

DAILY NEWS

Opinion

## Caitlin Halligan & Richard Cordray blocked by partisan GOP

Obama nominees deserve up or down Senate votes



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J. SCOTT APPLEWHITE/AP

Senate GOP boss Mitch McConnell blocked fit nominees on purely partisan grounds.

D isplaying pure destructive partisanship, Senate Republicans last week blocked two talented public servants from appointment to high federal posts.

Let's take them one at a time.

President Obama nominated Caitlin Halligan to serve as a judge on a key federal appeals court. Her résumé includes

degrees from Princeton and Georgetown Law and clerking stints for a federal appeals court judge and for U.S. Supreme Court Justice Stephen Breyer.

Then she joined the New York attorney general's office, where she rose to become solicitor general, responsible for representing the state in a wide range of cases.

Tapped for the Court of Appeals in Washington with the backing of Sen. Chuck Schumer, Halligan should have sailed through under an arrangement that Democrats and Republicans have generally been observing:

Each would approve a President's judicial nominees unless their qualifications or philosophies were clearly lacking.

Didn't happen, as Republicans threw aside wise practice in a move that will likely reignite judicial warfare.

Among tangled distortions, Senate Minority Leader Mitch McConnell insisted that Halligan advanced the "dubious legal theory" that gun manufacturers could be held legally responsible for crimes committed with firearms.

Nuts. Halligan was arguing on behalf of a client, who happened to be the state attorney general. This is what lawyers do. Moreover, in testimony, Halligan left no doubt that she would follow legal precedent, saying the Constitution "does protect individual rights to bear arms."

Twenty-three people who clerked for conservative Justices William Rehnquist, Antonin Scalia and others called Halligan "a talented and fair-minded colleague." Police Commissioner Ray Kelly used similar language — as did Miguel Estrada, who knows how the game is played.

When President George W. Bush nominated Estrada to the same court, Democrats unfairly denied him an up-or-down vote.

Then there's Richard Cordray, the former Ohio attorney general named to head up the Consumer Financial Protection Bureau created by Congress in landmark financial reform legislation last year.

Nobody disputes Cordray's qualifications.

Nobody denies that the office he's been tapped to lead — designed to protect ordinary Americans from abusive financial practices — exists.

Yet Senate Republicans, insistent that the law gives the office too much power and Congress too little oversight, are refusing to confirm its chief.

The time to fight that battle was when the law was being passed — not when its first leader is being confirmed.

Call it gamesmanship. Call it a game of chicken.

Just don't call it responsible government.

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