 28 House-passed jobs bills have stalled in the Democrat-majority Senate.

The president will travel to Congress in a few weeks to address lawmakers. He should take that opportunity to finally join with the House to approve our pro-jobs legislation.

President Announces New Defense Strategy

During a Pentagon press conference last week, Mr. Obama and Defense Secretary Leon Panetta called for a "reshaping of our defense priorities" including an official departure from the Pentagon's long-held goal of being able to conduct two major wars simultaneously.

While the details of the new defense strategy will not be released until the arrival of the president's FY13 budget in early February, it already appears that Army and Marine Corps personnel will sustain major reductions as the Defense Department will face nearly \$500 billion in spending cuts over the next decade, not including an additional \$500 billion in potential cuts to be tacked on through sequestration.

Rooting out waste and increasing efficiency is necessary not only for the Pentagon, but for all government agencies as we seek to control spending and balance our budget. But extreme care must be taken to not do harm to our nation's ability to defend itself in future conflicts. Our budget cannot and should not be balanced solely on the backs of our military. You can be assured Congress will very carefully scrutinize the president's defense recommendations when they are presented next month.

Another Boeing Two-Step

Last week Boeing announced plans to shutter its long-time Wichita, Kansas plant, idling over 2,000 jobs in 2013. According to news reports, some of those jobs were tied to the manufacture

of Boeing's new KC-46A aerial refueling tanker. Reportedly, some Kansas politicians are angry with Boeing's reversal on promises to protect workers' jobs if they won the tanker contract. For those of us involved in the tanker competition, Boeing's two-step is not surprising.

Believing that Boeing low-balled its tanker bid and may seek to drive up the cost of the contract, I was successful in including language in the Omnibus spending bill that passed into law last month requiring the Pentagon to report any increase in the tanker contract exceeding \$5 million. Boeing will be held accountable for its promises to the taxpayers.

My staff and I work for you. If we can ever be of service, do not hesitate to call my office toll free at 1-800-288-8721.

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