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Obama and the D.C. Circuit

By Ed Whelan

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Over the 16 months of his presidency, President Obama has not yet nominated anyone to fill the D.C. Circuit seat that John Roberts vacated on being elevated to the Supreme Court in 2005. I can't imagine that folks on the Left are very happy about that.

Even more remarkably, according to an anecdote in Jonathan Alter's *The Promise*, Obama offered the D.C. Circuit seat to then-White House counsel Greg Craig as a means of easing Craig out of his job. As Adam J. White explains in an [article](#) for the *Weekly Standard*, Obama himself had previously proclaimed that the D.C. Circuit is "widely viewed as the second highest court in the land" and that it is a "special court" with jurisdiction "relating to all sorts of Federal agencies and regulations." As White sums it up, Obama's "attempt to use a D.C. Circuit seat as a political booby prize casts a long shadow across his past, present, and future judicial nominations."

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